

# REGULATION

## HOWELL TOWNSHIP BOARD OF EDUCATION

TEACHING STAFF MEMBERS

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Evaluation of Teaching Staff Members,  
Excluding Teachers and Administration

### 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.

“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.



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“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.

“Growth objective” is a goal that teaching staff members and evaluators set for their scope of work.

“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.



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“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.

“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



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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.

“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.

“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



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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.

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.



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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 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;



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- b. Provide training on the teacher practice instrument for any supervisor who will conduct observations for the purpose of evaluation of teaching staff members. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
  - c. Annually provide updates and refresher training on the teacher practice instrument for any 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 teaching staff member 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. A co-observation shall count as one required observation.
  - e. 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.
- 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 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;
    - 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





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- 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 and/or growth objective scores, and student growth percentile scores; and
  - d. The preliminary annual written performance report.
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;



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- 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.
- 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.



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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).
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.
10. Teaching staff members with a corrective action plan receive a mid-year evaluation. 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



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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, the length of which shall be determined by the Superintendent or the Principal and shall be the same length for all teaching staff members with a corrective action plan; and
- b. One post-observation conference in addition to the observations required, during which progress toward the teaching staff member's goals outlined in the corrective action plan shall be reviewed.

11. Tenured teaching staff members with a corrective action plan shall be observed by multiple observers for the purpose of evaluation.

#### I. Components of Teaching Staff Member Evaluation Rubric

1. The components of the teaching staff member evaluation rubric shall apply to teaching staff members working under an educational services certificate.
2. Evaluation rubrics for all teaching staff members shall include the requirements, including, but not limited to:
  - a. Measures of student achievement and/or growth measures; and
  - b. Measures of teaching staff member practice determined through a teacher practice instrument.
3. Each measure shall be converted to a percentage weight so all measures make up 100 percent of the evaluation rubric. All components shall be worth the following percentage weights or fall within the following ranges:
  - a. The student achievement and/or growth measures component shall be at least fifteen percent and no more than fifty percent of a teaching staff member's evaluation rubric rating as determined by the Superintendent.
  - b. Measures of teaching staff member practice shall be at least fifty percent and no more than eighty-five percent of a teaching staff member's evaluation rubric, as determined by the Superintendent.



- J. Student Achievement and/or Growth Components
1. Measures of student achievement and/or growth components shall be used to determine impact on student learning. The measures shall include the following components:
    - a. Student growth objective(s) and/or 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 teaching staff members who teach subjects or grades not covered by the Core Curriculum Content Standards, student growth objective(s) and/or growth objectives shall align to standards adopted or endorsed, as applicable, by the State Board.
  2. Student growth objectives or growth objectives for teaching staff members shall be developed and measured according to the following procedures:
    - a. The Superintendent shall determine the number of required student growth objectives and/or growth objectives for teaching staff members. A teaching staff member shall have at least two and a maximum of four student growth objectives and/or growth objectives.
    - b. All teaching staff member shall develop, in consultation with their Principal or a teaching staff member appointed by the Principal, each student growth objective and/or growth objective. If the teaching staff member does not agree with the student growth objectives or growth objectives, the Principal shall make the final determination.
    - c. Student growth objectives and/or growth objectives and the criteria for assessing teaching staff member performance based on the objectives shall be determined and recorded in the teaching staff member's personnel file by November 15, 2013, and by October 15 of subsequent school years.
    - d. Adjustments to student growth objectives and/or growth objectives may be made by the teaching staff member or his or her supervisor only when approved by the Superintendent or designee and shall be recorded in the teaching staff member's personnel file on or before February 15.



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- e. The teaching staff member's supervisor and/or a member of the School Improvement Panel shall calculate each teaching staff member's student growth and/or growth objective score. The teaching staff member's student growth/growth objective score, if available, shall be discussed at the teaching staff member's annual summary conference.

#### K. Teaching Staff Member Practice Components

1. The teaching staff member practice component rating shall be based on the measurement of the teaching staff member's performance according to the school district's approved teacher practice instrument. Observations shall be used as one form of evidence for the measurement.

#### L. Teaching Staff Member Observations and Evaluations

1. Observation conferences shall include the following procedures:
  - a. A supervisor who is present at the observation shall conduct a post-observation conference with the teaching staff member 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 3. below.
  - b. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teaching staff member practice instrument and the teaching staff member's individual professional development plan, collecting additional information needed for the evaluation of the teaching staff member, and offering areas to improve effectiveness.
  - c. If agreed to by the teaching staff member, post-observation conferences for short observations of tenured teaching staff members 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.



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3. The Superintendent shall determine the duration of observations required for non-tenured teaching staff members pursuant to N.J.S.A. 18A:27-3.1.
4. Each teaching staff member shall be observed, at least three times during each school year, but not less than once during each semester. For all teaching staff members, 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:
  - a. Nontenured teaching staff members 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 teaching staff members shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year.
  - b. Teaching staff members on a corrective action plan shall receive observations within the timeline set forth in N.J.A.C. 6A:10-2.5.
  - c. Nontenured teaching staff members 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 teaching staff member'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 teaching staff member who was observed.



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- f. The teaching staff member 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.
5. Each observation required for the purpose of evaluations shall be conducted for the minimum duration based on the following groups:
  - a. A nontenured teaching staff member 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 teaching staff member 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 teaching staff member shall receive at least three short observations.
  - d. Observations include, but are not limited to, observations of meetings, student instruction, parent conferences, and a case-study analysis of a significant student issue.
  - e. The required observations for the purposes of the annual evaluation for nontenured teaching staff members shall take place before April 30 each year.
6. 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.
7. Evaluations for nontenured teaching staff members shall be completed prior to May 15.
8. Evaluations for tenured teaching staff members shall be completed prior to June 30.





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9. 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.
10. 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: 09 April 2014

