

# EVALUATION OF EDUCATOR EFFECTIVENESS

## Toolkit

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### INTRODUCTION

The Toolkit for the Evaluation of Educator Effectiveness was designed to provide guidance on the revised rating system for professional employees and temporary professional employees pursuant to [Pa. Act 13 of 2020](#) (Act 13). This kit also includes the following [tools](#) to assist administrators during evaluation:

- Frameworks for observation and approved models of professional practice
- Templates to facilitate the evaluation of performance measures
- Excel files to apply measures and weighting and to produce final rating forms
- Training resources and opportunities for aligned professional development

Local Education Agencies (LEAs) subject to the legislative requirements should consult with their solicitors to ensure a thorough understanding of Act 13 and a successful implementation of either the rating system delineated in [Title 22 Chapter 19](#) of the Pennsylvania Code or an [alternative rating system](#) approved by the Pennsylvania Department of Education (PDE) as meeting or exceeding commonwealth measures.

### Educator Effectiveness

Act 13 was signed into law by Governor Tom Wolf on March 27, 2020, revising the Educator Effectiveness system established under Pa. Act 82 of 2012 (Act 82) for the evaluation of professional employees and temporary professional employees in PreK-12 education.

Noteworthy changes are:

- Increased emphasis on observation and practice
- Streamlined building level data, with a ‘challenge multiplier’ to account for student poverty
- Expanded flexibility in measuring student performance
- Expanded flexibility in measuring principal performance

### Entities Subject to Requirements

Effective July 1, 2021, evaluations of professional employees and temporary professional employees serving as classroom teachers, principals, and non-teaching professionals in commonwealth **school districts, area career technology and technical centers, and intermediate units** must adhere to the revised rating system for Educator Effectiveness (EE).

Charter schools are not subject to the Educator Effectiveness requirements under Act 13; however, charter schools may find it useful to incorporate EE measures into their evaluation systems to comply with federal mandate, which requires reporting on the numbers of classroom teachers deemed to be Effective or Ineffective using select EE measures or comparable indicators.

### Employees Subject to Requirements

Pursuant to Act 13, there are three types of employees evaluated for Educator Effectiveness.

- **Classroom Teachers**, defined as:
  - professional employees or temporary professional employees who provide direct instruction to students related to a specific subject or grade level.
- **Principals**, defined as:
  - building principals, assistant principals, vice principals, directors of career and technical education, or supervisors of special education<sup>1</sup>.
- **Non-Teaching Professionals (NTPs)**, defined as:
  - educational specialists (including counselors, dental hygienists, home school visitors, instructional technology specialists, nurses, psychologists, social workers, speech and language pathologists), or

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<sup>1</sup> Evaluated as an NTP Supervisor under Act 82, a Supervisor of Special Education is evaluated as a Principal under Act 13

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- other professional employees or temporary professional employees who provide services and who are not classroom teachers (e.g., instructional coaches, supervisors of curriculum and instruction).

Where a professional employee or temporary professional employee provides direct instruction *in addition* to other services, the LEA is encouraged to consult with the employee to determine whether to evaluate the employee as a classroom teacher or as a non-teaching professional based on the employee's primary role and responsibilities.

Similarly, LEAs are encouraged to consult with their employees as well as their solicitors when determining how to evaluate staff whose positions are not directly correlated to their areas of certification (e.g., employees holding administrative certificates which allow them to serve as principals but who are utilized as supervisors or in other locally titled positions) or whether to evaluate staff who are licensed but not certificated (e.g., behavior analysts).

### Temporary Professional Employees

Although Act 13 amends the measures by which a Temporary Professional Employee (TPE) is evaluated under Article XI of the Pennsylvania Public School Code, the legislation does not alter the existing definition of TPE.

Article XI defines the term to mean any individual who has been employed to perform, for a limited time, the duties of a newly created position or of a regular professional employee whose services have been terminated by death, resignation, suspension, or removal. While the definition does not address *tenure* explicitly, commonwealth case law has held that the distinction between a professional employee and a temporary professional employee is that the former has secured tenure.

LEAs should check with their Human Resource personnel on current local protocols for classifying a professional employee<sup>2</sup> as temporary and consult with their solicitors if establishing new policies for the classification of employee status for the purposes of evaluation.

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<sup>2</sup> See 24 P.S. [§1101](#) for definitions of professional employee, temporary professional employee, and substitute.

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### EVALUATION MEASURES

#### Measures & Weighting

There are five areas in which an employee may be evaluated:

- **Observation & Practice**
- **Building Level Data:** Assessment, Growth, Attendance, Graduation Rate
- **Teacher-Specific Data:** Assessment, Growth, IEP Goals Progress
- **LEA Selected Measures**, comprised of one or more of the following:
  - Locally developed school district rubrics
  - District-designed measures and examinations
  - Nationally recognized standardized tests
  - Industry certification examinations
  - Student projects pursuant to local requirements
  - Student portfolios pursuant to local requirements
- **Performance Goals**

The employee is assigned a rating in each area of evaluation that:

- ✓ Is *appropriate to the type of employee* evaluated, and
- ✓ Has *available data directly attributable to the employee*.

The following table delineates, by the type of employee evaluated, the rated areas and significance of each in the *annual evaluation*:

Professional Employee Evaluated	Observation & Practice	Building Level Data	TSD: Assessments, Growth, IEP Goals Progress	LEA Selected Measures	Performance Goals
Data-Available Classroom Teacher	70%	10%	10% <i>All Measures</i>	10%	-
Non-Data-Available Classroom Teacher	70%	10%	10% <i>IEP Goals Progress only</i>	10%	-
Classroom Teacher w/out Building Level Data	80%	-	10% <i>IEP Goals Progress only</i>	10%	-
Temporary Classroom Teacher	100%	-	-	-	-
Non-Teaching Professional with Building Level Data	90%	10%	-	-	-
Non-Teaching Professional w/out Building Level Data	100%	-	-	-	-
Temporary Non-Teaching Professional	100%	-	-	-	-
Principal/Temp. Principal with Building Level Data	70%	10%	-	-	20%
Principal/Temp. Principal w/out Building Level Data	80%	-	-	-	20%

The required *semi-annual evaluation* of temporary classroom teachers and temporary non-teaching professionals is comprised of the same measure and weighting as the annual evaluation (i.e., 100% Observation & Practice). For temporary professional employees serving in principal roles, LEAs should consult with their solicitors when determining mid-year application of building level data for semi-annual evaluation.

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### Interim Evaluations

A professional employees deemed **Unsatisfactory** in the last evaluation must be rated at least once a year using the measures and weightings appropriate to the employee, as indicated in the table above. Subsequent ratings during the same evaluation period (i.e., interim evaluations) are not mandated; however, should an LEA elect to perform one, the interim evaluation must be comprised of 70% Observation & Practice and 30% LEA Selected Measures.

For the Observation & Practice rating, the LEA should apply the same domains, weightings, and professional practice models utilized during the prior annual evaluation. For the LEA Selected Measures rating, the LEA should use measure(s) appropriate to the type of professional employee (e.g., Performance Goal benchmarks might serve as a locally developed rubric in the evaluation of a principal) and reflective of the role and responsibility of the professional employee (e.g., student career readiness portfolios might be used in the evaluation of a school counselor).

### Observation & Practice

Most or all of the evaluation of the effectiveness of an employee is based on Observation & Practice. To assist LEAs, the Department has three approved<sup>3</sup> **Educator Effectiveness Frameworks** for observing and assessing employee practice: [Classroom Teacher, Principal, and Non-Teaching Professional](#). The Principal Framework is designed for use in the evaluation of other school leaders and supervisors, as well; and the Non-Teaching Professional (NTP) Framework offers slight modifications in the embedded practice models to assist in rating NTPs with disparate roles and certifications/licensures.

Each framework contains four domains of professional practice and, in each domain, a continuum reflecting the performance expectations for the type of employee for which it was designed. Each of the four domains must be assigned a rating; however, when determining the rating, *an evaluator may use any portion or combination of the practice models* (i.e., components) within a domain as appropriate to the employee’s responsibilities. Suggested discussion prompts and potential sources for evidence of practice to facilitate meaningful conversation during observation are provided at each component level.

The ratings assigned in each of the four domains are adjusted by the weighting attributed to that domain, as indicated in the chart below, and the sum of the adjusted values becomes the Observation & Practice rating. For employees serving in principal roles, the weighting assigned to each domain must be agreed upon by the employee and the evaluator before the start of the evaluation period.

CLASSROOM TEACHERS	NON-TEACHING PROFESSIONALS		PRINCIPALS/SCHOOL LEADERS & SUPERVISORS OF SPECIAL EDUCATION
	Educational Specialists & Other Professionals	Supervisors	
<i>Planning &amp; Preparation</i> 20%	<i>Planning &amp; Preparation</i> 25%	<i>Strategic/Cultural Leadership</i> 25%	<i>Strategic/Cultural Leadership</i> 10% - 30%*
<i>Classroom Environment</i> 30%	<i>Educational Environment</i> 25%	<i>Systems Leadership</i> 25%	<i>Systems Leadership</i> 10% - 30%*
<i>Instruction</i> 30%	<i>Delivery of Service</i> 25%	<i>Leadership for Learning</i> 25%	<i>Leadership for Learning</i> 10% - 30%*
<i>Professional Responsibilities</i> 20%	<i>Professional Development</i> 25%	<i>Professional &amp; Community Leadership</i> 25%	<i>Professional &amp; Community Leadership</i> 10% - 30%*

\* The total of the four domains must equal 100% of the rating for Observation & Practice.

Observations, documented artifacts, other evidence, and findings that provide the basis for determining an employee’s level of performance in each of the four domains are to be noted in the employee’s record, including dates and times as applicable. An employee may provide the evaluator with evidence and/or documented artifacts

<sup>3</sup> For the evaluation of a classroom teacher, LEAs may utilize an [alternate PDE-approved framework](#)

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demonstrating the employee's performance during the most recent Observation & Practice rating; however, the evaluator has the authority to determine whether the evidence or artifacts provided by the employee are relevant to the current Observation & Practice evaluation.

Evidentiary source materials to inform a rating may include, but are not limited to, any combination of the following items as appropriate for the employee and the employee's placement:

- Notations of professional observations, employee/rater conferences or interviews, or informal observations or visits.
- Lesson plans, unit plans, instructional materials and resources.
- Student work, student records, progress reports and grading.
- Utilization of formative and summative assessments that impact instruction and critiques of lesson plans.
- Agendas and minutes of meetings, programs, courses, or planning sessions.
- Development and implementation of school improvement plans, professional growth programs, in-service programs, student assemblies, safety programs, and other events or programs that promote educational efficacy, health, and safety.
- Budget and expenditure reports.
- Interactions with students and their families (e.g., frequency, methods of communication).
- Communication logs (e.g., emails, letters, notes regarding conversations with parents, staff, students, community members).
- Student surveys and family, parent, school, and community feedback.
- Professional growth (e.g., coursework, staff development, networking, reflection of practice).
- Professional development documentation toward continuance of certification or licensure or both.
- Examination of sources of evidence provided by the employee.

For the evaluation of classroom teachers, evaluators may include the use of multiple classroom walk-throughs in an academic year to gather evidence and artifacts, provided specific observations are based only on factors that are present or witnessed by the evaluator during the walk-through. Classroom walk-throughs shall be used to gather evidence *in addition to* data gathered during one or more comprehensive classroom observations except when defined by a plan of differentiated supervision.

## Comprehensive Observation

A [comprehensive observation](#) includes:

- A pre-conference, during which the employee and the evaluator review the lesson or service to occur during the observation and adjust the planned activity, where appropriate, based on that discussion.
- A formal<sup>4</sup> observation, which begins prior to the start of the lesson or service and concludes with the evaluator providing the employee a completed observation form. Shortly thereafter, the employee should perform a self-assessment and provide a copy to the evaluator.
- A post-conference, held within a reasonable timeframe after the observation and during which the evaluator and the employee compare the observation report and the self-assessment. The employee should be encouraged to reflect openly on identified opportunities to improve instructional practice and student achievement.

The requirement for a post-conference for a professional employee may be waived for extenuating circumstances if both parties agree and the evaluator places written documentation of the comprehensive observation in the professional employee's file. If the extenuating circumstances are raised by the evaluator, the professional employee *cannot* receive a rating of Needs Improvement or Failing on the comprehensive observation component of an evaluation.

The requirement of a post-conference may *not* be waived for a temporary professional employee.

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<sup>4</sup> Conversely, *informal* observations may consist of walk-throughs, presentations, meetings, communications, and other evidence of classroom practice

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Minimally, comprehensive observations should be performed during the evaluation of temporary professional employees, professional employees in the required year of comprehensive observation within a differentiated supervision cycle, and employees assigned to a performance improvement plan.

### Differentiated Supervision

[Differentiated supervision](#) is an optional system involving an LEA-established multi-year cycle in which a comprehensive observation is completed for one annual rating and other years of the cycle are informed by the collaborative development of individualized goals, learning activities, and measures for the professional employee's growth in one or more of the domains of practice.

The evaluator should consult with the employee when selecting a mode of supervision for alternate years of the cycle and ensuring a rigorous alignment to the framework for evaluation and/or a district or school initiative designed to improve instructional practices and impact student achievement. Differentiated supervision modes might include, but are not limited to:

- **Peer Coaching** - working in dyads or triads to discuss and observe each other's practice, define their professional needs, and develop plans for addressing specifically targeted areas, the evidence to be collected, dates of observation, and opportunities for reflection.
- **Self-Directed/Action Research** - working individually or in small groups to develop a structured, on-going reflection of a practice-related issue and complete a related action research project.
- **Portfolio** - examining one's own practice in relation to the framework for evaluation and to established interest- or needs-based criteria and providing evidence and reflection in a written report and/or documented discussions with colleagues.

A timeline should be set to ensure successful completion of the employee's plan of action, minimally with mid-year and end-of-year reviews during which resources, meeting notes, data collections, observations, and reflections are shared with the supervisor. In addition to this evidence, supervisors should employ multiple strategies throughout each year of differentiated supervision to monitor employee performance and inform the annual evaluation.

Where a domain rating is absent during differentiated supervision, the employee's most recent comprehensive evaluation should be used for the purposes of calculating the overall rating and for Every Student Succeeds Act (ESSA) reporting via the Educator Effectiveness Annual Report in the Comprehensive Planning Portal.

### Eligibility

Differentiated supervision may be offered only to professional employees who received a Proficient or Distinguished annual rating in the two years immediately preceding the commencement of a differentiated supervision cycle. Temporary professional employees are *ineligible* for differentiated supervision.

A supervisor may move a professional employee out of differentiated supervision and into comprehensive classroom observation at any time. Additionally, a professional employee may elect to move out of differentiated supervision and enter comprehensive classroom observation at any time.

### Building Level Data

Effective with the 2021/2022 school year, the Building Level Score (BLS) for evaluating educator effectiveness will be comprised of available **Assessment**<sup>5</sup>, **Growth**<sup>6</sup>, **Attendance Rate**<sup>7</sup>, and **Graduation Rate**<sup>8</sup> data and adjusted based on the percentage of [economically disadvantaged](#) students enrolled in the school (i.e., challenge multiplier) as follows:

- 1) Calculate the regression coefficient of determination ( $r^2$ ) that estimates the proportion of the variance in school-level data predictable by the percentage of students economically disadvantaged in a school.
- 2) Multiply the regression coefficient of determination by .1.

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<sup>5</sup> As evidenced on PSSA, PASA, and Keystone Exams

<sup>6</sup> As calculated in the Pennsylvania Value-Added Assessment System (PVAAS)

<sup>7</sup> As determined by the Department for Child Accounting purposes (i.e., ADA/ADM)

<sup>8</sup> As submitted per Pennsylvania's ESSA Consolidated State Plan



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- 3) Multiply the product by the most currently available percentage of economically disadvantaged students in the school.
- 4) Multiply that product by 100.
- 5) Add the final product to the BLS.

Assessment, Growth, Attendance Rate, and Graduation Rate are weighted in accordance with the table below:

ASSESSMENT (Academic Achievement)		PVAAS (Growth)		ATTENDANCE RATE	GRADUATION RATE
<i>English Language Arts</i>	<b>15%</b>	<i>English Language Arts</i>	<b>15%</b>	<b>10%</b>	<b>10%</b>
<i>Mathematics</i>	<b>15%</b>	<i>Mathematics</i>	<b>15%</b>		
<i>Science</i>	<b>10%</b>	<i>Science</i>	<b>10%</b>		

If a building does not have Graduation Rate data, Attendance Rate comprises 20% of the Building Level Score. Conversely, for every tested content area in which a building is missing Assessment<sup>9</sup> and/or PVAAS data, the denominator is reduced proportionally.

The BLS for a PK-3 school might be:

ASSESSMENT (Academic Achievement)		PVAAS (Growth)		ATTENDANCE RATE
<i>English Language Arts</i>	15%	<i>English Language Arts</i>	15%	20%
<i>Mathematics</i>	15%	<i>Mathematics</i>	15%	
<b>(30/80 or 37.5% of the score)</b>		<b>(30/80 or 37.5% of the score)</b>		

For an employee assigned to multiple buildings, a composite Building Level Score is calculated in the rating tool using percentages proportional to the employee’s building assignments. By way of example, the BLS for an instructional coach who spends 50% of the time in the middle school (with a BLS of 92) and 50% of the time in the high school (with a BLS of 87) would have a composite BLS of 89.5.

When attributable, building level data comprises 10% of the evaluation of professional employee. Where a BLS is not available, the Observation & Practice rating is substituted; for multiple building assignments, the rating is converted then weighted proportionally to produce the composite BLS.

Building Level Scores and information on how the building level data were derived are published annually, when available, at <https://bit.ly/PAedEffective>. For information on how a BLS is converted to a rating for the purposes of evaluation, see [Rating Tool Conversions](#).

### Non-Attribution of Building Level Data

Building Level Data (BLD) are not attributed to professional employees serving as classroom teachers or as non-teaching professionals who are primarily assigned in a building or buildings within a school entity by which the professional is *not employed*.

Additionally, BLD are never attributed to *temporary* professional employees serving as classroom teachers or as non-teaching professionals; both are evaluated using only the Observation & Practice measure.

<sup>9</sup> LEA-level Grade 3 assessment data will no longer be used when calculating a BLS for a school inclusive only of grades PK through 2

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### Transfer Options

A professional employee who transfers from one building to another within an LEA has the option of using a substitute measure in lieu of BLD for the *first two school years* of the new location assignment. Before evaluation in the new location assignment, the employee and the LEA must agree on the substitute measure(s) and the reallocation of the 10% weighting for calculating the final performance rating. The following table delineates permissible substitute measures by type of professional employee:

SUBSTITUTE MEASURE(S)	CLASSROOM TEACHER	NON-TEACHING PROFESSIONAL	PRINCIPAL
Observation & Practice	√	√	√
LEA Selected Measures	√	√	
Teacher-Specific Data	√		
Performance Goals			√

### Teacher-Specific Data

Where available and *directly attributable* to the professional employee serving as a **classroom teacher**, Teacher-Specific Data (TSD) are comprised of **Assessment**<sup>10</sup>, **Growth**<sup>11</sup>, and **IEP Goals Progress**, as delineated in the following table:

TEACHER-SPECIFIC DATA	PERCENTAGE OF TSD RATING	
	Data-Available Classroom Teacher	Non-Data-Available Classroom Teacher
Assessment	25%	-
Growth	50%	-
IEP Goals Progress	25%	100%

If data for one of the three indicators either are not available or are not directly attributable to the employee, the TSD rating is comprised equally of the remaining two indicators (i.e., 50% each). Where two are not available or attributable, the TSD rating is comprised solely of the remaining indicator (i.e., 100%).

A minimum of one indicator is required to receive a rating for TSD: Assessment, Growth, IEP Goals Progress. If all three indicators are absent or inapplicable, the 10% weighting for Teacher-Specific Data is reallocated to LEA Selected Measures, increasing the significance of that rating area to 20% of the overall performance rating for the classroom teacher.

### Data-Available vs. Non-Data-Available

As with evaluation under Act 82, a professional employee teaching English, language arts, mathematics, science, or other content as assessed by a standardized statewide assessment is considered a data-available classroom teacher. A non-data-available classroom teacher is a professional employee teaching content not assessed by a standardized statewide assessment. Where available data are not *directly attributable* to the teacher, the data are not included in the Teacher-Specific Data rating and the teacher may be considered as though non-data-available.

By way of example, the TSD rating for a classroom teacher reported only as providing instruction in 12th Grade English and with no directly attributable assessment and/or growth data would be comprised solely of IEP Goals Progress - *if* IEP Goals Progress data are available and attributable to that teacher. Otherwise, the 10% weighting for Teacher-Specific Data is reallocated to LEA Selected Measures, increasing the significance of that rating area to 20% of the overall performance rating for the classroom teacher.

Conversely, a math specialist who is not the teacher of record but who co-taught an Algebra I course could be considered data-available if the specialist planned, provided, and assessed the instruction of eligible content measured by a state assessment for a sufficient student cohort (see [N-Counts](#)) and, for growth, has attributable assessment data for the past three years.

<sup>10</sup> As evidenced on PSSA, PASA, and Keystone Exams

<sup>11</sup> As calculated in the [Pennsylvania Value-Added Assessment System \(PVAAS\)](#)

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Instructional responsibility as reported by the LEA during the PVAAS Roster verification process should serve as a reference when determining the attribution of available Growth (Value-Added Teacher Report) and assessment data in the evaluation of a classroom teacher. LEAs should consult with their solicitors prior to removing or changing data, as provided, and in any LEA and employee dispute related to either the provided data or any change to the value.

### IEP Goals Progress

Regardless of certification area, each professional employee serving as a classroom teacher is evaluated on student progress toward goals in students' Individualized Education Plans required under the Individuals with Disabilities Education Act (i.e., IEP Goals Progress) *if*:

- ✓ The teacher provides instruction to a sufficient number<sup>12</sup> of students with IEPs, *and*
- ✓ Those students have *similar* academic or non-academic IEP Goals to which the teacher contributes data used by the IEP team to monitor student progress.

If the classroom teacher does not meet the conditions set forth above, the weighting is redistributed to assessment and/or growth; or, where no Teacher-Specific Data are available and directly attributable, reallocated to the LEA Selected Measures rating area for the evaluation of that classroom teacher.

To assist in evaluation, the Department has provided the [Student Performance Measure: IEP Goals Progress](#) template. The optional-use template is designed to offer increased flexibility in the identification of student need, educator response, and use of qualitative as well as quantitative measures; however, LEAs may elect to utilize other methods or continue with current processes for measuring student objectives. Whichever approach is chosen, a rating of 0, 1, 2, or 3 must be assigned in accordance with Act 13.

LEAs should establish clear and comprehensive policies regarding the attribution of IEP Goals Progress, including, but not limited to, the use of n-counts, the process for identification of IEP Goal(s) and student cohorts prior to evaluation, and consideration of applicability when instructional responsibility changes during the defined evaluation period.

### N-Counts

For the purposes of data attribution, an n-count represents the minimum number in a count below which data will not be attributed to a classroom teacher.

For **Growth** data to be attributed to a teacher, there must be:

- ✓ At least 11 students who have assessment scores in the tested subject, grade, or course in which the students are enrolled with the teacher during the school year, as evidenced by PVAAS Roster verification, *and*
- ✓ The full-time equivalency of 6 students, calculated by considering the instructional responsibility claimed for each student.

The PVAAS system applies the n-counts<sup>13</sup> delineated above. If a Value-Added Teacher Report containing a consecutive three-year rolling average is available in PVAAS, the teacher has met the requirements for attribution of Growth data during evaluation.

Similar to implementation under Act 82, the Department recommends the *local application* of an n-count when determining the attribution of **Assessment** and **IEP Goals Progress** data; however, as with any action taken by the LEA in relation to the evaluation of a professional employee, this decision should be made in consultation with the LEA's solicitor and in collaboration with the local association. If an LEA chooses to establish a number below which

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<sup>12</sup> LEAs may elect to establish a minimum number (an n-count) for students with similar IEP Goals, below which the LEA will not evaluate the teacher on IEP Goals Progress.

<sup>13</sup> Pennsylvania's Alternate System of Assessment (PASA) is not included in PVAAS analyses due to the low number of students tested statewide.

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the LEA will not attribute Assessment<sup>14</sup> and/or IEP Goals Progress data, that number *may not exceed* an n-count used for determining the attribution of Growth data as delineated above.

The LEA may assign an n-count based on the actual number of students and/or proportional to instructional responsibility (an 'active' n-count). By way of example, a classroom teacher who instructs 12 students within an identified cohort but only has 25% instructional responsibility reported for each of the 12 students has an active n-count of 3 students ( $12 \times .25 = 3$ ). The LEA also may elect to differentiate n-counts based on instructional setting (e.g., setting a lower n-count for an exclusive environment). Regardless of approach, local policies for data attribution should be clearly articulated and consistently applied across the LEA.

Where an n-count is established, it is applied to the total number of students with similar academic or non-academic IEP Goals taught by the classroom teacher rather than within a single class or course. By way of example, a math teacher instructs 18 students with IEP Goals in four different courses. All 18 students have math goals, though only 6 have *similar* math goals while 12 have similar behavioral goals. In an LEA with an actual n-count of 11 students, only the latter student group might be attributable *if* the teacher also contributes data used by the IEP team to monitor progress of those 12 students toward the similar behavioral goals.

## LEA Selected Measures

Minimally, LEA Selected Measures (LEA SM) account for 10% of the annual evaluation of a professional employee serving as a **classroom teacher**. Where no Teacher-Specific Data are available or attributable, LEA SM comprise 20% of the teacher's annual evaluation.

Similar to the use of Elective Data for evaluation under Act 82, LEAs must utilize at least one of the following measures to assess student performance directly attributable to the classroom teacher:

- Locally developed rubrics
- District-designed measures and examinations
- Nationally recognized standardized tests
- Industry certification examinations
- Student projects pursuant to local requirements
- Student portfolios pursuant to local requirements

The classroom teacher provides documented input on the development of LEA Selected Measures and annual data results, which the evaluator must include with other documentation of the teacher's overall rating. In the analysis of the data, teachers shall have the opportunity to reflect on their successes, unanticipated barriers, and any supports that could have been useful. Metrics and measures may be revised mid-academic year, if agreed upon by both the evaluator and the employee, and may be reused on an annual basis if the goals are updated and continue to offer reflections for improvement.

To assist in evaluation, the Department has provided the [Student Performance Measure: LEA Selected Measure](#) template. The optional-use template is designed to offer increased flexibility in the identification of student need, educator response, and use of qualitative as well as quantitative measures; however, LEAs may elect to utilize other methods or continue with current processes for measuring student objectives. Whichever approach is chosen, LEAs must assign a rating of 0, 1, 2, or 3 in accordance with Act 13. If more than one student need is identified, an SPM template should be completed for each and weighted accordingly; the total weightings may not exceed 100% of the single, summative LEA Selected Measures rating of 0, 1, 2, or 3.

NOTE: LEA Selected Measures are also utilized for the optional [Interim Evaluation](#) of a professional employee deemed Unsatisfactory during the prior annual evaluation. Implementation of an LEA Selected Measure as part of an Interim Evaluation should be consistent with the process delineated above.

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<sup>14</sup> The Department recommends assigning the *same* n-count for Assessment data attribution as used for Growth data attribution in PVAAS.

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### Performance Goals

Performance Goals account for 20% of the evaluation of professional employees and temporary professional employees serving in **principal** roles, including assistant and vice principals, directors of career and technical education, and supervisors of special education.

Performance Goals must be determined before the beginning of each school year between the employee and the supervising administrator, referencing the Observation and Practice leadership domains and practice models to inform the focus areas of performance. Goals may be district-specific or building-specific, and the plan of action should include explicit measurable areas and the evidence to be collected during the year.

To assist in evaluation, the Department has provided the [Principal Performance Goals](#) template. The optional-use template is designed to offer increased flexibility in the identification of need, response, and use of qualitative as well as quantitative measures; however, LEAs may elect to utilize other methods or continue with current processes for measuring performance objectives.

The principal and supervising administrator must meet mid-point to monitor progress and modify the goals, as necessary. At the conclusion of the school year, the principal and the immediate supervisor shall meet again to evaluate the attainment of Performance Goals and assign a rating in accordance with Act 13. If more than one Performance Goal is used for the evaluation of the employee, the principal and immediate supervisor may establish a weighting for each Performance Goal to produce the single Performance Goal rating of 0, 1, 2, or 3.

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### EVALUATION PROCESS

#### Rating Scale

A rating is assigned to each area of evaluation where the measure is applicable and data are available and attributable to the employee. Each rating is weighted as appropriate to the employee and the sum converted into a single overall performance rating of **Distinguished**, **Proficient**, **Needs Improvement**, or **Failing** as delineated in the table below:

SUMMATIVE NUMERICAL RATING	PERFORMANCE RATING	PERFORMANCE DESCRIPTOR
2.50 – 3.00	Distinguished	performance consistently reflects teaching professional position and placement at the highest level of practice
1.50 – 2.49	Proficient	performance consistently reflects practice at a professional level
0.50 – 1.49	Needs Improvement	functioning below proficient performance expectations required for continued employment
0.00 – 0.49	Failing	does not meet performance expectations for the position

The number of employees receiving an overall performance rating of Distinguished may not be limited through local policies, guidelines, communications, or practices; nor may an employee be rated Failing or Needs Improvement based solely on student test scores.

#### Satisfactory vs. Unsatisfactory

An overall performance rating of Distinguished or Proficient is considered **Satisfactory**.

An overall performance rating of Needs Improvement is considered **Satisfactory** *unless* the employee received a Needs Improvement rating within the past four years from the same employer for work performed under the same certification area. In that circumstance, the subsequent overall performance rating of **Needs Improvement** is considered **Unsatisfactory**.

An overall performance rating of Failing is considered **Unsatisfactory**.

#### Performance Improvement Plan

Act 13 does not limit an employer's authority to design a [Performance Improvement Plan](#); however, an employee who receives an overall performance rating of **Failing** or **Needs Improvement** must participate in a Performance Improvement Plan (PIP) designed by the employer with documented input from the employee. The PIP must:

- ✓ Provide actionable feedback on the specific domain within the comprehensive observation and practice models that prevented the employee from achieving a Proficient rating, *and*
- ✓ Identify employer resources to be provided to assist the employee in improving performance, including mentoring, coaching, professional development recommendations, and intensive supervision based on the contents of the rating tool.

#### Rating Frequency

##### Professional Employees

Professional employees who are considered **Satisfactory** *may not be rated more than once* during a school year.

Professional employees who are considered **Unsatisfactory**, however, are *rated at least once* annually. The annual rating is performed using the measures and weighting appropriate to the type of employee evaluated as reflected in rating forms PDE 13-1, PDE 13-2, and PDE 13-3. Any subsequent rating during the same year for a professional

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employee deemed Unsatisfactory (i.e., an Interim Rating<sup>15</sup>) utilizes 70% Observation & Practice and 30% LEA Selected Measures as reflected in rating form PDE 13-4.

### Temporary Professional Employees

Temporary Professional Employees (TPEs) must be *rated at least twice* annually.

Both the annual and semi-annual ratings of a TPE serving as a classroom teacher or a non-teaching professional are comprised of 100% Observation & Practice. The annual rating of a temporary professional employee serving in a principal role is comprised of the same measures and weightings as a professional employee serving in a principal role. For a semi-annual rating of the TPE, LEAs should consult with their solicitors when determining mid-year application of building level data.

### Rating Protocol

The chief school administrator or the assistant administrator, supervisor, or principal who has supervision over the employee's work performs the employee evaluation and signs the rating form. Unsatisfactory ratings are not valid unless approved and signed by the chief school administrator.

All assigned weightings, ratings, and other information pertinent to the evaluation must be recorded on the rating form. Rating forms must be marked to indicate the employee's status as either a professional employee or a temporary professional employee, the overall performance rating, and whether the final rating is regarded to be [Satisfactory or Unsatisfactory](#). A signed copy of the rating form must be provided to the employee.

Any employee dismissed for unsatisfactory performance must be provided both a completed rating form and the contents of the rating tool, including a description based upon observations of deficiencies in practice supported by detailed anecdotal records that justify the Unsatisfactory rating.

### Rating Tools

Rating tools, forms, and related documents provided by the Department for Evaluation of Educator Effectiveness are available at <https://bit.ly/PAedEffective> and <https://pdesas.org/EducatorFrameworks/Educator Effectiveness>.

At the request of an LEA, the Department PDE will review for approval an [alternative rating tool](#) that has been authorized by the LEA governing board and that meets or exceeds the measures of effectiveness established by the Department. All evaluations of educator effectiveness must be conducted using rating forms either developed or approved by the Department.

### Maintaining Records & Reporting Data

LEAs must establish a permanent record system containing the ratings for each employee within the LEA.

Employees may not be dismissed for unsatisfactory performance unless rating records have been kept on file by the LEA. Employee rating forms are *not* subject to disclosure under the Right-to-Know Law nor are they submitted to the Department.

### Educator Effectiveness Annual Report

Mid-January, LEAs must complete the Educator Effectiveness Annual Report in the [Future Ready Comprehensive Planning Portal \(FRCPP\)](#), providing aggregate numbers of professional employees and temporary professional employees serving as classroom teachers, principals, and non-teaching professionals who were rated as Distinguished, Proficient, Needs Improvement, or Failing and who were deemed Satisfactory or Unsatisfactory for the prior school year.

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<sup>15</sup> Interim ratings are *not* mandated (see [Interim Evaluations](#) for more information).

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To meet federal ESSA requirements, LEAs also must submit the aggregate numbers of classroom teachers found to be Effective or Ineffective using the individual ratings for Domains II (30%), III (30%), and IV (20%) and LEA Selected Measures (20%) and converting the result as follows:

<b>NUMERICAL SCORE</b>	<b>ESSA PERFORMANCE RATING</b>
2.00 – 3.00	Effective
0.00 – 1.99	Ineffective



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### TRAINING & PROFESSIONAL DEVELOPMENT

#### Training Requirements

The only training requirements delineated in Act 13 are as follows:

- **Local induction programs** must be updated to incorporate training on Educator Effectiveness inclusive of the consistent use of quality evaluation data. To satisfy this requirement:
  - Inductees may complete either a locally provided training or the appropriate 5-hour Act 48 course available via the [SAS PD Center](#).
- **Temporary Professional Employees (TPEs)** serving as classroom teachers or as non-teaching professionals must participate in training on Educator Effectiveness **during their probationary period**. To satisfy this requirement:
  - TPEs may complete either a locally provided training or the appropriate 5-hour Act 48 course available via the [SAS PD Center](#).
- **Newly appointed principals** must participate in training on Educator Effectiveness **within the first six months of appointment**. To satisfy this requirement:
  - Principals, assistant principals, vice principals, and directors of career and technical education must complete the 30-hour [PIL course Act 13 & Beyond: School Leaders Driving Instructional Excellence](#), for which they will receive Act 45 credit.
  - Supervisors of special education may complete either the 30-hour [PIL course Act 13 & Beyond: School Leaders Driving Instructional Excellence](#), for which they will receive Act 48 credit, or the appropriate 5-hour Act 48 course available via the [SAS PD Center](#).
- **All professional employees** serving as classroom teachers, non-teaching professionals, and principals must complete a condensed Educator Effectiveness training **every seven years**.

To assist LEAs, the Department partnered with Allegheny Intermediate Unit 3 (AIU3) to provide [resources](#), including presentation slide decks and guides, that may be adopted or adapted for local training.

Although Act 13 does not mandate training other than the requirements listed above, LEAs are encouraged to support transparency by minimally communicating changes to the Educator Effectiveness system prior to evaluation of impacted personnel.

#### Professional Development Opportunities

The Professional Development (PD) Center in the Department's [Standards Aligned System \(SAS\)](#) portal offers four 5-hour asynchronous facilitated courses designed to address the impact of Act 13 on the Educator Effectiveness Evaluation system:

- *Educator Effectiveness: Classroom Teachers*
- *Educator Effectiveness: Other Non-Teaching Professionals & Educational Specialists*
- *Educator Effectiveness: Non-Teaching Professional Supervisors*
- *Educator Effectiveness: Supervisors of Special Education*

In addition, approximately 60 Act 48 programs focusing on the domains of practice contained within the framework for evaluating classroom teacher effectiveness have been refreshed to reflect the new guidelines pursuant to Act 13. The asynchronous, facilitated programs range from five to 10 hours, depending on the complexity of the content, and Act 48 hours should be reflected in Pennsylvania's Professional Education Record Management System (PERMS) four weeks after successful course completion.

Courses and programs are accessible at no-cost to registered users in the PD Center located under SAS Tools.

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## RESOURCES

### Rating Tools

Four rating tools, comprised of instructions and forms, have been provided by the Department to function as *summary* records in the evaluation of the effectiveness of professional employees and temporary professional employees. Assigned weighting, ratings, and other information pertinent to the evaluation must be recorded on the rating form, with supporting evidence maintained as part of the permanent evaluation record system.

- **PDE 13-1 (Classroom Teacher)**
  - PDE 13-1 PE: for the annual evaluation of a professional employees serving as classroom teachers
  - PDE 13-1 TPE: for the annual/semi-annual evaluation of temporary professional employees serving as classroom teachers
- **PDE 13-2 (Principal):** for the annual evaluation of professional employees and the annual/semi-annual evaluation of temporary professional employees serving as principals (including assistant and vice principals, directors of career and technical education, and supervisors of special education)
- **PDE 13-3 (Non-Teaching Professional)**
  - PDE 13-3 PE: for the annual evaluation of professional employees serving as non-teaching professionals
  - PDE 13-3 TPE: for the annual/semi-annual evaluation of temporary professional employees serving as non-teaching professionals
- **PDE 13-4 (Interim Rating):** for the optional, interval evaluation of professional employees deemed Unsatisfactory on the last annual evaluation

The rating tools are not intended to establish mandates or requirements for the formative process of supervising employees or to limit or constrain the authority of the chief school administrator of an LEA to initiate and take action on a personnel matter, including dismissal of an employee, based on information and data available at the time of the action.

### Rating Tool Conversions

The rating tools utilize the following table formulae to convert numerical values for the purposes of calculating a final performance rating.

All quantitative data displays to two decimal places in the rating tools. Where the true value is different than that which is displayed (e.g., a real value of 1.494 and a displayed value of 1.49), the true value is used to determine a single, summative rating for the area of evaluation represented by the worksheet. The single, summative rating for each area of evaluation is truncated to three decimal places then rounded to two decimal places using conventional rules prior to populating the summary rating form worksheet.

Where necessary, the final summary rating is also truncated to three decimal places then rounded to two decimal places using conventional rules prior to determining a final performance rating of Distinguished, Proficient, Needs Improvement, or Failing.

BLS TO 0-3 SCALE SCORE

BUILDING LEVEL SCORE	CONVERSION FORMULA	0 – 3 SCALE SCORE RANGE
90.00 – 100.00	$(BLS \cdot .05) - 2.0$	2.50 - 3.00
70.00 – 89.99	$(BLS \cdot .0495248) - 1.96673$	1.50 - 2.49
60.00 – 69.99	$(BLS \cdot .0990991) - 5.44595$	0.50 - 1.49
00.00 – 59.99	$BLS \cdot .00816803$	0.00 - 0.49

O&P RATING TO BLS

OBSERVATION & PRACTICE RATING	CONVERSION FORMULA	BUILDING LEVEL SCORE
2.50 - 3.00	$(O\&P \text{ Rating} \cdot 20) + 40$	90.0 – 100.00
1.50 - 2.49	$(O\&P \text{ Rating} \cdot 20.1919) + 39.7121$	70.0 – 89.99
0.50 - 1.49	$(O\&P \text{ Rating} \cdot 10.0909) + 54.9545$	60.0 – 69.99
0.00 - 0.49	$O\&P \text{ Rating} \cdot 122.429$	00.0 – 59.99

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NOTE: The conversion result is truncated and rounded to produce an outcome comparable to a BLS.

PVAAS SCORE TO 0-3 SCALE SCORE

PVAAS SCORE	CONVERSION FORMULA	0 – 3 SCALE SCORE RANGE
90.00 – 100.00	$(\text{PVAAS Score} \times .05) - 2.0$	2.50 - 3.00
70.00 – 89.99	$(\text{PVAAS Score} \times .0495248) - 1.96673$	1.50 - 2.49
60.00 – 69.99	$(\text{PVAAS Score} \times .0990991) - 5.44595$	0.50 - 1.49
00.00 – 59.99	$\text{PVAAS Score} \times .00816803$	0.00 - 0.49

NOTE: For the conversion to result in the 0-3 Scale Score Range as displayed, the PVAAS Score cannot exceed two decimal places. The conversion result is truncated and rounded to produce an outcome of comparable value to other teacher-specific measures.

ASSESSMENTS % TO 0-3 SCALE SCORE

% PROFICIENT OR ADVANCED	0 – 3 SCALE SCORE
95.00 – 100.00%	3.00
90.00 – 94.99%	2.50
80.00 – 89.99%	2.00
70.00 – 79.99%	1.50
65.00 – 69.99%	1.00
60.00 – 64.99%	0.50
Below 60.00%	0.00

NOTE: Where attributable, the Proficient/Advanced % is available on the Value-Added Teacher Report in PVAAS. Alternatively, LEAs may use a teacher/student roster, a locally-established n-count, and assessment data provided by the Department via Data Interaction/eMetric or the District/Student Data File to inform this measure of evaluation.

0-3 SCALE SCORE TO PERFORMANCE RATING

NUMERICAL SCORE	PERFORMANCE RATING
2.50 – 3.00	Distinguished
1.50 – 2.49	Proficient
0.50 – 1.49	Needs Improvement
0.00 – 0.49	Failing

## Frameworks for Observation & Practice

In accordance with Act 13, the Pennsylvania Department of Education collaborated with various stakeholder groups and consulted with the American Institute for Research to refresh the frameworks for observation and practice provided for the evaluation of educator effectiveness under Act 82. The revised frameworks remain consistent with the original paradigms but include newly incorporated references to commonwealth priorities as delineated in Pennsylvania’s ESSA Consolidated State Plan:

- Practices that support **equity** in education (i.e., ensuring every child has an equal chance for success).
- Practices that support **cultural competence** in education (i.e., valuing the diversity among students and designing an educational system to serve all).
- Practices that encourage **inclusion** in education (i.e., providing students with special needs the same educational setting as non-disabled peers, where appropriate).
- Practices that foster **social and emotional learning** (i.e., the process by which students understand and manage emotions and their effect on relationships and decisions).
- Practices that further **career readiness** (i.e., attainment of broad competencies for a successful transition to the workplace).
- Practices that encompass **research-based strategies** (e.g., scaffolding or project-based learning).
- Practices that facilitate synchronous and asynchronous **remote learning** (i.e., when a student is not physically present in a traditional classroom).

There are three frameworks for observation and practice: Classroom Teacher, Principal, and Non-Teaching Professional. The framework for the evaluation of Principals is designed for use with other school leaders as well as

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supervisors. The framework for the evaluation of Non-Teaching Professionals (NTPs) offers slight modifications in the embedded practice models to assist in rating NTPs with disparate roles and certifications/licensures.

- [Framework for Classroom Teacher](#)
- [Framework for Principal](#)
- [Framework for Non-Teaching Professional](#)
  - Instructional Technology Specialist
  - School Counselor
  - School Health Specialist (Nurse, Dental Hygienist)
  - School Psychologist
  - School Social Worker/Home & School Visitor
  - School Speech & Language Pathologist
  - Other Non-Teaching Professional

## Approved Alternate Frameworks

As with evaluation under Act 82, the Department has pre-approved<sup>16</sup> the following alternate frameworks for the purpose of assigning a rating to the Observation & Practice measure:

- Danielson Framework for Teaching 2011<sup>®</sup> (The Danielson Group)
- Danielson Framework for Teaching 2013<sup>®</sup> (The Danielson Group)

Local consideration should be given as to how alternate practice models support the commonwealth priorities delineated above and represented in [Title 22 Chapter 19](#); therefore, LEAs may reference companion resources that focus on specific practices, such as [Danielson's Framework for <Remote> Teaching](#), to supplement, though not supplant, the use of an approved alternate framework in evaluation.

LEAs opting to utilize any of the above bulleted alternate observational frameworks in lieu of a [PDE-provided framework](#) are not required to obtain permission from the Department. However, LEAs seeking to develop or employ other frameworks or to modify PDE-provided or approved frameworks must request approval of an [alternate rating system](#); the application must demonstrate the alternate system meets or exceeds the effectiveness of the PDE-provided or approved frameworks and aligns to the weightings of the measure per Act 13.

NOTE: The Department has not pre-approved alternate frameworks for the evaluation of Non-Teaching Professionals and Principals; however, for evaluations performed during the transition year of 21/22, LEAs may utilize the frameworks approved by the Department for use under Act 82.

## Performance Templates

Similar to the process under Act 82, three templates are provided to facilitate local evaluation of performance measures. Unlike the process under Act 82, use of the templates is *optional* for evaluation under Act 13.

The customizable templates offer increased flexibility in the identification of need, response, and use of qualitative as well as quantitative measures; however, LEAs may elect to utilize other methods or continue with current processes for measuring objectives. Whichever approach is chosen, LEAs *must* assign a rating of 0, 1, 2, or 3 in accordance with Act 13 for the required area of evaluation of educator effectiveness.

Two are **Student Performance Measure** (SPM) templates, designed to align the identified student challenge or need to related school-level objectives and/or LEA-level priorities, encourage instructional innovation, and improve educator practice.

- The [SPM: IEP Goals Progress template](#) may be used in the evaluation of a professional employee serving as a classroom teacher, where the teacher-specific data are *available and directly attributable* to the employee (see [IEP Goals Progress](#) for more information).
- The [SPM: LEA Selected Measure template](#) may be used in the evaluation of a professional employee serving as a classroom teacher (see [LEA Selected Measures](#) for more information).

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<sup>16</sup> Due to superannuation, Danielson Framework for Teaching 2007<sup>®</sup> (ASCD) is not an approved alternate framework under Act 13.

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- The template also may be used during the [Interim Evaluation](#) of a professional employee serving as a classroom teacher, principal, or non-teaching professional whose performance was previously deemed Unsatisfactory.

The **Principal Performance Goals** template is designed to facilitate active participation in the evaluation process while improving the school leader's effectiveness and fostering collaboration.

- The [Principal Performance Goals template](#) may be used in the evaluation of a professional employee or temporary professional employee serving in a principal role, including an assistant principal, vice principal, director of career and technical education, and supervisor of special education (see [Performance Goals](#) for more information).

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## REFERENCES

### Definitions & Terms

The following are definitions and terms excerpted from Pa. Act 13 of 2020 and Title 22 Chapter 19 of the Pennsylvania Code:

#### **Assessment**

The Pennsylvania System of School Assessment test, the Keystone Exams or another test established by the State Board of Education or approved by an act of the General Assembly to meet the requirements of section 2603-B(d)(10)(i) of the Public School Code (24 P.S. § 26-2603-B(d)(10)(i)) and the requirements of the Every Student Succeeds Act (Pub. L. No 114-95) or its successor statute or required to achieve other standards established by the Department for the school or school district.

#### **Attendance Rate**

The Average Daily Attendance (ADA) divided by the Average Daily Membership (ADM), where:

(1) ADA is the total number of days of student attendance divided by the total number of days in the regular school year.

(2) ADM is the total number of days enrolled (days present plus days absent) divided by the actual total number of student days in the regular school year.

#### **Building**

A school or configuration of grades assigned a unique four-digit identification number by the Department.

#### **Challenge Multiplier**

An adjustment of the building level score by adding points based on the percentage of economically disadvantaged students enrolled in the school.

#### **Chief School Administrator**

An individual employed as a school district superintendent, an executive director of an intermediate unit, or an administrative director of an area career and technical school.

#### **Classroom Teacher**

A professional or temporary professional employee who provides direct instruction to students related to a specific subject or grade level.

#### **Classroom Walk-Through**

An observational classroom visit by an evaluator to observe an employee for the purpose of gathering evidence and artifacts to inform the employee's rating.

#### **Comprehensive Classroom Observation**

An observational classroom visit that includes a pre-conference and post-conference between an evaluator and an employee which may be conducted by telephone or videoconferencing. Upon the mutual agreement of both an evaluator and a professional employee, the requirement of a post-conference may be waived for extenuating circumstances, if the evaluator places written documentation of the comprehensive classroom observation in the professional employee's file. If the extenuating circumstances are raised by the evaluator, a professional employee who does not receive a post-conference shall not receive a rating of needs improvement or failing on the comprehensive classroom observation component of an evaluation. The requirement of a post-conference shall not be waived for a temporary professional employee.

#### **Data-Available Teacher**

A classroom teacher who is a professional employee teaching English, language arts, mathematics, science, or other content areas as assessed by an Assessment, including the Pennsylvania System of School Assessment (PSSA) and Keystone Exams.

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### **Department**

The Department of Education of the Commonwealth.

### **Differentiated Supervision**

A system of supervision of professional employees that:

(1) Involves a multi-year cycle in which supervisors complete a comprehensive classroom observation for one annual rating in the professional employee's supervision cycle and in the other years of the cycle collaborate with the professional employee to differentiate supervision by developing individualized goals, learning activities, and measures for the professional employee's growth in one or more areas listed in section 1138.3(a)(1) or (b)(1) of the Public School Code (24 P.S. §§ 11-1138.3(a)(1) or (b)(1)), a nonteaching professional employee's growth in one or more areas listed in section 1138.5(a) or (b) of the Public School Code (24 P.S. §§ 11-1138.5(a) or (b)).

(2) Is offered only to professional employees who received a proficient or distinguished annual rating in both of the 2 immediately preceding years and is not offered to temporary professional employees.

(3) Is optional for the employer and the professional employee.

(4) In any year in which the professional employee does not receive a comprehensive classroom observation, uses data sources and data collection strategies designed to measure a professional employee's progress toward the professional employee's individualized professional goals.

(5) Allows a supervisor to move a professional employee out of individualized professional goals, activities and measures and into comprehensive classroom observation at any time.

(6) Allows a professional employee to move out of individualized professional goals, activities and measures and enter comprehensive classroom observation at any time.

### **District-Designed Measures and Examinations**

Methods for evaluating student performance created or selected by a local education agency (LEA).

### **Economically Disadvantaged**

The status of a student as reported by a school district, intermediate unit, or area career and technical school through the Pennsylvania Information Management System (PIMS) and determined based upon poverty data sources such as eligibility for Temporary Assistance for Needy Families, Medicaid, or free or reduced-price lunch, census data, residence in an institution for the neglected or delinquent, or residence in a foster home.

### **Educational Specialist**

A person who holds an educational specialist certificate issued by the Commonwealth, including but not limited to, a certificate in the area of elementary school counselor, secondary school counselor, social restoration, school nurse, home and school visitor, school psychologist, dental hygienist, instructional technology specialist or nutrition service specialist.

### **Evaluator**

Includes the chief school administrator or the chief school administrator's designee who is an assistant administrator, supervisor or principal, has supervision over the work of the professional employee or temporary professional employee being rated and is directed by the chief school administrator to perform the rating.

### **Graduation Rate**

The rate submitted by the Department under the Every Student Succeeds Act State plan that represents the percentage of students in a school who earn a high school diploma within 4 years.

### **Growth**

Calculated in the Pennsylvania Value-Added Assessment System (PVAAS) using longitudinal assessment data, growth reflects the level of evidence that a school's students achieved the expected level of advancement over the academic year.

### **IEP Goals Progress**

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A measure of growth and student performance for special education students as established in Individualized Education Program (IEP) plans by the LEA IEP team.

### **Keystone Exam**

An assessment developed or caused to be developed by the Department under 22 Pa. Code § 4.51 (relating to State assessment system).

### **LEA**

A Local Education Agency, including a school district, area career technology and technical center, and intermediate unit, which is required to use a rating tool established under sections 1138.1—1138.16 of the Public School Code (24 P.S. §§ 11-1138.1—11.1138.16).

### **Locally Developed School District Rubrics**

Measures of student performance created or selected by an LEA.

### **Non-Data-Available Teacher**

A Classroom Teacher teaching in a content area not assessed by an Assessment.

### **Non-Teaching Professional (NTP) Employee**

An educational specialist or a professional employee or temporary professional employee who provides services and who is not a classroom teacher.

### **PVAAS**

Pennsylvania Value-Added Assessment System—A statistical analysis established in compliance with 22 Pa. Code § 403.3 (relating to single accountability system) and used to measure the influence of a district, school, or teacher on the academic progress rates of groups of students from year to year. PVAAS data are made available by the Department under section 221 of the Public School Code (24 P.S. § 2-221).

### **Performance Improvement Plan**

A plan, designed by an LEA with documented input of the employee, that:

(1) Provides actionable feedback to an employee on the specific domain within the comprehensive classroom observation and practice models that prevented the employee from achieving a proficient rating. The employer shall consider the documented input from the employee for inclusion in the plan.

(2) Identifies employer resources that will be provided to an employee to help the employee improve. Resources may include, but shall not be limited to, mentoring, coaching, recommendations for professional development and intensive supervision based on the contents of the rating tool provided for under sections 1138.1—1138.16 of the Public School Code.

### **Principal**

Includes a building principal, an assistant principal, a vice principal, a supervisor of special education or a director of career and technical education.

### **Professional Employee**

Shall include those who are certificated as teachers, supervisors, supervising principals, principals, assistant principals, vice-principals, directors of career and technical education, dental hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialists, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses.

### **Rating Scale**

The method by which a value is assigned during the evaluation of a professional employee using the following levels of performance:

(1) A score of three, or "distinguished," indicates the employee's performance consistently reflects teaching professional position and placement at the highest level of practice.



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(2) A score of two, or "proficient," indicates the employee's performance consistently reflects practice at a professional level.

(3) A score of one, or "needs improvement," indicates the employee is functioning below proficient for performance expectations required for continued employment.

(4) A score of zero, or "failing," indicates the employee does not meet performance expectations required for the position.

### **Temporary Professional Employee (TPE)**

Any individual who has been employed to perform for a limited time the duties of a newly created position or of a regular professional employee whose service has been terminated by death, resignation, suspension or removal.

## Statutes & Regulations

[24 P.S. § 11-1138.1 et seq.](#)

[22 Pa Code § 19.1a. et seq.](#)