

PERFORMANCE APPRAISAL
EVALUATION OF TEACHERS

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(LEGAL)

FREQUENCY Except as provided below, each teacher must be appraised at least once during each school year. *Education Code 21.203, 21.352(c); 19 TAC 150.1003(a)*

EXCEPTION A teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years. *Education Code 21.352(c)*

For purposes of the Professional Development and Appraisal System (PDAS), an area of deficiency is a domain. A teacher must be rated as at least proficient for each domain (that is, for all domains) to be eligible for less frequent appraisals.

District policy may stipulate:

1. Whether the appraisal option is to be made available to all teachers;
2. Whether the appraisal option is to be adopted Districtwide or is to be campus specific;
3. If the appraisal accompanying a teacher new to the District or campus meets the option, whether the appraisal is to be accepted or whether that teacher is to be appraised by the new campus administrator; and
4. Whether an appraiser may place a teacher on the traditional appraisal cycle as a result of performance deficiencies documented by cumulative data, including third-party information.

The District may choose annually to review the written agreement with the teacher. However, at the end of the school year, the District may modify appraisal options through Board policy and may make changes to expectations for appraisals that apply to all teachers regardless of a teacher's participation in the appraisal option in the previous years.

19 TAC 150.1003(l)

ROLE OF
EXTRACURRICULAR
ACTIVITIES

A teacher who directs extracurricular activities in addition to performing classroom teaching duties shall be appraised only on the basis of classroom teaching performance and not on performance in connection with extracurricular activities. *Education Code 21.353*

ACCESS TO
EVALUATIONS

The District shall maintain a written copy of the evaluation of each teacher's performance in the teacher's personnel file.

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Each teacher is entitled to receive a written copy of the evaluation on its completion. The evaluation and any rebuttal may be given to another school district at which the teacher has applied for employment at the request of that district.

Education Code 21.352(c)

CONFIDENTIALITY

A document evaluating the performance of a teacher is confidential. *Education Code 21.355*

CHOICE OF
APPRAISAL
METHOD

The District shall use one of the following methods to appraise teachers:

1. The appraisal process and performance criteria developed by the Commissioner [see STATE METHOD, below]; or
2. A locally developed appraisal process and performance criteria [see DISTRICT OPTION and CAMPUS OPTION, below].

Education Code 21.352(a); 19 TAC 150.1001(a)

SELECTION OF
APPRAISAL
METHOD

The Superintendent, with the approval of the Board, may select the state appraisal method. Each district or campus wanting to select or develop an alternative teacher-appraisal system must follow the requirements set forth below at DISTRICT OPTION or CAMPUS OPTION. *19 TAC 150.1001(c)*

Note: The following provisions apply to teacher appraisal using the state appraisal method.

STATE METHOD
(PDAS)

The state appraisal method is the Professional Development and Appraisal System. The foundation for the PDAS is the teacher proficiencies described in *Learner-Centered Schools for Texas: A Vision of Texas Educators*. *19 TAC 150.1001(b), 150.1002(a)*

PERFORMANCE
DOMAINS

Each teacher shall be appraised on the following domains:

1. Domain I: Active, successful student participation in the learning process;
2. Domain II: Learner-centered instruction;
3. Domain III: Evaluation and feedback on student progress;
4. Domain IV: Management of student discipline, instructional strategies, time, and materials;
5. Domain V: Professional communication;
6. Domain VI: Professional development;

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7. Domain VII: Compliance with policies, operating procedures, and requirements; and
8. Domain VIII: Improvement of academic performance of all students on the campus (based on indicators included in the Academic Excellence Indicator System [AEIS]).

Each domain shall be scored independently. The evaluation of each of the domains shall consider all data generated in the appraisal process from observations, the Teacher Self-Report Form, and other documented sources.

The data shall describe teacher contributions in increasing student achievement, making the whole school safe and orderly, and creating a stimulating learning environment for children.

19 TAC 150.1002(b), (c)

Whenever possible, an appraisal shall be based on the teacher's performance in fields and teaching assignments for which he or she is certified. *19 TAC 150.1003(a)*

RATINGS

Each teacher shall be evaluated on Domains I through VIII using the following categories:

1. Exceeds expectations;
2. Proficient;
3. Below expectations; and
4. Unsatisfactory.

The teacher evaluation in Domain VIII shall include the following areas:

1. Efforts to enhance academic performance;
2. Efforts to enhance student attendance;
3. Efforts to identify and assist students in at-risk situations; and
4. Campus performance ratings.

Campus performance rating data for Domain VIII shall be reported (not scored) by the campus or District for the first year of the PDAS implementation and/or during the first year for new teachers to the campus.

19 TAC 150.1002(d)–(f)

ORIENTATION

The District shall ensure that all teachers are provided with an orientation to the PDAS no later than the final day of the first three weeks of school and at least three weeks before the first observa-

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tion. Additional orientations shall be provided any time substantial changes occur in the PDAS. A teacher new to the District shall be provided with an orientation to the PDAS at least three weeks before the teacher's first observation.

The orientation shall include materials approved by the Commissioner. These materials shall include all state and local appraisal policies, the local appraisal calendar, and information on the requirements for the completion of the Teacher Self-Report Form. In addition to the orientation, campuses may hold other sessions sufficient in length to allow teachers to actively participate in a discussion of the PDAS specifics and to have their questions answered.

19 TAC 150.1007

TRAINING UPON
ADOPTION OF PDAS

In the initial year of adoption and implementation of the PDAS, selected teachers from each campus shall be given the opportunity to participate in the appraisal training for purposes of disseminating information to colleagues on their campus and assisting, at the discretion of the principal, in the orientation of all campus teachers. These teachers shall be designated as appraisal-orientation facilitators.

Each campus shall offer the opportunity to participate in appraisal training to a number of teachers equal to the number of campus administrators; however, each campus shall have at least one teacher participant. The principal shall select representative teachers from nominations submitted by the site-based decision-making (SBDM) committee. The principal may select representatives other than those nominated by the SBDM committee when nominated teachers are unable to attend appraisal training.

The District shall pay the training fees for its teachers attending the PDAS appraisal training.

The District shall make available additional training for teachers as part of the District's menu of professional development opportunities. All teachers are eligible to participate in appraisal and/or Instructional Leadership Training (ILT) or Instructional Leadership Development (ILD) training at their own expense.

19 TAC 150.1008

APPRAISERS

The teacher appraisal process requires at least one appraiser.

TEACHER'S
SUPERVISOR

The teacher's supervisor shall conduct the teacher's appraisal and must hold a superintendent, mid-management (principal), or supervisor certification, or must hold comparable certificates established by the State Board for Educator Certification. An appraiser other than the teacher's supervisor must be approved by the Board, hold

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a valid teaching certificate, and have at least three years of prekindergarten, elementary, or secondary teaching experience.

SAME CAMPUS

A classroom teacher may not appraise another classroom teacher at the same campus unless it is impractical because of the number of campuses or unless the appraiser is the chair of a department or grade-level whose job description includes classroom observation responsibilities.

CERTIFICATION

Before conducting appraisals, an appraiser must be certified by having satisfactorily completed uniform appraiser training. Periodic recertification and training shall be required.

Education Code 21.351(c); 19 TAC 150.1006

APPRAISAL
CALENDAR

The District shall establish a calendar for teacher appraisals. The appraisal period for each teacher must include all of the days of the teacher's contract.

Observations during the appraisal period must be conducted during the required days of instruction for students during one school year.

The calendar shall:

1. Exclude observations in the three weeks after the day of completion of the PDAS orientation in the school years when an orientation is required;
2. Exclude observations in the three weeks after the day of completion of the PDAS orientation for teachers new to the PDAS;
3. Exclude observations in the first three weeks of instruction in the school years when the PDAS orientation is not required;
4. Prohibit observations on the last day of instruction before any official school holiday or on any other day deemed inappropriate by the Board; and
5. Indicate a period for summative annual conferences that ends no later than 15 working days before the last day of instruction for students.

19 TAC 150.1003(d)

A teacher may be given advance notice of the date or time of an appraisal, but advance notice is not required. *Education Code 21.352(d); 19 TAC 150.1003(c)*

APPRAISAL PROCESS

The annual appraisal shall include:

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CLASSROOM OBSERVATION	<p>1. At least one classroom observation of a minimum of 45 minutes, with additional walk-throughs and observations conducted at the discretion of the appraiser.</p> <p>By mutual consent of the teacher and appraiser, the required minimum of 45 minutes of observation may be conducted in shorter time segments. The time segments must aggregate to at least 45 minutes.</p> <p>A written summary of each observation shall be given to the teacher within ten working days after the completion of an observation, with a pre- and post-observation conference conducted at the request of the teacher or appraiser;</p>
TEACHER SELF- REPORT	<p>2. Completion of Section I of the Teacher Self-Report Form that shall be presented to the principal:</p> <ul style="list-style-type: none">a. Within the first three weeks from the day of completion of the PDAS orientation;b. Within the first three weeks from the day of completion of the PDAS orientation, for teachers new to the PDAS; orc. Within the first three weeks of instruction in the school years when the PDAS orientation is not required. <p>Revision of Section I, if necessary, and completion of Sections II and III of the Teacher Self-Report Form shall be presented to the principal at least two weeks before the summative annual conference;</p>
CUMULATIVE DATA	<p>3. Cumulative data of written documentation collected regarding job-related teacher performance, in addition to formal classroom observations; and</p>
SUMMATIVE REPORT AND CONFERENCE	<p>4. A written summative annual appraisal report and a summative annual conference, described below.</p> <p><i>19 TAC 150.1003(b), (g)</i></p>
SUMMATIVE REPORT	<p>A written summative annual appraisal report shall be shared with the teacher no later than five working days before the summative conference and no later than 15 working days before the last day of instruction for students. The written summative annual appraisal report shall be placed in the teacher's personnel file by the end of the appraisal period. <i>19 TAC 150.1003(h)</i></p>
SUMMATIVE CONFERENCE	<p>Unless waived in writing by the teacher, a summative conference shall be held within a time frame specified on the District calendar and no later than 15 working days before the last day of instruction</p>

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for students. The summative conference shall focus on the written summative report and related data sources. *19 TAC 150.1003(i)*

If the appraiser is not an administrator on the teacher's campus, the principal, assistant principal, or another supervisory staff member designated as an administrator on the campus will participate in the summative annual conference. *19 TAC 150.1003(j)*

DOCUMENTATION

During the appraisal period, the appraiser shall evaluate and document teacher performance specifically related to the domain criteria as identified in the PDAS. The appraiser is responsible for documentation of cumulative data. *19 TAC 150.1003(e), (f)*

Any third-party information from a source other than the teacher's supervisor that the appraiser wishes to include as cumulative data shall be verified and documented by the appraiser.

Any documentation that will influence the teacher's summative annual appraisal report must be shared in writing with the teacher within ten working days of the appraiser's knowledge of the occurrence. The principal shall also be notified in writing when the appraiser is not the teacher's principal.

19 TAC 150.1003(f)

Any documentation collected after the summative conference but before the end of the contract term during one school year may be considered as part of the appraisal of a teacher. If the documentation affects the teacher's evaluation in any domain, another summative report shall be developed and another summative conference shall be held to inform the teacher of the change(s).

19 TAC 150.1003(k)

TEACHER RESPONSE

A teacher may submit a written response or rebuttal after receiving a written observation summary, summative annual appraisal report, and/or any other documentation associated with the teacher's appraisal. The rebuttal is to be attached to the evaluation in the teacher's personnel file.

Any written response or rebuttal must be submitted within ten working days of receiving the written summary, documentation, or report. At the discretion of the appraiser, this time period may be extended to 15 working days.

Education Code 21.352(c); 19 TAC 150.1005(a), (b)

REQUEST FOR
SECOND APPRAISAL

A teacher may request a second appraisal by another appraiser after receiving a written observation summary and/or a written summative annual appraisal report. *Education Code 21.352(c); 19 TAC 150.1005(c)*

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The second appraisal must be requested within ten working days of receiving the summary or report. At the discretion of the appraiser, this time period may be extended to 15 working days.

19 TAC 150.1005(d)

PROCEDURE FOR
SECOND
APPRAISAL

The District shall adopt written procedures for determining the selection of second appraisers. The procedures shall be disseminated to each teacher at the time of employment and updated annually or as needed. *19 TAC 150.1005(g)*

The second appraiser shall appraise the teacher in all domains and shall make observations and walk-throughs as necessary to evaluate Domains I through V. The second appraiser shall use the Teacher Self-Report Form and cumulative data from the first appraisal to evaluate Domains VI through VIII. Cumulative data may also be used by the second appraiser to evaluate other domains.

19 TAC 150.1005(f)

A teacher may be given notice of the date or time of a second appraisal, but advance notice is not required. *Education Code 21.352(c); 19 TAC 150.1005(e)*

APPEALS

The District shall adopt written procedures for a teacher to present grievances and receive written comments in response to the written annual report. *19 TAC 150.1005(g)*

Note: The following provisions apply to teacher appraisal using the District-developed appraisal method.

DISTRICT OPTION

A district that does not want to use the PDAS must develop its own teacher-appraisal system supported by locally adopted policy and procedures and by the processes outlined below.

The Texas Teacher Appraisal System (TTAS) is no longer a state-recommended system. However, the TTAS may be used as a local option governed by the process outlined below. If adopted as a local option, the TTAS must be modified to comply with Education Code 21.351(a)(1) and (2). [See APPRAISAL PROCESS, below]

DEVELOPMENT
OF APPRAISAL
SYSTEM

The District-level planning and decision-making committee shall:

1. Develop an appraisal process;
2. Develop evaluation criteria, including discipline management and performance of the teachers' students; and
3. Consult with the campus-planning and decision-making committee on each campus in the District.

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APPRAISAL
PROCESS

The appraisal process shall include:

1. At least one appraisal each year;
2. A conference between the teacher and the appraiser that is diagnostic and prescriptive with regard to remediation needed in overall performance by category; and
3. Criteria based on observable, job-related behavior, including:
 - a. Teachers' implementation of discipline management procedures; and
 - b. Performance of the teachers' students.

BOARD
ACCEPTANCE

The District-level planning and decision-making committee shall submit the appraisal process and criteria to the Superintendent, who shall submit the appraisal process and criteria to the Board with a recommendation to accept or reject.

The Board may accept or reject, with comments, the appraisal process and performance criteria, but may not modify the process or criteria.

Education Code 21.352(a)(2), (b); 19 TAC 150.1009(a)

Note: The following provisions apply to teacher appraisal using the campus-developed appraisal method.

CAMPUS OPTION

A campus within the District may choose to develop a local appraisal system.

DEVELOPMENT OF
APPRAISAL
SYSTEM

The campus planning and decision-making committee shall:

1. Develop an appraisal process;
2. Develop evaluation criteria, including discipline management and performance of the teachers' students; and
3. Submit the process and criteria to the District-level planning and decision-making committee.

APPRAISAL
PROCESS

The appraisal process shall include:

1. At least one appraisal each year;
2. A conference between the teacher and the appraiser that is diagnostic and prescriptive with regard to remediation needed in overall performance by category; and
3. Criteria based on observable, job-related behavior, including:

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- a. Teachers' implementation of discipline management procedures; and
- b. Performance of the teachers' students.

BOARD
ACCEPTANCE

Upon submission of the appraisal process and criteria to the District-level planning and decision-making committee, the committee shall make a recommendation to accept or reject the appraisal process and criteria and transmit that recommendation to the Superintendent.

The Superintendent shall submit to the Board:

1. The recommended campus appraisal process and criteria;
2. The District-level planning and decision-making committee's recommendation; and
3. The Superintendent's recommendation.

The Board may accept or reject, with comments, an appraisal process and performance criteria, but may not modify the process or criteria.

Education Code 21.352(a)(2), (b); 19 TAC 150.1009(b)