

WESTFIELD PUBLIC SCHOOLS
Westfield, New Jersey 07090

PROGRAM
2460
Special Education

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2460 SPECIAL EDUCATION

The Westfield Board of Education assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code (N.J.A.C.) 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All pupils with disabilities, regardless of the severity of their disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3;
2. Homeless pupils are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the I.D.E.A, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.;
3. Pupils with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4;
4. An Individualized Education Program (IEP) is developed, reviewed and, as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7;
5. To the maximum extent appropriate, pupils with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2;
6. All pupils with disabilities are included in all State-wide and district-wide assessment programs with appropriate accommodations according to N.J.A.C. 6A:14-4.10. The IEP team will make the determination whether pupils with significant disabilities will participate in the applicable Alternative Proficiency Assessment. Pupils with disabilities are assessed in accordance with their assigned grade level.
7. Pupils with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set for in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.

8. The rules set for in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school.
 - a. The obligation to make a free, appropriate public education available to each eligible pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;
 - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
 - c. A free appropriate public education is available to any pupil with a disability who needs special education and related services, even though the pupil is advancing from grade to grade;
 - d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique individual needs and not on the pupil's disability; and
 - e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in an appropriate educational setting(s) as close to the student's home as possible and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition to district pre-school programs and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.
10. Full educational opportunity to all pupils with disabilities is provided;
11. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7;
12. Provision is made for the participation of pupils with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2;
13. Pupils with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3;

14. All personnel serving pupils with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13;
15. Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The district Board shall maintain information to demonstrate its efforts to:
 - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
 - b. Enhance the ability of teachers and others to use strategies, such as positive behavioral interventions, to address the conduct of pupils that impedes learning of students with disabilities and others;
 - c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
 - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
 - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
16. Instructional material will be provided to eligible pupils including those with vision loss or print disability in a timely manner, consistent with a plan developed by the district.
17. For pupils with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent(s) to apply for such services.
18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.

19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each pupil's IEP, pursuant to N.J.A.C. 6A:14-4.5(d)
20. The school district takes into consideration the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.
21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.

The school district shall provide an Assurance Statement to the Union County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.

N.J.A.C. 6A:14-1 et seq.
20 USC §1400 et seq.
34 C.F.R. §300 et seq.

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R 2460 SPECIAL EDUCATION

School district officials and staff shall adhere to all regulations included in N.J.A.C. 6A:14-1.1 et seq. and the following special education regulations:

- R 2460.1 Special Education – Location, Identification, and Referral (M)
- R 2460.8 Special Education - Free and Appropriate Public Education (M)
- R 2460.9 Special Education - Transition From Early Intervention Programs to Preschool Programs (M)
- R2460.15 Special Education – In-Service Training Needs for Professional and Paraprofessional Staff (M)
- R 2460.16 Special Education - Instructional Material to Pupils with Vision Loss or Print-Disability (M)

Definitions:

Refer to N.J.A.C. 6A:14-1.3 for definitions of terms used in Regulations 2460.1 through 2460.16.

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**R 2460.1 - SPECIAL EDUCATION – LOCATION,
IDENTIFICATION, AND REFERRAL**

All pupils with disabilities regardless of the severity of their disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, and highly mobile pupils such as migrant workers' children and homeless pupils, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3

A. Procedures for Locating Pupils with Disabilities

1. The Assistant Superintendent for Pupil Personnel Services will coordinate the child find activities to locate, identify and evaluate all children, ages three through twenty-one, who reside within the school district or attend nonpublic schools within the school district and who may have a disability.
2. By June 30 of each school year, the Assistant Superintendent for Pupil Personnel Services or his/her designee will conduct child find activities in the native language of the population, as appropriate, including but not limited to:
 - a. Development of child find materials for distribution.
 - b. Broadcasting of child find information on the school district cable television station. (if applicable)
 - c. Distribution of flyers to the parents of all pupils enrolled in the school district.
 - d. Mailing of child find material to nonpublic schools in the area.
 - e. Mailing of child find material to local pediatricians, hospitals and clergy.
 - f. . Public service announcements on the local foreign language radio stations and cable television stations.

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- g. Public service announcements in local newspapers.
- h. Distribution of child find materials in supermarkets, convenience stores, shelters for the homeless, public and private social service agency locations and nursery school providers.
- i. Mailing information letters to local physicians, hospitals, nursery schools, non-public schools, health departments, community centers, rescue squads and churches.
- j. A guide to preschool services for potentially disabled children ages three to five is made available to any individual or group upon request.
- k. Posting of state developed child find materials in all public schools and the administration building for potentially disabled pupils and/or early intervention program.
- l. Training of home school advocate/school community liaisons or others to assist in the identification of potentially disabled pupils.
- m. Listings of Early Intervention Program (EIP), local nursery schools and pediatricians are maintained. The district's preschool coordinator (or other) maintains contact with EIP coordinator and nursery school director.
- n. Information will be made available for distribution through the Parent Advisory Committee and the district's special services web site.
- o. School handbooks distributed to parents contain information describing special education services.
- p. Distribution of information to the school district's ESL/Bilingual teachers describing child find activities.
- q. Pupils entering Kindergarten are screened to identify pupils who may have a disability.
- r. Intervention and Referral Services Committees (I&RS) have been established in all school buildings.

3. No later than March 30 of each school year the Assistant Superintendent for Pupil Personnel Services or designee from the Westfield school district will contact by mail the Union County Educational Services Commission superintendent to request input from nonpublic school parents and officials for suggestions on ways to conduct child find activities for pupils attending nonpublic schools.

The child find activities for nonpublic pupils shall be comparable to the child find activities for public school pupils.

The Assistant Superintendent for Pupil Personnel Services shall serve as the representative from the Westfield School district to the nonpublic school for services required.

Based on the suggestions from the representatives of the nonpublic schools and parent(s), the Westfield School district will modify the child find activities for the next school year, as appropriate.

B. Procedures for Intervention in the General Education Program

A staff member or agency shall provide in writing a request for intervention services for pupils ages 3 to 21 to the Building Principal or designee. The request shall contain the following:

1. Reason for request (including parental or adult pupil request);
2. Descriptive behavior of pupil performance; and
3. Indication of the prior interventions.

The Building Principal or designee will provide an annual in-service program, to teachers and other school professionals, as appropriate, regarding the procedures for initiating and providing interventions in the general education program. The parent(s) will be informed of such procedures.

The Assistant Superintendent for Curriculum and Instruction or designee will oversee the district's implementation/evaluation of the interventions identified.

An Intervention and Referral Services Committee (I&RS) will be in place in each school building pursuant to N.J.A.C. 6A:16-8.1 et seq. and Policy and Regulation 2417.

The Building Principal or designee will be responsible for the following:

1. The implementation and effectiveness of building level I&RS Committee;

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2. Identifying the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Reviewing, assessing and documenting the effectiveness of the services provided in achieving the outcome(s) identified in the intervention plan.
4. The I&RS Committee shall:
 - a. Plan and provide appropriate intervention services;
 - b. Actively involve the parent(s) in the development and implementation of intervention plans;
 - c. Develop an action plan for an identified pupil which details specific tasks, resources, persons responsible, completion dates, and date for review;
 - d. Coordinate the services of community based social and health provider agencies;
 - e. Process and complete the documentation forms; and
 - f. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan; and.
 - g. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.
5. The Building Principal will insure that:
 - a. I&RS Committee receive in-service training by the Building Principal or designee by December 30th of each school year;
 - b. Staff handbooks are updated by December 30th and include information regarding intervention procedures;
 - c. New instructional staff attend the district's orientation program commencing in the month of August which includes information on I&RS Committee;
 - d. School calendars are distributed in the month of September and provide information on intervention services; and

- e. Parent/pupil handbooks distributed in the month of September include information on intervention services.

C. Procedures for Referral

Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, the Child Study Team (CST) office, and the Office of Pupil Services.

1. Parental Notification of Referral Procedures

Referral procedures shall be included in the special services handbook and posted on the special services web site. These procedures and publications shall be reviewed and updated annually (as appropriate) and distributed to the parent(s) and appropriate social service and welfare agencies no later than October 1 of each year.

2. Parent Initiated Referral

When a parent makes a written request for an evaluation to determine eligibility for services:

- a. The written request shall be received and dated by the Assistant Superintendent of Pupil Personnel Services or designee.
- b. The written request shall be immediately forwarded to the office of special services/special education;
- c. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and forms used to open a case;
- d. Upon receipt of the referral a request for a summary and review of health and medical information regarding the pupil shall be forwarded to the school nurse who will transmit the summary to the Child Study Team (CST);
- e. The tentatively assigned case manager will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date the request was received by the district;

- f. A “Notice of a Referral/Identification Meeting” will be sent to the parent(s);
- g. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet; and
- h. The referral/identification meeting will include the parent(s), CST and general education teacher.

3. School Initiated Referral

Referral of a pupil to the CST may be made by administrative, instructional and other professional staff to determine eligibility for special services when:

- a. It is determined through the I&RS Committee that interventions in the general education program have not been effective in alleviating the pupil’s educational difficulties.
- b. It can be documented that the nature of the pupil’s educational difficulty(s) is such that an evaluation to determine eligibility for services is warranted without delay.
- c. The Assistant Superintendent for Pupil Personnel Services, through in-service training, shall ensure that pupils are referred who may have a disability, but are advancing from grade to grade.
 - (1) A student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:
 - (a) As part of the re-evaluation, the Individualized Education Plan (IEP) team determines that the student continues to require specially designed services to progress in the general education curriculum; and
 - (b) The use of functional assessment information supports the IEP team’s determination.

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The following procedure will be followed for a school initiated referral:

- a. A referral to the CST will be completed by the referring staff member;
 - b. I&RS documentation, when appropriate, (including, but not limited to: teacher reports, grades and other relevant data (optional: the intervention record) shall be forwarded with the referral to the CST along with any other relevant data;
 - c. I&RS documentation does not need to be forwarded for direct referral when the nature of the pupil's disability is such that the evaluation is warranted without delay;
 - d. The referral will be dated upon receipt by the Assistant Superintendent for Pupil Personnel Services or designee and immediately forwarded to the CST;
 - e. A file will be initiated to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting;
 - f. Upon receipt of the referral, a request for a summary and review of health and medical information regarding the pupil shall be forwarded to the school nurse who will transmit the summary to the CST;
 - g. The case manager will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;
 - h. A "Notice of a Referral/Identification Meeting" will be sent to the parent(s);
 - i. The notice shall contain "Parental Rights in Special Education" (PRISE); and
 - j. The referral/identification meeting will be attended by the parent(s), CST and general education teacher.
4. The district may use community rehabilitation programs approved by the New Jersey Department of Labor, Division of Vocational Rehabilitation Services or any other State agency empowered to accept secondary level pupil placement according to N.J.A.C. 6A:14-4.7(i).
 5. Each evaluation of the pupil requires an assessment to determine appropriate post-secondary outcomes as part of transition services planning.

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6. Regarding the determination of eligibility for a specific learning disability, each IEP Team member is required to certify in writing whether the IEP Team report reflects his or her conclusions. In the event the IEP Team report does not reflect the IEP Team member's conclusion, the IEP Team member must submit a dissenting opinion in order to ensure the parent(s) is aware of dissenting opinions.
7. The parent(s) must receive a copy of their child's evaluation report and any documentation leading to a determination of eligibility not less than ten calendar days prior to the eligibility conference in order to ensure the parent(s) has a reasonable amount of time to review documentation prior to an eligibility conference.
8. A pupil may be referred directly to the Child Study Team when warranted.

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**R 2460.8 - SPECIAL EDUCATION –
FREE AND APPROPRIATE PUBLIC EDUCATION**

A free and appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one including pupils with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free and appropriate public education to pupils with disabilities who are suspended or expelled are as follows:

1. School officials responsible for implementing suspensions/expulsions in the district are the following:
 - a. Grades Nine – Twelve Principal/Assistant Principal or designee;
 - b. Grades Six – Eight Principal/Assistant Principal or designee;
 - c. Grades One – Five Principal/Assistant Principal or designee;
 - d. Grades Pre-Kindergarten – Kindergarten Principal or designee
2. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
 - a. Removal for at least half of the school day shall be reported via the Electronic Violence and Vandalism Reporting System.
3. Each Principal or designee will ensure that a system is in place to track the number of days a pupil with disabilities has been removed for disciplinary reasons. Documentation will include:
 - a. Pupil's name;
 - b. The infraction;
 - c. Time suspended; and

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- d. The cumulative days suspended including removal for a portion of the school day which is counted proportionately.
4. When a pupil is suspended from transportation:
 - a. Suspension from transportation is not counted as a day of removal if the pupil attended school.
 - b. Suspension from transportation is counted as a day of removal if the pupil does not attend school.
 - c. If transportation is included in the pupil's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
 - d. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the pupil does not attend school.
5. When a pupil with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
 - a. Opportunity for the pupil to participate and progress in the general curriculum,
 - b. Services and modifications specified in the pupil's IEP,
 - c. Interaction with peers who are not disabled to the extent they would have in the current placement, and
 - d. The pupil is counted as present for the time spent in the in-school suspension program.
6. When a series of short-term removals will accumulate to more than ten school days in the year:
 - a. The Principal/Assistant Principal or designee and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2. Written documentation of the consultation between the school administration and the case manager shall be maintained by the case manager.

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- b. If it is determined that there is no change in placement, the Principal/Assistant Principal or designee, and the case manager, and special education teacher will consult to determine the extent to which services are necessary to:
 - (1) Enable the pupil to participate and progress appropriately in the general education curriculum; and
 - (2) Advance appropriately toward achieving the goals set out in the pupil's IEP.
 - c. Written documentation of the consultation and services provided shall be maintained in the pupil's file.
7. When a disabled pupil is removed from his/her current placement for more than ten days and the removal does not constitute a change in placement, the case manager shall convene a meeting of the IEP Team and, as necessary or required, conduct a functional behavior assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004, 20 U.S.C. §1415(k). The IEP Team shall:
- a. Review the behavioral intervention plan and its implementation;
 - b. Determine if modifications are necessary; and
 - c. Modify the behavioral intervention plan and its implementation as appropriate. The plan will be modified to the extent necessary if at least one member of the team determines that modifications are necessary.

The case manager will document the date and the outcome of the meeting.

The documentation shall be placed in the pupil's file.

Procedures Regarding the Provision of a Free and Appropriate Public Education to Preschool Age Pupils with Disabilities

To ensure that preschoolers with disabilities who are not participating in an early intervention program have their initial IEP's in effect by their third birthday, a written request for an initial evaluation shall be forwarded to the district.

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The following procedures will be followed:

1. A parent of a preschool-age pupil suspected of having a disability, who requests a Child Study Team (CST) evaluation by telephone, will be advised to submit a written request for an evaluation to the Assistant Superintendent of Pupil Personnel Services;
2. Upon receipt of the written request, the request shall be dated and signed by the recipient;
3. The district will respond to referrals of preschoolers according to N.J.A.C. 6A:14-3.3(e).
4. A file will be initiated for the potentially disabled preschooler;
 - a. The case manager and/or child study team coordinator will convene a referral/identification meeting within twenty calendar days (excluding school holidays but not summer vacation) of the date recorded on the request;
 - b. A “Notice of Referral/ Identification Meeting” will be sent to the parent(s);
 - c. The notice will contain “Parental Rights in Special Education” (PRISE) Booklet;
 - d. The meeting will be attended by the CST, including a speech language specialist, the parent(s), and a teacher who is knowledgeable about the district’s program; and
 - e. A program shall be in place no later than ninety calendar days from the date of consent.

Procedures Regarding the Provision of a Free, Appropriate Public Education to Pupils with Disabilities Who Are Advancing From Grade to Grade

The Assistant Superintendent for Pupil Personnel Services through in-service training shall ensure pupils with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as part of a reevaluation, the IEP Team determines the pupil continues to require specially designed services to progress in the general education curriculum; and the use of functional assessment information supports the IEP Team’s determination.

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Procedures Involving Disciplinary Procedural Safeguards for Disabled Pupils Not Yet Eligible For Special Education

Disciplinary procedural safeguards will apply to pupils not yet eligible for special education. The parent and/or adult pupil may assert any of the protections of the law if the district had knowledge the pupil was a pupil with a disability before the behavior that precipitated the disciplinary action occurred.

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**Special Education-Early Intervention
Program (EIP) Transition/IEP Implementation by
Third Birthday**

Regulations Follow

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**2460.9 SPECIAL EDUCATION-EARLY INTERVENTION
PROGRAM (EIP) TRANSITION/IEP IMPLEMENTATION BY
THIRD BIRTHDAY**

Early Intervention Programs (EIP), serving children between birth and age three are administered by the Department of Health and Senior Services as the lead agency in collaboration with the Departments of Human Services and Education in accordance with P.L.1992, c.155.

When an Individualized Education Program (IEP) is developed by the school district for a child age three who has been enrolled in an EIP, and it is determined that the school district shall provide a free appropriate public education for that pupil by continuing the program in the EIP for the balance of that school year, the following requirements shall apply:

1. The Board shall be responsible to ensure that the requirements of N.J.A.C. 6A:14-1.1(d) shall be met;
2. A contractual agreement shall be provided between the school district and the EIP;
3. Personnel shall be appropriately certified and, if required, licensed; and
4. Applications for exceptions in accordance with N.J.A.C. 6A:14-4.10 shall be made whenever necessary.

When the Board determines that the child who has been enrolled in the EIP requires an extended year program, the school district may contract with the EIP for the provision of that program.

The school district administration shall make available to parent(s), legal guardian(s), and/or adult pupils with disabilities, and to the general public all documents relating to the eligibility of the school district under Part B of the Individuals with Disabilities Education Act (IDEA). Words and terms shall be defined in the same manner as those words and terms used in the IDEA and in accordance with N.J.A.C. 6A:14-1.3.

N.J.S.A. 18A:46-1 et seq.
N.J.S.A. 1:6A-1.1 et seq.
N.J.A.C. 6A:14-1 et seq.
20 U.S.C. §1400 et seq.

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R 2460.9 - SPECIAL EDUCATION - TRANSITION FROM EARLY INTERVENTION PROGRAMS TO PRESCHOOL PROGRAMS

Children with disabilities participating in early intervention programs (EIP) assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14-1.1 et seq. will experience a smooth transition and will have an Individualized Education Program (IEP) developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Procedure for Child Study Team (CST) Member Attendance at the Pre-School Transition Planning Conference

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated Part C service coordinator from the early intervention system and will:
 - a. Review the Part C Individualized Family Service Plan for the child;
 - b. Provide the parent(s) written district registration requirements;
 - c. Provide the parent(s) written information with respect to available district programs for preschool pupils, including general education placement options; and
 - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The district will work collaboratively with the EIP designated Part C service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.
3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a pupil transitioning from Part C to Part B.

R 2460.15 - SPECIAL EDUCATION
IN-SERVICE TRAINING NEEDS FOR PROFESSIONAL AND
PARAPROFSSIONAL STAFF

The in-service training needs for professional and paraprofessional staff who provide special education, general education, or related services will be identified and appropriate in-service special education training will be provided by the district.

The district will maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials, and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
5. Provide for joint training activities of parents and special education, related services, and general education personnel.

R 2460.16 - SPECIAL EDUCATION - INSTRUCTIONAL
MATERIAL TO PUPILS WITH VISION LOSS
OR PRINT DISABILITY

All pupils with vision loss or print disability will be provided instructional materials in accordance with a plan developed by the district.

The plan to provide the instructional material to pupils with vision loss or print disability will:

1. Be included in the Individualized Education Program (IEP) of each pupil with a disability;
2. Set forth the instructional materials needed by the pupil;
3. Indicate how the instructional material will be provided to the pupil with vision loss or print disability; and
4. Address any assistive technology needed to permit the pupil to utilize the instructional material to be provided.

2467 – SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require that the Board ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent(s) and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent (as defined according to N.J.A.C. 6A:14-1.3 cannot be identified;
2. The parent cannot be located after reasonable efforts;
3. An agency of the State of New Jersey has guardianship of the pupil and that agency has not taken steps to appoint a surrogate parent for the pupil;
4. The pupil is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the pupil;
5. No parent can be identified for the pupil in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the pupil's parent, and no State agency has taken steps to appoint a surrogate parent for the pupil; and
6. The pupil is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the pupil.

Qualifications and Selection

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a pupil. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such pupil.

The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the pupil he/she represents;
2. Possess knowledge and skills that ensure adequate representation of the pupil;
3. Not be replaced without cause;
4. Be at least eighteen years of age;

5. Have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

A surrogate parent may be paid solely to act in this capacity.

The Assistant Superintendent for Pupil Personnel Services shall serve as Surrogate Parent Coordinator and will: determine whether there is a need for a surrogate parent for a pupil; contact any State agency that is involved with the pupil to determine whether the State has a surrogate parent appointed for the pupil; and make reasonable efforts to appoint a surrogate parent for the pupil within thirty days of determining that there is a need for a surrogate parent for the pupil.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent, and the foster parent is not the parent of the pupil as defined in N.J.A.C. 6A:14-1.3, the district where the foster parent resides shall contact the pupil's case manager at the Division of Child Protection and Permanency (DCP&P) in the Department of Children and Families, to determine whether the parent retains the right to make educational decisions and to determine the whereabouts of the parent

If the parent retains the right to make educational decisions and the parent's whereabouts are known to the school district, the Surrogate Parent Coordinator shall obtain all required consent from and provide written notices to the parent

If the district cannot ascertain the whereabouts of the parent, the foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A. C. 6A:14-1.3. If there is no foster parent, or if the foster parent is unwilling to serve as the pupil's parent, the Surrogate Parent Coordinator shall consult with the pupil's case manager at DCP&P to assist in identifying an individual to serve as a surrogate parent and appoint a surrogate parent and obtain all required consent from, and provide written notices to, the surrogate parent.

Training

N.J.A.C 6A:14-2.2(d) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The Surrogate Parent Coordinator shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
 - a. Parental Rights in Special Education booklet;
 - b. N.J.A.C. 6A:14;
 - c. The Special Education Process;
 - d. Code Training Materials from the Department of Education website; and
 - e. Other relevant materials.
2. Providing the surrogate parent an opportunity to meet with the Surrogate Parent Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Surrogate Parent Coordinator shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
3. Providing the surrogate parent adequate time to become familiar with the pupil and the nature of the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Approved: April 14, 2009
Reviewed: October 14, 2015
First Reading: February 28, 2017
Second Reading:

3159 SCHOOL DISTRICT REPORTING RESPONSIBILITIES

All certificate holders shall report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days of the arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3. For purposes of this policy, “certificate holders” shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the State Board of Examiners. For purposes of this Policy, the term “certificate” shall include all standard, emergency and provisional certificates, all credentials, and all CEAs and CEASs issued by the State Board of Examiners.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Superintendent the disposition of any charge within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed “just cause” for revocation or suspension of certification pursuant to N.J.A.C. 6A:9B-4.4. The school district shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

Pursuant to P.L. 2002 c 199, the Board shall take appropriate action upon receiving notification of a pending charge for a disqualifying crime or offense by a certificate holder. If the pending charge results in conviction, the employee shall not be eligible for continued employment.

The Superintendent of Schools shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;
3. A certificate holder fails to maintain any license, certificate, or authorization that is mandated pursuant to N.J.A.C. 6A:9B for the holder to serve in a position;

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4. The Superintendent of Schools becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the district's employ;
or
5. The Superintendent has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

The Superintendent of Schools shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee's contract is not renewed. The Superintendent of Schools will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by a disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Superintendent of Schools notifies the New Jersey State Board of Examiners of an employee's dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

N.J.S.A. 18A:16-1.3

N.J.A.C. 6A:9B-4.3; 6A:9B-4.4

First Reading: February 28, 2017

Second Reading:

Adopted:

3221 EVALUATION OF TEACHERS

The Board of Education recognizes the importance of teacher effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts this policy for the evaluation of teachers consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act TEACHNJ and the AchieveNJ administrative codes. This Policy and Regulation provides the provisions and requirements for teacher evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3221, “teacher” means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners. It includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members who are assigned a class roster of students for at least one particular course.

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. All information contained in written performance reports and all information collected, compiled, and/or maintained by employees for the evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. 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.

The Board annually shall adopt evaluation rubrics for teachers which shall be submitted to the Commissioner by June 1 for approval by August 1 of each year. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The Board shall meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teachers and shall ensure the training procedures as outlined in N.J.A.C. 6A:10-2.2(b) are followed when implementing the evaluation rubrics for all teachers. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

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The provisions outlined in this policy and regulation and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures for teachers. For each teacher rated ineffective or partially effective on the annual summative evaluation rating, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5. A School Improvement Panel shall be established in accordance with N.J.A.C. 6A:10-3.1 and with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

Observations and evaluations for all teaching staff shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. .

The components of the teacher evaluation rubrics as described in N.J.A.C. 6A:10-4.1 shall apply to teachers. Measures of student achievement, as outlined in N.J.A.C. 6A:10-4.2, shall be used to determine impact on student learning. Teacher observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-4.4. 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).

The teacher practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-7.2.

The Superintendent annually shall notify all teachers of the adopted evaluation policies and procedures/regulations no later than October 1. If a teacher is hired after October 1, the Superintendent shall notify the teacher of the policies and procedures/regulations at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures/regulations within ten working days of adoption.

N.J.S.A. 18A:6-117 et seq.

N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5

N.J.A.C. 6A:10-3.1 and 3.2; N.J.A.C. 6A:10-4.1 through 4.4

N.J.A.C. 6A:10-7.1 and 7.2

First Reading: November 12, 2013

Adopted: December 10, 2013

First Reading: February 28, 2017

Second Reading:

R 3221 EVALUATION OF TEACHERS

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 3221 unless the context clearly indicates otherwise:

“Administrator” means an appropriately certified staff member, 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:9-1.1.

“Announced observation” means an observation in which the person conducting an evaluation 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 administrator 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 highly effective, effective, partially effective, and ineffective.

“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.

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

“Co-observation” means two or more administrators who are trained on the practice instrument who observe simultaneously, the same lesson or portion of a lesson for the purpose of training.

“Corrective Action Plan” means a written plan developed by an administrator 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.

“Department” means the New Jersey Department of Education.

“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.

“Designated Supervisor” means the supervisor designated by the Superintendent of Schools as the teacher’s supervisor.

“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.

“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 and multiple data sources.

“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 instruments and student outcomes. The Westfield Board of Education has adopted Kim Marshall’s evaluation model for teachers.

“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 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 the District’s educator evaluation rubrics that have been reviewed and accepted by the Commissioner. The model teaching and principal evaluation rubric for Westfield is Kim Marshall’s model which appears on the Department’s list of approved educator practice instruments.

“Observation” means a method of collecting data on the performance of a teacher's assigned duties and responsibilities. Observations 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:9-1.1.

“Post-observation conference” means an in-person meeting, between the administrator 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. Teacher practice instruments include a scoring guide that an evaluator uses to structure his or her assessments and ratings of professional practice.

“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 administrators 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.

“Teacher” means a teaching staff member who holds the appropriate standard, provisional, or emergency instructional certificate issued by the Board of Examiners.

“Teacher 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 rubrics and the scores are included in the summative evaluation rating for the individual.

“Unannounced observation” means the administrator or designated supervisor conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted. An unannounced observation will be a minimum of 10 minutes in length. All teachers will be observed a minimum of 6 times per year; all non-tenured teachers will be observed a minimum of 8 times per year.

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 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 the 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 annually shall adopt evaluation rubrics for teachers. The evaluation rubrics shall have four defined annual ratings: highly effective, effective, partially effective, ineffective; and
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 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 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:10-1.1 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 or designee 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 or designee shall notify the teacher of the policies and procedures at the beginning of his/her employment. All teachers shall be notified of amendments to the policy and procedures within ten working days of adoption.
 - d. Annually adopt by June 1, any Commissioner-approved teacher 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 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 (SGO) data.
 - 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 instruments:
- 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 instruments.

- b. Provide training on the teacher practice instrument for any administrator who will conduct observations for the purpose of evaluation of teachers. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation.
- c. Annually provide updates and refresher training on the teacher practice instrument for any administrator who will observe teacher practice for the purpose of increasing accuracy and consistency among observers.
- d. Annually require each administrator who will conduct observations for the purpose of evaluation of a teacher to complete two co-observations during the academic year:
 - (1) Co-observers shall use the co-observation to promote accuracy in scoring, and to continually train themselves on the instrument.
 - (2) A co-observation shall 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.
- e. The Superintendent shall annually certify to the Department that all designated supervisors of teachers in the school district who are utilizing teacher practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the teacher 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; 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. 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 Teachers – N.J.A.C. 6A:10-2.4

1. The provisions outlined in this policy and regulation 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 evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in this 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, and Assistant Principals for calculating the median and school-wide student growth percentile.
 - d. Processes for observations for the purpose of evaluations and post-observation conferences by a designated supervisor.
 - e. The process for preparation of individual professional development plans.
 - f. The process for preparation of an annual written performance report by the teacher's supervisor and an annual summary conference between the teacher and his/her designated supervisor.

3. The annual summary conference between the administrator and the teacher 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 teacher based upon the job description and the scores or evidence compiled using the teacher's evaluation rubric, including, when applicable, the teacher's practice instrument.
 - b. The progress of the teacher toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan;
 - c. Available indicators or scores of student achievement or growth, such as student growth objective scores and student growth percentile scores, when applicable
 - d. The preliminary annual written 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 written performance report shall be prepared by the teacher's administrator or designated supervisor, and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric, when applicable, including 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, observations for the purpose of evaluation and, when applicable, the teacher's practice instrument;
 - c. An individual professional development plan developed by the administrator or designated supervisor and the teacher or, when applicable, a corrective action plan from the evaluation year being reviewed in the report.

6. The teacher and the administrator or designated supervisor who prepares the annual written performance report shall sign the report within five teacher working days of the review.
7. The Superintendent or designee shall include all written 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. 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 rating, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teacher and the Superintendent or designee, or the teacher's designated supervisor.
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 teacher and his/her designated supervisor 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 teacher'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 teacher and his/her designated supervisor shall meet to discuss the corrective action plan within fifteen teacher working days following the school district's receipt of the teacher'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: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 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.
 - d. Include timelines for meeting the goal(s).
- 6. The teacher's administrator, or his/her 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 post-observation conference, when required by N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-4.4.
- 7. Progress toward the teacher's goals outlined in the corrective action plan, shall be documented in the teacher's personnel file and reviewed at the annual summary conference or the mid-year evaluation. Both the teachers and his/her designated supervisor may collect data and evidence to demonstrate the teacher's progress toward his/her corrective action plan goals.
- 8. Progress toward the teacher's goals outlined in the corrective action plan 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.
- 9. 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 administrator or designated supervisor.
- 10. 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 mid-way 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.
- 11. The School Improvement Panel shall ensure teachers with a corrective action plan receive a minimum of one additional observation, in addition to the district's required number of observations as described in N.J.A.C. 6A:10-1.2 and 4.4(a). The Superintendent, principal and/or designated supervisor shall determine the length of the additional observation(s).

12. 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.
 13. The correction action shall remain in effect until the teacher receives his/her next summative evaluation rating.
- 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, an Assistant Principal, where applicable, or another administrator 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. 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.

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: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.
 - (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-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
 - (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.

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, as determined by the Department, so all components make up 100 percent of the evaluation rubric. By August 31 prior to the academic year in which the evaluation rubric applies, the Department shall provide the required percentage weight of each component. 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.
 - d. Notwithstanding the provisions of a, b, and c above, if a teacher's appeal of his/her student growth objective is approved, according to N.J.A.C. 6A:10-4.2(f), the student growth objective score weight within the student achievement component and the teacher practice weight shall be adjusted by the Superintendent or the Commissioner, pursuant to N.J.A.C. 6A:10-4.2(f)
4. 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 measures shall include the following components pursuant to 2. below and, when required by the Department, as described in N.J.A.C. 6A:10-4.1(c):
 - 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 Core Curriculum Content Standards, and based on growth and/or achievement.
 - c. For teachers who teach subjects or grades not covered by the Core Curriculum Content Standards, 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 academic year of the evaluation. If a teacher does not have at least twenty 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.

3. 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. The Department shall then report to the Board of Education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile.
4. 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.
 - 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/her principal or designated supervisor, each student growth objective. If the teacher does not agree with the student growth objectives, the principal or designated supervisor 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/her principal or designated supervisor by October 31 of each academic year, or within 20 work 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 conversation with his/her principal or designated supervisor only when approved by the Superintendent or designee. Adjustments shall be recorded in the teacher's personnel file on or before February 15. If the student growth objective covers only the second semester of the school year, or if the teacher begins work after October 1, adjustments shall be recorded before the midpoint of the second semester.

- f. The teacher's principal or 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.

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

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. An administrator 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 two teacher working days following each observation.
 - b. The post-observation conference shall be for the purpose of reviewing and assessing 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. Each tenured teacher shall be observed as described in N.J.A.C. 6A:10-4.4., at least six times during each school year, but not less than once during each semester. Non-tenured teachers shall be observed at least eight times during each school year and shall have a minimum of three observations by December 23. The following additional requirements shall apply:
 - a. Observations for all teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.

- b. Teachers on a corrective action plan shall receive observations within the timeline set forth in N.J.A.C. 6A:10-2.5.
- c. Nontenured teachers shall be observed during the course of the year by more than one appropriately certified administrator or designated supervisor, either simultaneously or separately, by multiple observers, with the following provisions:
 - (1) A co-observation shall fulfill the requirement in this section for multiple observers.
 - (2) One co-observation shall count as one observation required in 4. below.
- d. A written evaluation report shall be signed by the administrator or designated supervisor who conducted the observation and post-observation and the teacher who was observed.
- e. The teacher shall submit his or her written comments and/or objection(s) of the evaluation within two teacher working days following the conference. Objection(s) shall be attached to each party's copy of the annual written performance report.

N. Teacher Practice Instrument – N.J.A.C. 6A:10-6.2

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

- 1. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers pursuant to N.J.A.C. 6A:9-3;
- 2. 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:
 - a. Clearly define the expectations for each rating category;
 - b. Provide a conversion to the four rating categories: highly effective, effective, partially effective, and ineffective;
 - c. Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and

- d. Use clear and precise language that facilitates common understanding among teachers and administrators.
3. Rely, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
4. Include descriptions of specific training and implementation details required for the instrument to be effective.

Adopted: December10, 2013

Revised:

3223 EVALUATION OF ADMINISTRATORS

The Board of Education recognizes that the continuing evaluation of administrators is essential to the achievement of the educational goals of this district. In order to ensure the greatest benefit to the district of a program of administrator evaluation, the Board shall provide resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training to encourage improvement in job performance. The Board will ensure that evaluation practices are consistent with the Teacher Effectiveness and Accountability for the Children of New Jersey Act TeachNJ and the AchieveNJ administrative codes.

For the purposes of Policy and Regulation 3223, “administrator” mean an appropriately certified staff member, as defined in N.J.S.A. 18A-1.1, working in an administrative or supervisory role and capacity.

The components of the principal evaluation rubrics as described in N.J.A.C. 6A:10-5.1 shall apply to Principals, Assistant Principals, and Supervisors where appropriate. Measures of student achievement, as outlined in N.J.A.C. 6A:10-5.2, shall be used to determine impact on student learning. Principal and Assistant Principal observations shall be conducted in accordance with the provisions of N.J.A.C. 6A:10-5.4. The Superintendent or designee shall conduct observations for the evaluation of Principals pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b). A Principal, or the Superintendent or designee, shall conduct observations for the evaluation of Assistant Principals pursuant to N.J.S.A. 18A:6-121.

The Superintendent or designee will develop, in consultation with administrators, job descriptions for each administrative position. Such job descriptions will state in concise form the program objectives and major responsibilities of the position. The Superintendent or designee shall provide each administrator, no later than October 1 a copy of this policy and the job description and evaluation criteria of his/her position; any amendments made subsequently will be distributed no later than ten days after their adoption.

The Superintendent shall report to the Board on the effectiveness of the evaluation system and shall recommend such changes in the system as may be required to increase its effectiveness.

The Board shall annually adopt evaluation rubrics for administrators which shall be submitted to the Commissioner by June 1 for approval by August 1 of each year. The evaluation rubrics shall have four defined annual ratings: highly effective, effective, partially effective and ineffective.

Tenured Administrators

Tenured administrators shall be evaluated not less than six times per year in order to promote their professional excellence and improve their skills, to enhance pupil learning and growth, and to provide a basis for the review of administrative performance.

Each tenured administrator, except the Superintendent, shall be evaluated annually by appropriately certified and trained administrators. The Superintendent shall, in consultation with administrators, develop procedures for the evaluation of tenured administrators that include, as a minimum:

1. The collection and reporting of evaluation data appropriate to the job description and evaluation criteria, including observations of the administrator's performance;
2. Observation conferences between the administrator and the evaluating administrator;
3. The preparation of individual professional growth plans;
4. The preparation by the evaluating administrator of an annual written performance report that includes the administrator's performance areas of strength and weakness, an individual professional growth plan developed by the evaluating administrator and the administrator, a summary of available indicators of pupil progress and growth and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual administrator, summative evaluation rubrics, and provision for entry into the record by the administrator, within ten teaching staff working days after the signing of the report, of performance data not included by the evaluating administrator; and
5. The annual summary conference between the administrator and the Superintendent or the evaluating administrator shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the administrator's performance based upon the job description and a review of the progress toward the objectives of the individual professional growth plan developed at the previous annual conference and a review of available indicators of pupil progress and growth toward the program objectives. A review of the written performance report and the signing of the report shall be within five working days of the review.

Observations and evaluations for non-tenured administrators shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for non-tenured administrators shall take place before April 30 each year in order to be prior to the May 15 notice requirement for continued employment. Evaluations of tenured administrators shall be completed prior to June 30.

6. For any administrator whose summative rating is partially effective or ineffective, as measured by the evaluation rubrics, a corrective action plan shall be developed in accordance with the provisions of N.J.A.C. 6A:10-2.5.

Nontenured Administrators

Nontenured administrators shall be evaluated for the purpose of identifying and correcting deficiencies, improving professional competence, establishing a means for determining reemployment, and improving the quality of the educational program of this district.

The evaluation of nontenured administrators shall be conducted by the appropriately certified administrator and shall include, as a minimum:

1. The observation of the administrator in the performance of duties not less than six times in each school year and not less than once in each semester;
2. The conduct of a conference between the nontenured administrator and the evaluating supervisor no later than five teaching staff working days after each such observation; and
3. The preparation of a written evaluation report of the non-tenured administrator's total performance, which shall be signed and retained by both parties to the conference and may be augmented by the written disclaimer of the nontenured administrator, provided that such disclaimer is submitted no later than ten working days after the conference.

All information contained in written performance reports, and all information collected, compiled, and/or maintained by employees for the evaluation process pursuant to N.J.A.C 6A:10-1.1 et seq. 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.

The Superintendent or designee shall provide each nontenured administrator with a copy of this policy on his/her appointment.

N.J.S.A. 18A:6-117 et seq.; 18A:27-3.1 et seq.
N.J.A.C. 6A:10-1.1 through 1.4; 6A:10-2.1 through 2.5;
6A:10-5.1 through 5.4; 6A:10-7.1 and 7.3

First Reading: November 12, 2013
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First Reading: February 28, 2017
Second Reading:

R 3223 EVALUATION OF ADMINISTRATORS

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, 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:9-1.1.

“Annual Performance Report” means a written appraisal of the administrator’s performance prepared by the evaluating administrator 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 highly effective, effective, partially effective, and ineffective.

“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.

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

“Co-observation” means two or more administrators who are trained on the practice instrument who observe simultaneously.

“Corrective Action Plan” means a written plan developed by an administrator in collaboration with the person being evaluated 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.

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“Department” means the New Jersey Department of Education.

“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.

“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 and multiple data sources.

“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. The Westfield Board of Education has adopted Kim Marshall’s evaluation model for administrators.

“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 an administrator’s assigned duties and responsibilities. Observations for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by his/her evaluator.

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

“Principal 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 or research studies. The scores from the principal practice are components of the evaluation rubric, and the scores are included in the summative evaluation rating for those administrators who are in the role and capacity of principal or assistant principal.

“Post-observation conference” means an in-person meeting, between an evaluator who conducted the observation and the administrator for the purpose of reviewing and assessing the data collected at the observation, connecting the data to the administrator practice instrument and the administrator’s individual professional development plan, collecting additional information needed for the evaluation of the administrator, and offering areas to improve effectiveness.

“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.

“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” is an academic goal that teachers and administrators 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.

“Supervisor” means an appropriately certified staff member with appropriate certification to function in a supervisory and evaluative role and capacity.

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

“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. An unannounced observation will be a minimum of 10 minutes in length. All administrators will be observed a minimum of 6 times per year.

“Validity” means the extent to which evidence and theory support an interpretation of scores from a measurement instrument for a particular use of the instrument. In the context of evaluating educator practice, this means the evidence gathered using the instrument supports correct and useful inferences and decisions about the effectiveness of the practice observed.

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 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.

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

1. The Board of Education annually shall adopt evaluation rubrics for administrators. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for administrators shall include all other relevant minimum standards set forth in N.J.S.A. 18A:6-123.b. (P.L. 2012, c. 26, § 17c).
3. 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.

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- b. Annually adopt policies and procedures recommended 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 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 administrator 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 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, student growth objective data; and.
 - g. Ensure that the Superintendent or designee certifies to the Department that any evaluator who conducts observations of administrators 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.
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

achievement measures and all aspects of the educator practice instruments;

- b. Provide training on the administrator practice instrument for any administrator who will conduct observations for the purpose of evaluation of an administrator. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
- c. Annually provide updates and refresher training on the teacher practice instrument for any administrator who will observe teaching practice for the purpose of increasing accuracy and consistency among observers;
- d. Annually require each administrator who will conduct observations for the purpose of evaluation of a teacher to complete two co-observations during the academic year:
 - (1) At least one co-observation shall be completed by December 1;
 - (2) Co-observers shall use the double observation to calibrate teacher practice instruments, promote accuracy in scoring, and to continually train themselves on the instrument; and
 - (3) A co-observation may count as a 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. A co-observation shall count as one required observation under N.J.A.C. 6A:10-4.4.
- e. The Superintendent shall annually certify to the Department that all 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

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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. 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: 10-1.2; N.J.A.C. 6A:10-2.4

1. The provisions outlined in this policy and regulation and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of administrators.
2. The Westfield Board of Education has adopted Kim Marshall's evaluation model for administrators. Evaluation policies and procedures requiring the annual evaluation of 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 administrators;
 - b. Roles and responsibilities for implementation of evaluation policies and procedures;
 - c. Job descriptions, evaluation rubrics for administrators, the process for calculating the summative ratings and each component of the evaluation regulations set forth in N.J.A.C. 6A:10-1.1 et seq.;
 - d. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the Superintendent or designee, and the processes, where appropriate, for calculating the median and school-wide growth percentile.
 - e. The process for preparation of individual professional development plans; and

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- f. The process for preparation of an annual written performance report by the Superintendent or designee, and an annual summary conference between the administrator and the Superintendent or designee.
3. The annual summary conference between the Superintendent or designee and the administrator shall be held before the written performance report is filed. For non-tenured administrators and for tenured administrators the report must be received by June 30. The conference 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 evaluation rubric, including, where appropriate, the principal practice instrument;
 - b. The progress of the administrator toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan;
 - c. Available indicators or scores of student achievement or growth, where applicable, such as student growth objective scores and student growth percentile scores, as applicable; 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 designee and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric, including a total score for each component as described in N.J.A.C. 6A:10-5;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description, observations for the purpose of evaluation and the administrator practice instrument;

- c. An individual professional development plan developed by the Superintendent or designee and the administrator or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and
 6. The administrator and the Superintendent or designee shall sign the report within five working days of the review.
 7. The Board of Education shall add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth for an administrator as part of his or her personnel file. 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 the administrator and the Superintendent or designee.
 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 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 designee shall meet to discuss the corrective action plan within fifteen 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: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 designee and the administrator on a corrective action plan shall discuss the employee's progress toward the goals outlined in the corrective action plan during each post-observation conference, when required by N.J.S.A. 18A:27-3.1 or N.J.A.C. 6A:10-5.4.
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 employee 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 designee, may collect data and evidence to demonstrate the administrator's progress toward his or her corrective action plan goals.
8. Progress toward the 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 designee.
10. The Superintendent, or his or her designee, and the administrator, as appropriate, shall conduct a mid-year evaluation of any administrator 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.
11. The Superintendent or designee shall ensure the administrator(s) with a corrective action plan will receive one observation and one post observation conference in addition to the number of observations required by the district.

- 12 The corrective action plan shall remain in effect until the administrator receives his or her next summative evaluation rating.

I. Components of Administrator Evaluation Rubrics – N.J.A.C. 6A:10-5.1

1. Unless otherwise noted, the components of the administrator evaluation rubrics shall apply to staff members holding the position of administrator and holding a valid and effective standard, provisional, or emergency administrative certificate.
2. The administrator evaluation rubric shall meet the standards provided 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:10-5.2; and
 - b. Measures of administrator practice pursuant to N.J.A.C. 6A:10-5.3.
3. To earn a summative rating, administrators who are principals or assistant principals 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.
4. Each score shall be converted to a percentage weight, as determined by the Department, so all measures make up 100 percent of the evaluation rubric. By August 31, prior to the academic 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:10-5.2(b), the administrator receives a school-wide student growth percentile score as described in N.J.A.C. 6A:10-5.2(c), the score shall be at least ten percent and no greater than twenty percent of evaluation rubric rating as determined by the Department.
 - b. Measure of average student growth objective for all teachers, as described in N.J.A.C. 6A:10-5.2(d), shall be at least ten percent and no greater than twenty percent of evaluation rubric rating as determined by the Department.
 - c. Measure of administrator goal, as described in N.J.A.C. 6A:10-5.2, shall be no less than ten percent and no greater than forty percent of evaluation rubric rating as determined by the Department.

- d. Measure of administrator practice, as described in N.J.A.C. 6A:10-5.3(b), shall be thirty percent of evaluation rubric rating.
 - e. Measure of leadership practice, as described in N.J.A.C. 6A:10-5.3(c), shall be twenty percent of evaluation rubric rating.
5. Standardized assessments, used as a measure of student progress, shall not be the predominant factor in determining an administrator's annual summative rating.
- J. Student Achievement Components of Administrator Evaluation Rubrics – N.J.A.C. 6A:10-5.2
1. Measures of student achievement shall be used to determine impact on student learning and shall include the following components:
 - a. School-wide student growth percentile of all students assigned to the administrator;
 - b. Average student growth objective scores of every teacher, as described in N.J.A.C. 6A:10-4.2(e), assigned to the administrator; and
 - c. Goals set by administrator in consultation with the Superintendent or designee pursuant to N.J.A.C. 6A:10-5.2, which shall be specific and measurable, based on student growth and/or achievement data.
 2. The school-wide student growth percentile score shall be included in the annual summative rating of administrators who are assigned to a school as of October 15 and who are employed in schools where student growth percentiles are available for students in one or more grades. The school district may assign administrators who are employed in more than one school to the school or schools as appropriate for the percentage of time spent in each school.
 3. The Department shall calculate the school-wide student growth percentile for administrators, where applicable.
 4. The average student growth objective scores of all teachers, as described in N.J.A.C. 6A:10-4.2(e), shall be a component of the Principal's annual summative rating. The average student growth objective scores for administrators shall be determined according to the following procedures:

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- a. The Principal, in consultation with the Assistant Principal, shall determine prior to the start of the year, which teachers, if not all teachers in the school, shall be linked to the Vice Principal's and Assistant Principal's average student growth objective score.
 - b. If the Vice Principal or Assistant Principal does not agree with the list of teachers linked to his or her name for the purposes of this measurement, the Principal shall make the final determination.
5. Goals for administrators shall be developed and measured according to the following procedures:
 - a. The Superintendent shall determine for all administrators, the number of required administrator goals which shall reflect the achievement of a significant number of students within the school. By August 31 prior to the academic year in which the evaluation rubric applies, the Department shall provide the minimum and maximum number of goals, which shall not be more than four goals.
 - b. Administrators shall develop in consultation with the Superintendent or designee, each administrator goal. Assistant Principals shall set goals specific to his or her job description or adopt the same goals as his or her Principal. If the administrator and Superintendent or designee do not agree upon the student growth objectives, the Superintendent or designee shall make the final determination.
 - c. Administrator goals and the criteria for assessing performance based on those objectives shall be determined and recorded in the administrator's personnel file by October 31 of each academic year or within 20 working days of an administrator's start date if he or she begins work after October 1.
 - d. The administrator goal score shall be calculated by the Superintendent or designee. The administrator's goal score, if available, shall be discussed at his or her annual summary conference.
6. The Superintendent shall remove a teacher's student growth objective score from the Principal's or Assistant Principal's final average student growth objective score for the 2013-2014 academic year and adjust the annual summative rating accordingly if:

- a. A Principal's or Assistant Principal's average student growth objective for the 2013-2014 academic year included a teacher's student growth objective that was successfully appealed according to N.J.A.C. 6A:10-4.2(f); and
- b. Failure to remove the score would cause the Principal's, or Assistant Principal's annual summative rating to be ineffective or partially effective.

K. Administrator Practice Component of Evaluation Rubric – N.J.A.C. 6A:10-5.3

- 1. Measures of administrator practice shall include the following components:
 - a. A measure determined through a Commissioner-approved administrator practice instrument; and
 - b. A leadership measure determined through the Department-created leadership rubric.
- 2. Administrator practice component rating shall be based on the measurement of the administrator's performance according to the school district's Commissioner-approved administrator practice instrument. Observations pursuant to N.J.A.C. 6A:10-5.4 shall be used as one form of evidence for this measurement.
- 3. Leadership practice shall be determined by a score on a leadership rubric, which will assess the administrator's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors. The rubric will be posted on the Department's website and annually maintained.

L. Administrator Observations – N.J.A.C. 6A:10-5.4

- 1. The Superintendent or designee shall conduct observations for the evaluation of administrators pursuant to N.J.S.A. 18A:6-121 and he or she shall be trained pursuant to N.J.A.C. 6A:10-2.2(b).
- 2. The Superintendent or designee shall conduct observations for the evaluation of administrators pursuant to N.J.S.A. 18A:6-121.
- 3. For the purpose of collecting data for the evaluation of an administrator, an observation, as described in N.J.S.A. 18A:6-119 and N.J.A.C. 6A:10-1.2, may include, but is not limited to: building walk-through, staff meeting observation, parent conference observation, or case study analysis of a significant student issue.

4. Post-observation conferences shall include the following procedures:
 - a. A Superintendent or designee who was present at the observation shall conduct a post-observation conference with the administrator being observed. A post-observation conference shall occur no more than fifteen 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 administrator practice instrument and the administrator's individual professional development plan, collecting additional information needed for the evaluation, and offering areas to improve effectiveness.
 - c. With the consent of the observed administrator, post-observation conferences for individuals who are not on a corrective action plan may be conducted via written communication, including electronic communication.
 - d. One post-observation conference may be combined with the administrator's annual summary conference as long as it occurs within the required fifteen working days following the observation.
 - e. A written evaluation report shall be signed by the Superintendent or designee who conducted the observation and post-observation and the administrator who was observed.
 - f. The administrator shall submit his or her written objection(s) of the evaluation within ten working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.
5. Each tenured administrator shall be observed as described in N.J.A.C. 6A:10-5.4, at least two times during each school year. Each nontenured administrator shall be observed as described in N.J.A.C. 6A:10-5.4 at least three times during each school year, as required by N.J.S.A. 18A:27-3.1. An additional observation shall be conducted pursuant to N.J.A.C. 6A:10-2.5(l) for administrators who are on a corrective action plan.

M. Administrator Practice Instrument – N.J.A.C. 6A:10-6.3

The principal practice instrument approved by the Department shall meet the following criteria:

1. Incorporate domains of practice and/or performance criteria that align to the 2008 ISLLC Professional Standards for School Leaders developed by the Interstate School Leadership Licensure Consortium incorporated herein by reference, available at:

http://www.ccsso.org/documents/2008/educational_leadership_policy_standards_2008.pdf ;
2. Include scoring guides for assessing administrator 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 clearly define the expectations for each category and provide a conversion for the four categories: highly effective, effective, partially effective, and ineffective;
3. Be based on multiple sources of evidence collected throughout the year;
4. Incorporate an assessment of the administrator's leadership for implementing a rigorous curriculum and assessments aligned to the Core Curriculum Content Standards;
5. Incorporate an assessment of the administrator's leadership for high-quality instruction;
6. Include an assessment of the administrator's performance in evaluating teachers; and
7. Include an assessment of the administrator's support for teachers' professional growth.

4159 SCHOOL DISTRICT REPORTING RESPONSIBILITIES

All support staff members shall be required to report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days of the arrest or indictment. For purposes of this policy, “support staff members” shall include all school district employees who hold a position in the school district for which no certificate issued by the New Jersey State Board of Examiners is required.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the support staff member. Such support staff members shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed “just cause” for disciplinary action, which may include termination or non-renewal of employment in accordance with law.

Teaching staff members are required to report their arrest or indictment for any crime or offense in accordance with Policy 3159 and N.J.A.C. 6A:9B-4.3.

Pursuant to P.L. 2002 c 199, the Board shall take appropriate action upon receiving notification of a pending charge for a disqualifying crime or offense. If the pending charge results in conviction, the employee shall not be eligible for continued employment.

The school district shall make these reporting requirements known to all new support staff members upon initial employment and to all employees on an annual basis.

First Reading: February 28, 2017
Second Reading:
Adopted: