

ASSEMBLY, No. 4122

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED SEPTEMBER 15, 2016

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SYNOPSIS

Eliminates the use of standardized assessments as measure of student growth or progress in evaluations of teachers, principals, assistant principals, and vice-principals.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 9/30/2016)

1 AN ACT concerning the evaluation of certain teaching staff
2 members and amending P.L.2012, c.26.

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

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7 1. Section 17 of P.L.2012, c.26 (C.18A:6-123) is amended to
8 read as follows:

9 17. a. The Commissioner of Education shall review and approve
10 evaluation rubrics submitted by school districts pursuant to section
11 16 of P.L.2012, c.26 (C.18A:6-122). The board of education shall
12 adopt a rubric approved by the commissioner.

13 b. The State Board of Education shall promulgate regulations
14 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
15 (C.52:14B-1 et seq.), to set standards for the approval of evaluation
16 rubrics for teachers, principals, assistant principals, and vice-
17 principals. The standards at a minimum shall include:

18 (1) four defined annual rating categories for teachers, principals,
19 assistant principals, and vice-principals: ineffective, partially
20 effective, effective, and highly effective;

21 (2) a provision requiring that the rubric be partially based on
22 multiple objective measures of student learning that use student
23 growth from one year's measure to the next year's measure;

24 (3) a provision that allows the district **[**, in grades in which a
25 standardized test is not required,**]** to determine the methods for
26 measuring student growth;

27 (4) a provision that multiple measures of practice and student
28 learning be used in conjunction with professional standards of
29 practice using a comprehensive evaluation process in rating
30 effectiveness with specific measures and implementation processes.
31 Standardized assessments shall not be used as a measure of student
32 growth or progress **[but]** and shall not be **[the predominant]** a
33 factor in **[the overall]** any evaluation **[of a teacher]**;

34 (5) a provision that the rubric be based on the professional
35 standards for that employee;

36 (6) a provision ensuring that performance measures used in the
37 rubric are linked to student achievement;

38 (7) a requirement that the employee receive multiple
39 observations during the school year which shall be used in
40 evaluating the employee;

41 (8) a provision that requires that at each observation of a
42 teacher, either the principal, his designee who shall be an individual
43 employed in the district in a supervisory role and capacity and who
44 possesses a school administrator certificate, principal certificate, or

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

- 1 supervisor certificate, the vice-principal, or the assistant principal
2 shall be present;
- 3 (9) an opportunity for the employee to improve his effectiveness
4 from evaluation feedback;
- 5 (10) guidelines for school districts regarding training and the
6 demonstration of competence on the evaluation system to support
7 its implementation;
- 8 (11) a process for ongoing monitoring and calibration of the
9 observations to ensure that the observation protocols are being
10 implemented correctly and consistently;
- 11 (12) a performance framework, associated evaluation tools, and
12 observation protocols, including training and observer calibration
13 resources;
- 14 (13) a process for a school district to obtain the approval of the
15 commissioner to utilize other evaluation tools; and
- 16 (14) a process for ensuring that the results of the evaluation help
17 to inform instructional development.
- 18 c. A board of education shall adopt a rubric approved by the
19 commissioner by December 31, 2012.
- 20 d. Beginning no later than January 31, 2013, a board of
21 education shall implement a pilot program to test and refine the
22 evaluation rubric.
- 23 e. Beginning with the 2013-2014 school year, a board of
24 education shall ensure implementation of the approved, adopted
25 evaluation rubric for all educators in all elementary, middle, and
26 high schools in the district. Results of evaluations shall be used to
27 identify and provide professional development to teaching staff
28 members. Results of evaluations shall be provided to the
29 commissioner, as requested, on a regular basis.
- 30 f. The commissioner shall establish a model evaluation rubric
31 that may be utilized by a school district to assess the effectiveness
32 of its teaching staff members.
33 (cf: P.L.2012, c.26, s.17)

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35 2. This act shall take effect immediately.

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STATEMENT

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40 This bill provides that standardized assessments may not be used
41 as a measure of student growth or progress in the evaluation of a
42 teacher, principal, assistant principal, or vice-principal. Under
43 current law, student progress on standardized assessments may be
44 used as a factor in such evaluations, although it may not be the
45 predominant factor.