



Educator Evaluation Panel Q&A October 20, 2020

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Nearly 130 member questions and comments were submitted either in advance or during the Educator Evaluation panel discussion on Oct. 20, 2020. We were able to consolidate and streamline many questions. We edited some questions for clarity and to preserve anonymity. Below please find the questions and answers as well as a list of all the documents referenced in this Q&A.

Members with follow-up questions should reach out to their local association leadership; locals will connect with UniServ field representatives and NJEA staff as needed to discuss resolutions and next steps. Circumstances in each local are unique, so it is important to address issues via existing channels of communication. Additionally, please note that this document is provided as a reference to our members, and it is not intended to be taken legal advice.

Student Growth Objectives (SGOs)

Q: I have concerns about setting SGO baselines in a remote setting when there are so many factors beyond my control. Students are chronically absent, parents assist their children with the assessment, there are technology problems, some students do not have the necessary supplies, and some use calculators for the math portion. How is this fair to teachers and students?

A: There are many challenges this year when it comes to SGOs, and it is NJEA's position that SGOs should be suspended for this year. Members should reach out to local association leadership and take into consideration the many flexibilities that exist with regard to modifying SGOs. Additionally, we encourage members to consider documenting any irregularities they become aware of pertaining to the validity of student growth measures.

Q: Why can't the SGOs be suspended this year? This is a difficult time to be requiring this and puts undue stress on teachers.

A: On Oct. 23, an email from the NJEA officers spelled out NJEA's position that SGOs should be waived this year. We will continue to engage with the NJDOE and other stakeholders in support of this goal, and will continue to provide support to members in the event that SGOs remain a requirement. Because the SGO requirement is statutory, an executive order from the governor would be necessary in order to waive or suspend SGOs this year.

Q: Since the irregular conditions for learning that exist this year make setting specific and measurable goals particularly challenging, shouldn't they be postponed until such time that conditions can be normalized?

A: Within the educator evaluation guidance for this year, the NJDOE reminds districts that teachers can adjust their SGOs until Feb. 15. In the absence of a change in regulations or statute that would enable a delay, teachers should be encouraged to take advantage of the revision process to the greatest extent possible.

Q: Is there a possibility of reducing the number of SGOs from two to one this year?

A: All teachers who do not have an mSGP component are required by the regulations to complete two SGOs. Because there is no mSGP measure available this year, every teacher is required to set two SGOs. Because there are additional statutory requirements around SGOs, they would need to be waived or modified through an executive order signed by the governor.

Q: Can districts waive SGOs this year? Who has the power to make these decisions: districts, the NJDOE, the commissioner, the governor?

A: Because the SGO requirement is statutory, any modifications or waivers must be granted through an executive order signed by the governor. It would not be possible for individual districts to waive SGOs this year. We will continue to advocate for our position that SGOs be suspended this year, and we continue to engage in conversations with the NJDOE to advocate for our members and the students they serve.

Q: Can we be forced to include students on our SGO who are on our rosters but are remote and get their instruction from a different teacher? What about students who are chronically absent or do not have access to supplies; must we include them in our SGO?

A: Student groupings for the purposes of SGOs are the responsibility of the teacher. The NJDOE's educator evaluation guidance states that SGOs can be modified until Feb. 15, and this includes modifying student groupings based on attendance.

Q: What can a teacher do if they are being required to use pre-tests and post-tests this year for their SGO?

A: The NJDOE's educator evaluation guidance recommends against using a pre-test/post-test model for SGOs. Members should reach out to their local association leadership for additional support on this matter.

Q: If schools that are remote end up not having to complete SGOs, do schools that are hybrid have to include students that selected all remote in their SGOs?

A: Currently, SGOs are required for all teachers whether or not they are teaching students in person. Student groupings for SGOs should be determined by teachers, and they may choose to craft student groupings that correspond to how a student is learning for the year.

Q: In the past, my district did not allow teachers to regroup students during the SGO revision process. I am concerned that they will continue this practice. What should I do?

A: The NJDOE's educator evaluation guidance details flexibilities with SGOs that should be utilized this year, and emphasizes that teachers should be able to revise their SGOs (including student groupings) until Feb. 15. In the absence of SGOs being waived or suspended entirely, we recommend that members work with their colleagues and local associations to advocate for fair practices.

Q: Can administrators create SGOs for teachers?

A: The regulations state that "Each teacher shall develop, in consultation with his or her supervisor or a principal's designee, each student growth objective." Therefore, based on the regulations it does not appear that a supervisor should not be crafting SGOs for teachers. We encourage members to reach out to local association leadership for assistance in ensuring that the regulations are implemented.

Q: In reference to NJ Smart ID, AchieveNJ requires teachers working under an instructional certificate who have a roster of students and teach at least one course to set SGOs. But what about special education teachers who do not teach a class but do in-class support or resource room supplemental instruction? Are they required to write SGOs?

A: Yes. The NJDOE states, "All teachers working under an instructional certificate, with an assigned roster of students and teaching at least one course must set SGOs. SGOs should incorporate a significant proportion of the school year and/or course." Please reach out to your local association leadership with follow-up questions about how to set SGOs in these settings. It is NJEA's position that SGOs should be suspended for the year.

Q: I already submitted my two SGOs. Will how I am being evaluated change if for some reason my school and/or district closes again due to a second wave of COVID-19 or if I am infected with the COVID-19 virus, causing me to be out for a number of weeks?

A: The NJDOE's educator evaluation guidance details flexibilities with SGOs that should be utilized this year. In the absence of SGOs being waived or suspended entirely, we recommend that members work with their colleagues and local associations to advocate for fair practices.

Q: I am currently filling in for a teacher who had to suddenly retire due to health issues. I don't believe I will be needed much longer, and soon I will go back to my regular position. There is no point writing an SGO now, and I do not have any data to use when I switch back. This is just so unusual. Can't we take a pass this year?

A: Teachers whose assignments change significantly this year may be entitled to flexibilities when it comes to SGOs. The NJDOE states that "The Department recommends, but does not require teachers to have at least nine weeks of continuous instruction to set SGOs. In cases where a teacher does not have at least a continuous nine-week period of instruction, either due to an extended absence or short course cycles, SGOs can be set for as much time as is available and provided the teacher has an opportunity to have a significant impact on students' learning during that abbreviated period of time." Members should reach out to local association leadership with questions and concerns around SGOs.

Q: I teach ESL across eight different grade levels. For some grade levels, I do not have more than two students. Can you cover how I should select groups for SGOs this year? I'm a new teacher, too.

A: We encourage first-year teachers to work with their district-appointed mentor and within their mentoring program to obtain supports that will help them during this crucial year of their careers. Additionally, an SGO may be set for a group as small as two students.

Q: I need help with my SGO this year. What should I do?

A: Please reach out to your supervisor as well as your local association leadership for support on setting SGOs for your content area.

Portfolio Observations

Q: What should be included in the portfolio? Where can I find information about observation processes?

A: The NJDOE's evaluation guidance document details observation practices for virtual and in-person classrooms, including some basic information about the required components of the portfolio. However, districts have a wide range of flexibility when it comes to evaluation policies and procedures they develop. Additionally, your district is responsible for communicating evaluation policies and procedures by Oct. 1 of each year. Please reach out to your local association leadership, who can connect with your UniServ field rep.

Q: Please clarify: I heard you say that our supervisors are still supposed to join our Zoom and observe our teaching if we are fully remote and that's just one piece of the portfolio. Did I understand that correctly?

A: Yes, the synchronous or asynchronous portion of the portfolio is one of the artifacts included in the portfolio. Districts have flexibility with developing their portfolio processes and are required to communicate these annually by Oct. 1. Please reach out to your local association leadership with questions about the portfolio processes being implemented in your district.

Q: Do we have to do the portfolio or can we just stick with observations? Can I choose to be "observed" virtually instead of doing the portfolio?

A: The NJDOE's evaluation guidance explains that teachers working in a fully remote setting are to be evaluated using the portfolio process.

Q: The portfolio option is a time-consuming and demanding task that seems more complicated than the observation requirements for in-person teachers. How can things be simplified?

A: The NJDOE's evaluation guidance specifies that the portfolio should not be a large portfolio or a time-consuming task. If you have questions about the amount of work being required for the portfolio, please reach out to your local association leadership.

Q: What are the differences between portfolio observations and in-class observations? Does the portfolio count for an unannounced or announced observation?

A: The NJDOE's Educator Evaluation Guidance provides some basic information about portfolios and in-class observations, and the portfolio can count for an unannounced or announced observation depending on whether there is a pre-observation conference involved. Districts have always had a great deal of flexibility when it comes to developing their observation procedures and that is still the case. Pursuant to the regulations, districts were responsible for communicating their evaluation policies and procedures to staff annually by Oct. 1. If you have concerns about the information your district has distributed, please contact your local association leadership.



Q: How will the portfolio affect my overall score? Where can I go if I haven't received instructions on the portfolio?

A: This year, observations make up 85% of summative scores and SGOs make up 15%. The regulations state that districts are responsible for communicating evaluation policies and procedures to staff annually by Oct. 1. We recommend reaching out to local association leadership for more information.

Q: Does the portfolio option apply ONLY if the teacher is fully remote? Would the portfolio count for only ONE observation unless the teacher continues to remain fully remote during the second round of observations?

A: If in-person instruction is occurring, traditional in-class observations must be utilized to evaluate teachers. Portfolios are only to be used when teachers are working in a fully remote environment. The type of work environment you have (remote or in-person) during the observation window will dictate the type of observation you will receive at that point in the year. One portfolio is equivalent to one observation. Teachers who are remote all year would complete two portfolios (if tenured in good standing) or three portfolios (if tenured and on a CAP or if non-tenured).

Q: What is NJEA's position on using pre-recorded and/or live lessons for evaluation of teachers who are only teaching virtually?

A: Based on the NJDOE's guidance, pre-recorded or live evidence may be included as part of the portfolio as long as the supervisor and teacher are in agreement. If teachers are not given the opportunity to come to this agreement, they should reach out to their local association leadership for next steps.

Q: I need some clarification on whether an administrator can force live lessons to be included in the portfolio.

A: The NJDOE's evaluation guidance states that an educator and their supervisor must agree on the type of learning to be included in the portfolio.

Q: A traditional 20-minute observation typically does not show evidence of every standard, so why does the portfolio have to cover two weeks to two months and show every standard?

A: The NJDOE guidance on portfolios emphasizes that not every rubric component should be assessed in the portfolio. Please reach out to your local association leadership with additional questions about evaluation procedures in your local.

Q: One of the artifacts for the portfolio could be a synchronous lesson as per NJDOE. It has created some confusion because it "seems" like a "virtual observation." Can observation be asynchronous instead, such as via pre-recorded video?

A: The synchronous component, if agreed to by the teacher and supervisor, should be one artifact within the portfolio. The NJDOE defines the portfolio as "a collection of artifacts" compiled over the course of a pre-determined window of time.

Q: For a nontenured teacher, are the two portfolio observations going to be unannounced? How is this going to work?

A: The NJDOE's Educator Evaluation Guidance provides some basic information about portfolios and in-class observations. However, districts have always had a great deal of flexibility when it comes to developing their observation procedures and that is still the case. Pursuant to the regulations, districts were responsible for communicating their evaluation policies and procedures to staff annually by Oct. 1. If you have concerns about the information your district has distributed, please contact your local association leadership.

Q: How are SLPs, OTs and PTs to be expected to create a portfolio when we don't typically do lesson plans or "assign" independent work?

A: The portfolio is a collection of artifacts aligned to the educator evaluation rubrics being utilized in the district. Related services providers should be compiling portfolios that align to the rubric for their specific job description. If you have questions about your requirements for the portfolio, please reach out to your local association leadership.

Q: I am a part-time virtual teacher. How does that work? I'm doing small groups and one-to-one instruction. How will this affect my evaluation?

A: For those working part-time throughout the school year (as opposed to a long-term substitute who only works a portion of the year), the evaluation requirements are still in effect in terms of the number of observations required.

In-Class Observations and Informal Walk-Throughs

Q: Why can't administrators do virtual observations of in-class teaching? Having administrators visit multiple classrooms increases exposure and risk.

A: Existing evaluation models were meant to be utilized in a fully in-person setting so that an observer may ask students questions and circulate around the room to gather data. If an administrator is watching a lesson remotely, they may miss key elements of the lesson especially as it pertains to student engagement, and administrators have generally not been trained on how to gather observation data via video. Furthermore, in some districts, policies and/or collective bargaining agreements prohibit administrators from using cameras to observe for the purposes of evaluation. Therefore, administrators should be physically present in the room when observing a class. The NJDOE educator evaluation guidance does not specifically prohibit or allow virtual observation of an in-person class, so please reach out to your local association leadership and UniServ field rep.

Q: Can an administrator virtually visit a teacher's hybrid class and send the teacher written feedback claiming its non-evaluative?

A: Yes, non-evaluative walk-throughs are permitted and administrators may leave written feedback. The NJEA's Evaluation FAQ provides additional details on what members should be aware of pertaining to non-evaluative walk-throughs.

Q: During an in-class observation, can the evaluator mark you off for not having small groups because you are concerned about COVID-19 and being in close contact with students? How will evaluation change in a pandemic?

A: The NJDOE's Educator Evaluation Guidance document encourages schools to utilize the ScIP (School Improvement Panel) in the development of what evaluation looks like this year and identify flexibilities in the regulations and guidance that can be leveraged this year. In addition to this, we recommend that teachers use the observation rebuttal process during the post-observation conference in order to address any scores they believe were affected by the expectations of a socially distant classroom. As always, we recommend that members reach out to their association leadership with concerns about evaluation scoring.

Q: Do districts who have in-person AND virtual days have to conduct ONLY in-person observations on those teachers? In other words, is it true teachers who teach in person can't be observed on their fully virtual day?

A: If any in-person instruction is occurring, per NJDOE guidance, those teachers must be observed in the "traditional" format of classroom observation.

Q: Why are evaluations being done as they were pre-pandemic? They should be suspended until a later date. The stress on teachers with SGOs, PDPs, evaluations, weekly lesson plans, and weekly PD is horrific.

A: Over the course of the COVID-19 pandemic we have engaged with the NJDOE and other stakeholders in advocating for our members' interests, and we continue to do so. Members should be aware that some aspects of the evaluation system are statutory (not regulatory) and can only be modified or waived by an executive order from the governor. Educator evaluation and accountability structures are dictated by statute (TEACHNJ Act) and regulations (ACHIEVE NJ). The only way that the statutory requirements of TEACHNJ can be waived is through governor's executive order or when a new law is passed.

Virtual Observations

Q: Can supervisors evaluate their teachers remotely or is it prohibited by the NJDOE?

A: Teachers working in a fully remote setting should be evaluated using the portfolio model, as described in the NJDOE's educator evaluation guidance. Please reach out to your local association leadership with follow-up questions about the portfolio requirements in your district.

Q: What are the parameters for virtual observations?

A: It is NJEA's position that virtual observations, defined as an administrator remotely viewing a class and scoring it using the traditional rubric, are not permitted under the current regulations or guidance. Please refer to the NJEA Evaluation FAQ for more information.

Q: My evaluation last week was all remote. Neither my supervisor nor my administrator explained "artifacts" as part of the evaluation. What should I do?

A: The NJDOE's evaluation guidance document details observation practices for virtual and in-person classrooms. Please reach out to your local association leadership, who can connect with the UniServ field rep.

Q: My district is 100% remote. My supervisor wants to base my evaluation on an online observation of a single 20-minute virtual class and on a single day, not a window of at least one or two weeks. Do I have to accept this?

A: The NJDOE's evaluation guidance states that an observation portfolio is “a set of artifacts” gathered over a period of time, so a single 20-minute visit to a virtual classroom would not suffice as an observation portfolio. Districts have wide flexibility in developing the specific requirements of how many artifacts must be included and the alignment between the artifacts and the evaluation rubric being used in the district, but the guidance is clear that the portfolio must include multiple artifacts. Please reach out to your local association leadership, who can connect with the UniServ field rep.

Q: Our school has been remote only since September to be revisited at the next BOE meeting. Is any part of the observation/evaluation to be conducted in our Google Meet classrooms? Should the observer come to our live via Google Meet classes and sit in on the class to conduct the observation?

A: The NJDOE's evaluation guidance document details observation practices for virtual classrooms and states that the portfolio process is to be used for those working in fully remote settings. We recommend members who have questions about local evaluation procedures reach out to their local leadership, who can obtain additional support from the UniServ field representative.

Q: Our district is totally virtual. I had an observation last week in my Google Classroom and my scores were nothing like I normally get. Are they allowed to observe and rate if you are totally virtual?

A: The NJDOE's evaluation guidance document details observation practices for virtual and in-person classrooms. Those working in a fully remote environment should be utilizing the portfolio observation. Please reach out to your local association leadership, who can connect with the UniServ field rep.

Evaluations and Evaluation Rubrics

Q: Will teacher evaluation rubrics, e.g., the Charlotte Danielson model, be revised to meet the current/new conditions of classrooms? Can rubrics be changed during the year, or is the June 1 deadline in effect?

A: Some organizations, such as Stronge & Associates, have recently published updates to their rubrics intended for remote use. However, as stated in N.J.A.C. 6A:10- 2.2(4), rubrics must be submitted to the commissioner by June 1 of the prior year. There are also additional procedures that must be followed in order to make substantial changes. It is our position that evaluation rubrics cannot be changed at this time.

Q: Since our district did NOT submit a new rubric to observe teachers virtually, does that mean that the current observations will not count?



A: The NJDOE's evaluation guidance document details observation practices for virtual and in-person classrooms. Fully remote teaching staff members are to be evaluated using the portfolio, and those with any in-person component are to be observed in the "traditional" manner. Please reach out to your local association leadership, who can connect with your UniServ field rep.

Q: If students and parents are not being held accountable for updating information so teachers can have access to them via email, ClassTag, ClassDojo or Google Voice how can we as teachers be held accountable? And how can teachers be evaluated by administrators when there are so many technical difficulties that have an impact on learning?

A: Educator evaluation and accountability structures are dictated by statute (TEACHNJ Act) and regulations (AchieveNJ). The only way these requirements can be waived is through a governor's executive order or when a new law is passed. We recommend members continue to stand strong with their local associations to ensure fairness. Local presidents should reach out to their UniServ field reps for additional support.

Q: Many districts are fully remote until January 2021. Observers are scoring teachers on the rubric from last year. Will NJEA advocate for observations being thrown out if not in agreement with regulations? Will NJEA resolve these issues with the commissioner of education?

A: Over the course of the COVID-19 pandemic, we have engaged with the NJDOE and other stakeholders in advocating for our members' interests, and we continue to do so. Members should be aware that some aspects of the evaluation system are statutory (not regulatory) and can only be modified or waived by an executive order from the governor.

Q: We have teachers who are “floaters” this year meaning they don’t have their own classrooms or students. They are filling in as needed to support both hybrid and remote classrooms. What is the guidance for evaluating these teachers?

A: Many aspects of evaluation are locally determined. Pursuant to the regulations, districts must annually communicate their evaluation policies and procedures to staff by Oct. 1. Be sure to contact your local association leadership if you have questions about the information that was distributed, or if you are concerned that the information has not been disseminated.

Corrective Action Plans (CAPs) and Professional Development Plans (PDPs)

Q: Can your district remove you from a CAP, but the new superintendent then reinstate the CAPs because everyone received NE (not evaluated) last year? Are there any new rules about CAPs for this year?

A According to the spring 2020 NJDOE evaluation guidance, individuals on CAPs for 2019-20 could be removed from a CAP (by being given a score) or kept on a CAP (by being given a score of NE). Please reach out to your local president and UniServ field rep with follow-up questions.

Q: Can your superintendent and principal reinstate your CAP after you were taken off of it and create the new CAP without your input?

A: Pursuant to N.J.A.C. 6A:10-2.5(a), a CAP "shall be developed by the teaching staff member and [their] designated supervisor." Please reach out to your local president and UniServ field rep with follow up questions.

Q: What is the guidance for SGOs and PDPs for new teachers?

A: New teachers are required to participate in mentoring programs to provide them with extra support during their crucial first year. These individuals should consult with their mentors and with the local association if extra support is needed in crafting SGOs and PDPs.

Regulations and Training Requirements

Q: Multiple panelists referred to what sounds like "DEE-ACK" and "SKIP" when referring to what highly effective virtual teaching looks like. Those are phonetic spellings but what are "DEE-ACK" and "SKIP"?

A: DEAC is the District Evaluation Advisory Committee; it is no longer required within districts but it is highly recommended that districts utilize the DEAC. The ScIP is the School Improvement Panel, and it is required by the regulations.

Q: Is the district required to train staff in the portfolio component before staff is observed? Many districts have not.

A: Yes, the regulations specify that annual evaluation training must be provided to all staff. Please reach out to your local association leadership if you have concerns about the annual training provided in your district.

Q: How are portfolios assessed? Districts would need to create a scoring rubric and appropriately train staff. Without that component, evaluations need to be invalidated.

A: The regulations specify that annual evaluation training must be provided to all staff. Please reach out to your local association leadership if you have concerns about the annual training provided in your district.

Q: How can administrators be considered qualified to conduct evaluations on a system they've never had to teach in and that is constantly in flux? How can administrators evaluate using tools they are unfamiliar with?

A: The training requirements described in N.J.A.C. 6A:10-2.1 are in effect this year, as every year. We recommend members continue to stand strong with their local associations to ensure fairness, and local presidents should reach out to their UniServ field reps for additional support.

Technology and Remote Pedagogy

Q: What is NJEA's position on having a web camera in the classroom so a teacher can teach both remote learning students and in-person students at the same time (synchronous learning)?

A: "Simulcast" teaching represents pedagogical and logistical challenges as well as time burdens. Some of these impacts may be negotiable. Reach out to your local president and UniServ field rep for more information.

Q: What do you do with the breakout room security issues as you try to get students to collaborate? We do not have that training, yet we are being evaluated on that strategy. Breakout rooms are not recorded so we don't know how to protect ourselves or students

A: Breakout rooms pose some security and privacy concerns as well as logistical challenges to supervision of students. Be sure to consult your district's local policies concerning acceptable behavior online. We recommend members continue to stand strong with their local associations to ensure fairness, and local presidents should reach out to their UniServ field reps for additional support.

Q: How can teachers truly evaluate what our virtual students are learning? I have no way of knowing if they're cheating or not when they take tests and quizzes or complete assignments.

A: We know that this is an unprecedented environment and teachers are working harder now than they ever have before. We recommend members continue to stand strong with their local associations to ensure fairness, and local presidents should reach out to their UniServ field reps for additional support.

Other Topics

Q: How will paraeducators, instructional assistants, and other ESP members be evaluated this year?

A: There are no regulations for ESP member evaluations included in AchieveNJ, and educational support professionals' evaluations are governed locally. If you are an ESP member with questions about your evaluation, please contact your local association leadership.

Q: Is there a remote learning/teaching class size limit/maximum?

A: Some local associations have negotiated class sizes into their collective bargaining agreements, so this question should be addressed at a local level. There may be aspects of virtual class size that are negotiable, and your local association leadership can work with your UniServ field representative on this issue if applicable.

Q: Why weren't these "plans" put together during the summer before the school year started instead of now being thrown at us?

A: In our work with the Department of Education, NJEA regularly advocates for strong practice and clear communication with the field. Advocacy work was ongoing throughout the summer months. We will continue to advocate for timely information from the NJDOE.

Q: What if a teacher is in-person but unexpectedly needs to take a leave for a month or two because of COVID? Being out of the classroom would have an impact on student leaning.

A: For information on how leaves may affect evaluation, please review the NJDOE's guidance on evaluating teachers with extended leaves, as well as NJEA's resources. We recommend members continue



to stand strong with their local associations to ensure fairness, and local presidents should reach out to their UniServ field reps for additional support.

Q: I am nontenured and currently on maternity leave (September - December). I return to work Jan. 4, 2021. Will I still be required to have three portfolio observations even though I am out on leave for some of the year?

A: For information on how leaves may affect evaluation, please review the NJDOE's guidance on evaluating teachers with extended leaves. We recommend members continue to stand strong with their local associations to ensure fairness, and local presidents should reach out to their UniServ field reps for additional support.

Resources and Documents

[NJDOE Educator Evaluation Guidance, 2020-21](#)

[NJEA Evaluation FAQ](#)

[NJEA Portfolio Information Sheet](#)

[NJAC 6A:10 \(Evaluation Regulations\) – also known as AchieveNJ](#)

[TEACH NJ Statute](#)

[NJDOE Guidance on Evaluating Teachers with Extended Leaves / Absences](#)

[Mentoring Guidance for New Teachers](#)

[NJEA Guidance on Cameras in the Classroom](#)