

QUALITY IN THE CLASSROOM ACT BILL 110

Teacher Performance Appraisal

- (i) Part X.2 Education Act**
- (ii) Regulations 98/02; 99/02**

AN OVERVIEW AND ADVICE TO MEMBERS

Professional Relations Services

September 2002

THE QUALITY IN THE CLASSROOM ACT 2001

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- (ii) Regulations 98/02; 99/02

- Who?** Teachers and temporary teachers (on Letters of Permission)
Occasional teachers and long term occasional teachers are **not** covered by this legislation.
- What?** Each teacher in each District School Board will have one evaluation year in each period of 3 consecutive years that the teacher is employed.
- During the evaluation year each teacher will receive at least **two** performance appraisals.
- New teachers (within first 24 months of hire) will receive at least two performance appraisals in each of the first and second 12-month periods.
- When?** Will be phased in beginning September 2002 with all boards implementing by 2004.
Three-year cycle once the board begins to implement.
- How?** Four Point Rating Scale
- Exemplary
 - Good
 - Satisfactory
 - Unsatisfactory

Based on 5 identified competencies developed from the Standards of Practice for the Teaching Profession

- Commitment to pupils and pupil learning
- Professional knowledge
- Teaching practice
- Leadership and community
- Ongoing professional learning

“Supporting Teaching Excellence” the complete performance appraisal manual is available on the Ministry of Education website at <http://www.edu.gov.on.ca> in pdf file <http://mettowas21.edu.gov.on.ca/eng/teacher/manual.pdf>.

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Other Pertinent Points...

Parent & Pupil Input

- Current regulations do not provide for input from elementary students.
- Parent input regarding communication only
- Parent may request anonymity.
- Parent and pupil input cannot be the sole factor for an unsatisfactory rating.
- Teacher has opportunity to respond to parent input.

Unsatisfactory Rating

- Teacher and superintendent receive copy of performance appraisal within **15** days.
- Principal shall conduct a second performance appraisal within **60** days.
- Teacher is placed **under review** if second appraisal is unsatisfactory.
- Principal conducts one more appraisal after **120** days.
- If third appraisal is satisfactory, good or exemplary, teacher is no longer under review.
- If unsatisfactory, principal recommends termination to board.
- Option to forgo third appraisal if principal and superintendent agree that the delay is inconsistent with the best interest of pupils.

Notice to College of Teachers

- Upon termination, the board shall promptly file a complaint to the Ontario College of Teachers.
- If the teacher resigns while under review, the board shall promptly file a complaint to the Ontario College of Teachers regarding reasons for under review status.

Records of Performance Appraisals

- If a board is considering hiring a teacher it shall contact the last board the teacher worked for and request:
 1. the last two performance appraisals of the teacher if either is unsatisfactory;
 2. copies of all documents used in the last two performance appraisals if either resulted in an unsatisfactory rating;
 3. copies of all documents regarding termination or resignation of the teacher while on review.

Teacher Learning Plans Regulation 98/02 under the *Education Act*

Starting September 2002 every teacher will prepare in consultation with the principal, an annual learning plan including,

- i. the teacher's professional growth objectives,
- ii. the teacher's proposed action plan,
- iii. timelines for achieving professional growth objectives.

The consultation with the principal must include a meeting during the teacher's performance appraisal year, if it is the teacher's evaluation year (every 3 years).

Both the teacher and principal sign the teacher's learning plan and each one retains a copy.

NOTE: In non-evaluation years, it is up to the principal and teacher to decide how to review the learning plan. A meeting is not required under the regulation but is recommended by the Ministry as a "best practice".

Performance Appraisal Process – Steps

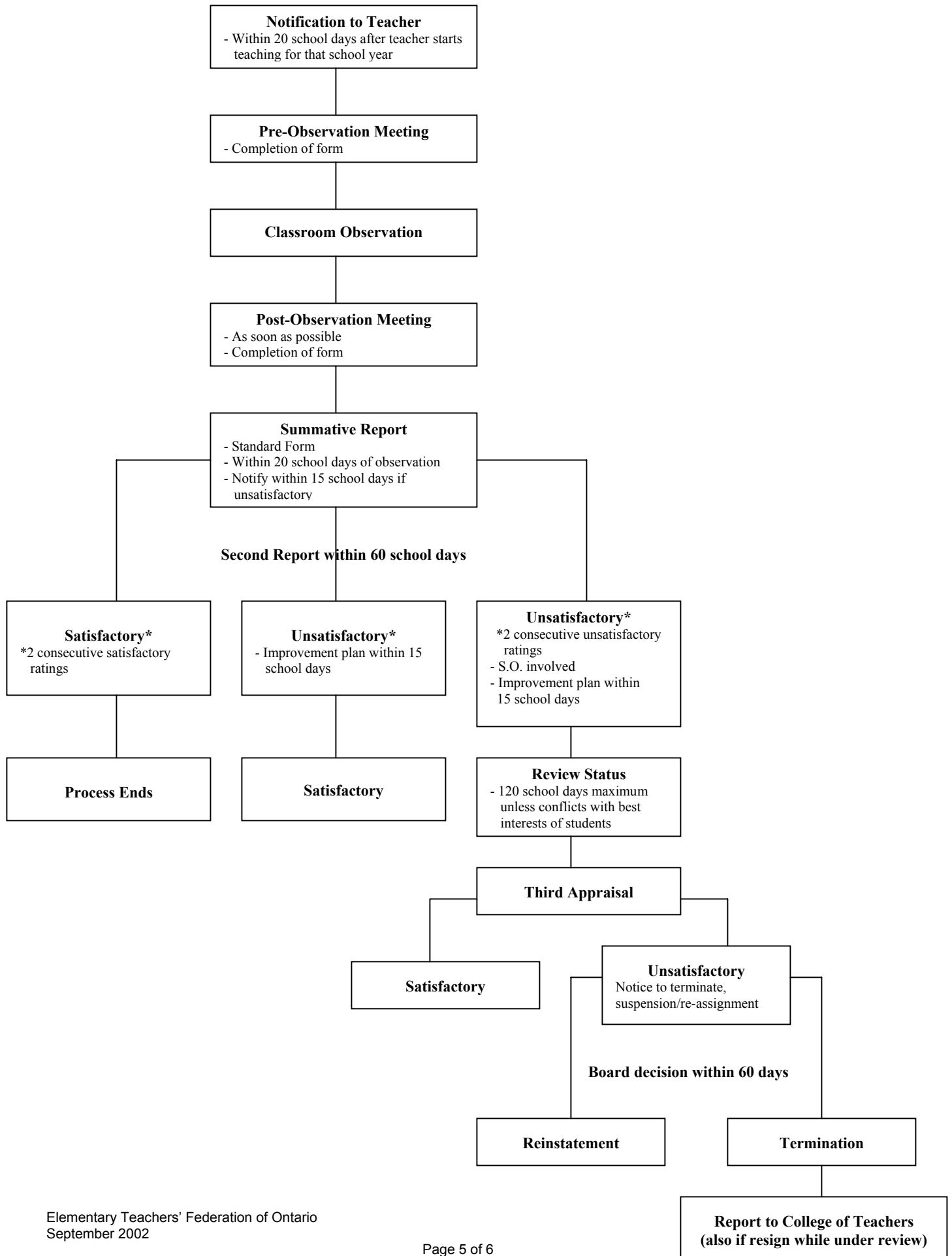
- i. Meeting between principal and teacher to prepare for classroom observation and to review the teacher's learning plan.
- ii. Completion by principal and teacher of pre-observation profile in a form to be approved by the Minister.
- iii. Classroom observation.
- iv. Meeting between principal and teacher as soon as possible after the classroom observation to:
 - a. discuss the observation,
 - b. discuss other relevant information including parental input¹,
 - c. complete the post-observation report in a form to be approved by the Minister,
 - d. finalize the teacher's learning plan for that year.
- v. Opportunity for the teacher to respond to the principal regarding the parental input within a reasonable period of time.
- vi. Consideration by principal of teacher's response.
- vii. Preparation of summative report including:
 - a. the principal's evaluation,
 - b. the principal's overall rating,
 - c. the principal's explanation for the rating.
- viii. Copy of the summative report goes to the teacher within 20 school days of the classroom observation.
- ix. Signature of teacher to acknowledge receipt of the summative report.
- x. Copy to board of summative report and the teacher's learning plan for the year.

NOTE A: The teacher can request a meeting to discuss the performance appraisal after the teacher receives the summative report.

NOTE B: "classroom observation" for teachers not assigned to a classroom includes observation of the teacher in their "ordinary teaching environment if that environment is not a classroom". For physical education teachers, special education teachers, or guidance counsellors, this would include the gymnasium, a regular classroom where the special education teacher is working with particular students, or a guidance office, or small group setting where the teacher is interacting with students. The board must establish protocols for the assessment of teachers who are routinely in front of students, such as curriculum consultants, using the mandated competencies and any additional competencies that the board may develop.

¹ Input pertinent to the performance appraisal received from parent surveys in the two years preceding the evaluation year must be discussed. This does not preclude discussion between the principal and teacher immediately following receipt of survey results or any other information each year.

PERFORMANCE APPRAISAL PROCESS – AN OVERVIEW



Advice to Members of ETFO

If you are being evaluated under the new performance appraisal process be sure that the evaluator makes clear to you before the process begins exactly what the process involves including expectations, timelines, steps to be followed and the criteria by which you will be evaluated.

Keep copies of all documents related to your evaluation.

Regulation 298 Section 11 (4) refers to the obligation of principals to provide assistance and a reasonable time to improve before recommending termination to the board. This is still in effect and applies to the new process.

If you receive an unsatisfactory report, contact your local ETFO president or staff in Professional Relations Services (PRS) at 1-888-838-3836 or 416-962-3836 as soon as possible.