

**Hamilton Township Public Schools
Mays Landing, New Jersey**

**Agenda for Work Session
December 17, 2013**

**Location: Davies School Library
Time: 7:00 p.m.**

- | | |
|--|--------------------|
| I. Call to Order – Daniel M. Smith, Board Secretary | <u>Page</u> |
| II. Flag Salute | |
| III. Notice of Advertisement of Meeting | |

This meeting is being held in compliance with the Sunshine Law, having been advertised in the Press of Atlantic City and the Atlantic County Record and its affiliates and a notice posted with the Township Clerk on the Bulletin Board at the following locations: Mizpah Social Services Center, Mizpah Post Office, Mays Landing Post Office, Atlantic County Library, as well as all the schools of the district. A mechanical device is being used to record this meeting and this meeting is also being video-taped.

IV. Roll Call

V. Executive Session

Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:

- **H.T.E.A. Contract Negotiations**

Further resolved that the discussion of such subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time.

Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately _____ minutes.

VI. Approval of Minutes

- | | | |
|---------------|--|-----------|
| Motion | 1. Motion to approve the <i>revised</i> Executive session minutes of the Special Meeting of October 29, 2013 (attachment Minutes-1). | 13 |
| | Motion_____Second_____Vote_____ | |
| Motion | 2. Motion to approve the <i>revised</i> Regular and Executive session minutes of the meeting of November 19, 2013 (attachment Minutes-2). | 17 |
| | Motion_____Second_____Vote_____ | |

VII. Correspondence

VIII. Receive comments from the public on tonight's agenda in accordance with the Board's policy on participation at Board meeting.

IX. Board Member Comments

X. Superintendent/Staff Reports

FYI

A. Information Items

1. Dates to Remember

- December 17, 2013 – Curriculum Committee Meeting – Davies School – 6:00 p.m.
- December 17, 2013 – Board of Education Meeting – Davies School – 7:00 p.m.
- December 23-January 1, 2014 – Winter Recess – Schools Closed
- January 7, 2014 – Regular and Re-Organization Meeting – Davies School – 7:00 p.m.

- | | | |
|------------|--|-----------|
| FYI | B. Harassment, Intimidation and Bullying Incident Log (attachment X-B) | 42 |
| FYI | C. Registration/Transfer Statistics for the Month of November, 2013 (attachment X-C). | 43 |
| FYI | D. Enrollment for the month of November, 2013 (attachment X-D) | 44 |

- | | | |
|-----|---|----|
| FYI | E. New Homes and Certificates of Occupancy for the months of September, October, and November, 2013 (attachment X-E) | 45 |
| FYI | F. Recognition of Davies School Student Council Member, Jay Cooperman for his dedication to Prostate Cancer Awareness Month. | |
| FYI | G. A representative from the Cooper Levenson Law Firm will present an award to Davies School Student, Durrone Elmore whose design was one of many chosen to be placed on their holiday cards. | |
| FYI | H. Report on Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol and Other Drug Abuse | |
| | <i>Presented By:</i> Russell Clark, Affirmative Action
Officer and Anti Bullying Coordinator | |
| FYI | I. Recognition of out-going Board Members, Mr. Carl Anderson, Mrs. Barbara Kupp, and Mr. George Hassa for their service to the Hamilton Township School District | |

XI. Committees and Recommendations

- A. Facilities Committee - Mr. Sacchinelli
- B. Curriculum Committee - Mrs. Kupp

Action	1. Motion to approve the Hamilton Township School District's draft School-Wide Enrichment Program (SWEP) Curriculum for kindergarten through grade 5. This curriculum is a component of the district's revised Gifted & Talented Program. The curriculum will be refined following the 2013-2014 school year for final BOE approval for the 2014-2015 school year Motion_____Second_____Vote_____
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Action	2. Motion to approve the Hamilton Township School District's draft Financial Literacy Curriculum. The Financial Literacy Course offered to grade 6 students is in its pilot year. The curriculum will be refined following the 2013-2014 school year for final BOE approval for the 2014-2015 school year. Motion_____Second_____Vote_____
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C. Finance Committee - Mrs. Melton

Action

1. Motion to approve the Report of Receipts and Expenditures in accordance with 18A:17-8 and 18A:17-9 for the month of October, 2013. The Report of Receipts and Expenditures and the Secretary's Report are in agreement for the month of October, 2013.
Motion_____Second_____Vote_____

Action

2. Motion to approve the Board Secretary's Report for the period ending October 31, 2013. Pursuant to N.J.A.C. 6A:23-2.11(c)4, the Hamilton Township Board of Education certifies that as of October 31, 2013, and after review of the Secretary's Monthly Financial appropriations section as presented and upon consultation with the appropriate district officials, to the best of the Board's knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.
Motion_____Second_____Vote_____

Action

3. Motion to approve budget transfers in the amount of \$330,412.00.
Motion_____Second_____Vote_____

Action

4. Motion to approve the Superintendent's and Board Secretary's certification that they have reviewed all bills and purchase orders which are listed on the bill list, and hereby certify to the Board of Education that all purchase orders are sufficiently encumbered to cover the submitted bills, and further that all goods and services have been previously received.

Action

5. Motion to approve bills and payroll in the total amount of \$233,879.50:

<u>Fund</u>	<u>Title</u>	<u>Amount</u>
10	General Fund/Payroll	\$174,208.78
20	Special Revenue	21,824.91
50	Kid's Corner	23,945.57
50	Community Education	3,306.27
50	Camp Blue Star	10,593.97
Motion_____Second_____Vote_____		

Action 6. Motion to approve staff attendance at seminars, workshops and conferences, including costs related to applicable reimbursable expenses, during the 2013-2014 school year.
Motion_____Second_____Vote_____

Action 7. Motion to approve two tuition contracts between the Hamilton Township Board of Education and the Somers Point Board of Education for two (2) students for the period September 5, 2013 through January 29, 2014 for a total cost of \$11,723.83, pro-rated.
Motion_____Second_____Vote_____

Action 8. Motion to approve a tuition contract between Marie H. Katzenbach School for the Deaf and the Hamilton Township Board of Education for one (1) student for the 2013-2014 school year with a total tuition costs of \$47,495.00 and dormitory charges in the amount of \$11,850.00 for a total cost of \$59,345.00.
Motion_____Second_____Vote_____

Action 9. Motion to approve the disposal of unused checks as follows:

<u>Bank</u>	<u>General Account#</u>	<u>Check #'s</u>	<u>Reason</u>
Ocean City Home Bank	981022221	23179-24610	Account Closed

Motion_____Second_____Vote_____

Action 10. Motion to approve Resolution #72 to Adjust the Budget Submission Calendar for 2014-2015.
Motion_____Second_____Vote_____

Action 11. Motion to approve tuition contracts between the Galloway Township Board of Education and the Hamilton Township Board of Education for two (2) students for the period September 9, 2013 through June 16, 2014, as follows:

Kindergarten Student - \$70.25/per diem for 180 days for a total tuition cost of \$12,645.00

Grade 5 student - \$73.32/per diem for 180 days for a total tuition cost of \$13,197.60

Motion_____Second_____Vote_____

Action 12. Motion to approve an Addendum to the Professional Services Agreement for the 2013-2014 school year between Burlington County Special Services School District and the Hamilton Township School District.

(The Professional Services Agreement was approved on June 25, 2013 for the 2013-2013 school year.)

Motion_____Second_____Vote_____

D. Personnel/Negotiations Committee – Mr. Aiken
All personnel actions are being taken by the recommendation of the Superintendent.

Action 1. Motion to approve homebound instruction for the 2013-2014 school year (attachment Personnel-1). 48
Motion_____Second_____Vote_____

Action 2. Motion to approve fieldwork placements for the 2013-2014 school year (attachment Personnel-2). 50
Motion_____Second_____Vote_____

Action 3. Motion to approve Ashley Noll as a Shaner School teacher for the period January 27, 2014 through June 30, 2014, B.A., Step 1, for a total annual salary of \$44,352.00, pro-rated (attachment Personnel-3). 54

Salary subject to change at the completion of the H.T.E.A. negotiations.

Ms. Noll is a replacement for Jenna Kyle who will be on a maternity leave of absence.

Motion_____Second_____Vote_____

Action 4. Motion to approve a maternity leave of absence for Theresa Christman, Hess School Teacher. Mrs. Christman is requesting to use her accumulated sick time for the period March 5, 2014 through the end of the school year. In the event the school calendar changes and she has exhausted all of her sick days, she will be placed on a NJ Family Leave of absence with a return to work date of September 1, 2014 (attachment Personnel-4). 58
Motion_____Second_____Vote_____

Action 5. Motion to approve a maternity leave of absence for 59
Jacqueline Radice, Davies School teacher. Mrs.
Radice is requesting to use her accumulated sick days
for the period March 14, 2014 through the end of the
school year with a return to work date of September 1,
2014 (attachment Personnel-5).
Motion_____Second_____Vote_____

Action 6. Motion to approve a medical leave of absence for 60
Kenneth Morrison, full-time Davies School Custodian.
Mr. Morrison is requesting to use his accumulated sick
time from December 13-30, 2013, vacation time from
January 2-31, 2014 and Family Medical Leave of
Absence (FMLA) from February 3, 2013 to March 28,
2014 with a return to work date of March 31, 2013
(attachment Personnel-6).

Mr. Morrison's vacation and FMLA will run
concurrent.

Motion_____Second_____Vote_____

Action 7. Motion to approve Kristen DeVuyst as a full-time, Hess 61
School teacher for the period January 27, 2014
through June 30, 2014, B.A., Step 1, with a total annual
salary of \$44,352.00, pro-rated (attachment
Personnel-7).

Salary subject to change at the completion of the
H.T.E.A. negotiations.

Ms. DeVuyst is a replacement for Carla Burke who is
on a maternity leave of absence.

Motion_____Second_____Vote_____

- Action 8. Motion to approve June Irwin as a part-time 27.5 hours/week Hess School Food Service worker for the period December 18, 2013 through June 30, 2014, Food Service Guide, Step 7, with a total annual salary of \$19,597.00, pro-rated (attachment Personnel-8). 64
- Salary subject to change at the completion of the H.T.E.A. negotiations.
- Ms. Irwin is a replacement for Marcia Errickson who has resigned.
- Motion_____Second_____Vote_____
- Action 9. Motion to approve Cathleen Fichetola as a part-time, 15 hours/week, Hess School Food Service Worker for the period December 18, 2013 through June 30, 2014, Food Guide, Step 1, with a total annual salary of \$9,479.00, pro-rated (attachment Personnel-9). 65
- Salary subject to change at the completion of the H.T.E.A. negotiations.
- Ms. Fichetola is a replacement for June Irwin whose hours were increased.
- Motion_____Second_____Vote_____
- Action 10. Motion to accept and approve a resignation notice from John Ingersoll, Hess School Food Service worker effective December 31, 2013 with his last day of employment to be December 20, 2013 (attachment Personnel-10). 66
- Motion_____Second_____Vote_____
- Action 11. Motion to approve the following Mentors for the 2013-2014 school year:
- Wendy Marco, Shaner School for Ashley Noll
 - Michael Guedes, Hess School for Kristen De Vuyst
- Motion_____Second_____Vote_____

- | | | |
|--------|---|----|
| Action | <p>12. Motion to extend an employment contract for Melanie Piskun, full-time Hess School teacher from January 2, 2014 to March 21, 2014. Ms. Piskin is a replacement for Patty Carmen who is on a medical leave of absence which was previously approved on September 3, 2013.</p> <p>Motion_____Second_____Vote_____</p> | |
| Action | <p>13. Motion to approve the termination of Kevin Graham, Hess School part-time Food Service worker effective December 6, 2013.</p> <p>Motion_____Second_____Vote_____</p> | |
| Action | <p>14. Motion to approve district substitutes for the 2013-2014 school year (attachment Personnel-14).</p> <p>Motion_____Second_____Vote_____</p> | 67 |
| Action | <p>15. Motion to approve a return to work date for Kristina Morey, Davies School secretary from January 2, 2014 to December 19, 2013 (attachment Personnel-15).</p> <p>Motion_____Second_____Vote_____</p> | 68 |
| Action | <p>16. Motion to approve Kristina Morey as a full-time, Davies School 6-7 Grade administrative secretary for the period January 2, 2014 through June 30, 2014, Admin. Secretary Guide, Step 5, with a total annual salary of \$28,152.00, pro-rated (attachment Personnel-16).</p> <p>Salary subject to change at the completion of the H.T.E.A. negotiations.</p> <p>Mrs. Morey is a replacement for Lorraine Grasso-Johnson who is retiring.</p> <p>Motion_____Second_____Vote_____</p> | 69 |
| Action | <p>17. Motion to approve a maternity leave of absence for Danielle Grimaldi, Hess School teacher. Mrs. Grimaldi is requesting to use her accumulated sick days for the period April 7, 2014 through May 2, 2014 and be placed on a Family Leave of Absence for the period May 5, 2014 to the end of the school year with a return to work date of September 1, 2014 (attachment Personnel-17).</p> <p>Motion_____Second_____Vote_____</p> | 70 |

Action	18. Motion to approve the Memorandum of Agreement between the Hamilton Township Board of Education and the Hamilton Township Education Association ("HTEA") for the period July 1, 2012 through June 30, 2015 (attachment Personnel-18). Motion_____Second_____Vote_____	71
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E. Policy Committee - Mrs. Capone

Action	1. Motion to approve Policy #1240 – Evaluation of Superintendent on first reading (attachment Policy-1). Motion_____Second_____Vote_____	80
Action	2. Motion to approve Regulation #1240 – Evaluation of Superintendent on first reading (attachment Policy-2). Motion_____Second_____Vote_____	83
Action	3. Motion to approve Policy #3142 – Nonrenewal of Nontenured Teaching Staff Members on first reading (attachment Policy-3). Motion_____Second_____Vote_____	87
Action	4. Motion to approve Regulation #3142 – Nonrenewal of Nontenured Teaching Staff Members on first reading (attachment Policy-4). Motion_____Second_____Vote_____	89
Action	5. Motion to approve Policy #3144 – Certification of Tenure Charges on first reading (attachment Policy-5). Motion_____Second_____Vote_____	95
Action	6. Motion to approve Regulation #3144 – Certification of Tenure Charges on first reading (attachment Policy-6). Motion_____Second_____Vote_____	98
Action	7. Motion to approve Policy #3221 – Evaluation of Teachers on first reading (attachment Policy-7). Motion_____Second_____Vote_____	110
Action	8. Motion to approve Regulation #3221 – Evaluation of Teachers on first reading (attachment Policy-8). Motion_____Second_____Vote_____	112

Action	9. Motion to approve Policy #3222 – Evaluation of Teaching Staff Members, Excluding Teachers and Administrators on first reading (attachment Policy-9) Motion_____Second_____Vote_____	135
Action	10. Motion to approve Regulation #3222 – Evaluation of Teaching Staff Members, Excluding Teachers and Administrators on first reading (attachment Policy-10) Motion_____Second_____Vote_____	137
Action	11. Motion to approve Policy #3223 – Evaluation of Administrators, Excluding Principals, Vice Principals, and Assistant Principals on first reading (attachment Policy-11). Motion_____Second_____Vote_____	151
Action	12. Motion to approve Regulation #3223 – Evaluation of Administrators, Excluding Principals, Vice Principals, and Assistant Principals on first reading (attachment Policy-12). Motion_____Second_____Vote_____	153
Action	13. Motion to approve Policy #3224 – Evaluation of Principals, Vice Principals, and Assistant Principals on first reading (attachment Policy-13). Motion_____Second_____Vote_____	167
Action	14. Motion to approve Regulation #3224 – Evaluation of Principals, Vice Principals, and Assistant Principals on first reading (attachment Policy-14). Motion_____Second_____Vote_____	169
Action	15. Policy #4146 – Nonrenewal of Nontenured Support Staff Members on first reading (attachment Policy-15). Motion_____Second_____Vote_____	190
Action	16. Regulation #4146 – Nonrenewal of Nontenured Support Staff Members on first reading (attachment Policy-16). Motion_____Second_____Vote_____	192

F. Transportation Committee - Mr. Anderson

XII. Resolutions

XIII. Solicitor's Report

XIV. Unfinished Business

XV. New Business (consideration of additional items that may be properly presented to the Board of Education at this time)

XVI. Receive comments from the public in accordance with the Board's policy on participation at Board meeting

XVII. Executive Session

Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:

- Matters rendered confidential by nature of law:**
 - 1. HIB Reports**
 - 2. Personnel**

Further resolved that the discussion of such subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time. Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately _____ minutes.

XVIII. Adjournment

**MINUTES OF THE REGULAR SESSION MEETING
OF THE BOARD OF EDUCATION
HELD ON NOVEMBER 19, 2013
HAMILTON TOWNSHIP PUBLIC SCHOOLS
Mays Landing, New Jersey
William Davies Middle School Library**

The Regular Meeting of the Hamilton Township Board of Education was called to order at 6.13 p.m. in the Michael H. Duberson Memorial Library at the William Davies Middle School by Dr. Anne Erickson.

**Call
To
Order**

Dr. Anne Erickson led the Pledge of Allegiance.

**Pledge of
Allegiance**

ANNUAL NOTICE OF MEETING

This meeting is being held in compliance with the Sunshine Law, having been advertised in the Press of Atlantic City and the Atlantic County Record and its affiliates and a notice posted with the Township Clerk on the Bulletin Board at the following locations: Mizpah Social Services Center, Mizpah Post Office, Mays Landing Post Office, Atlantic County Library as well as all the schools of the district. A mechanical device is being used to both audio-tape and video-tape this meeting.

The following members answered roll call: Mr. Eric Aiken, Mrs. Peggy Capone, Mrs. Amelia Francis, Mr. George Hassa, Mrs. Barbara Kupp, Mrs. Kim Melton, Mr. John Sacchinelli and Dr. Anne Erickson. Quorum present.

**Roll
Call**

Members Absent: None

Also present Dr. Michelle Cappelluti: Superintendent of Schools
were: Mr. Daniel Smith: Board Secretary

GOAL SETTING WORKSHOP

Dr. Erickson spoke about growth objectives and assessments. She noted that the Board must create goals and decide how to assess them.

Dr. Cappelluti sent information in the board packet on how to measure goals. She discussed scoring of sub groups as outlined by the State.

Dr. Cappelluti also discussed student growth percentiles and how each student is compared to similar students with similar scores.

Proposed district goals were discussed:

1. The Superintendent, in cooperation with the administrative team and teaching staff, will implement Student Growth Objectives (SGOs) which originate from data sources, such as state assessments and other supportive classroom data. These growth objectives will be used to drive instruction and measure student growth as per the requirements of TEACH NJ in the evaluation of teachers and school leaders.
2. To show an increase in the median Student Growth Percentile (SGP) as projected by the state in mathematics and language arts literacy in grades four through eight.
3. In an effort to deliver 21st century teaching and learning, the Superintendent, in cooperation with the administrative team, will continue to provide "one to world" tools such as chrome books, mac books, iPads, and surfaces to set the foundation for future activities in S.T.E.M., Financial Literacy, Literacy Media Technology and the NJ Core Curriculum Content Standards
4. To successfully implement the new Teacher and Leader Evaluation Systems, as stated in the NJ DOE Race to the Top 3 (RTTT3) Grant by providing staff with high quality support in order to utilize the new framework and the iObservation tool.

Dr. Cappelluti reviewed the principal evaluation tool.

The Board discussed setting their own goals or using the State mandated goals. The Board noted that the State goals are very rigorous already.

The Board discussed various groups of students, including students with disabilities and transient students. The discussion included using current data to possibly change what the district currently does.

Mr. Anderson arrived at 6:50 p.m.

Mr. Goldstein arrived at 6:50 p.m.

Dr. Cappelluti asked how the board would like to proceed. Mrs. Capone noted she would like Dr. Cappelluti to recommend goals that will help the children of the district. She stated that the district should implement changes that will help all of the children in the district succeed.

Mrs. Capone suggested utilizing funds to offer after school academic activities to students at the elementary level. The Board discussed possible times and stipends for the staff. Dr. Erickson noted that the Board should look at the data and then decide how to proceed.

The Board took a short break at 7:00 p.m.
The Board reconvened at 7:05 p.m.

APPROVAL OF MINUTES

Motion by Mr. Anderson, seconded by Mr. Aiken, to approve the regular session minutes of the meeting of October 1, 2013, as per attachment Minutes-1.

Roll Call Vote: Eight in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, and Dr. Erickson. Abstained: Mr. Sacchinelli (8-0-1)

Motion by Mr. Anderson, seconded by Mr. Sacchinelli, to approve regular session minutes of the meeting of October 15, 2013, as per attachment Minutes-2.

Roll Call Vote: Eight in favor: Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. Abstained: Mr. Aiken. (8-0-1)

Motion by Mr. Anderson, seconded by Mr. Aiken, to approve the regular session minutes of the special meeting of October 29, 2013, as per attachment Minutes-3.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

CORRESPONDENCE

A letter from the Lady Dragons Field Hockey Team was read by Dr. Cappelluti. The team thanked the Board for its support during the season.

PUBLIC COMMENTS

April Perone would like the Board to consider adding curricular options to Hess and Shaner similar to the offerings at the Davies School.

BOARD MEMBER COMMENTS

Mrs. Capone received a letter from Daniel Rone, President of Habitat for Humanity at Oakcrest High School, concerning the recent typhoon that struck the Philippines. She asked if anyone in Hamilton Township would like to contribute. She will forward the information to Dr. Cappelluti.

Mrs. Capone asked why parent visits are limited during Education Week. Dr. Cappelluti noted that it is based on blocks and has always been limited due to the volume of parents that take part. Dr. Erickson noted that Shaner was crowded for the all-day first grade visitation.

Mrs. Capone asked if the Board is at 100% PTA membership. Dr. Erickson noted that it was not.

Mrs. Capone thanked Danielle Bolf for her hard work with PTA and the PTA fundraiser. She also thanked other PTA members who donate their time.

April Perone noted that the Education Foundation movie night was well attended and the children had a good time.

Dr. Erickson noted that the NJSBA Workshop was well attended and was a great experience. She noted that NJSBA is creating a PTA page as a resource for PTA's throughout the state.

Mr. Anderson noted that, as of October, there are numerous students with numerous disciplinary incidences. Dr. Cappelluti noted that the district is currently working to improve the report. It should be ready for November. Dr. Cappelluti also noted that the number reflects multiple incidents that occurred from a single offense.

Dr. Cappelluti gave an update on the gym floor.

Dr. Cappelluti also spoke about the wrestling program and the need for an additional coach. Dr. Cappelluti is reducing her office budget in order to fund the stipend position for wrestling.

SUPERINTENDENT/STAFF REPORTS

(A) Information Items

1. **Dates to Remember**

- a. November 19, 2013 – Curriculum Committee Meeting – Davies School - 5:00 p.m.
- b. November 19, 2013 – Goals Setting Workshop – Davies School – 6:00 p.m.
- c. November 19, 2013 – Board of Education Meeting – Davies School – 7:00 p.m.
- d. November 20, 2013 – Personnel Committee Meeting – Board Office – 5:00 p.m. (*TENTATIVE*)
- e. November 28-29 – Thanksgiving Holiday – Schools Closed
- f. December 3, 2013 – Policy Committee Meeting - Board Office – 6:00 p.m.
- g. December 3, 2013 – Board of Education Meeting – Davies School – 7:00 p.m.

(B) Registration/Transfer Statistics for the Month of October, 2013, as per attachment X-B.

(C) Enrollment for the month of October, 2013, as per attachment X-C.

(D) Harassment, Intimidation and Bullying Incident Log, as per attachment X-D.

(E) Student Discipline Reports for the months of September and October, 2013, as per attachment X-E.

(F) Holiday Concerts:

♪ Davies School:

- December 5, 2013 - 7:00 p.m. at the Hess School

♪ Hess School:

- December 12, 2013 – 7:00 p.m. at the Hess School

COMMITTEES AND RECOMMENDATIONS

BUILDING/FACILITIES COMMITTEE – Mr. Sacchinelli

Mr. Sacchinelli gave an update on ROD grants. He is hoping to hear more by the end of December.

CURRICULUM COMMITTEE – Mrs. Kupp

Motion by Mrs. Kupp, seconded by Mr. Sacchinelli, to approve the following motion as presented:

1. To approve payment to staff members who provided professional development during the October 25th Professional Development Day (not to exceed 3 hours each) at the hourly rate (\$26.00 certificated staff & \$15.00 non-certificated staff) as provided for in the 2009-2012 Agreement between the Hamilton Township Board of Education and the Hamilton Township Education Association. This is funded through Local Funds, as per attachment Curriculum-1.

**Payment for
Professional
Development**

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mrs. Kupp, seconded by Mr. Sacchinelli, to approve the following motion as presented:

2. To approve local and grant funded extra-curricular activities and staff funded stipends

**Stipends for extra-
curricular activities**

for the 2013-2014 school year as follows:

Maria Santilli, Grade 8 Graduation Advisor -
\$968.00.

Roll Call Vote: All in favor: Mr. Aiken, Mr.
Anderson, Mrs. Capone, Mrs. Francis, Mr.
Hassa, Mrs. Kupp, Mrs. Melton, Mr.
Sacchinelli, and Dr. Erickson. (9-0-0)

FINANCE COMMITTEE – Mr. Melton

Motion by Mrs. Melton, seconded by Mr. Aiken, to approve the following motions as presented:

**Reports of
Receipts and
Expenditures**

1. To approve the Report of Receipts and Expenditures in accordance with 18A:17-8 and 18A:17-9 for the month of September, 2013. The Report of Receipts and Expenditures and the Secretary's Report are in agreement for the month of September, 2013, as per attachment Finance-1.

**Board
Secretary's
Report**

2. Board Secretary's Report for the period ending September 30, 2013. Pursuant to N.J.A.C. 6A:23-2.11(c)4, the Hamilton Township Board of Education certifies that as of September 30, 2013, and after review of the Secretary's Monthly Financial appropriations section as presented and upon consultation with the appropriate district officials, to the best of the Board's knowledge, no major account or fund has been over-expended in violation of N.J.A.C. 6A:23-2.11(b) and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year, as per attachment Finance-2.

Roll Call Vote: All in favor: Mr. Aiken, Mr.
Anderson, Mrs. Capone, Mrs. Francis, Mr.
Hassa, Mrs. Kupp, Mrs. Melton, Mr.
Sacchinelli, and Dr. Erickson. (9-0-0)

The following items have been included as information items:

**Interest
Income**

3. Interest Income for the month of September, 2013, as per attachment Finance-3.

Receipts

4. Receipts for the month of September, 2013, as per attachment Finance-4.

Refunds

5. Refunds for the month of September, 2013, as per attachment Finance-5.

6. Capital Reserve Interest for the month of September, 2013, as per attachment Finance-6.

**Capital Reserve
Interest**

7. Rental Income for the month of September, 2013, as per attachment Finance-7.

Rental Income

8. Miscellaneous Revenue for the month of September, 2013, as per attachment Finance-8.

**Miscellaneous
Revenue**

9. The monthly Budget Summary Report for September, 2013, has been filed by the Board Secretary with the Hamilton Township Board of Education, as per attachment Finance-9.

**Budget Summary
Report**

Motion by Mrs. Melton, seconded by Mr. Aiken, to approve the following motions as presented:

10. To approve budget transfers in the amount of \$1,431,870.00, as per attachment Finance-10.

Budget Transfers

11. To accept the Superintendent's and Board Secretary's certification that they have reviewed all bills and purchase orders which are listed on the bill list, and hereby certify to the Board of Education that all purchase orders are sufficiently encumbered to cover the submitted bills, and further that all goods and services have been previously received.

**Superintendent's
and Board
Secretary's
certification**

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

The following item has been included as an informational item:

12. Purchase orders issued for services, supplies **Purchase orders** and equipment in the amount of \$4,238,517.81, as per attachment Finance-12.

Motion by Mrs. Melton, seconded by Mr. Anderson, to approve the following motions as presented:

Bills and payroll

13. To approve the following bills and payroll in the total amount of \$4,480,070.24, as per attachment Finance-13:

<u>Fund</u>	<u>Title</u>	<u>Amount</u>
10	General Fund	\$1,195.60
10	General Fund/Payroll	197,776.18
11	Current Expense	2,009,409.76
11	Current Expense/Payroll	1,980,178.70
12	Capital Outlay	129,503.72
20	Special Revenue	76,635.51
20	Special Revenue/Payroll	46,906.40
50	Kid's Corner	14,689.46
50	Community Education	7,343.16
50	Camp Blue Star	\$16,431.75

Staff attendance at seminars, workshops and conferences

14. To approve staff attendance at seminars, workshops and conferences, including costs related to applicable reimbursable expenses, during the 2013-2014 school year, as per attachment Finance-14.

Resolution #69

15. To approve Resolution #69 Authorizing a Draw Against Capital Reserve, as per attachment Finance-15.

Resolution #70

16. To approve Resolution #70 Authorizing a Transfer to Debt Service, as per attachment Finance-16.

Motion by Mrs. Capone, seconded by Mr. Hassa, to table item 14.

The motion to table was withdrawn by Mrs. Capone and Mr. Hassa.

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Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mrs. Melton, seconded by Mr. Aiken, to approve the following motions as presented:

**Resolution
#71**

17. To approve Resolution #71 Authorizing a Transfer from Capital Reserve, as per attachment Finance-17.
18. To approve a tuition Contract with Gloucester County Special Services School District for one (1) multiply disabled student for the 2013-2014 school year at a total cost of \$34,560.00, as per attachment Finance-18. **Contract with GCSSSD**
19. To reject all Requests for Proposals for Labor/Personnel Counsel Services. **Requests for Proposals Labor/Personnel Counsel Services**
20. To approve to solicit for Requests for Proposals for the following services for the 2013-2014 school year pursuant to 18A:18A-4.4:
 - Labor/Personnel Counsel Services**Request for Proposals**
21. Motion to approve Mathematics Coaching services through the Southern Regional Institute (SRI) and the Educational Technology Training Center (ETTC) of Richard Stockton College at Hess School for the 2013-2014 school year for a total of 247 hours at \$162.00/hour for a cost of \$40,000.00 (rounded), as per attachment Finance-21. **Mathematics Coaching services**
22. To approve a Participating Addendum for wireless services with Western States Contracting Alliance for Verizon Wireless and the Hamilton Township School District. **Western States Contracting Alliance**

Pricing for these services are valid through April, 2016, as per attachment Finance-22.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mrs. Melton, seconded by Mr. Anderson, to approve the following motions as presented:

- | | | | |
|------------------------------------|-----|---|------------------------------------|
| | 23. | To approve a Memorandum of Understanding between the Richard Stockton College of New Jersey and the Hamilton Township School District for an energy evaluation and assessment to be completed for the William Davies Middle School, as per attachment Finance-23. | Memorandum of Understanding |
| Nonpublic School Technology | 24. | To approve the FY2014 (School Year 2013-2014) Nonpublic School Technology Initiative Agreement tentative budget and purchase orders, as per attachment Finance-24. | |
| Items for disposal | 25. | To approve items for disposal which are no longer of use to the district, as per attachment Finance-25. | |
| | | Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0) | |

PERSONNEL/NEGOTIATIONS COMMITTEE – Mr. Aiken

All personnel actions are being taken by the recommendation of the Superintendent in accordance with 18A.

Motion by Mr. Aiken, seconded by Mr. Anderson, to approve the following motions as presented:

- | | | |
|------------------------------|----|---|
| District substitutes | 1. | To approve district substitutes for the 2013-2014 school year, as per attachment Personnel-1. |
| Full time Hess School | 2. | To approve Jennifer Hope as a full-time Hess School Special Education teacher for the |

**Special
Education
teacher**

period December 4, 2013 through April 9, 2014, B.A., Step 1, with a total annual salary of \$44,352.00, pro-rated, as per attachment Personnel-2.

Salary subject to change at the completion of the H.T.E.A. negotiations.

Ms. Hope is a replacement for Jennifer Harvey who will be on a maternity leave of absence.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mr. Aiken, seconded by Mr. Anderson, to approve the following motions as presented:

3. To approve a maternity leave of absence for DonnaLee Stickle, Davies School Special Education teacher. Mrs. Stickle is requesting to use all her accumulated sick and personal days beginning October 10, 2013 then be placed on a Federal Family Medical Leave of Absence for the period November 26, 2013 through March 4, 2013 (1/2 day), then a Child Rearing Leave of Absence for the period March 4, 2014 (1/2 day) through April 16, 2014 and a NJ Family Leave of Absence from April 23, 2014 to the end of the school year with a return to work date of September, 1, 2014, as per attachment Personnel-3.

**Maternity Leave for
DonnaLee Stickle**

4. To approve Gregory Clayton as a full-time Davies School Special Education teacher for the period November 20, 2013 through June 30, 2014, B.A., Step 1, with a total annual salary of \$44,352.00, pro-rated, as per attachment Personnel-4.

**Full time Davies
School Special
Education teacher**

Salary subject to change at the completion of the H.T.E.A. negotiations.

Mr. Clayton is a replacement for DonnaLee

Stickle who will be on a maternity leave of absence.

5. To approve homebound instruction for the 2013-2014 school year, as per attachment Personnel-5.

**Homebound
instruction**

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mr. Aiken, seconded by Mr. Anderson, to approve the following motions, as presented:

**Part-time
paraprofessional**

6. To approve the following part-time , 29 hour/week Paraprofessionals for the period November 20, 2013 through June 30, 2014, Paraprofessional Guide, Step 1, with a total annual salary of \$13,382, pro-rated, as per attachment Personnel-6:

- Julie Compton – Hess School – replacement for Michelle Nilan
- Jennifer Quartararo - Hess School – replacement for Bonnie Repko
- Ellen Barnes – Shaner School – replacement for Jessica O'Brien

Salaries subject to change at the completion of the H.T.E.A. negotiations.

**In-house
transfers**

7. To approve in-house transfers for the following individuals, as per attachment Personnel-7 :

- Bonnie Repko – FT Para at Hess, replacement of Susan Petti
- Jessica O'Brien – PT Para at Shaner, replacement of Ashley Noll

Mentors

8. To approve the following Mentors for the 2013-2014 school year:

- Karen Sauerbrey – Mentor for Michelle

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- Nilan at the Hess School
- Jane Flanagan – Mentor for Jennifer Hope at the Hess School

**Maternity
leave for
Jenna Kyle**

9. To approve a maternity leave of absence for Jenna Kyle, Shaner School teacher. Mrs. Kyle is requesting to use 35 of her accumulated sick days from February 3, 2014 through March 24, 2014 and NJ Family Leave from March 25, 2014 to the end of the school year with a return to work date of September 1, 2014, as per attachment Personnel-9.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mr. Aiken, seconded by Mr. Anderson, to approve the following motions, as presented:

10. To approve the following Kid's Corner substitutes at the rate of \$10.00/hour for the 2013-2014 school year:

**Kid's Corner
substitutes**

- Debbie Fiamingo
- Rebecca MacQueen

11. To approve the following Lifeguards for the 2013-2014 school year:

Lifeguards

- Jessica Fraone - \$12.00/hour
- Tyler Boney - \$11.00/hour
- Shannen Wallace - \$11.00/hour

12. To revise a NJ Family Leave of Absence for Lisa Weber, Hess School BSI teacher from December 2, 2013 through March 7, 2014 to December 4, 2013 through March 11, 2014 with a return to work date of March 12, 2014.

**NJFLA for Lisa
Weber**

Mrs. Weber's leave of absence was previously approved on June 25, 2013.

13. To extend an employment contract for

Contract for BSI

Cassandra Cherry, Hess School BSI teacher **teacher**
from March 11, 2014 to March 13, 2014.

Ms. Cherry was previously approved on
September 17, 2013 as a replacement for
Lisa Weber.

14. To accept a retirement notice from Lorraine Grasso Johnson, Davies School secretary effective January 1, 2014, with her last day of employment to be December 20, 2013, as per attachment Personnel-14. **Retirement of Lorraine Grass-Johnson**

**Maternity
Leave for
Ashley
Demmy**

15. To approve a maternity leave of absence for Ashley Demmy, Davies School Special Education teacher. Mrs. Demmy is requesting to use accumulated sick time for the period April 14, 2014 through the end of the school year and be placed on a NJ Family Leave of Absence for the period September 1, 2014 through November 13, 2014, with a return to work date of November 14, 2014, as per attachment Personnel-15.

**FFMLA for
Heather
Jenigen**

16. To approve an intermittent Federal Family Medical Leave of Absence for Heather Jenigen, part-time Shaner School Paraprofessional for the 2013-2014 school year beginning October 28, 2013, as per attachment Personnel-16.

**FFLA for Amy
Brooke Flagg**

17. To approve an intermittent Federal Family Leave of Absence for Amy-Brooke Flagg, part-time Hess School Paraprofessional for the 2013-2014 school year beginning October 30, 2013, as per attachment Personnel-17.

Roll Call Vote: All in favor #10, #11, #12, #13, #15, #16, and #17: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Roll Call Vote: Seven in favor #14: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mr.

Hassa, Mrs. Kupp, Mrs. Melton, and Mr.
Sacchinelli. Nay: Mrs. Francis and Dr.
Erickson. (7-2-0)

POLICY COMMITTEE – Mrs. Capone

Motion by Mrs. Capone, seconded by Mr. Anderson, to approve the following motions, as presented:

- Policy #3144.3**
1. To approve Policy #3144.3 – Suspension Upon Certification of Tenure Charge on first reading, as per attachment Policy-1.
 2. To approve Policy #3144.12 – Certification of Tenure Charges – Inefficiency on first reading, as per attachment Policy -2. **Policy #3144.12**
 3. To approve Policy #3372 – Teaching Staff Member Tenure Acquisition on first reading, as per attachment Policy-3. **Policy #3372**
 4. To approve Policy #3373 – Tenure Upon Transfer or Promotion on first reading, as per attachment Policy-4. **Policy #3373**

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Motion by Mrs. Capone, seconded by Mr. Anderson, to approve the following motions, as presented:

5. To approve Policy #3374 – Tenure Upon Transfer to an Underperforming School on first reading, as per attachment Policy-5. **Policy #3374**
6. To approve Policy #4124 – Employment Contract on first reading, as per attachment Policy-6. **Policy #4124**
7. To approve Policy #5512 – Harassment, Intimidation, and Bullying on first reading, as per attachment Policy-7. **Policy #5512**
8. To approve Regulation #5512 – Harassment, Intimidation, or Bullying Investigation Procedure **Regulation #5512**

on first reading, as per attachment Policy-8.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

TRANSPORTATION COMMITTEE – Mr. Anderson

Motion by Mr. Anderson, seconded by Mr. Aiken, to approve the following motions, as presented:

Club/activity trips 1. To approve club/activity trips for the 2013-2014 school year, as per attachment Transportation-1.

Jointure contract with ACSSSD 2. To approve a Jointure Contract between Atlantic County Special Services School District and the Hamilton Township School District for the transportation of non-public students for the 2013-2014 school year at an annual cost of \$23,868.00 as follows:

<u>Route</u>	<u>Destination</u>	<u># of Students</u>	<u>Cost</u>
294	Pilgrim Academy	9	\$7,956.00
272B	Assumption Regional	18	\$15,912.00

3. To approve a Jointure Contract between Atlantic County Special Services School District and the Hamilton Township School District for the following Routes for the 2013-2014 school year:

<u>Route #</u>	<u>Destination</u>	<u>Cost</u>
ELEM4	ACSSSD	\$18,083.90
HS1P	ACSSSD	\$4,770.00
HS7A	ACSSSD	\$53,845.90
YALE1	YALE SCHOOL	\$9,949.10

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

RESOLUTIONS

None

SOLICITOR'S REPORT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

Motion by Mr. Anderson, seconded by Mr. Sacchinelli, to approve to add a wrestling assistant to the wrestling program.

Roll Call Vote: Eight in favor: Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. Abstained: Mr. Aiken (8-0-1)

Motion by Mr. Anderson, seconded by Mr. Aiken, to approve the revised District Calendar for the 2013-2014 school year.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

Dr. Erickson asked if the Board wanted to discuss social media policy and an e-mail received from the solicitor. Mr. Aiken noted that he did not want to discuss this issue. Mrs. Kupp thought that Mr. Goldstein made the issue clear in his e-mail to the Board members. Dr. Erickson noted that everyone should be aware that the board has a policy on social media.

Mrs. Capone read two policies regarding social media. She noted that the Board has policies and employees have a contract. There is also a code of conduct.

Mr. Goldstein raised the question of who determines what is, or is not appropriate. Dr. Erickson also read a policy regarding the issue. She feels this policy answers who would deem actions as appropriate or not appropriate.

Mr. Goldstein stated that the Board has the ability to vote on whether or not to take action against an employee. Dr. Erickson noted that the Superintendent also has that ability. Mr. Goldstein agreed and noted the Superintendent is choosing not to take action at this time.

Dr. Cappelluti read the e-mail from Mr. Goldstein. She noted that she found nothing offensive and does not feel this should be used for disciplinary action to the employee. Dr. Cappelluti also noted what was said was in the employee's right of free speech.

Mr. Goldstein stated that since the Superintendent is not taking action; it is up to the majority of the Board to vote whether or not disciplinary action should be taken against an employee.

Mrs. Capone noted the McPherson case; which Mr. Goldstein referenced in his letter. She noted the employee did not hold a contract in that case. Mr. Goldstein noted that there is not one right answer. Mrs. Capone asked what the contract means in this case. Mr. Goldstein noted that the First Amendment trumps the employee contract.

Mrs. Capone asked why we have policies. Mr. Goldstein noted that the First Amendment overrides board policy. He noted that no one can take action on an employee other than the Superintendent or the Board.

Dr. Erickson wanted to point out that there is a policy and people should be careful what they post on line. Mr. Goldstein noted it is fine to caution people about what they say, but when there is a specific instance where you feel the First Amendment was violated it becomes a very tricky issue.

Dr. Erickson noted that the PTA site is supposed to be an open forum and should support the connection between schools and parents. Comments should not be put on there that would be uncomfortable and cause a problem.

PUBLIC COMMENTS

Russell Bongiovani asked what the average percentage salary increase is for staff over the last ten years. He also wanted to know what benefits employees now contribute to and what the cost is per employee. He feels this should be considered when negotiating.

Mr. Bongiovani noted costs of salaries from 1997 to 2007 where there was a 4% increase per year. Including benefits, this would be an increase of approximately 11%. He wanted to know why school employees continue to receive increases with our economy crashing. He feels increases should be based on the Philadelphia CPI. He does not accept a 3 to 4% increase as a taxpayer.

Denise Brasher stated that she has previously spoken at Board meetings on behalf of the teachers who have given her son an outstanding education. She has also spoken on behalf of the Board members. However, tonight she stated that the children have been hurt with recent decisions of the teachers to take days off. She also noted children having to see teachers wearing black. She feels the children and their families have been affected by the decisions of the HTEA. She understands that these are hard times and that teachers can make more money in other districts. She feels that, if the district gives the HTEA everything, what is left for the children. She finds this debate is very disheartening. She would like to see things settled in a very tactful way.

Christa Frank read the banner on the wall and noted that she expects honesty, efficiency and a genuine compassion to the people from elected officials. She noted that taxpayer money is paying for the cost of the fact finder, as well as negotiator costs. Mr. Smith noted where the money for this comes from. She did note that the teachers do go above and beyond their call of duty when they are happy with their contract. She cannot see wasting

money when the Board knows they will eventually settle. She stated that the Board is working for the general welfare of the children and does not understand why it has taken 507 days to settle. She does not put the blame on one side. She asked that the Board and the HTEA compromise and try to reach a settlement.

Shannon Branca has been to numerous meetings stating how much the negotiations are affecting the students. She was very upset to get a letter and a telephone call that the schools would be closed on November 5th and November 11th. She noted that many parents had to pay for child care or take the day off. She does not feel a child's education should be affected because of contract negotiations. She thinks it is shameful that the HTEA attacked parents on social media pages because of a disagreement. Both sides need to work this out and settle this contract.

Kevin Flickinger wants to see this contract settled. He noted that the teachers of this district are the 6th lowest paid in the state. He feels that if there is money to pay for additional sports, there should be money for salary contracts. He feels the board should have agreed with the fact finder report recently submitted. He also did not agree with the way the letter sent home to the parents stated that it was the fault of the teachers. He is in favor of sports and is also in favor of a quality education for the children. He would like to see this contract settled.

Janet Yunghans, a librarian at the Hess School, noted something she learned from Dr. Marzano about setting a learning goal of understanding salary guides and settling the contract. Ms. Yunghans noted her learning goal is that the Board and the taxpayers will understand how salary guides work and will vote to settle a fair contract. Ms. Yunghans noted the scale if understanding ranges from a 4 to a 1, with 4 being the most understanding. She hopes the Board is at a 4 and will settle the contract at the level requested by the association. Ms. Yunghans noted that she understands negotiations are difficult. Ms. Yunghans noted that she feels it is easy for a Board to bend the numbers to make the teachers look greedy and unreasonable. She noted teachers are given a 13 step salary guide when they are hired and expect to move through the guide to the higher steps. Ms. Yunghans noted that teachers working in the district for 12 years are still on step 8 due to freezes on the guide. She noted that police and fire contracts only report the increase over the increment and schools do not do it that way. Ms. Yunghans reviewed the fact finder percentage versus increment costs and stated the actual increase over the increment. Dr. Erickson noted that Ms. Yunghans had exhausted her comment period.

April Perone, Vice President of the PTA wanted to note that the PTA Facebook page is for informational purposes. It is expected of people who go on the page to treat people with respect. There is a Code of Conduct posted on this page. If people do not do so, action is taken to delete posts or members from the page. Mrs. Perone also wanted to note the PTA mission and annual statement which is noted on the page. PTA is a non-partisan group. They do not take the side of the teachers or the Board, but the side of the children.

Sara Mack noted that after years of being frozen, staff will get 2.5% over the life of a four year contract. She stated that compensation will be low.

Gail Luderitz who is a parent from the District read a newspaper article regarding teacher contract negotiations in another district. She felt it was important to share that it is not just our district, but other districts who feel they are being disrespected and not supported. The children need to have the support of everyone in order to succeed.

Lila Williams who is a taxpayer in the district, as well as a teacher for 19 years noted a conversation she had with her son. Her son did not go to college and joined the Navy. He got a job working on jet engines and now makes only \$1,500 less than she does. If steps are added to the guide, she will not reach the top of the guide by the time she leaves the district. She is unsure of what happens to the money that comes from people who do not accept health benefits. She does not feel the Board should add steps to the guide.

Jeff Gildiner showed a flyer from 1994-1995 which showed salaries for Hamilton Township teachers. These salaries were below average at that time. Mr. Gildiner pointed out that the district is the 6th lowest in the state according to Patch.com website. He noted some unorthodox moves made recently by the Association. He knows that parents, the district and the staff have been inconvenienced. He knows people are angry about their decision not to work on November 5th and November 11th. Mr. Gildiner said it was done to wake people up. Mr. Gildiner stated that the staff did not want to do this, but wanted the public to notice job actions that were taking place. Mr. Gildiner noted the association is now wearing black to show they are in mourning over the fact finders report. Mr. Gildiner noted that the association needs a settlement now and this cannot go on much longer. He noted that job actions can continue and the association will do what is necessary to wake everyone up. Mr. Gildiner noted this is a great district, and board members have a choice to sit on the board, but these are jobs to the staff. He noted they have gone 507 days without a contract and the relationship between the association and board has been strained long enough. Mr. Gildiner urged parents to petition to the board to stop the insanity and settle the contract.

EXECUTIVE SESSION

Motion by Dr. Erickson , seconded by Mr. Hassa , to enter into executive session for the purpose of:

- Negotiations – HTEA Contract
- Matters rendered confidential by nature of law – HIB Reports

Resolved that pursuant to Sections 7 and 8 of the Open Public Meetings Act, the public shall be excluded from that portion of the meeting involving discussion of:

- Negotiations – HTEA Contract
- Matters rendered confidential by nature of law – HIB Reports

Further resolved that the discussion of such

subject matter in executive session can be disclosed to the public when formal action is taken on such subject matter or at any other appropriate time.

Further resolved the Board may take action on items discussed in executive session. Further resolved that the Board will be in executive session for approximately 20 minutes.

Roll Call Vote: All in favor: Mr. Aiken, Mr. Anderson, Mrs. Capone, Mrs. Francis, Mr. Hassa, Mrs. Kupp, Mrs. Melton, Mr. Sacchinelli, and Dr. Erickson. (9-0-0)

The Board entered into executive session at 9:15 p.m.

The Board reconvened the regular meeting at 10:20 p.m.

Motion by Dr. Erickson, seconded by Mr. Hassa to adjourn the meeting.

Voice vote: All in favor: (9-0-0) Motion carried.

The Hamilton Township Board of Education meeting adjourned at 10:20 p.m.

Daniel Smith
Board Secretary

X-C

To: Dr. Michelle M. Cappelluti

Re: Registration/Address Change/Transfer Statistics

2013 – 2014

	Registrations	Address Changes	Transfers
September	78	25	61
October	39	24	26
November	40	14	16

Cheryl Rzasa

Registration Secretary

cc: D. Smith

T. Vogt

D. Cartwright

C. LoPresto

F. Conlow

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2013-2014
STUDENT ENROLLMENT
HAMILTON TOWNSHIP SCHOOL DISTRICT ENROLLMENT

	September		October		November		December		January		February		March		April		May		As of June		
	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	# of Rooms	*ACS	
Preschool	146	6	24.3	148	6	24.7	149	6	24.8		6	0		6	0		6	0		6	0
Kindergarten	284	13	21.8	284	13	21.8	287	13	22.1		13	0		13	0		13	0		13	0
Grade 1	327	15	21.8	329	15	21.9	331	15	22.1		15	0		15	0		15	0		15	0
Grade 2	291	14	20.8	289	14	20.6	293	14	20.9		14	0		14	0		14	0		14	0
Grade 3	305	14	21.8	308	14	22.0	311	14	22.2		14	0		14	0		14	0		14	0
Grade 4	344	14	24.6	342	14	24.4	342	14	24.4		14	0		14	0		14	0		14	0
Grade 5	318	14	22.7	320	14	22.9	317	14	22.6		14	0		14	0		14	0		14	0
Grade 6	311	16	19.4	316	16	19.8	315	16	19.7		16	0		16	0		16	0		16	0
Grade 7	319	14	22.8	321	14	22.9	322	14	23.0		14	0		14	0		14	0		14	0
Grade 8	311	14	22.2	308	14	22.0	310	14	22.1		14	0		14	0		14	0		14	0
**Self-Contained	141	16	8.8	140	16	8.8	143	16	8.9		16	0		16	0		16	0		16	0
Totals	3097			3105			3120														

*ACS - Average Class Size
** Self Contained Figures include Pre-K

X-D

HA

X-E

MEMORANDUM

TO: Superintendent of Schools
FROM: Twp. of Hamilton Construction Code
DATE: 09/06/13
RE: New Homes & Certificates of Occupancy

The following information is from September 1, 2013 through September 30, 2013.

of Permits issued for new homes. - 8

of the 8 - 1 was for an age restrictive home

of Certificates of Occupancy for new homes - 4

of the 4 - 1 was for an age restrictive home

Should you have any questions concerning this information, please do not hesitate to contact me.

MEMORANDUM

TO: Superintendent of Schools
FROM: Twp. of Hamilton Construction Code
DATE: 10/08/13
RE: New Homes & Certificates of Occupancy

The following information is from October 1, 2013 through October 31, 2013.

of Permits issued for new homes - 2

of the 2 - 0 was for an age restrictive home

of Certificates of Occupancy for new homes - 2

of the 2 - 0 was for an age restrictive home

Should you have any questions concerning this information, please do not hesitate to contact me.

MEMORANDUM

TO: Superintendent of Schools
FROM: Twp. of Hamilton Construction Code
DATE: 11/12/13
RE: New Homes & Certificates of Occupancy

The following information is from November 1, 2013 through November 30, 2013.

of Permits issued for new homes - 2

of the 2 - 1 was for an age restrictive home

of Certificates of Occupancy for new homes - 1

of the 1 - 0 was for an age restrictive home

Should you have any questions concerning this information, please do not hesitate to contact me.

THE
RICHARD STOCKTON COLLEGE
OF NEW JERSEY

SCHOOL OF EDUCATION
101 Vera King Farris Drive • Galloway, NJ 08205-9914
Phone (609) 652-4688 • Fax (609) 626-5528
Jeanne.delcolle@stockton.edu

Student Teaching Placement Request for Spring 2014 Semester

Placement	Dates	Student Name	School	Area of Certification
Grade 1	January 2, 2014 to April 18, 2014	Rachel Ludwig Lugwigr1@go.stockton.edu 609-517-4823	Shaner Elementary	K-6

*Exact dates of student teaching experience will coincide with your District's Calendar

For School District Use:

To confirm the above placement, please complete the information below and return this form to Jeanne.delcolle@stockton.edu or to the School of Education via fax (609 - 626-5528).

Signature of School Official: _____

School, if not indicated above: _____

School Contact Person: _____

DIANNE VALIANTE

School Phone: _____

609-476-6141

Cooperating Teacher, if known: _____

DOROTHY GILNER

Grade Level: _____

1

Cooperating Teacher's E-Mail _____

gildiner@hamiltonschools.org

Cooperating Teacher's Phone # _____

609-625-6600 x 3028

The cooperating teacher receives a certificate granting fifteen (15) hours of professional development.

Thank you for your continued support of the School of Education

Personnel-2

THE
RICHARD STOCKTON COLLEGE
OF NEW JERSEY

SCHOOL OF EDUCATION
101 Vera King Farris Drive • Galloway, NJ 08205-9914
Phone (609) 652-4688 • Fax (609) 626-5528
jeanne.delcolle@stockton.edu

Student Teaching Placement Request for Spring 2014 Semester

Placement	Dates	Student Name	School	Area of Certification
Grades 3-5	January 2, 2014 to April 18, 2014	Jamie Cameron cameronj@go.stockton.edu 609-439-2966	Hess Educational Complex	K-6

*Exact dates of student teaching experience will coincide with your District's Calendar

For School District Use:

To confirm the above placement, please complete the information below and return this form to jeanne.delcolle@stockton.edu or to the School of Education via fax (609 - 626-5528).

Signature of School Official: _____

School, if not indicated above. _____

School Contact Person: _____

School Phone: _____

Cooperating Teacher, if known: _____

Grade Level: _____

Cooperating Teacher's E-Mail _____

Cooperating Teacher's Phone # _____

The cooperating teacher receives a certificate granting fifteen (15) hours of professional development.

Thank you for your continued support of the School of Education

THE
RICHARD STOCKTON COLLEGE
OF NEW JERSEY

SCHOOL OF EDUCATION
101 Vera King Farris Drive • Galloway, NJ 08205-9914
Phone (609) 652-4688 • Fax (609) 626-5528
Jeanne.delcolle@stockton.edu

Student Teaching Placement Request for Spring 2014 Semester

Placement	Dates	Student Name	School	Area of Certification
Middle School	January 2, 2014 to April 18, 2014	Michael Kushnir kushnirm@go.stockton.edu 201-424-2467	William Davies MS	6-8

*Exact dates of student teaching experience will coincide with your District's Calendar

For School District Use:

To confirm the above placement, please complete the information below and return this form to Jeanne.delcolle@stockton.edu or to the School of Education via fax (609 - 626-5528)).

Signature of School Official: _____

School, if not indicated above: _____

School Contact Person: _____

School Phone: _____

609-476-6242

Cooperating Teacher, if known: _____

Grade Level: _____

6-8 (primarily 7th)

Cooperating Teacher's E-Mail _____

Cooperating Teacher's Phone # _____

609-476-1039

The cooperating teacher receives a certificate granting fifteen (15) hours of professional development.

Thank you for your continued support of the School of Education

Hamilton Township School District

Office of Special Education

Hamilton Township Schools Administrative Offices

1876 Dr. Dennis Foreman Drive, Mays Landing, NJ 08330

Marylynn Stecher
Supervisor of Special Education
609.476.6313

Dana Kozak
Special Education Coach
609.476.6107

Mary Ellen Tantom
Administrative Assistant
609.476.6314

Special Education Departmental Memorandum: Motion to Approve Physical Therapist Intern from Richard Stockton College

TO: Dr. Michelle Cappelluti, Superintendent of Schools
FROM: Dana Kozak, Spec. Education Coach
DATE: November 19, 2013

MOTION: Motion to approve the following Physical Therapist Intern for the spring semester from Richard Stockton College. (January 2 to March 12, 2014) as noted:

- Julia Jackson assigned to : Ginger Fisher

The student is in the final year of Stockton College Doctorate of Physical Therapy Program, and has completed one full time off-site clinical experience, and all Physical Therapy prerequisite classwork. The student will work full time with assigned therapist, and will be directly supervised by a licensed Physical Therapist.

The student will conduct observations, select and administer tests, develop reports, attend meetings, create and execute therapeutic plans for students.

I thank you for your consideration of this request.



All Children Can Learn! All Children Can Succeed!

RECIPIENT OF NATIONAL BLUE RIBBON AWARD, NEW JERSEY DEPARTMENT OF EDUCATION STAR SCHOOL AND BEST PRACTICE AWARDS

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HAMILTON TOWNSHIP SCHOOL DISTRICT
2013-2014 School Year
BOARD APPROVED SUBSTITUTES
17-Dec-13

<u>Last Name</u>	<u>First Name</u>	<u>Position</u>	<u>Rate</u>	<u>Certification</u>	<u>Interview</u>
Rocap	Susan	sub/teacher	\$90/day	TOH	yes
Kelly	Susan	sub/teacher	\$90/day	Elem	yes
Weinstein	John	sub/cust/food svc	\$10/hr	n/a	yes
De Vugst	Kristen	sub/teacher	\$90/day	Art	yes
Perry	Robert	sub/custodian	\$10/hr	n/a	yes
Durr	Robert	sub/para	\$67.50/day	n/a	yes
Mainiero	Christine	sub/para/teacher	\$90/day	Elem	yes

Personnel-14

Policy-1

POLICY GUIDE

ADMINISTRATION

1240/page 1 of 3

Evaluation of Superintendent

Oct 13

M

[See POLICY ALERT Nos. 96, 151, 175 and 201]

1240 EVALUATION OF SUPERINTENDENT

The purpose of the annual evaluation is to promote professional excellence and improve the skills of the Superintendent, improve the quality of the education received by the students in the schools, and provide a basis for the review of the Superintendent's performance.

This Policy and Regulation 1240 shall be developed by the Board of Education after consultation with the Superintendent and shall include, but not be limited to:

1. Determination of roles and responsibilities for the implementation of the annual evaluation policy and procedures;
2. Development of a job description and evaluation criteria based upon the Board of Education's local goals, program objectives, policies, instructional priorities, State goals, statutory requirements, and the functions, duties, and responsibilities of the Superintendent;
3. Specification of data collection and reporting methods appropriate to the job description;
4. Provisions for the preparation of an individual professional growth and development plan based in part upon any need(s) identified in the evaluation. The plan shall be mutually developed by the Board of Education and the Superintendent; and
5. Preparation of an annual written performance report by a majority of the full membership of the Board of Education and an annual summary conference between a majority of the total membership of the Board of Education and the Superintendent.



POLICY GUIDE

ADMINISTRATION

1240/page 2 of 3

Evaluation of Superintendent

There shall be an annual summary conference between the Board of Education, with a majority of its total membership present, and the Superintendent which shall be held before a written performance report is filed. The conference shall be held in executive session, unless the Superintendent requests that it be held in public. The conference shall include, but not be limited to, review of the following:

1. Performance of the Superintendent based upon the Board approved job description;
2. Progress of the Superintendent in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
3. Indicators of student progress and growth toward program objectives.

The annual written performance report shall be prepared by a majority of the Board of Education's total membership by July 1 and shall include, but not be limited to:

1. Performance area(s) of strength;
2. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-7.1(c)2;
3. Recommendations for professional growth and development;
4. Summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the Superintendent's performance; and
5. Provision for performance data not included in the report to be entered into the record by the Superintendent within ten working days after the report's completion.

The evaluation procedure for a nontenured Superintendent shall be completed by July 1 each year.



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POLICY GUIDE

ADMINISTRATION

1240/page 3 of 3

Evaluation of Superintendent

Each newly appointed or elected Board of Education member shall complete a New Jersey School Boards Association training program on the evaluation of the Superintendent within six months of the commencement of his or her term of office pursuant to N.J.S.A. 18A:17-20.3.b.

The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of a collective bargaining agreement 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 collective bargaining involve matters of educational policy or managerial prerogatives.

The Board of Education shall add to the Superintendent's personnel file all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth. 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 New Jersey Department of Education from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

The Board of Education may hire a qualified consultant to assist or advise in the evaluation process; however, the evaluation itself shall be the responsibility of the Board of Education.

Policy and Regulation 1240 shall be distributed to the Superintendent upon adoption by the Board. Amendments to this Policy and Regulation shall be distributed within ten working days after adoption.

The provisions of this Policy, Regulation, and N.J.A.C. 6A:10-7.1 et seq. are the minimum requirements for the evaluation of a Superintendent.

N.J.S.A. 18A:17-20.3; 18A:6-117 through 18A:6-129

N.J.A.C. 6A:10-1.1 et seq.; 6A:10-7.1 et seq.

Adopted:



REGULATION GUIDE

ADMINISTRATION

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Evaluation of Superintendent

Oct 13

M

[See POLICY ALERT Nos. 151 and 201]

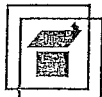
R 1240 EVALUATION OF SUPERINTENDENT

A. Roles and Responsibilities for the Implementation of the Annual Evaluation Policy and Procedures

1. The Board of Education and the Superintendent will develop and the Board will adopt a job description and evaluation criteria for the Superintendent's position based upon the Board's local goals, program objectives, policies, instructional priorities, State goals, statutory requirements, and the functions, duties, and responsibilities of the Superintendent.
2. The Superintendent shall have primary responsibility for data collection and reporting methods appropriate to the job description.
3. The Board President, or the Board President's designee, shall oversee the annual evaluation of the Superintendent.
4. The Board President shall establish timelines for completion of the annual evaluation of the Superintendent.

B. Annual Summary Conference

1. The Board of Education shall conduct an annual summary conference with the Superintendent to develop and prepare an Annual Written Performance Report.
2. The annual summary conference between the Board of Education, with a majority of its total membership present, and the Superintendent shall be held before the Annual Written Performance Report is prepared and filed.
3. The Superintendent shall submit to all Board members any information, documents, statistics, or any other data or information he/she would like for the Board members to consider at the annual summary conference.



REGULATION GUIDE

ADMINISTRATION

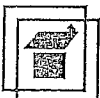
R 1240/page 2 of 4

Evaluation of Superintendent

4. The Board President, or the Board President's designee, shall preside over the Board's annual summary conference meeting.
5. The conference shall be held in executive session, unless the Superintendent requests it be held in public. The conference shall include, but not be limited to, review of the following:
 - a. Performance of the Superintendent based upon the Board approved job description;
 - b. Progress of the Superintendent in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
 - c. Indicators of student progress and growth toward program objectives.

C. Annual Written Performance Report

1. The Annual Written Performance Report shall be prepared and approved by a majority of the Board of Education's total membership by July 1 and shall include, but not be limited to:
 - a. Performance area(s) of strength;
 - b. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-7.1(c)2;
 - c. Recommendations for professional growth and development;
 - d. Summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the Superintendent's performance; and



REGULATION GUIDE

ADMINISTRATION

R 1240/page 3 of 4

Evaluation of Superintendent

- e. Provision for performance data not included in the report to be entered into the record by the Superintendent within ten teaching staff member working days after the report's completion.
2. The Board President, or the Board President's designee, shall prepare a draft of the Annual Written Performance Report after the annual summary conference.
3. The draft of the Annual Written Performance Report shall be disseminated to all Board members for review and comment before presenting the draft report to the Superintendent.
 - a. In the event a Board member believes a provision(s) of the draft of the Annual Written Performance Report is not in accord with the provisions agreed to by a majority of the Board during the annual summary conference, the Board member shall submit in writing their proposed revision(s) to the drafter of the Annual Written Performance Report. The draft of the Annual Written Performance Report may be revised by the drafter of the report if the drafter agrees with the Board member's proposed revision. In the event the drafter does not agree with the proposed revision(s), the issue shall be presented to the full membership of the Board of Education in executive session to make a final determination.
4. The draft of the Annual Written Performance Report shall be presented to the full membership of the Board of Education in executive session for discussion and approval after the draft report has been disseminated to all Board members for review. The Superintendent shall receive a copy of the draft of the Annual Written Performance Report from the Board President, or Board President's designee, prior to the executive session where the Board is scheduled to discuss and approve.
5. In the event the Superintendent does not agree with a provision(s) in the draft of the Annual Written Performance Report, the Superintendent shall be provided an opportunity to discuss with the full membership of the Board reconsideration of the disputed provision(s).



REGULATION GUIDE

ADMINISTRATION

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Evaluation of Superintendent

6. A majority of the Board's full membership shall approve the draft of the Annual Written Performance Report before presenting the final Annual Written Performance Report to the Superintendent.
7. The Superintendent may submit a written response to the final Annual Written Performance Report, which shall be attached to the report.

D. Nontenured Superintendent of Schools

1. The evaluation procedure for a nontenured Superintendent shall also be completed by July 1 each year.

Adopted:



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POLICY GUIDE

TEACHING STAFF MEMBERS

3142/page 1 of 2

Nonrenewal of Nontenured Teaching Staff Member

Oct 13

[See POLICY MEMO No. 47]

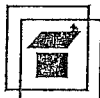
[See POLICY ALERT Nos. 123, 124, 137, 144, 166, 175 and 201]

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the ~~students~~ pupils of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board ~~will~~ shall renew the employment contract of a teaching staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. A **nontenured teaching staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.**

When the nontenured teaching staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the teaching staff member's contract. ~~A nontenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed nonrenewed.~~ Prior to notifying the **nontenured teaching staff member of the nonrenewal**, the Superintendent will notify the Board of the recommendation not to renew the **nontenured teaching staff member's contract and the reasons for the recommendation.** The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the **nontenured teaching staff member** their employment will be discussed in executive session in order for the **nontenured teaching staff member** to exercise their statutory right to request a public discussion.

The Superintendent shall notify each **nontenured teaching staff member** to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may, within fifteen days of **receiving such** notification, request in writing a statement of the reasons for nonrenewal. The Superintendent will provide a written statement of reasons within thirty days after the receipt of any such request.



POLICY GUIDE

TEACHING STAFF MEMBERS

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Nonrenewal of Nontenured Teaching Staff Member

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of the nontenured teaching staff member's receipt of the statement of reasons. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing appearance with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after an the informal appearance before the Board hearing. The nontenured teaching staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

N.J.S.A. 18A:27-3.1 et seq.; 18A:27-3.2; 18A:27-4.1; 18A:27-10 et seq.
N.J.A.C. 6A:32-4.5; ~~6A:32-4.6~~ 6A:10-8.1

Adopted:



Policy-4

REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3142/page 1 of 6

Nonrenewal of Nontenured Teaching Staff Member

Oct 13

[See POLICY ALERT Nos. 124, 137, 144, 166, 175 and 201]

R 3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

A. Evaluations

1. Each nontenured teaching staff member shall be evaluated in strict compliance with statute, N.J.S.A. 18A:27-3.1, rules of the State Board of Education, N.J.A.C. 6A:32-4.1 ~~6A:10-1.1~~ et seq., and the policies and procedures of this district. ~~At least three evaluations shall be conducted annually and at least one evaluation shall be conducted in each semester.~~
2. ~~Evaluations shall set forth both the strengths and weaknesses of the teaching staff member in order to provide an accurate assessment of his/her performance and to encourage the improvement of that performance.~~
3. ~~Supervisors shall constructively point out performance deficiencies and offer assistance to nontenured teaching staff members in the improvement of professional skills.~~

B. Nonrenewal Recommendation

1. When a nontenured teaching staff member's performance does not meet the standards of the district, the Principal **or the nontenured teacher's immediate supervisor** shall recommend to the Superintendent ~~, no later than _____,~~ that the teaching staff member should not be reemployed in the following school year.
2. The nontenured teaching staff member shall be informed by the Superintendent of Schools, in writing, that employment for the next succeeding school year will not be offered. This written notice shall be provided to the **nontenured teaching** staff member on or before May 15.



REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3142/page 2 of 6

Nonrenewal of Nontenured Teaching Staff Member

3. A recommendation by the Superintendent for nonrenewal may be based upon the **nontenured** teaching staff member's evaluations, job performance, or any factor affecting his/her employment in this district. ~~Nonrenewal shall not be recommended for any reasons that are trivial and insubstantial; unsupported by facts; based upon the teaching staff member's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, if any; or is based upon the teaching staff member's exercise of his/her protected right of free expression and association. Expressions or associations that interfere with the operation of the district may not rise to the level of protected activity.~~
4. Nontenured teaching staff members' contracts can only be renewed upon the Superintendent's recommendation and a majority vote of the full Board. The Board may not withhold its approval for arbitrary and capricious reasons.

C. Nonrenewal Action

[Select Option 1 or 2]

Option 1

1. The Superintendent will notify Board members of the recommendation not to renew a nontenured teaching staff member's contract before notifying the nontenured teaching staff member of the recommendation to not renew. The Superintendent ~~will~~ may notify the Board mMembers of the recommendation not to renew the **nontenured** teaching staff member's contract and the reasons for the recommendation in a written notice to the Board ~~no~~ prior to May 15. In the alternative, the Superintendent may notify the Board members of the recommendation not to renew a nontenured teaching staff member in an executive session. Using this option, later than May 10.

OR

*Gives either
Option 1 or
Option 2.*



REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3142/page 3 of 6

Nonrenewal of Nontenured Teaching Staff Member

Option 2

1. ~~The Superintendent and the Board will meet in executive session prior to May 15 no later than May 10 to review the Superintendent's recommendation(s) for nonrenewal nonemployment of nontenured teaching staff members. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight hours in advance of the meeting, to those nontenured teaching staff members employees whose possible nonrenewal will be discussed at the meeting. If any such employee requests that the discussion take place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation the rest and will be scheduled for discussion at a public meeting prior to May 15 to be held no later than May 10.~~
2. A nontenured teaching staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board's vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member's contract.

D. Notice of Nonrenewal

1. Notice of the Superintendent's decision not to renew shall be given to each nontenured teaching staff member not recommended for renewal on or before May 15 in accordance with N.J.S.A. 18A:27-10. The Board may delegate the Superintendent or the Board Secretary to give the written notice of nonrenewal.
2. ~~The nonrenewal n~~Notice shall be in writing and provided to the nontenured teaching staff member not recommended for renewal on or before May 15. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured teaching staff member's employee's address of record.



REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3142/page 4 of 6

Nonrenewal of Nontenured Teaching Staff Member

E. Request for Statement of Reasons

1. A nonrenewed teaching staff member will be given a written statement of the reasons for which he/she was not renewed provided the **teaching** staff member's request for a statement of reasons has been received by the Superintendent within fifteen calendar days after the teaching staff member received written notice of his/her nonrenewal. N.J.S.A. 18A:27-3.2.
2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the employee's evaluations and the employee has been given a copy of those evaluations, the statement of reasons may incorporate the evaluations by reference.
3. The statement of reasons ~~will~~ **may** be prepared by the Superintendent ~~or the Board Secretary~~ and shall be delivered to the employee who requested it within thirty calendar days after the receipt of the employee's request.

F. Nonrenewal Appearance

1. A teaching staff member who has requested a statement of reasons for **non-reemployment pursuant to N.J.S.A. 18A:27-3.2**, ~~his/her nonrenewal~~ will be granted an informal appearance before the Board to discuss those reasons, provided that he/she had submitted to the Superintendent _____ a written request for such an appearance no later than ten calendar days after ~~the nontenured teaching staff member's receipt of he/she has received~~ the written statement of reasons. N.J.A.C. ~~6A:32-4.6(a)~~ N.J.A.C. 6A:10-8.1(a).



REGULATION GUIDE

TEACHING STAFF MEMBERS

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Nonrenewal of Nontenured Teaching Staff Member

2. A date shall be set for the an informal appearance, which shall be held shall be scheduled within thirty calendar days from of the teaching staff member's employee's receipt of the Board's statement of reasons. The appearance shall be conducted at an executive session for which notice has been given in accordance with N.J.S.A. 10:4-13. The Board will determine a reasonable length of time to be devoted to the appearance, depending upon each instance's specific circumstances taking into account the circumstances of the nonrenewal and the statement of the reasons given to the employee. N.J.A.C. 6A:32-4.6(a). The proceeding of an informal appearance before the Board may be conducted pursuant to N.J.S.A. 10:4-12(b)(8).
3. The teaching staff member requesting the appearance shall be given written notice, no later than forty-eight hours in advance of the meeting at which it is scheduled, of the date, time, place, and duration of the appearance.
4. The purpose of the appearance shall be to permit the nonrenewed teaching staff member to convince the members of the Board to offer reemployment. To those ends, the appearance shall be informally conducted. This appearance provides a mechanism by which the nontenured teaching staff member, whose renewal has not been recommended by the Superintendent, can appeal to the Board, on which the Superintendent sits as a non-voting member pursuant to N.J.S.A. 18A:17-20. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding and the appearance shall will not be become an adversary proceeding.
5. The teaching staff member may be represented by an attorney or by one individual of his/her choosing. He/She may present witnesses to testify on in his/her behalf. Witnesses do not need not be sworn to present testimony under oath, and their statements may will be recorded. The Board will simply hear witnesses and will shall not cross-examine them. Witnesses will be called into the meeting to address the Board one at a time and shall be excused from the meeting after making their statements.



REGULATION GUIDE

TEACHING STAFF MEMBERS

R 3142/page 6 of 6

Nonrenewal of Nontenured Teaching Staff Member

G. Final Determination

1. A nontenured teaching staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member. However, after an informal appearance before the Board, the Superintendent may make a recommendation for reemployment to the voting members of the Board. The voting members of the Board, by a majority vote of the full Board in public session, must approve the reemployment based on the Superintendent's recommendation.
2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the teaching staff member reemployment after **the informal appearance before the Board** ~~an informal hearing~~.
3. The final determination will be delivered to the teaching staff member, in writing, no later than three days **following** after the informal appearance. The Board may delegate the Superintendent or the Board Secretary to deliver the final determination.

Issued:



POLICY GUIDE

TEACHING STAFF MEMBERS

3144/page 1 of 3

Certification of Tenure Charges

Oct 13

[See POLICY MEMO No. 27]

[See POLICY ALERT Nos. 86, 172, 190 and 201]

3144 CERTIFICATION OF TENURE CHARGES

Tenure charges may be instituted against a tenured teaching staff member of the district in accordance with the provisions of N.J.A.C. 6A:3-5.1 et seq. In all instances of the filing and certification of tenure charges, **except charges filed against a teacher, Principal, Assistant Principal, or Vice Principal other than for reasons of inefficiency pursuant to N.J.S.A. 18A:6-17.3**, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(b) shall be observed. **In the event the tenure charges are charges of inefficiency pursuant to N.J.S.A. 18A:6-17.3, except in the case of Building Principals, Assistant Principals, and Vice Principals in school districts under full State intervention, where procedures are governed by the provisions of N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(c) shall be observed.**

Filing and service of petition of appeal as outlined in N.J.A.C. 6A:3-1.3, shall not apply in a case of charges **filed with preferred** before the Commissioner of Education against an employee of a Board of Education or of a school district under full State intervention pursuant to the ~~Tenure Employees' Hearing Act~~. In place of the usual petition, the Board of Education or the State District Superintendent shall file the written charges and the required certificate of determination with the Commissioner together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated agreement between the Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed ~~in order~~ to impose minor discipline on a person serving under tenure.



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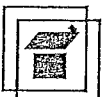
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Certification of Tenure Charges

The Board of Education or the State District Superintendent shall determine whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting. In the event the Board of Education or the State District Superintendent finds ~~that such~~ probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall file, **within fifteen days**, ~~such~~ written charges with the Commissioner. The charge(s) shall be stated with specificity as to the action or behavior underlying the charges or the nature of the alleged inefficiency and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

The certificate of determination ~~which that~~ accompanies the written charges shall contain a certification **by the Board Secretary or the State District Superintendent** including that a determination was made of the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary; of the date, place, and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay; that such determination was made by a majority vote of the **whole number of members of the full Board of Education** or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39; ~~and in the case of a charge of inefficiency, that the employee was given at least ninety days prior written notice of the nature and particulars of the alleged inefficiency.~~

An individual against whom tenure charges are certified shall file a written response to the charges in accordance with the provisions of N.J.A.C. 6A:3-5.3 et seq. The Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary in accordance with the provisions of N.J.A.C. 6A:3-5.5 et seq. Any withdrawal, settlement, or mooted of tenure charges shall be in accordance with the provisions of N.J.A.C. 6A:3-5.6.



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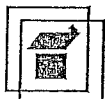
Certification of Tenure Charges

Certification of tenure charges for ~~teaching staff members, janitors, and secretaries in a~~ Charter School **employees** shall be governed by N.J.A.C. 6A:11-6.1 et seq.

N.J.S.A. 18A:6-8.3; 18A:6-10; 18A:6-11; 18A:6-13; 18A:6-14; 18A:6-16;
18A:25-6; 18A:25-7

N.J.A.C. 6A:3-5.1; 6A:3-5.2; 6A:3-5.3; 6A:3-5.5; 6A:3-5.6; 6A:9-17.4; 6A:9-17.5

Adopted:



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Certification of Tenure Charges

Oct 13

[See POLICY ALERT Nos. 190, 192 and 201]

R 3144 CERTIFICATION OF TENURE CHARGES

Filing of Written Charges and Certificate of Determination

A. Definition

1. For the purposes of Policy 3144 and this Regulation, "day" means business day when the period specified is less than seven days, and calendar day when the period specified is seven days or more; provided however, that calculations do not include the day of the action from which they are computed but do not include the last day of the period being computed unless such day falls on a Saturday, Sunday or holiday, in which case the last day shall be deemed the next business day immediately following. Filings received after the close of business (4:15 p.m.) shall be deemed filed on the next business day.

① Inefficient ratings
② Expedited manner

B. ~~Procedures and Timelines~~ Filing of Written Charges and Certificate of Determination – N.J.A.C. 6A:3-5.1

1. N.J.A.C. 6A:3-1.3 - Filing and Service of Petition of Appeal shall not apply in a case of tenure charges filed with the Commissioner against an employee of a Board of Education or a school district under full State intervention. In place of the usual petition, the Board or the State District Superintendent shall file written charges and the required certificate of determination with the Commissioner, together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or the State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as charges are filed with the Commissioner.
 - a. In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated



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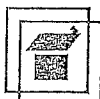
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Certification of Tenure Charges

agreement between a Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed to impose minor discipline on a person serving under tenure.

21. In all instances of the filing and certification of tenure charges, except charges filed against a teacher, Principal, Assistant Principal, or Vice Principal for reasons of efficiency pursuant to N.J.S.A. 18A:6-17.3 ~~other than for reasons of inefficiency~~, the following procedures and timelines shall be observed:

- a. Charges shall be stated with specificity as to the action or behavior underlying the charges and shall be filed in writing with the Secretary of the Board of Education or the State District Superintendent, accompanied by a supporting statement of evidence, both of which shall be executed under oath by the ~~person or persons~~ person(s) instituting such charges.
- b. ~~Charges along~~ Along with the required sworn statement of evidence, charges shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date they were filed with the Secretary of the Board of Education or the State District Superintendent. Proof of mailing or hand delivery shall constitute proof of transmittal.
- c. The affected tenured employee shall have an opportunity to submit to the Board of Education or the State District Superintendent a written statement of position and a written statement of evidence, both of which shall be executed under oath with respect thereto within fifteen days of receipt of the tenure charges.



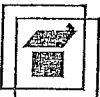
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- d. Upon receipt of the tenured employee's written statements of position and evidence under oath, or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty-five days whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. **In accordance with the provisions of N.J.S.A. 18A:6-13, if the Board of Education does not make a determination within forty-five days after receipt of the written charges, the charges shall be deemed to be dismissed and no further proceeding or action shall be taken.**
- e. The Board of Education or the State District Superintendent shall **provide**, within three working days, ~~provide~~ written notification of the determination to the employee against whom the charges has been made, in person or by certified mail to the last known address of the employee and the employee's representative, if known.
- f. ~~In the event~~ **If** the Board of Education or the State District Superintendent finds that such probable cause exists and the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall **file**, within fifteen days, ~~file~~ such written charges with the Commissioner. The charges shall be stated with specificity as to the action or behavior underlying the charges and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.
- g. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.



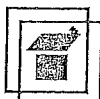
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32. ~~In the event~~ **If** the tenure charges are charges of inefficiency pursuant to N.J.S.A. 18A:6-17.3, except in the case of Building Principals and Vice Principals in school districts under full State intervention, where procedures are governed by the provisions of N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the following procedures and timelines shall be observed:
- a. ~~Initial charges of inefficiency shall be stated with specificity as to the nature of the inefficiency alleged and filed by the appropriate administrator with the Secretary of the Board of Education or the State District Superintendent along with a statement of evidence in support thereof executed under oath. In the event the charges are against the Chief School Administrator, they shall be filed, along with the required statement of evidence, by a designated Board member(s) upon the direction of the Board of Education as ascertained by majority vote of the full Board.~~
- b. ~~The Board of Education, through its Board Secretary, or the State District Superintendent, upon receipt of the charges of inefficiency and the written statement of evidence in support thereof shall cause a copy of same to be transmitted to the affected employee and the employee's representative, if known, within three working days. Proof of mailing or hand delivery shall constitute proof of transmittal.~~
- c. ~~The Board of Education, through its Board Secretary, or the State District Superintendent shall direct that the employee be informed in writing that, unless such inefficiencies are corrected within the minimal ninety day period, or any longer period provided by the Board of Education or State District Superintendent, the Board or the State District Superintendent intends to certify those charges of inefficiency to the Commissioner pursuant to N.J.S.A. 18A:6-11.~~
- N/A



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- d. ~~Concurrent with notifying the employee of such charges of inefficiency, the Board of Education or the State District Superintendent shall direct that there be a modification of the individual professional development plan mandated by N.J.A.C. 6A:32 4.3 or 4.4, to assure that such plan addresses the specific charges of inefficiency and complies with the timelines established for correction.~~
- e. ~~Upon completion of the minimal ninety day period for improvement, or such longer period as may be provided by the Board of Education or the State District Superintendent, the administrator(s) responsible for bringing such charges to the attention of the Board or the State District Superintendent shall notify the Board or the State District Superintendent in writing of what charges, if any, have not been corrected. In the event the charges are against a Chief School Administrator, the Board of Education shall determine by majority vote of the full Board what charges, if any, have not been corrected.~~
- f. ~~The Board of Education or the State District Superintendent, upon receipt of the written notification or upon the Board's determination in the case of a Chief School Administrator, shall notify the affected employee in writing that all of the inefficiencies have been corrected or, in the alternative, which of the inefficiencies have not been corrected. The time from the expiration of the minimal ninety day period, or such longer period as may be provided by the Board of Education or the State District Superintendent, to the notification of the employee by the Board of Education or the State District Superintendent shall not exceed thirty calendar days.~~
- g. ~~In the event that certain charges of inefficiency have not been corrected, the affected employee shall have an opportunity to respond within fifteen days of the receipt of said notification of inefficiency by filing a statement of evidence under oath in opposition to those charges.~~



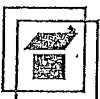
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Certification of Tenure Charges

- h. ~~Upon receipt of such written statement of evidence under oath or upon expiration of the allotted fifteen day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty five days, whether there is probable cause to credit the evidence in support of the charges and that such charges, if credited, are sufficient to warrant a dismissal or reduction in salary.~~
- i. ~~In the event the Board of Education or the State District Superintendent finds that such probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall, within fifteen days, file such written charges with the Commissioner. The charge(s) shall be stated with specificity as to the nature of the inefficiency alleged, and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.~~
- a. When the conditions described in N.J.S.A. 18A:6-17.3.a(1) or (2) and as outlined in Policy 3144.12 have been satisfied, the Superintendent shall promptly file with the Secretary of the Board a charge of inefficiency.
- b. The charges of inefficiency shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date the charges were filed with the Secretary of the Board or State District Superintendent. Proof of mailing or hand delivery shall constitute proof of transmittal.



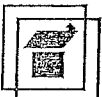
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- c. The affected tenured employee shall have an opportunity within ten days of receipt to submit to the Board or State District Superintendent a written statement of position under oath demonstrating how the school district failed to comply with evaluation procedures.
 - d. Within thirty days of the filing, the Board or State District Superintendent shall forward a written charge to the Commissioner unless the Board or the State District Superintendent determines the evaluation process has not been followed. Such determination shall be made by a majority vote of the Board's full membership or by the State District Superintendent.
 - e. Upon receipt of the charge, the Commissioner or his or her designee shall examine the charge. The charge shall again be served upon the employee at the same time it is forwarded to the Commissioner and proof of service shall be included with the filed charge. The individual against whom the charge is filed shall have ten days to submit to the Commissioner a written response to the charge.
 - f. Within five days of the individual's deadline to submit a written response to the charge, the Commissioner shall appoint an arbitrator to hear the case and refer the case to the arbitrator, unless he/she determines the evaluation process has not been followed.
 - gj. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.
43. The provisions of N.J.A.C. 6A:3-5.1 ~~this section~~ shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.



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Certification of Tenure Charges

C. Format of Certificate of Determination

1. The certificate of determination ~~which~~ **that** accompanies the written charges shall contain a certification by the Board of Education Secretary or the State District Superintendent:
 - a. ~~That~~ **The** Board of Education or the State District Superintendent has determined the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary;
 - b. Of the date, place, and time of the meeting at which such determination was made and whether ~~or not~~ the employee was suspended and, if so, whether such suspension was with or without pay; **and**
 - c. ~~That such~~ **The** determination was made by a majority vote of the **whole number of members of the full** Board of Education or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39; ~~and~~.
 - d. ~~In the case of a charge of inefficiency, that the employee was given at least ninety days prior written notice of the nature and particulars of the alleged inefficiency.~~
2. The provisions of N.J.A.C. 6A:3-5.2 ~~this section~~ shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.

D. Filing and Service of Answer to Written Charges – N.J.A.C. 6A:3-5.3

1. **Except as specified in N.J.A.C. 6A:3-5.1(c)5,** An individual against whom tenure charges are certified shall have **fifteen days** from the date such charges are filed with the Commissioner to file a written response to the charges. Except as to the time for filing, the answer shall conform to the requirements of N.J.A.C. 6A:3-1.5(a) through (d).



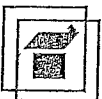
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Certification of Tenure Charges

- a. Consistent with N.J.A.C. 6A:3-1.5(g), nothing in N.J.A.C. 6A:3-5.3 precludes the filing of a motion to dismiss in lieu of an answer to the charges, provided ~~that such~~ **the** motion is filed within the time allotted for the filing of an answer. Briefing on the motions shall be in the manner and within the time fixed by the Commissioner, or by the ~~Administrative Law Judge (ALJ)~~ **arbitrator** if the motion is to be briefed following transmittal to ~~an arbitrator~~ **the Office of Administrative Law (OAL)**.
2. Upon written application by the person against whom charges are filed, the Commissioner may extend the time period for the filing of an answer upon a finding of good cause shown consistent with the provisions of N.J.S.A. 18A:6-16. Such application shall be received prior to the expiration of the fifteen-day answer period, ~~or the ten-day answer period specified in N.J.A.C. 6A:3-5.1(c),~~ and a copy shall be served upon the charging Board of Education or the State District Superintendent. The Board of Education or State District Superintendent shall promptly notify the Commissioner of any opposition to the request.
 - a. A request for extension ~~which that is not filed within received after~~ the fifteen-day period allotted for an answer to tenure charges, ~~or after the ten-day period allotted in N.J.A.C. 6A:3-5.1(c)~~ will be considered only in the event of ~~demonstrated emergency or other unforeseeable~~ circumstance such that the request could not have been made within the requisite filing period.
3. ~~Where~~ **If** no answer is filed within the requisite time period and no request for extension is made, ~~or such if the~~ request is denied by the Commissioner, ~~or where the charged employee submits an answer or other responsive filing indicating the employee does not contest the charges,~~ the charges shall be deemed admitted by the charged employee.
4. The provisions of N.J.A.C. 6A:3-5.3 ~~this section~~ shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.



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Certification of Tenure Charges

E. Determination of Sufficiency and Transmittal for Hearing – N.J.A.C. 6A:3-5.5

1. Except as specified in N.J.A.C. 6A:3-5.1(c), ~~w~~Within ~~fifteen~~ ten days of receipt of the charged party's answer or expiration of the time for its filing, the Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary. ~~Where~~ If the charges are determined insufficient, they shall be dismissed and the parties shall be notified accordingly. ~~Where~~ If the charges are determined sufficient, the matter shall, ~~within ten days of such determination,~~ be transmitted **immediately** to the ~~OAL~~ **an arbitrator** for further proceedings, unless the Commissioner retains the matter pursuant to N.J.A.C. 6A:3- ~~1.11 or~~ 1.12.

- a. A notice of transmittal shall be issued to the parties by the Department of Education on the same date as the matter is transmitted to **an arbitrator** ~~the OAL~~.

2. Where a party to a tenure matter so requests, the Commissioner may agree to hold the matter in abeyance at any time prior to transmittal to **an arbitrator** ~~the OAL~~. Thereafter, requests to hold the matter in abeyance shall be directed to the **arbitrator** ~~OAL Clerk or the ALJ in accordance with the rules of the OAL~~. Any request for abeyance, whether directed to the Commissioner or the **arbitrator** ~~OAL~~, shall be consistent with the intent of N.J.S.A. 18A:6-16 as amended by P.L. 1998, c.42.

F. Withdrawal, Settlement, or Mooting of Tenure Charges – N.J.A.C. 6A:3-5.6

1. Once tenure charges are certified to the Commissioner, such ~~charges~~ **they** may be withdrawn or settled only with the ~~Commissioner's~~ approval. Any proposed withdrawal or settlement, whether submitted to the Commissioner or to the **arbitrator** ~~ALJ~~, shall address the following standards established by the State Board of Education in the matter entitled *In re Cardonick*, State Board decision of April 6, 1983 (1990 *School Law Decisions* (S.L.D.) 842, 846):



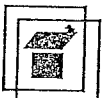
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- a. Accompaniment by documentation as to the nature of the charges;
 - b. Explication of the circumstances justifying settlement or withdrawal;
 - c. Consent of both the charged and charging parties;
 - d. Indication that the charged party entered into the agreement with a full understanding of his or her rights;
 - e. A showing ~~that~~ the agreement is in the public interest; and
 - f. ~~Where~~ **If** the charged party is a teaching staff member, a showing that the teaching staff member has been advised of the Commissioner's duty to refer tenure determinations resulting in loss of position to the State Board of Examiners for possible suspension or revocation of certificate.
2. A settlement agreement shall not propose terms that would restrict access to information or records deemed public by law or result in misrepresentation of the reason for an employee's separation from service. ~~Where~~ **If** tenure charges have been certified to the Commissioner by a Board of Education, any proposed settlement shall indicate, by signature of the Board Attorney or inclusion of a Board of Education resolution authorizing settlement, that the Board of Education has consented to the terms of the settlement.
 3. A proposed withdrawal or settlement of tenure charges shall be submitted to the Commissioner prior to transmittal of such charges to the ~~arbitrator OAL~~; thereafter, it shall be submitted to the ~~arbitrator ALJ~~ in accordance with applicable rules of the ~~OAL~~.
 4. ~~If~~ **Where** tenure proceedings against a teaching staff member are concluded prior to adjudication because the charged party has unilaterally resigned or retired, the Commissioner may refer the matter to the State Board of Examiners for action against the charged party's certificate as it deems appropriate, when such referral is warranted under the provisions governing resignation or retirement prior to conclusion of tenure charges as set forth in N.J.A.C. 6A:9-17.4.



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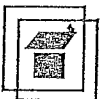
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5. If ~~Where~~ a proposed settlement requires the tenured employee to relinquish a certificate issued by the State Board of Examiners, upon approval of the settlement agreement, the Commissioner shall forward the matter to the State Board of Examiners for proceedings in accordance with N.J.A.C. 6A:9-17.11.

Issued:



Policy-7

POLICY GUIDE

TEACHING STAFF MEMBERS

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Evaluation of Teachers

Oct 13

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[See POLICY ALERT Nos. 140, 172, 181 and 201]

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 Policy and Regulation 3221 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 holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 shall annually 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.

*Details of
the eval
process*



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Evaluation of Teachers

The minimum requirements for the evaluation procedures for teachers as outlined in N.J.A.C. 6A:10-2.4 shall be followed. 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 with the responsibilities outlined in N.J.A.C. 6A:10-3.2.

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:10-6.2.

The Superintendent shall annually 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 teacher working days of adoption.

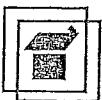
N.J.S.A. 18A:6-117 et seq.

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:10-6.1 and 6.2

Adopted:



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[See POLICY ALERT Nos. 181 and 201]

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:

“Announced observation” means 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 Principal or designee 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 ineffective, partially effective, effective, and highly effective.

“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 or the Administrative Principal if there is no Superintendent.

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

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



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“Corrective Action Plan” means a written plan developed by a teaching staff member serving in a supervisory capacity 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.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the teacher practice instrument are components of the teacher's evaluation rubrics and the scores are included in the summative evaluation rating for the individual.

“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 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. 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 teaching 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.



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“Individual professional development plan” means a written statement of goals developed by a teaching staff member serving in a supervisory capacity in collaboration with a teaching staff member that: aligns with professional standards for teachers set forth in N.J.A.C. 6A:9-3.3 and the New Jersey Professional Development Standards; derives from the annual evaluation process; identifies professional goals that address specific individual, district or school needs, or both; and grounds professional development activities in objectives related to improving teaching, learning, and student achievement. The individual professional development plan shall include timelines for implementation, responsibilities of the employee and the school district for implementing the plan, and specific support and periodic feedback that the district shall provide.

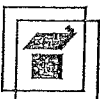
“Job description” means a written specification of the function of a position, duties and responsibilities, the extent and limits of authority, and work relationships within and outside the school and school district.

“Long observation” means an observation for the purpose of evaluation that is conducted for a minimum duration of forty minutes or one class period, whichever is shorter.

“Observation” means a method of collecting data on the performance of a teacher'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:9-1.1.

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



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“Short observation” means an observation for the purpose of evaluation that is conducted for at least twenty minutes.

“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 evaluators 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.

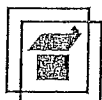
“Superintendent” means Superintendent of Schools or Chief School Administrator.

“Supervisor” means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, 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.

“Teacher” means a teaching staff member holding the position of teacher and holding a valid and effective standard, provisional, or emergency instructional certificate.

“Teaching staff member” means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

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



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“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the teacher of the date or time the observation will be conducted.

“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

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

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

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



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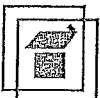
Evaluation of Teachers

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: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for teachers 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 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 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 shall notify the teacher of the policies and procedures at the beginning of his or her employment. All teachers shall be notified of amendments to the policy and procedures within ten teacher 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.



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- e. Ensure the Principal of each school within the school district has established a School Improvement Panel pursuant to N.J.A.C. 6A:10-3.1. The panel shall be established annually by August 31 and shall carry out the duties and functions described in N.J.A.C. 6A:10-3.2.
 - f. Ensure data elements are collected from the implementation of the teaching practice instrument and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation.
 - g. Ensure each Principal in the district certifies any observer who conducts an observation of a teacher for the purpose of evaluation as described in N.J.A.C. 6A:10-2.4(h); N.J.A.C. 6A:10-4.4; and N.J.A.C. 6A:10-5.4, 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 supervisor 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;



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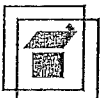
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- c. Annually provide updates and refresher training on the teacher practice instrument for any supervisor who will observe teaching practice for the purpose of increasing accuracy and consistency among observers;
- d. Annually require each supervisor 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 supervisors of teachers in the school district who are utilizing educator practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments.

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

- 1. Members of the District Evaluation Advisory Committee shall include representation from the following groups: teachers from each school level represented in the school district; central office administrators overseeing the teacher evaluation process; supervisors involved in teacher evaluation, when available or appropriate; and administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel. Members also shall include the Superintendent, a special education administrator, a parent, and a member of the Board of Education.



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2. The Superintendent may extend membership on the District Evaluation Advisory Committee to representatives of other groups.
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 Policy and Regulation 3221 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures for 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. Evaluation rubrics for all teachers;
 - b. Roles and responsibilities for implementation of evaluation policies and procedures;
 - c. Job descriptions 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.;
 - 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 teacher's supervisor, or his or her designee;
 - e. The process for preparation of individual professional development plans; and



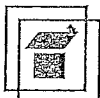
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- f. The process for preparation of an annual written performance report by the teacher's supervisor or designee, and an annual summary conference between the teacher and his or her supervisor, or the supervisor's designee.
3. The annual summary conference between the supervisor and the teacher shall be held before the written performance report is filed. The conference 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 the teacher practice instrument;
 - b. The progress of the teacher toward meeting the objectives of the individual professional development plan or, whenever 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, as applicable; and
 - 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 Principal 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:10-4;
 - b. Performance area(s) of strength and area(s) needing improvement based upon the job description, observations for the purpose of evaluation and the teacher practice instrument;



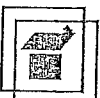
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- c. An individual professional development plan developed by the supervisor and the teacher or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and
 - d. A summary of student achievement scores or growth indicators.
 - 6. The teacher and the preparer of the annual written performance report shall sign the report within five teacher working days of the review.
 - 7. The annual summary conference and annual written performance report shall be completed prior to June 30.
 - 8. 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 a teacher 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 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 the teacher's 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 or her 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.



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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 or her 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:9-15.4(c) and 15.7(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; and
 - d. Include timelines for meeting the goal(s).
6. The teacher's supervisor, or his or her designee, 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, and data and evidence collected by the supervisor and/or the teacher to determine progress between the time the corrective action plan began and the next annual summary conference, shall be documented in the teacher's personnel file and reviewed at the annual summary conference or the mid-year evaluation.



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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 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 before the annual summary conference. The mid-year evaluation shall include, at a minimum:
 - a. One observation in addition to the observations required in N.J.A.C. 6A:10-4.4 for the purpose of evaluation as defined in N.J.A.C. 6A:10-1.2 and described in N.J.A.C. 6A:10-4.4(a), the length of which shall be determined by the Superintendent or the Principal and shall be the same length for all teachers with a corrective action plan; and
 - b. One post-observation conference in addition to the observations required in N.J.A.C. 6A:10-4.4, as defined in N.J.A.C. 6A:10-1.2 and described in N.J.A.C. 6A:10-4.4(b), during which progress toward the teacher's goals outlined in the corrective action plan shall be reviewed.
 11. 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.
- 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



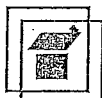
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- a. The School Improvement Panel shall include the Principal, a Vice Principal, and a teacher who is chosen in accordance with b. below by the Principal in consultation with the majority representative. The Principal may appoint additional members 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. Beginning in academic year 2015-2016, 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:



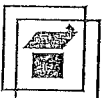
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- (1) Oversee the mentoring of teachers according to N.J.A.C. 6A:9-8 and support the implementation of the school district mentoring plan;
 - (2) Conduct evaluations of teachers pursuant to N.J.A.C. 6A:10-2.4 and 4.4;
 - (3) Ensure corrective action 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; and
 - (4) Identify professional development opportunities for all teachers based on the review of aggregate school-level data, including, but not limited to, educator evaluation and student performance data to support school-level professional development plans described in N.J.A.C. 6A:9-15.5.
- 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; and
 - (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:9-8.4.
- 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.



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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 determined through a teacher practice instrument and other measures described in N.J.A.C. 6A:10-4.3 and 4.4.
3. Each measure shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. By April 15 prior to the school year the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each measure. 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 forty 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.
4. Standardized tests, used as a measure of student progress, shall not be the predominant factor in determining a teacher's annual summative rating.



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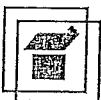
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K. Student Achievement Components – N.J.A.C. 6A:10-4.2

1. Measures of student achievement shall be used to determine impact on student learning. The 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. The median student growth percentile of all students assigned to a teacher, which shall be calculated as set forth in 3. below; and
 - b. Student growth objective(s), which shall be specific and measurable, based on available student learning data, aligned to the Core Curriculum Content Standards, and based on growth and/or achievement.
 - (1) 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



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- 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, a maximum of three years of student growth percentiles may be used, including the academic year of the latest summative evaluation rating.
3. The Department shall calculate the median student growth percentile for teachers using students assigned to the teacher by the school district.
4. The Department shall periodically collect data that include, but are not limited to, component-level scores. For teachers who have a student growth percentile score:
 - a. 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; and
 - b. The Department shall then report to the employing district Board of Education the annual summative rating, including the median student growth percentile for each teacher who receives a median student growth percentile.
5. 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. By April 15, prior to the school year the evaluation rubric applies, the Department shall provide on its website the minimum and maximum number of required student growth objectives within this range.



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- 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. All teachers shall develop, in consultation with their Principal or a teaching staff member appointed by the Principal, each student growth objective. If the teacher does not agree with the student growth objectives, the Principal shall make the final determination.
- d. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined and recorded in the teacher's personnel file by November 15, 2013, and by October 15 of subsequent school years.
- e. Adjustments to student growth objectives may be made by the teacher or his or her supervisor only when approved by the Superintendent or designee and shall be recorded in the teacher's personnel file on or before February 15.
- f. The teacher's supervisor and/or a member of the School Improvement Panel 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.

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

- 1. 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.



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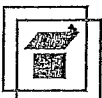
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Evaluation of Teachers

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. A supervisor 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 fifteen teaching staff member working days following each observation. A pre-conference shall be required pursuant to ~~X~~ below.
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 - b. The post-observation conference shall be for the purpose of reviewing 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.
 - c. If agreed to by the teacher, post-observation conferences for short observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic communications.
 - d. A pre-conference, when required, shall occur within seven teaching staff member working days prior to the observation, not including the day of the observation.
3. Each teacher shall be observed as described in N.J.A.C. 6A:10-4.4, at least three times during each school year, but not less than once during each semester. For all teachers, at least one of the required observations shall be announced and preceded by a pre-conference, and at least one of the required observations shall be unannounced. The Superintendent shall decide whether the third required observation is announced or unannounced. The following additional requirements shall apply:



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- a. Nontenured teachers shall receive a minimum of three observations within the timeframe set forth in N.J.S.A. 18A:27-3.1, and observations for all other 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 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. One post-observation conference may be combined with a teacher's annual summary conference as long as it occurs within the required fifteen teaching staff member working days following the observation for the purpose of evaluation.
- e. A written evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed.
- f. The teacher shall submit his or her written objection(s) of the evaluation within ten teacher working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.



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4. Each observation required for the purpose of evaluations shall be conducted for the minimum duration based on the following groups:
 - a. A nontenured teacher who is in his or her first or second year of teaching in the school district shall receive at least two long observations and one short observation.
 - b. A nontenured teacher who is in his or her third or fourth year of teaching in the school district shall receive at least one long observation and two short observations.
 - c. A tenured teacher shall receive at least three short observations.

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

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



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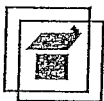
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- (4) Use clear and precise language that facilitates common understanding among teachers and administrators.
- c. Rely, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
 - d. Include descriptions of specific training and implementation details required for the instrument to be effective.
- 2. For Commissioner-approval of a teacher practice instrument in 2015 or any year thereafter, the instrument shall include a process to assess competency on the evaluation instrument which the school district may choose to use as a measure of competency.

Adopted:



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TEACHING STAFF MEMBERS

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Evaluation of Teaching Staff Members, Excluding
Teachers and Administrators

Oct 13

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[See POLICY ALERT Nos. 175 and 201]

3222 EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND ADMINISTRATORS

The Board of Education recognizes the importance of teaching staff member effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3222 for the evaluation of teaching staff members 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 teaching staff member evaluations consistent with TEACHNJ and AchieveNJ.

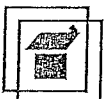
For the purposes of Policy and Regulation 3222, "teaching staff member" includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate. For the purposes of Policy and Regulation 3222, "teaching staff member" does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, directors and/or supervisors.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 shall annually adopt evaluation rubrics for teaching staff members 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

• Education Services
• Staff
• Guidance
• CST
• Nurses
• Library/media
spec.
• OT/PT

All observations
will be the same
length of time
as teaching
staff.



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meet the requirements as outlined in N.J.A.C. 6A:10-2.2(a) for the annual evaluation of teaching staff members 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 teaching staff members. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for teaching staff members as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each teaching staff member 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.

Observations and evaluations for nontenured teaching staff members shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for nontenured teaching staff members shall be completed prior to the May 15 notice requirement date for continued employment. Evaluations for tenured teaching staff members shall be completed prior to June 30.

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

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1

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

Adopted:



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Evaluation of Teaching Staff Members, Excluding
Teachers and Administrators

Oct 13

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[See POLICY ALERT Nos. 181 and 201]

R 3222 EVALUATION OF TEACHING STAFF MEMBERS, EXCLUDING TEACHERS AND 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 3222 unless the context clearly indicates otherwise:

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

“Annual performance report” means a written appraisal of the teaching staff member's performance prepared by the teaching staff member's 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, if applicable, and includes all measures captured in a teaching staff member'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 a teaching staff member serving in a supervisory capacity in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member 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.

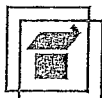
“District Evaluation Advisory Committee” means a group created to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-2.3.

“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. The scores from the educator practice instrument may be components of the teaching staff member's evaluation rubrics and the scores may be included in the summative evaluation rating for the individual.

“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, as applicable, and multiple data sources.

“Evaluation rubrics” means a set of criteria, measures, and processes used to evaluate all teaching staff members 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 teaching 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.



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“Individual professional development plan” means a written statement of goals developed by a teaching staff member serving in a supervisory capacity in collaboration with a teaching staff member, that: aligns with professional standards for teachers set forth in N.J.A.C. 6A:9-3.3 and the New Jersey Professional Development Standards; derives from the annual evaluation process; identifies professional goals that address specific individual, district or school needs, or both; and grounds professional development activities in objectives related to improving teaching, learning, and student achievement. The individual professional development plan shall include timelines for implementation, responsibilities of the employee and the school district for implementing the plan, and specific support and periodic feedback that the district shall provide.

“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 a teaching staff member'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:9-1.1.

“Post-observation conference” means a meeting, either in-person or remotely, between a supervisor who conducted the observation and the teaching staff member 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.



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"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 teaching staff members and evaluators may set for groups of students.

"Superintendent" means Superintendent of Schools or Chief School Administrator.

"Supervisor" means an appropriately certified teaching staff member, as defined in N.J.S.A. 18A:1-1, 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.

"Teaching staff member" means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

1. An instructional certificate (holders of this certificate are referred to in N.J.A.C. 6A:10-1.1 et seq. as "teachers");
2. Administrative certificate; and
3. Educational services certificate.

For the purposes of Policy 3222 and this Regulation, "teaching staff member" includes, but is not limited to, educational services staff members, guidance counselors, school nurses, library/media specialists, occupational therapists, and other teaching staff members working under an educational services certificate and does not include teachers, Principals, Vice Principals, Assistant Principals, and administrators, including, but not limited to, Directors and/or Supervisors.



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“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the teaching staff member of the date or time the observation will be conducted.

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

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

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

All information contained in written performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department 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 Teaching Staff Members – N.J.A.C. 6A:10-2.1

1. The Board of Education annually shall adopt evaluation rubrics for all teaching staff members. 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.



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Teachers and Administrators

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 teaching staff members, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-1.1 et seq.
 - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c).
 - c. Ensure the Superintendent annually notifies all teaching staff members of the adopted evaluation policies and procedures no later than October 1. If a teaching staff member is hired after October 1, the Board/Superintendent shall notify the teaching staff member of the policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy and procedures within ten teaching staff member 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.



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- f. Ensure data elements are collected from the implementation of the educator practice instrument and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation.
 - g. Ensure each Principal in the district certifies any observer who conducts an observation of a teaching staff member for the purpose of evaluation as described in N.J.A.C. 6A:10-2.4(h); N.J.A.C. 6A:10-4.4; and N.J.A.C. 6A:10-5.4, 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 teaching staff members 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 teaching staff members who are being evaluated in the school district and provide more thorough training for any teaching staff member 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. The Superintendent may be required to annually certify to the Department that all supervisors of teaching staff members 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.



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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.
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 Teaching Staff Members – N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3222 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures for teaching staff members.
2. Evaluation policies and procedures requiring the annual evaluation of all teaching staff members shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
 - a. Evaluation rubrics for all teaching staff members;
 - b. Roles and responsibilities for implementation of evaluation policies and procedures;



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- c. Job descriptions and applicable evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - 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 teaching staff member's supervisor, or his or her designee;
 - e. The process for preparation of individual professional development plans; and
 - f. The process for preparation of an annual written performance report by the teaching staff member's supervisor or designee, and an annual summary conference between the teaching staff member and his or her supervisor, or the supervisor's designee.
3. The annual summary conference between the supervisor and the teaching staff member shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the following:
- a. The performance of the teaching staff member based upon the job description and, when applicable, the scores or evidence compiled using the teaching staff member's evaluation rubric, which may include the educator practice instrument;
 - b. The progress of the teaching staff member toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan;
 - c. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and
 - d. The preliminary annual written performance report.



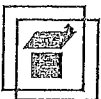
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4. If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.
5. The annual written performance report shall be prepared by the teaching staff member's 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;
 - c. An individual professional development plan developed by the supervisor and the teaching staff member or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and
 - d. A summary of student achievement or growth indicators, when applicable.
6. The teaching staff member and the preparer of the annual written performance report shall sign the report within five teaching staff member working days of the review.
7. The annual summary conference and annual written performance report shall be completed prior to June 30.
8. 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 a teaching staff member, if applicable 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.



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H. Corrective Action Plans for Teaching Staff Members – N.J.A.C. 6A:10-2.5

1. For each teaching staff member 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 teaching staff member and the Superintendent or the teaching staff member's 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 teaching staff member and his or her 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 teaching staff member'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 teaching staff member and his or her supervisor shall meet to discuss the corrective action plan within fifteen teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.
4. The content of the corrective action plan shall replace the content of the individual professional development plan required in N.J.A.C. 6A:9-15.4(c) and 15.7(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 teaching staff member 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).



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6. The teaching staff member's supervisor, or his or her designee, and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each post-observation conference.
 7. Progress toward the teaching staff member's goals outlined in the corrective action plan, and data and evidence collected by the supervisor and/or the teaching staff member to determine progress between the time the corrective action plan began and the next annual summary conference, shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference.
 8. Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
 9. Responsibilities of the evaluated teaching staff member on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor.
- I. Teaching Staff Member Observations and Evaluations
1. The Superintendent shall determine the duration of observations required for nontenured teaching staff members pursuant to N.J.S.A. 18A:27-3.1.
 2. Each nontenured teaching staff member 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 teaching staff member 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 observations.



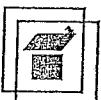
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4. Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and a case-study analysis of a significant student issue.
5. Each observation shall be followed within fifteen teaching staff member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



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

Adopted:



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Evaluation of Administrators, Excluding Principals,
Vice Principals, and Assistant Principals

Oct 13

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[See POLICY ALERT Nos. 175 and 201]

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

The Board of Education recognizes the importance of administrator effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3223 for the evaluation of administrators 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 administrator evaluations consistent with TEACHNJ and AchieveNJ.

For the purposes of Policy and Regulation 3223, "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.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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.

*Directors
Supervisors*



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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: 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 administrators 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 administrators. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

The minimum requirements for the evaluation procedures for administrators as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each administrator 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.

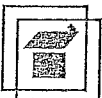
Observations and evaluations for nontenured administrators shall be in accordance with the provisions of N.J.S.A. 18A:27-3.1. Evaluations for nontenured administrators shall be completed prior to the May 15 notice requirement date for continued employment. Evaluations for tenured administrators shall be completed prior to June 30.

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

N.J.S.A. 18A:6-117 et seq.; N.J.S.A. 18A:27-3.1

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

Adopted:



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Evaluation of Administrators, Excluding
Principals, Vice Principals, and
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Oct 13

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[See POLICY ALERT No. 201]

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

A. Definitions – N.J.A.C. 6A:10-1.2

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

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

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

“Annual performance report” means a written appraisal of the administrator’s performance prepared by the administrator’s 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.

As is.



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

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

“Department” means the New Jersey Department of Education.

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

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the educator practice instrument may be components of the administrator’s evaluation rubrics and the scores may be included in the summative evaluation rating for the individual.

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

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



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

“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. An observation for the purpose of evaluation will be included in the determination of the annual summative evaluation rating and shall be conducted by the Superintendent or designee.

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

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



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“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 administrators and evaluators may set for groups of students.

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

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

“Supervisor” means an appropriately certified staff member, as defined in N.J.S.A. 18A:1-1, 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, designated by the Superintendent of Schools to evaluate the administrator.

“Teaching staff member” means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

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



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“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the administrator of the date or time the observation will be conducted.

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

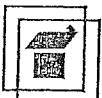
The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts entered into by a school district in effect on July 1, 2013. No collective bargaining agreement entered into after July 1, 2013, shall conflict with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

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

All information contained in written performance reports and all information collected, compiled, and/or maintained by employees of the Board of Education for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the Department 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.



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

1. The Board of Education shall meet the following requirements for the annual evaluation of administrators, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-1.1 et seq.
 - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c).
 - c. Ensure the Superintendent annually notifies all administrators of the adopted evaluation policies and procedures no later than October 1. If an administrator is hired after October 1, the Board/Superintendent shall notify the administrator of the policies and procedures at the beginning of his or her employment. All administrators shall be notified of amendments to the policy and procedures within ten administrator working days of adoption.
 - d. Annually adopt by June 1, any Commissioner-approved educator practice instruments and, as part of the process described at N.J.A.C. 6A:10-2.1(c), notify the Department 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.



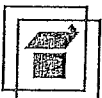
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- f. Ensure data elements are collected from the implementation of the educator practice instrument and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation.
 - g. Ensure each Principal in the district or the Superintendent certifies any observer who conducts an observation of an administrator for the purpose of evaluation as described in N.J.A.C. 6A:10-2.4(h); N.J.A.C. 6A:10-4.4; and N.J.A.C. 6A:10-5.4 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. The Superintendent may be required to annually certify to the Department that all supervisors of administrators in the school district who are utilizing educator practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the educator practice instruments.



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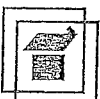
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F. District Evaluation Advisory Committee – N.J.A.C. 6A:10-2.3

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.
3. Beginning in 2017-2018, the District Evaluation Advisory Committees shall no longer be required and the Board of Education shall have the discretion to continue the District's Evaluation Advisory Committee.

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

1. The provisions outlined in Policy and Regulation 3223 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures for administrators.
2. Evaluation policies and procedures requiring the annual evaluation of all administrators shall be developed under the direction of the Superintendent, who may consult with the District Evaluation Advisory Committee or representatives from School Improvement Panels, and shall include, but not be limited to, a description of:
 - a. Evaluation rubrics for all administrators;
 - b. Roles and responsibilities for implementation of evaluation policies and procedures;



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- c. Job descriptions and applicable evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in N.J.A.C. 6A:10 et seq.;
 - 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;
 - e. The process for preparation of individual professional development plans; and
 - f. The process for preparation of an annual written performance report by the Superintendent or 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. 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 administrator's evaluation rubric, which may include the educator practice instrument;
 - b. The progress of the administrator toward meeting the objectives of the individual professional development plan or, when applicable, the corrective action plan;
 - c. Available indicators or scores of student achievement or growth, when applicable, such as student growth objective scores and student growth percentile scores; and
 - d. The preliminary annual written performance report.



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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;
 - 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;
 - 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
 - d. A summary of student achievement or growth indicators, when applicable.
6. The administrator and the preparer of the annual written performance report shall sign the report within five administrator working days of the review.
7. The annual summary conference and annual written performance report shall be completed prior to June 30.
8. 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, if applicable 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.



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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 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 administrator working days following the school district's receipt of the administrator's summative rating.
4. The content of the corrective action plan shall replace the content of the individual professional development plan required in N.J.A.C. 6A:9-15.4(c) and 15.7(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).



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6. The Superintendent or designee, and the administrator on a corrective action plan shall discuss the administrator's progress toward the goals outlined in the corrective action plan during each post-observation conference.
7. Progress toward the administrator's goals outlined in the corrective action plan, and data and evidence collected by the Superintendent or designee and/or the administrator to determine progress between the time the corrective action plan began and the next annual summary conference, shall be documented in the administrator's personnel file and reviewed at the annual summary conference.
8. Progress toward the administrator's goals outlined in the corrective action plan may be used as evidence in the administrator's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
9. Responsibilities of the evaluated administrator on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the Superintendent or designee.

I. Administrator Observations and Evaluations

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



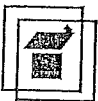
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Evaluation of Administrators, Excluding
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Assistant Principals

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 Superintendent or designee who made the observation and written evaluation and the administrator.
6. The required observations for the purposes of the annual evaluation for nontenured administrators shall take place before April 30 each year. These observations may cover that period between April 30 of one year and April 30 of the succeeding year excepting in the case of the first year of employment where the three evaluations must have been completed prior to April 30.
7. The number of required observations and the annual evaluation for nontenured administrators may be reduced proportionately when an individual administrator's term of service is less than one academic year.
8. Evaluations for nontenured administrators shall be completed prior to May 15.
9. Evaluations for tenured administrators shall be completed prior to June 30.
10. Each evaluation of nontenured and tenured administrator shall be followed by a conference between that administrator and the Superintendent or designee who has made the observation and written evaluation. Both parties to such a conference shall sign the written evaluation report and each shall retain a copy for his or her records. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for correction and improve professional competence.



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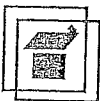
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11. The administrator may submit his or her written objection(s) of the evaluation within ten administrator working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

Adopted:



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Evaluation of Principals, Vice Principals,
and Assistant Principals

Oct 13

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[See POLICY ALERT No. 201]

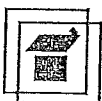
3224 EVALUATION OF PRINCIPALS, VICE PRINCIPALS, AND ASSISTANT PRINCIPALS

The Board of Education recognizes the importance of Principal, Vice Principal, and Assistant Principal effectiveness to further the development of a professional corps of educators and to increase student achievement. The Board of Education adopts Policy and Regulation 3224 for the evaluation of Principals, Vice Principals, and Assistant Principals 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 Principal, Vice Principal, and Assistant Principal evaluations consistent with TEACHNJ and AchieveNJ.

The rules in N.J.A.C. 6A:10 – Educator Effectiveness shall not override any conflicting provision(s) of collective bargaining agreements or other employment contracts in effect on July 1, 2013 and 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 shall annually adopt evaluation rubrics for Principals, Vice Principals, and Assistant Principals 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 Principals, Vice Principals, and Assistant Principals 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 Principals, Vice Principals, or Assistant Principals. A District Evaluation Advisory Committee shall be established in accordance with the requirements of N.J.A.C. 6A:10-2.3.

• Supe or Designee
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The minimum requirements for the evaluation procedures for Principals, Vice Principals, and Assistant Principals as outlined in N.J.A.C. 6A:10-2.4 shall be followed. For each Principal, Vice Principal, or Assistant Principal 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.

The components of the principal evaluation rubrics as described in N.J.A.C. 6A:10-5.1 shall apply to Principals, Vice Principals, and Assistant Principals. 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, Vice 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 Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.

The principal practice instrument approved by the Department of Education shall meet the criteria as outlined in N.J.A.C. 6A:10-6.3.

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

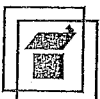
N.J.S.A. 18A:6-117 et seq.

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

N.J.A.C. 6A:10-5.1 through 5.4

N.J.A.C. 6A:10-6.1 and 6.3

Adopted:



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Oct 13

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[See POLICY ALERT No. 201]

R 3224 EVALUATION OF 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 3224 unless the context clearly indicates otherwise:

“Announced observation” means the person conducting an evaluation for the purpose of evaluation will notify the Principal, Vice Principal, or Assistant Principal of the date and the time period the observation will be conducted.

“Annual performance report” means a written appraisal of the Principal’s, Vice Principal’s, or Assistant Principal’s performance prepared by the Superintendent or designee based on the evaluation rubric for his or her position.

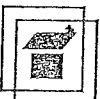
“Annual summative evaluation rating” means an annual evaluation rating that is based on appraisals of educator practice and student performance, and includes all measures captured in a Principal, Vice Principal, or Assistant Principal evaluation rubric. The four summative performance categories are ineffective,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

“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 or the Administrative Principal if there is no Superintendent.

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

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

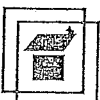
“Department” means the New Jersey Department of Education.

“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.

“Educator practice instrument” means an assessment tool that provides: scales or dimensions that capture competencies of professional performance; and differentiation of a range of professional performance as described by the scales, which must be shown in practice and/or research studies. The scores from the principal practice instrument are components of the evaluation rubrics and the scores are included in the summative evaluation rating for the individual.

“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 Principals, Vice Principals, and Assistant Principals 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 teaching staff members.



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

“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 a Principal’s, Vice Principal’s, and Assistant Principal’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 the Superintendent or designee.

“Post-observation conference” means a meeting, either in-person or remotely, between the Superintendent or designee who conducted the observation and the Principal, Vice Principal, and Assistant Principal 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.



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“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 evaluators set for groups of students.

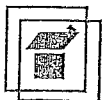
“Student growth percentile” means a specific metric for measuring individual student progress on Statewide assessments by tracking how much a student’s test scores have changed relative to other students Statewide with similar scores in previous years.

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

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

“Teaching staff member” means a member of the professional staff of any district or regional Board of Education, or any county vocational school district Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

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



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“Unannounced observation” means the person conducting an observation for the purpose of evaluation will not notify the Principal, Vice Principal, or Assistant Principal of the date or time the observation will be conducted.

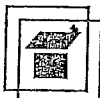
“Validity” means the extent to which evidence and theory support an interpretation of scores from a measurement instrument for a particular use of the instrument. In the context of evaluating educator practice, this means the evidence gathered using the instrument supports correct and useful inferences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

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

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

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



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D. Evaluation of Principals, Vice Principals, and Assistant Principals –
N.J.A.C. 6A:10-2.1

1. The Board of Education shall annually adopt evaluation rubrics for all Principals, Vice Principals, and Assistant Principals. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective.
2. The evaluation rubrics for Principals, Vice Principals, and Assistant Principals 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 Principals, Vice Principals, and Assistant Principals, unless otherwise specified:
 - a. Establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures as set forth in N.J.A.C. 6A:10-1.1 et seq.
 - b. Annually adopt policies and procedures developed by the Superintendent pursuant to N.J.A.C. 6A:10-2.4, including the evaluation rubrics approved by the Commissioner pursuant to N.J.A.C. 6A:10-2.1(c).
 - c. Ensure the Superintendent annually notifies all Principals, Vice Principals, and Assistant Principals of the adopted evaluation policies and procedures no later than October 1. If a Principal, Vice Principal, or Assistant Principal is hired after October 1, the Board/Superintendent shall notify all Principals, Vice Principals, and Assistant Principals of the policies and procedures at the beginning of his or her employment. All Principals, Vice Principals, and Assistant Principals shall be notified of amendments to the policy and procedures within ten Principal, Vice Principal, or Assistant Principal working days of adoption.



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- 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 from the implementation of the principal practice instrument and store the data in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation.
 - g. Ensure each Principal in the district or the Superintendent certifies any observer who conducts an observation of a teaching staff member for the purpose of evaluation as described in N.J.A.C. 6A:10-2.4(h); N.J.A.C. 6A:10-4.4; and N.J.A.C. 6A:10-5.4, 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 Principals, Vice Principals, and Assistant Principals and, when applicable, applying the Commissioner-approved principal practice instrument:
- a. Annually provide training on and descriptions of each component of the evaluation rubric for all Principals, Vice Principals, and Assistant Principals who are being evaluated in the school district and provide more thorough



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training for any Principals, Vice Principals, and Assistant Principals 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 principal practice instrument;

- b. Provide training on the principal practice instrument for the Superintendent or designee who will conduct observations for the purpose of evaluation of Principals, Vice Principals, or Assistant Principals. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation; except the Superintendent or designee using the principal practice instrument for the first time in 2013-2014 shall be provided training before October 31, 2013;
- c. Annually provide updates and refresher training on the principal practice instrument for any supervisor who will observe principal practice for the purpose of increasing accuracy and consistency among observers;
- d. The Superintendent shall annually certify to the Department that all evaluators of Principals, Vice Principals, and Assistant Principals in the school district who are utilizing principal practice instruments have completed training on the instrument and its application and have demonstrated competency in applying the principal practice instrument.

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



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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.
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 Principals, Vice Principals, and Assistant Principals - N.J.A.C. 6A:10-2.4

1. The provisions outlined in Policy and Regulation 3224 and N.J.A.C. 6A:10-2.4 shall be the minimum requirements for the evaluation procedures of Principals, Vice Principals, and Assistant Principals.
2. Evaluation policies and procedures requiring the annual evaluation of Principals, Vice Principals, and Assistant Principals 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 Principals, Vice Principals, and Assistant Principals;
 - b. Roles and responsibilities for implementation of evaluation policies and procedures;
 - c. Job descriptions and evaluation criteria based upon school district goals, student achievement, instructional priorities, and the evaluation regulations set forth in N.J.A.C. 6A:10-1.1 et seq.;



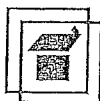
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- d. Methods of data collection and reporting appropriate to each job description, including, but not limited to, the processes for observations for the purpose of evaluation and post-observation conference(s) by the Superintendent or designee;
 - e. The process for preparation of individual professional development plans; and
 - f. The process for preparation of an annual written performance report by the Superintendent or designee, and an annual summary conference between the Principal, Vice Principal, or Assistant Principal and the Superintendent or designee.
3. The annual summary conference between the Superintendent or designee and the Principal, Vice Principal, or Assistant Principal shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the following:
- a. The performance of the Principal, Vice Principal, or Assistant Principal based upon the job description and, when applicable, the scores or evidence compiled using the evaluation rubric, including the principal practice instrument;
 - b. The progress of the Principal, Vice Principal, or Assistant Principal toward meeting the objectives 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, as applicable; and
 - d. The preliminary annual written performance report.



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4. If any scores for the Principal's, Vice Principal's, or Assistant Principal'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 Principal, Vice Principal, or Assistant Principal 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 principal practice instrument;
 - c. An individual professional development plan developed by the Superintendent or designee and the Principal, Vice Principal, or Assistant Principal or, when applicable, a corrective action plan from the evaluation year being reviewed in the report; and
 - d. A summary of student achievement scores or growth indicators.
6. The Principal, Vice Principal, or Assistant Principal and the preparer of the annual written performance report shall sign the report within five Principal, Vice Principal, or Assistant Principal working days of the review.
7. The annual summary conference and the annual written performance report shall be completed by June 30.
8. 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 a Principal, Vice Principal, or Assistant Principal 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.



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H. Corrective Action Plans for Principals, Vice Principals and Assistant Principals – N.J.A.C. 6A:10-2.5

1. For each Principal, Vice Principal, and Assistant Principal 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 Principal, Vice Principal, or Assistant Principal 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 Principal, Vice Principal, or Assistant Principal 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 Principal's, Vice Principal's, or Assistant Principal'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 Principal, Vice Principal, or Assistant Principal and the Superintendent or designee shall meet to discuss the corrective action plan within fifteen Principal, Vice Principal, or Assistant Principal working days following the school district's receipt of the Principal's, Vice Principal's, or Assistant Principal's summative rating.
4. The content of the corrective action plan shall replace the content of the individual professional development plan required in N.J.A.C. 6A:9-15.4(c) and 15.7(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 principal evaluation rubric;
 - b. Include specific, demonstrable goals for improvement;



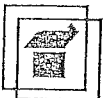
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- c. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
 - d. Include timelines for meeting the goal(s).
- 6. The Superintendent or designee and the Principal, Vice Principal, or Assistant Principal 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 Principal's, Vice Principal's, or Assistant Principal'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 Principal's, Vice Principal's, or Assistant Principal's personnel file and reviewed at the annual summary conference or the mid-year evaluation.
- 8. Progress toward the goals outlined in the corrective action plan may be used as evidence in the Principal's, Vice Principal's, or Assistant Principal's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.
- 9. Responsibilities of the evaluated Principal, Vice Principal, or Assistant Principal 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 Principal, as appropriate, shall conduct a mid-year evaluation of any Principal, Vice Principal, or Assistant Principal 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 before the annual summary conference. The mid-year evaluation shall include, at a minimum:



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- a. One observation in addition to the observations required in N.J.A.C. 6A:10-5.4 for the purpose of evaluation as defined in N.J.A.C. 6A:10-1.2 and described in N.J.A.C. 6A:10-5.4; and
- b. One post-observation conference in addition to the observations required in N.J.A.C. 6A:10-5.4 as defined in N.J.A.C. 6A:10-1.2, during which progress toward the Principal, Vice Principal, or Assistant Principal's goals outlined in the corrective action plan shall be reviewed.

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

1. Unless otherwise noted, the components of the principal evaluation rubrics shall apply to teaching staff members holding the position of Principal, Vice Principal, or Assistant Principal and holding a valid and effective standard, provisional, or emergency administrative certificate.
2. The principal 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 principal practice pursuant to N.J.A.C. 6A:10-5.3.
3. Each measure shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. By April 15 prior to each school year the evaluation rubric applies, the Department shall provide on its website the required percentage weight of each measure. 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 Principal, Vice Principal, or Assistant Principal receives a median student growth percentile measure as described in N.J.A.C. 6A:10-5.2(c), the measure shall be at least twenty percent and no greater than forty percent of evaluation rubric rating as determined by the Department.



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- 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(e), 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 principal 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.
- 4. Standardized assessments, used as a measure of student progress, shall not be the predominant factor in determining a Principal's annual summative rating.
 - 5. The Department shall periodically collect principal evaluation rubric data that shall include, but are not limited to, component-level scores and annual summative ratings.
- J. Student Achievement Components of Principal 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. The school-wide student growth percentile of all students assigned to the Principal;
 - b. Average student growth objective scores of every teacher, as described in N.J.A.C. 6A:10-4.2(e), assigned to the Principal; and



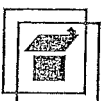
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- c. Administrator goals set by Principals, Vice Principals, and Assistant Principals in consultation with the Superintendent or designee pursuant to N.J.A.C. 6A:10-5.2(e), which shall be specific and measurable, based on student growth and/or achievement data.
2. The school-wide student growth percentile score shall be included in the annual summative rating of Principals, Vice Principal, and Assistant Principals 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 Vice Principals and Assistant Principals 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 Principals, Vice Principals, and Assistant Principals, which includes school-wide mathematics and school-wide English Language Arts scores.
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 Vice Principals or Assistant Principals shall be determined according to the following procedures:
 - a. The Principal, in consultation with the Vice Principal or 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.



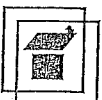
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Evaluation of Principals, Vice Principals,
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5. Administrator goals for Principals, Vice Principals, or Assistant Principals shall be developed and measured according to the following procedures:
 - a. The Superintendent shall determine for all Principals, Vice Principals, or Assistant Principals, the number of required administrator goals which shall reflect the achievement of a significant number of students within the school. By April 15 prior to the school year the evaluation rubric applies, the Department shall provide on the Department's website the minimum and maximum number of required goals, which will be at least one goal and no more than four goals.
 - b. Principals, Vice Principals, or Assistant Principals shall develop, in consultation with the Superintendent or designee, each administrator goal. Vice Principals and Assistant Principals shall set goals specific to his or her job description or adopt the same goals as his or her Principal. If the Principal, Vice Principal, or Assistant Principal 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 Principal's, Vice Principal's, or Assistant Principal's personnel file by November 15, 2013, and by October 15 for all subsequent school years.
 - d. The administrator goal score shall be calculated by the Superintendent or designee of the Principal, Vice Principal, or Assistant Principal. The Principal's, Vice Principal's, or Assistant Principal's administrator goal score, if available, shall be discussed at his or her annual summary conference.



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

1. Measures of principal practice shall include the following components:
 - a. A measure determined through a Commissioner-approved principal practice instrument; and
 - b. A leadership measure determined through the Department-created leadership rubric.
2. Principal practice component rating shall be based on the measurement of the Principal's, Vice Principal's, or Assistant Principal's performance according to the school district's Commissioner-approved principal 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 Principal's, Vice Principal's, or Assistant Principal'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. Principal, Vice Principal, and Assistant Principal Observations – N.J.A.C. 6A:10-5.4

1. 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).
2. A Principal, or the Superintendent or designee, shall conduct observations for the evaluation of Vice Principals and Assistant Principals pursuant to N.J.S.A. 18A:6-121.
3. For the purpose of collecting data for the evaluation of a Principal, Vice Principal, or Assistant Principal, 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.



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Evaluation of Principals, Vice Principals,
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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 Principal, Vice Principal, or Assistant Principal being observed. A post-observation conference shall occur no more than fifteen Principal, Vice Principal, or Assistant Principal 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 principal practice instrument and the Principal's, Vice Principal's, or Assistant Principal'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 Principal, Vice Principal, or Assistant Principal, 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 Principal's, Vice Principal's, or Assistant Principal's annual summary conference as long as it occurs within the required fifteen Principal, Vice Principal, or Assistant Principal 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 Principal, Vice Principal, or Assistant Principal who was observed.
 - f. The Principal, Vice Principal, or Assistant Principal shall submit his or her written objection(s) of the evaluation within ten Principal, Vice Principal, or Assistant Principal working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.



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Evaluation of Principals, Vice Principals,
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5. Each tenured Principal, Vice Principal, and Assistant Principal shall be observed as described in N.J.A.C. 6A:10-5.4, at least two times during each school year. Each nontenured Principal, Vice Principal, and Assistant Principal 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 Principals, Vice Principals, and Assistant Principals who are on a corrective action plan.

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

1. The principal practice instrument approved by the Department shall meet the following criteria:
 - a. 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_leaders_hip_policy_standards_2008.pdf;
 - b. Include scoring guides for assessing principal 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: ineffective, partially effective, effective, and highly effective;
 - c. Be based on multiple sources of evidence collected throughout the year;
 - d. Incorporate an assessment of the Principal's leadership for implementing a rigorous curriculum and assessments aligned to the Core Curriculum Content Standards;



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- e. Incorporate an assessment of the Principal's leadership for high-quality instruction;
 - f. Include an assessment of the Principal's performance in evaluating teachers; and
 - g. Include an assessment of the Principal's support for teachers' professional growth.
2. For Commissioner-approval of a principal practice instrument in 2015 or any year thereafter, the instrument shall include a process to assess competency on the evaluation instrument which the school district may choose to use as a measure of competency.

Adopted:



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POLICY GUIDE

SUPPORT STAFF MEMBERS

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Nonrenewal of Nontenured Support Staff Member

Oct 13

[See POLICY ALERT Nos. 137, 144, 166 and 201]

4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

When the nontenured support staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the support staff member's contract. Prior to notifying the nontenured support staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the support staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured support staff member their employment will be discussed in executive session in order for the support staff member to exercise their statutory right to request a public discussion.

The Superintendent shall notify each nontenured support staff member to whom reemployment will not be offered in writing in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties on or before May 15. Paraprofessionals continuously employed since the preceding September 30 as a school aide or classroom aide in a school district that receives funding under Title I of the Federal Elementary and Secondary Education Act of 1965 shall be notified of renewal or nonrenewal on or before May 15 in each year in accordance with the provisions of N.J.S.A. 18A:27-10.2.

A The nontenured support staff member whose contract is not renewed shall have has the right to a written statement of for the reasons for nonrenewal, provided the request for the statement of reasons is made within fifteen days of the Superintendent's written notification of nonrenewal to the support staff member. The statement of reasons shall be provided to a the nontenured support staff member within thirty days after the receipt of the request.

① Timeline
② Options for Super to inform Bd.



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Nonrenewal of Nontenured Support Staff Member

Whenever a nontenured support staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured support staff member shall have the right to an informal appearance before the Board to permit the support staff member an opportunity to convince the members of the Board to offer reemployment, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Superintendent. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing appearance with a nontenured support staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured support staff member reemployment after the informal appearance before employee has had the opportunity to meet informally with the Board. The support staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

The provisions as outlined in Policy and Regulation 4146 may be revised or adjusted by the Superintendent of Schools to be in accordance with the terms and timelines of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties provided the terms are not contrary to any statute, administrative code, or any management rights of the Board.

This policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs business administration functions.

N.J.S.A. 18A:27-4.1.

Adopted:



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Nonrenewal of Nontenured Support Staff Member

Oct 13

[See POLICY ALERT Nos. 137, 144, 166 and 201]

R 4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

A. Evaluations

1. Each nontenured support staff member shall be evaluated _____
at least one time each school year.
2. Evaluations shall set forth both the strengths and weaknesses of the **nontenured** support ~~teaching~~ staff member in order to provide an accurate assessment of his/her performance and to encourage the improvement of that performance.
3. Supervisors shall constructively point out performance deficiencies and offer assistance to nontenured support staff members in the improvement of professional skills.

B. Nonrenewal Recommendation

1. When a nontenured support staff member's performance does not meet the standards of the district, the _____ **support staff member's immediate supervisor** shall recommend to the Superintendent, no later than **April 1** _____, that the support staff member should not be reemployed in the following school year.
2. The nontenured support staff member shall be informed by the Superintendent of Schools, in writing, that employment for the next succeeding school year will not be offered. This written notice shall be provided to the **nontenured** support staff member in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties ~~on or before~~ May 15.



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Nonrenewal of Nontenured Support Staff Member

3. A recommendation by the Superintendent for nonrenewal may be based upon the **nontenured** support staff member's evaluations, job performance, or any factor affecting his/her employment in this district. ~~Nonrenewal shall not be recommended for any reasons that are trivial and insubstantial; unsupported by facts; based upon the support staff member's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, if any; or is based upon the support staff member's exercise of his/her protected right of free expression and association. Expressions or associations that interfere with the operation of the district may not rise to the level of protected activity.~~
4. A ~~n~~**Nontenured** support staff member's contracts can only be renewed upon the Superintendent's recommendation and a majority vote of the full Board. The Board may not withhold its approval for arbitrary and capricious reasons.

C. Nonrenewal Action

{Select Option 1 or 2}

Option 1

1. The Superintendent will notify the Board ~~m~~**Members** of the recommendation not to renew the a **nontenured** support staff member's contract **before notifying the support staff member of the recommendation to not renew.** The Superintendent may **notify the Board members of the recommendation not to renew the nontenured support staff member's contract and the reasons for the recommendation in a written notice to the Board no later than May 10. In the alternative, the Superintendent may notify the Board members of the recommendation not to renew a nontenured support staff member in executive session. Using this option,**

OR



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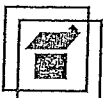
Nonrenewal of Nontenured Support Staff Member

Option 2

1. ~~The Board will meet in executive session no later than May 10 to review the Superintendent's recommendation(s) for nonrenewal nonemployment of nontenured support staff members. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight _____ hours in advance of the meeting, to those nontenured support staff members employees whose possible nonrenewal will be discussed at the meeting. If any such employee requests that the discussion take place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation the rest and will be scheduled for discussion at a public meeting to be held no later than May 10.~~
2. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member's contract.

D. Notice of Nonrenewal

1. Notice of the Superintendent's decision not to renew shall be given to the each nontenured support staff member not recommended for renewal in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties on or before May 15. The Board may delegate the Superintendent or the Board Secretary to give the written notice of nonrenewal.
2. The nonrenewal nNotice shall be in writing and provided to the nontenured teaching staff member not recommended for renewal in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties on or before May 15. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured support staff member's employee's address of record.



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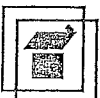
Nonrenewal of Nontenured Support Staff Member

E. Request for Statement of Reasons

1. A nonrenewed support staff member will be given a written statement of the reasons for which he/she was not renewed provided the **support** staff member's request for a statement of reasons has been received by the **Superintendent** _____ within fifteen calendar days after the support **teaching** staff member has received written notice of his/her nonrenewal.
2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the employee's evaluations and the employee has been given a copy of those evaluations, the statement of reasons may incorporate the evaluations by reference.
3. The statement of reasons may be prepared by the Superintendent or the Board Secretary and shall be delivered to the employee who requested it within thirty calendar days after the receipt of the employee's request.

F. Nonrenewal Appearance

1. A support staff member who has requested a statement of reasons for his/her nonrenewal will be granted an informal appearance before the Board to discuss those reasons, provided that he/she had submitted to the **Superintendent** _____ a written request for such an appearance no later than ten calendar days after **the support staff member's receipt of he/she has** received the written statement of reasons.
2. A date ~~shall be set for the an~~ informal appearance, ~~which shall be held shall be scheduled~~ within thirty calendar days ~~from~~ of the **support staff member's employee's** receipt of the Board's statement of reasons. The appearance shall be conducted at an executive session for which notice has been given in accordance with N.J.S.A. 10:4-13. The Board will determine a reasonable



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Nonrenewal of Nontenured Support Staff Member

length of time to be devoted to the appearance, **depending upon each instance's specific circumstances.** ~~taking into account the circumstances of the nonrenewal and the statement of the reasons given to the employee.~~ The proceeding of an informal appearance before the Board may be conducted pursuant to N.J.A.C. 10:4-12(b)(8).

3. The support staff member requesting the appearance shall be given written notice, no later than **forty-eight** _____ hours in advance of the meeting at which it is scheduled, of the date, time, place, and duration of the appearance.
4. The purpose of the appearance shall be to permit the nonrenewed support staff member to convince the members of the Board to offer reemployment. To those ends, the appearance shall be informally conducted. This appearance provides a mechanism by which the nontenured support staff member, whose renewal has not been recommended by the Superintendent, can appeal to the Board, on which the Superintendent sits as a non-voting member pursuant to N.J.S.A. 18A:17-20. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding and the appearance ~~shall will~~ not be ~~become~~ an adversary proceeding.
5. The support staff member may be represented by an attorney or by one individual of his/her choosing. He/She may present witnesses to testify on ~~in~~ his/her behalf. Witnesses ~~do not need not be sworn to present testimony~~ under oath, and their statements ~~will may~~ be recorded. The Board will ~~simply~~ hear witnesses and ~~will shall~~ not cross-examine them. Witnesses will be called into the meeting to address the Board one at a time and shall be excused from the meeting after making their statements.

G. Final Determination

1. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is required on the Superintendent's recommendation(s) to not renew a nontenured support staff



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~~member. However, a~~After ~~the~~ an informal appearance before the Board, the Superintendent may make a recommendation for reemployment to the voting members of the Board. The voting members of the Board, by a majority vote of the full Board in public session, must approve the reemployment based on the Superintendent's recommendation. ~~The Board may not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured support staff member.~~

2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the **nontenured** support staff member reemployment after **the informal appearance before the Board** ~~an informal hearing~~.
3. The final determination will be delivered to the nontenured support staff member, in writing, no later than three days **following** after the informal appearance. The Board may delegate the Superintendent or the Board Secretary to deliver the final determination.

Issued:

