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I. **WHICH TEACHERS ARE COVERED UNDER THE NEW LAW?**

1) **Teacher Eligibility**

a. **The law requires that all classroom teachers be evaluated. Who is classified as a “classroom teacher”?**

Education law 3012-c requires that **classroom teachers** who have been assigned primary responsibility for a student’s learning in a subject/course with aligned performance measures be evaluated according to the new system. NYCDOE is preparing guidance on how this rule applies to New York City teachers.

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II. **KEY DATES & DEADLINES** <coming soon>

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III. **MEASURES OF TEACHER PRACTICE**

1) **Initial Planning Conference**

a. **What is the window during which Initial Planning Conferences can be held?**

Initial Planning Conferences may be held between the first day teachers report (September 3rd in 2013-2014) and the last Friday in October (October, 25th in 2013-2014). For teachers who start at a school after the first day of school, the initial planning conference does not need to be held by the last Friday in October.

b. **What are the expectations for the Initial Planning Conference?**

The Initial Planning Conference is a mandatory meeting between the teacher and evaluator that occurs prior to any formal or informal classroom observations. There is no minimum length of time for an Initial Planning Conference (i.e., it does not need to be a full class period), but the conference should be long enough to cover all of the goals of the conference. Assistant Principals and other secondary evaluators may conduct the Initial Planning Conference. At this meeting, teachers are required to select an observation option and indicate whether observations can occur via video. Teachers record their choices by completing and signing the Teacher Evaluation Selection Form. Teachers may also submit up to two artifacts to the evaluator.

For teachers who select observation option #1, the Initial Planning Conference may serve as a teacher’s Pre-Observation Conference if the teacher chooses and if the Initial Planning Conference occurs between 1 and 20 days prior to the formal observation.

While it is not required, the State recommends that teachers utilize the Initial Planning Conference to prepare for the school year by a) self-assessing their professional practice on the Danielson *Framework for Teaching* and b) setting 2-4 formative professional goals. Teachers' self-assessment and their students' learning objectives should inform these professional goals. The purpose of professional goal-setting is to guide teachers' instructional decisions and pedagogical approaches in order to maximize academic achievement for all students.

c. Does the Initial Planning Conference have to be 1:1?

Yes. Principals/Evaluators must hold conferences individually with each teacher.

2) Evaluator Certification

a. What must a principal do to become certified as a "lead evaluator"?

Building principals must be certified annually in order to serve as lead evaluators. Principals must achieve certification prior to issuing any Measures of Teacher Practice (MOTP) ratings. Before certification is granted, principals must formally confirm they have met all certification criteria. For a principal to achieve certification for the 2013-2014 school year, he/she must meet four criteria:

1) Spring 2013: Participate in 7 hours of job-embedded support with DOE Talent Coaches

School leaders who participated in the Teacher Effectiveness pilot automatically meet this criterion. Principals – including interim acting principals participating as AP's – who participated in two job-embedded support visits between March and June will also meet this criterion.

2) Summer 2013: View online webinars outlining components of Advance

All principals must view the two June 2013 webinars posted here: <http://www.learndoe.org/dhr/recordings/>. Principals should log in to view the webinars with their DOE email address. Additional webinars will be posted.

3) July/August 2013: Participate in a school team training that details Advance

This summer, the DOE is leading a series of full-day, in-person trainings for all principals. (<http://schools.nyc.gov/NR/rdonlyres/80C2C474-A4ED-4C06-AF46-E0BEA22BA173/0/RegistrationLinksforSummerSchoolTeamTrainingSessionsRelatedtoNYCDOEfor20130524.pdf>)

4) August/September 2013: Participate in an online video review of effective teaching practice

The DOE is partnering with Teachscape to provide principals with professional development opportunities aligned to the components of the Danielson *Framework*. More information about these online professional development opportunities will be available later this summer.

In August and September 2013, the DOE will offer expedited supplemental support to ensure that any new principals or those returning from leave achieve certification.

b. Who else can serve as an evaluator?

Assistant principals and other administrative staff can serve as secondary evaluators under Advance. Secondary evaluators can:

- a. Hold Initial Planning and Summative End of Year Conferences
- b. Conduct informal and formal classroom observations
- c. Collect, review, and evaluate teacher-submitted artifacts, and
- d. Give feedback and ratings based on low-inference evidence

Secondary evaluators must view both the June 2013 online webinar describing Advance (posted to learndoe.org) and view additional webinars, as available. The DOE will offer additional voluntary trainings during the fall of 2013 for secondary evaluators.

Please note that principals, as lead evaluators, continue to remain responsible for determining a teacher's annual Advance rating, as in the S/U system.

3) Observations

a. What are the differences between the two observation options?

Advance fully replaces the evaluation process in place prior to the start of 2013-2014. Teachers may not choose from the observation options that existed under the previous evaluation process. Advance requires that, at the Initial Planning Conference, teachers choose from two distinct observation options. The two observation options differ in the number and type of classroom observations that the teacher receives over the course of the year.

For Option #1, teachers receive a minimum of four observations over the course of the year. These observations must include a minimum of one (1) formal, announced, full-period observation, and three (3) informal, unannounced, observations, at least 15 minutes in duration. There is no maximum number of observations a teacher may receive.

For Option #2, teachers receive at least six (6) informal, unannounced, observations that each last at least 15 minutes in duration. There is no maximum number of informal observations a teacher may receive.

b. What are the protocols for formal and informal observations?

Formal Observation Protocol

Formal observations are announced, full-period observations. The evaluator and teacher must meet, in-person, for pre-and post-observation conferences. Teachers have an opportunity to submit to the evaluator up to two artifacts for review at each conference. Evaluators must include a written post-observation report in the teachers' file within 90 school days of the observation, excluding any days that the teacher is absent. This formal process yields a rating for all 22 Danielson components.

Informal Observation Protocol

Informal observations are at least 15 minutes in duration and need not be announced. There is no maximum time for an informal observation. Informal observations do not require pre- and post-observation conferences. After each informal observation, evaluators must provide feedback to teachers via email, verbally, in writing, or by using any other form of communication. Evaluators must include the post-observation report in the teacher's file within 90 school days of the informal observation, excluding any days that the teacher is absent.

c. What is the process for documenting observations?

Evaluators are required to document component-specific ratings for all observed components after each observation. This summer, at school team trainings, more information will be provided about the methods for documenting observations.

d. For observation option #1, must the pre-observation conference for a formal observation be lesson-specific?

Yes. The purpose of the pre-observation conference is to review the objectives, activities, and expectations for the lesson that will occur during the teacher's formal observation. The pre-observation conference is an opportunity for teachers to submit to the evaluator up to two teacher artifacts that align with Danielson rubric components in Domain 1 (Planning and Preparation) and Domain 4 (Professional Responsibilities). While it is not required, teachers may also submit to the evaluator a completed pre-observation conference form designed to give the evaluator additional context for the lesson he/she will observe. Finally, the evaluator and the teacher should discuss any outstanding questions or concerns and should agree on the date and time the formal observation will occur.

e. How is the formal observation scored if your principal performs more than one formal observation?

Under Option #1, if the evaluator chooses to complete more than one formal observation, then the scores of the formal observations are averaged together.

f. Does the tenure status of a teacher matter when choosing between observation options #1 and #2?

No, any teacher can select either observation option 1 or observation option 2, regardless of tenure status.

g. Can a principal unilaterally change a teacher's observation option choice?

No, a principal cannot change the teacher's observation choice. However, if a teacher declines to choose an observation option at the Initial Planning Conference, then the principal will select the teacher's observation option for him/her.

h. Can a teacher change his or her observation option selection mid-year?

While teachers cannot unilaterally change their observation option after the Initial Planning Conference, if a teacher requests a change in his/her observation option, principals have discretion to grant that request.

i. Are the evaluator's low-inference/observation notes required to be provided to the teacher?

No, low-inference observation notes taken by the evaluator during the classroom observation are not required to be shared with the teacher or placed in the teacher's file.

j. Is there a minimum threshold of evidence that must be collected for each Danielson component?

No, evaluators must collect enough evidence – via classroom observations, interactions with the teacher and artifact review – to rate each of the 22 components of the Danielson *Framework for Teaching*. If an evaluator lacks sufficient evidence to rate a teacher's practice on a specific component of the Danielson *Framework* prior to the Summative End of Year Conference with the teacher, the evaluator must conduct additional observations, have additional discussions with the teacher, and/or request additional artifacts from the teacher to gather such evidence. If a teacher chooses not to submit any additional artifacts requested by the evaluator to complete the review of any component in Domains 1 and 4, then the teacher receives a rating of Ineffective for the relevant component(s).

k. How are the annual ratings on the Danielson domains calculated?

Components within a domain will be averaged to create a domain-level rating. Domains 1 (Planning and Preparation) and 4 (Professional Responsibilities) are weighted at 25% and Domains 2 (Classroom Environment) and 3 (Instruction) are weighted at 75%.

I. The 2013 Danielson rubric has different rating levels (Unsatisfactory, Basic, Proficient, and Distinguished) than the version that DOE staff are using. Why?

New York State Education Law 3012-c requires that the DOE use the categories Highly Effective, Effective, Developing, and Ineffective (HEDI). The Danielson Rubric can be matched to these HEDI categories. This summer, the DOE will provide to all principals an updated 2013 Danielson rubric that reflects the HEDI language to describe rating levels.

4) Student Surveys

a. Will Tripod Surveys be administered to students in all grades?

No, Tripod Surveys are administered only to student in grades 3 – 12. Students in Kindergarten through 2nd grade will not complete surveys. Teachers of grades 3 – 12 will pilot no-stakes surveys for the 2013-14 school year and administer for-stakes student surveys starting in 2014-15.

b. How will the Tripod Survey be differentiated across grade-levels?

The length and content of the student surveys vary across grade bands. There will be two versions of the survey – one for students in grades 3 – 5 and another version of the survey for students in grades 6 – 12.

c. Which students participate in the Tripod Survey?

Students in grades 3 – 12 will participate in the Tripod Survey. All students in self-contained classes (e.g., elementary teachers, special education teachers) will take the survey. For departmentalized teachers (i.e., teachers who teach one or more subjects to multiple sections of students), principals will choose at least two (2) class periods of students to participate in the Tripod survey. The principal or his/her designee will determine the selection of the classes. There is a possibility that students may be selected to complete surveys on more than one teacher.

Students in grades K - 2 will not complete surveys.

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IV. STATE AND LOCAL MEASURES OF STUDENT LEARNING <coming soon>

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V. **TEACHERS' OVERALL RATINGS** <coming soon>

1) **Advance Ratings**

- a. **If a teacher received an "Ineffective" rating for both Measures of Student Learning elements, is the teacher rated "Ineffective" overall?**

Consistent with the intent of Education Law 3012-c, if a teacher is rated "Ineffective" for both Measures of Student Learning, he/she will receive an overall "Ineffective" rating.

- b. **What recourse does a teacher have if he/she doesn't agree with his/her rating?**

Teachers rated "Ineffective" who were not rated "Ineffective" the prior school year may appeal their rating. The UFT may appeal, by November 1st of each year, up to 13% of these "Ineffective" ratings claiming the rating was issued due to harassment or reasons not related to job performance. These appeals will be heard by a three-person panel and the decision will be binding.

The remaining teachers rated "Ineffective" may file an appeal to the Chancellor. Chancellor appeals must be initiated within 10 school days of November 1st in the year following the teacher's "Ineffective" rating. These rating appeals will continue to be administered and heard by the Office of Appeals and Reviews.

- c. **What are the consequences for a teacher who is rated "Ineffective" two consecutive years?**

Teachers rated "Ineffective" two consecutive years and where the Independent Validator concurs with respect to the second "Ineffective" rating shall be subject to an expedited 3020-a hearing. At the hearing, teachers will face a presumption of incompetence which they shall have the burden to disprove. Failure to disprove the presumption shall lead to the teacher's termination, absent extraordinary circumstances.

- d. **What happens if teachers are unsatisfactorily rated this year? Will the "Unsatisfactory" rating carry over into the new system? If a teacher gets a U this year, can that evidence be used during a 3020-a process?**

An "Unsatisfactory" rating in the 2012-13 school year will not qualify as an "Ineffective" rating under the new system for the purpose of bringing a dismissal proceeding pursuant to Education Law 3020-a.

However, the DOE may still bring such a proceeding against a teacher and use all relevant evidence and documentation from any evaluation period. Principals with questions about specific U-rated staff should continue to reach out their liaisons from legal and their networks for guidance.

e. Does Advance change anything with respect to the discontinuance or denial of completion for probationary teachers at the end of the 2012-13 school year?

No, at the end of the 2012-13 school year, probationary teachers can be discontinued or denied completion of probation as in prior years. Beginning in 2013-14, school leaders should consult with Legal/Field Services when seeking to remove a probationary teacher.

f. How can schools make informed tenure decisions when complete teacher ratings are not available until September of the following school year?

Tenure decision-making is a distinct process from the annual rating process, and additional guidance regarding alignment of tenure decisions with Advance is forthcoming. However, remember that tenure decisions should be based upon consideration of evidence of a probationary teacher's effectiveness spanning his or her entire service history, not just the year of the tenure decision.

2) Independent Validator

a. Is the Independent Validator's rating compared with the prior or current year's rating?

The Independent Validator's rating is compared to the principal's rating from the same rating period.

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VII. PROFESSIONAL DEVELOPMENT

1) Trainings

a. What teacher trainings are available this summer and are they paid or unpaid?

Professional development supports are being offered to teachers at the school-level, district-level, and through centrally-provided citywide opportunities.

- At the school level, principals will provide school-based professional development to teachers on the new system between June and the start of the school year.
- At the district level, superintendents are hosting information sessions for teachers throughout the month of June.
- Centrally, the DOE, in collaboration with the Danielson Group, is offering professional development for interested teachers Saturday, June 15 and Saturday, June 22. These sessions are currently fully registered. In July and August, two teachers from every school can attend a PD day provided by Danielson Group. (Three teachers may be selected to attend if the school has more than 750 students.)
- Also in July and August, every school will send a team of four to five staff, including the chapter chair and one to two other teachers, to participate in a school team training day on Advance.

Additional opportunities for professional development with the Danielson Group will be offered to teachers in the fall. Per session for the Danielson Group trainings and the school team trainings will be provided to ten month employees paid for through the Office of Teacher Effectiveness. Schools do not need to set aside per session funds for these trainings.

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