

SENATE, No. 3129

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED DECEMBER 1, 2011

Sponsored by:
Senator BARBARA BUONO
District 18 (Middlesex)

SYNOPSIS

Develops evaluation procedure for classroom teachers and requires establishment of lead teacher endorsement.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the evaluation of classroom teachers,
2 supplementing Title 18A of the New Jersey Statutes, and
3 repealing section 1 of P.L.1975, c.132.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that:

9 a. In recent years, a considerable amount of attention has been
10 given to improving the process by which classroom teachers are
11 evaluated. Such efforts are warranted, given that teacher quality is
12 the greatest in-school determinant of student achievement.

13 b. In reassessing how teacher evaluations should be conducted,
14 much of the emphasis has been on linking the evaluations to, in
15 part, measuring students' academic growth on standardized tests
16 using quantitative analysis techniques, such as value-added models
17 and student growth percentiles.

18 c. For at least three reasons, the efficacy of using these
19 techniques is dubious. First, the majority of classroom teachers
20 teach grade levels or subjects for which there are no standardized
21 tests on which to measure student academic growth. Second, such
22 an approach creates the risk that teachers who are evaluated using
23 such a system may focus on the subject areas for which there are
24 standardized tests, rather than the full curriculum. Third, measures
25 of student growth do not provide useful information for identifying
26 effective classroom practices that may be used for designing
27 professional development.

28 d. On the contrary, a recent study has demonstrated that a
29 teacher evaluation procedure that is based on multiple classroom
30 observations during the year by well-qualified professionals who
31 provide immediate, substantive feedback, can have an enduring
32 effect that improves students' academic outcomes in future years.

33 e. Given the demonstrated benefits of a classroom teacher
34 evaluation system that is based on rigorous classroom observations
35 and well-designed professional development, rather than student
36 test scores, it is appropriate for school districts to focus their efforts
37 on redesigning teacher evaluation procedures in a manner that will
38 provide the greatest benefits to students.

39
40 2. a. No later than September 1, 2013, a school district shall
41 develop, and submit to the Commissioner of Education for
42 approval, an array of standards on which the district's classroom
43 teachers shall be evaluated. The standards shall include the
44 following domains:

- 45 (1) creating an environment for student learning;
46 (2) teaching for student learning;
47 (3) assessment of a teacher's planning; and

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1 (4) assessment of a teacher's professional contributions outside
2 the classroom.

3 A school district shall develop a separate set of standards for each
4 level of career progression identified in subsection b. of section 5 of
5 P.L. , c. (C.) (pending before the Legislature as this bill).

6 b. Upon receiving the approval of the commissioner, a school
7 district shall develop, as part of the first collective bargaining
8 agreement entered into after the effective date of P.L. , c. (C.)
9 (pending before the Legislature as this bill), a procedure for
10 performing a comprehensive teacher evaluation and an annual
11 teacher evaluation for each classroom teacher. The evaluation shall
12 rate a classroom teacher on each standard included in the evaluation
13 in one of four categories: highly effective; effective; approaching
14 effective; or ineffective. The procedure shall identify professional
15 development activities to be undertaken by a classroom teacher
16 based on the results of the comprehensive teacher evaluation and
17 the annual teacher evaluation.

18

19 3. a. A school district shall perform a comprehensive teacher
20 evaluation for a classroom teacher during each of the teacher's first
21 three years of employment in the district as a classroom teacher,
22 and every five years thereafter.

23 b. The comprehensive evaluation shall be based on four
24 classroom observations and a review of a portfolio provided by the
25 classroom teacher. Three of the classroom observations shall be
26 performed by a lead teacher who is not an employee at the same
27 school as the classroom teacher being evaluated, and one classroom
28 observation shall be performed by the school principal or the
29 principal's designee. Each classroom observation shall last a
30 minimum of one classroom period, and the observer shall provide
31 the classroom teacher with verbal feedback within two days of the
32 observation and written feedback within 10 days of the observation.
33 The portfolio provided by the teacher shall include, but need not be
34 limited to, a sample of the teacher's lesson plans, a sample of
35 students' work, a log of the teacher's contact with the students'
36 parents or guardians, the teacher's attendance records, and
37 documentation of professional development activities. A classroom
38 teacher undergoing a comprehensive evaluation shall be evaluated
39 on all standards developed by the district.

40

41 4. a. A school district shall perform an annual teacher
42 evaluation for a classroom teacher in each year that a
43 comprehensive teacher evaluation is not conducted.

44 b. The annual teacher evaluation shall be based on a minimum
45 of one classroom observation, and a review of a portfolio provided
46 by the classroom teacher. The classroom observation shall be
47 performed by the school principal or the principal's designee. The
48 classroom observation shall last a minimum of one classroom

1 period, and the observer shall provide the classroom teacher with
2 verbal feedback within two days of the observation and written
3 feedback within 10 days of the observation. The portfolio provided
4 by the teacher shall include, but need not be limited to, a sample of
5 the teacher's lesson plans, a sample of students' work, a log of the
6 teacher's contact with the students' parents or guardians, the
7 teacher's attendance records, and documentation of professional
8 development activities. A classroom teacher undergoing an annual
9 teacher evaluation shall be evaluated on all of the standards
10 developed by the district.

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12 5. a. A school district shall implement the comprehensive and
13 annual teacher evaluations beginning in the first year of the first
14 collective bargaining agreement entered into after the effective date
15 of P.L. , c. (C.) (pending before the Legislature as this bill). For
16 classroom teachers who have obtained tenure prior to the effective
17 date of P.L. , c. (C.) (pending before the Legislature as this bill),
18 a school district may elect to administer the comprehensive teacher
19 evaluation using a staggered schedule that ensures that all such
20 teachers undergo one comprehensive teacher evaluation within five
21 years of the adoption of the first collective bargaining agreement to
22 be entered into after the effective date of P.L. , c. (C.) (pending
23 before the Legislature as this bill).

24 A principal, principal's designee, or lead teacher shall undergo
25 training prior to performing a classroom observation. A classroom
26 teacher shall undergo training in the evaluation procedure prior to
27 being evaluated.

28 b. The first collective bargaining agreement entered into after
29 the effective date of P.L. , c. (C.) (pending before the
30 Legislature as this bill) shall identify the following five levels of
31 career progression, and shall be based on a classroom teacher's
32 years of experience and performance on the comprehensive and
33 annual teacher evaluations:

34 (1) apprentice teacher, which shall designate an individual with
35 no prior teaching experience;

36 (2) developing teacher, which shall designate an individual who
37 has met all of the requirements for a standard instructional
38 certificate and is working to develop the skills required for a career
39 in teaching;

40 (3) career teacher, which shall designate an individual who has
41 demonstrated the skills needed to have a career in teaching;

42 (4) advanced teacher, which shall designate an individual who is
43 continuing to master teaching techniques, as demonstrated by a
44 distinguished level of teaching; and

45 (5) accomplished teacher, which shall designate an individual
46 who has demonstrated outstanding teaching.

1 6. The State Board of Education shall authorize a lead teacher
2 endorsement to the instructional certificate. The State board shall
3 adopt standards for the lead teacher endorsement that shall include a
4 teacher's prior performance on comprehensive and annual teacher
5 evaluations. The endorsement shall allow a teacher to conduct
6 classroom observations as part of a comprehensive teacher
7 evaluation.

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9 7. Section 1 of P.L.1975, c.132 (C.18A:27-3.1) is repealed.

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11 8. This act shall take effect immediately.

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STATEMENT

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16 This bill requires each school district to develop, as part of the
17 collective bargaining agreement, a set of standards on which
18 classroom teachers will be evaluated; the standards will include the
19 following domains: 1) creating an environment for student learning;
20 2) teaching for student learning; 3) assessment of the teacher's
21 planning; and 4) assessment of the teacher's professional
22 contributions outside the classroom. Upon the adoption of a new
23 collective bargaining agreement after the bill's effective date, a
24 district's teachers would undergo a comprehensive evaluation in
25 each of the teacher's first three years teaching in the district, and
26 every five years thereafter. When a comprehensive evaluation is
27 conducted, a teacher will be evaluated on all standards adopted by
28 the district, and the evaluation will be based on four classroom
29 observations and a portfolio submitted by the teacher. One of the
30 observations would be performed by the school's principal, or the
31 principal's designee, and three will be performed by a lead teacher
32 who is not employed at the same school as the teacher who is being
33 evaluated.

34 In years in which a comprehensive teacher evaluation is not
35 conducted, a classroom teacher will undergo an annual teacher
36 evaluation. During an annual evaluation, a teacher will be
37 evaluated on one standard adopted by the district, as selected by the
38 teacher, and the evaluation will be based on at least one observation
39 by the school's principal, or the principal's designee, and a
40 portfolio submitted by the teacher.

41 Additionally, the State Board of Education is required to
42 authorize a lead teacher endorsement to the instructional certificate.
43 The State board would adopt standards for the endorsement that will
44 include an individual's performance on the comprehensive and
45 annual evaluations. The lead teacher endorsement will allow an
46 individual to perform classroom observations as part of a classroom
47 teacher's comprehensive evaluation.