

[See POLICY ALERT Nos. 201, 207 and 212]

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

A. Definitions – N.J.A.C. 6A:10-1.2

The following words and terms shall have the following meanings when used in Policy and Regulation 3223 unless the context clearly indicates otherwise:

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

“Annual performance report” means a written appraisal of the administrator’s performance prepared by the administrator’s designated administrator or supervisor based on the evaluation rubric for his or her position.

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

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

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

“Corrective Action Plan” means a written plan developed by the administrator’s **designated** or supervisor in collaboration with the administrator to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual administrator and



the school district for implementing the plan, and specific support that the district shall provide **as defined in N.J.S.A. 18A:6-119.**

“Department” means the New Jersey Department of Education.

“Designated supervisor” means the designated administrator or supervisor designated by the Superintendent of Schools or designee as the administrator’s supervisor.

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

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from educator practice instruments for teaching staff members other than teachers, Principals, Vice Principals, and Assistant Principals may be applied to the administrator’s summative evaluation rating in a manner determined by the school district.

“Evaluation” means an appraisal of an individual’s professional performance in relation to his or her job description; **and** professional standards; **and** ~~Statewide evaluation criteria that incorporates analysis of multiple measures of student achievement or growth, if applicable, and multiple data sources~~ **based on, when applicable, the individual’s evaluation rubric.**

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

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

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



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

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

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

“Post-observation conference” means a meeting, either in-person or remotely, between a ~~Superintendent or designated~~ **the** designated administrator or supervisor who conducted the observation and the administrator for the purpose of evaluation to discuss the data collected in the observation.

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

“Semester” means half of the school year.

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

~~“Student growth objective” means an academic goal that administrators and evaluators may set for groups of students.~~

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



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

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

The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts entered into by a school district in effect on July 1, 2013. No collective bargaining agreement entered into after July 1, 2013, shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to bargaining involve matters of educational policy or managerial prerogatives.

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

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

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

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

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



1. The Board of Education shall meet the following requirements for the annual evaluation of administrators, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-~~21.1~~ 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);
 - (1) **The Superintendent shall develop policies and procedures that, at a minimum, ensure student performance data on the Statewide assessment is, upon receipt, promptly distributed or otherwise made available to staff members who were primarily responsible for instructing the applicable students in the school year in which the assessment was taken, as well as to staff members who are or will be primarily responsible for instructing the applicable students in the subsequent school year.**
 - c. Ensure the Superintendent annually notifies all administrators of the adopted evaluation policies and procedures no later than October 1. If an administrator is hired after October 1, the Board/Superintendent shall notify the administrator of the policies and procedures at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures within ten ~~administrator~~ working days of adoption;
 - d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department which instruments will be used as part of the school district's evaluation rubrics;
 - e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31



and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2;

- f. Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and
 - g. Ensure the Superintendent or designee certifies to the Department that any observer who conducts an observation of an administrator 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 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 educator practice instruments for any supervisor who will conduct observations for the purpose of evaluation of administrators. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;~~
 - be. Annually provide updates and refresher training ~~on the educator practice instruments for any administrators or supervisors who will observe educator practice for the purpose of increasing accuracy and consistency among observers~~ **are conducting evaluations in the school district and more thorough training for any**



administrator or supervisor who will evaluate administrators for the first time. Training shall be provided on each component of the evaluated administrator's evaluation rubric before the evaluation of an administrator; and

- cd. The Superintendent shall annually certify to the Department that all administrators and supervisors of administrators in the school district who are utilizing ~~educator practice instruments~~ **evaluation rubrics** have completed training on ~~the instrument and its application~~ and have demonstrated competency in applying the **evaluation rubrics** ~~educator practice instruments~~.

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

1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.
2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups and to individuals.
3. Beginning in ~~2017-2018~~ **2018-2019**, the District Evaluation Advisory Committees shall no longer be required and the Board of Education shall have the discretion to continue the District's Evaluation Advisory Committee.

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

1. The provisions outlined in Policy and Regulation 3223 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation of administrators.
2. Evaluation policies and procedures requiring the annual evaluation of all administrators shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory



Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:

- a. Roles and responsibilities for implementation of evaluation policies and procedures;
 - b. Job descriptions, evaluation rubrics for administrators, the process for calculating the summative ratings and each component, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - c. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, Principals, Vice Principals, and Assistant Principals for calculating the median and school-wide student growth percentile;
 - d. Processes for observations for the purpose of evaluation and post-observation conference(s) by an administrator or supervisor;
 - e. **Process for developing and scoring student growth objectives;**
 - fe. The process for preparation of individual professional development plans; and
 - gf. The process for preparation of an annual ~~written~~ performance report by the Superintendent or designated administrator or supervisor and an annual summary conference between the administrator and **his or her** ~~the Superintendent or~~ designated administrator or supervisor.
3. The annual summary conference between ~~the Superintendent or~~ designated administrators or supervisors and the administrator shall be held before the **annual written** performance report is filed. The conference shall occur on or before June 30 of each **school** year and shall include, but not be limited to, a review of the following:
- a. The performance of the administrator based upon the job description and the scores or evidence compiled using the administrator's evaluation rubric, including, whenever applicable, ~~the educator's practice instrument;~~



- (1) **The administrator's practice instrument; and**
 - (2) **Available indicators or student achievement measures such as student growth objective scores and student growth percentile scores.**
- b. The progress of the administrator toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan; **and**
- ~~c. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and~~
- ~~cd.~~ The preliminary annual ~~written~~ performance report.
4. If any scores for the administrator's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
5. The annual ~~written~~ performance report for the administrator shall be prepared by the ~~Superintendent or~~ designated administrator or supervisor and shall include, but not be limited to:
 - a. A summative rating based on the evaluation rubric;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description, ~~observations for the purpose of evaluation and, when applicable, the educator practice instrument;~~ and **components of the administrator's evaluation rubric; and**
 - c. ~~An~~ **The administrator's** individual professional development plan developed by the ~~Superintendent or designated administrator or supervisor and the administrator or, when applicable,~~ a corrective action plan from the evaluation year being reviewed in the report.



6. The administrator and the ~~Superintendent~~ or designated administrator or supervisor shall sign the report within five ~~administrator~~ working days of the review.
 7. The Board of Education 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 his or her personnel file, or in an alternative, confidential location. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.
- H. Corrective Action Plans for Administrators – N.J.A.C. 6A:10-2.5
1. For each administrator rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by administrator and the Superintendent or the designated administrator or supervisor. **If the administrator does not agree with the corrective action plan's content, the designated administrator or supervisor shall make a final determination.**
 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 **his or her** designated administrator or supervisor shall meet to discuss the corrective action plan ~~prior to September 15 by~~ **October 31** 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.~~ **following the year of evaluation except:**
 - a3. If the ineffective or partially effective summative evaluation rating is received after ~~the start~~ **October 1** of the school year following the year of evaluation, ~~then~~ a corrective action plan ~~shall~~ **must** be developed, and the administrator and ~~his or her~~ **the** ~~Superintendent~~ or designated administrator or supervisor shall meet to discuss the corrective action plan within ~~twenty-five~~ **fifteen** administrator working days following the school district's receipt of the administrator's summative rating.



4. ~~The content of the corrective action plan shall replace the content of the individual professional development plan required in N.J.A.C. 6A:9C-3.4(c) and 3.7(c) until the next annual summary conference.~~
35. The content of the corrective action plan shall **replace the content of the individual professional development plan required pursuant to N.J.A.C. 6A:9C-4.3(a) and 4.4(a) and shall:**
- a. Address areas in need of improvement identified in the 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).
46. The **administrator's Superintendent** ~~or~~ designated administrator or supervisor; and the administrator on a corrective action plan shall discuss the administrator's progress toward the goals outlined in the corrective action plan during each **required** post-observation conference. **The administrator and his or her designated administrator or supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the administrator's progress, position, or role.**
57. Progress toward the administrator's goals outlined in the corrective action plan:
- a. ~~Shall~~ be documented in the administrator's personnel file and reviewed at the annual summary conference **and** ~~or~~ the mid-year evaluation, ~~when applicable.~~ Both the administrator on a corrective action plan and ~~the Superintendent or~~ **his or her** designated administrator or supervisor may collect data and evidence to demonstrate the administrator's progress toward his or her corrective action plan goals; **and**
 - b8. ~~Progress toward the administrator's goals outlined in the corrective action plan~~ **may** be used as evidence in the administrator's next



annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

69. 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 **administrator's** designated administrator or supervisor.

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

8. **There shall be no minimum number of administrator working days an administrator's corrective action plan can be in place.**

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

1. The Superintendent shall determine the duration of observations required pursuant to N.J.S.A. 18A:27-3.1 for nontenured administrators. **Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:**

- a. **Be at least twenty minutes in length;**
- b. **Be followed within fifteen administrator working days by a conference between the administrator or supervisor who made the observation and the nontenured administrator;**
- c. **Be followed by both parties to such a conference signing the written or electronic observation report and each retaining a copy of his or her records; and**
- d. **Allow the nontenured administrator to submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual performance report.**

2. **All tenured administrators shall receive at least one observation per school year.**

3. **All nontenured administrators shall receive at least three observations, as required pursuant to N.J.S.A. 18A:27-3.1.**



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- ~~2. Each nontenured administrator shall be observed and evaluated in the performance of his or her duties at least three times during each school year but not less than once during each semester.~~
- ~~3. Each tenured administrator shall be observed and evaluated in the performance of his or her duties at least once each school year. The Superintendent shall determine the duration of the observation.~~
- ~~4. Observations include, but are not limited to: observations of meetings, student instruction, parent conferences, and a case study analysis of a significant student issue.~~
- ~~5. Each observation shall be followed within fifteen administrator working days by a conference between the Superintendent or designated supervisor who made the observation and written or electronic evaluation and the administrator. Both parties to such a conference shall sign the written or electronic evaluation report and each shall retain a copy for his or her records. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for correction, and improve professional competence.~~
- ~~6. The administrator may submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.~~
 - a7.** The required observations and evaluations for nontenured administrators shall take place before April 30 each year. These observations and evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case of the first year of employment where the three evaluations and observations must have been completed prior to April 30.
 - b8.** The number of required observations and evaluations for nontenured administrators may be reduced proportionately when an individual administrator's term of service is less than one academic year.
- 49.** Evaluations for tenured administrators shall be completed prior to June 30.



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