

DEPARTMENT OF EDUCATION
OFFICE OF THE SECRETARY
100 Accountability

106A Delaware Teacher Growth and Support System (DTGSS)

1.0 Content

The teacher appraisal process is known as the Delaware Teacher Growth and Support System (DTGSS) and shall be effective for all school districts and charter schools beginning with the 2023-2024 school year. Pursuant to 14 **Del.C.** §§1270A(b) and 1270A(f), this regulation sets forth the administration of the DTGSS and the process for obtaining a waiver of the provisions of DTGSS.

15 DE Reg. 833 (12/01/11)

17 DE Reg. 205 (08/01/13)

18 DE Reg. 31 (07/01/14)

19 DE Reg. 35 (07/01/15)

21 DE Reg. 37 (07/01/17)

27 DE Reg. 99 (08/01/23)

2.0 Definitions

In this regulation, the following words and terms shall have the following meaning:

"Administrator" means a licensed educator with administration certification.

"Credentialed Administrator" means an administrator who is responsible for the teacher's summative evaluation. A teacher's required observations as part of the appraisal cycle shall be conducted by the assigned Credentialed Administrator or by the Credential Administrator's appointed credentialed designee. The assigned Credentialed Administrator may designate a school administrator who is also a Credentialed Observer to conduct the required observations.

"Credentialed Observer" means an individual, not always the supervisor of the teacher, who has successfully completed DTGSS credentialing in accordance with Section 10.0. Credentialed Observer means any individual who may conduct observations as part of a teacher's appraisal process. The term Credentialed Observer encompasses those administrators who are Credentialed Administrators.

"Department" means the Delaware Department of Education.

"Directed Growth Plan" means the plan that is created and managed by the Credentialed Administrator in partnership with the teacher in accordance with Section 8.0.

"DTGSS Guide for Teachers" means the manual that contains the prescribed forms, detailed procedures, specific details about the 4 performance areas of evaluation and other relevant documents that are used to implement the appraisal process.

"Observation" means a minimum of a 15-minute classroom visitation wherein the Credentialed Administrator or Credentialed Observer collects evidence about what is observed.

"Professional Growth Plan" means a plan teachers set at the beginning of the year, including reflection on past performance, professional growth priority, actions, benchmarks, supports needed, timeline and evidence.

"Summative Evaluation" or **"Evaluation"** means the comprehensive, end-of-year appraisal and shall incorporate the results of the minimum required observations, any additional observations, and required performance-level data. At the discretion of the Credentialed Administrator, it may also include additional observation data, beyond the required observation data, provided by other Credentialed Observers.

"Working day" means a day when the employee would normally be working in that district or charter school.

15 DE Reg. 833 (12/01/11)

15 DE Reg. 1586 (05/01/12)

17 DE Reg. 205 (08/01/13)

18 DE Reg. 31 (07/01/14)

19 DE Reg. 35 (07/01/15)

21 DE Reg. 37 (07/01/17)

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27 DE Reg. 99 (08/01/23)

3.0 Appraisal Cycle

- 3.1 Each year, every teacher, regardless of novice or experienced status, will receive a minimum of 3 classroom observations of at least 15 minutes in length. After each observation, an observation debrief shall be held. For the purpose of this regulation, observation debrief means a time when feedback and questions from the observation is discussed with the Credentialed Administrator or Credentialed Observer and teacher, either in-person, by email, or through an online platform.
- 3.2 All teachers, regardless of novice or experienced status, shall receive a Summative Evaluation each year.
- 3.3 The mid-year conference shall be required if the teacher's performance is low or declining as defined in Section 7.0 of this regulation. The mid-year conference is the time for the teacher and the Credentialed Administrator to discuss and document progress towards goals. Credentialed Administrators have the right to change the type of growth plan at the mid-year conference. Credentialed Administrators shall indicate on the Mid-Year Conference Form that teacher performance is currently below expectations and cite evidence of performance. If a teacher's current Professional Growth Plan is either a collaborative or self-directed growth plan, the administrator shall change the growth plan type to Directed to establish a more formal role in providing support for the teacher. For the purpose of this regulation, a collaborative growth plan means a plan assigned by the Credentialed Administrator that is created collaboratively between the teacher and the administrator. A self-directed growth plan means a plan assigned by the Credentialed Administrator that is created and managed by the teacher.
- 3.4 Each year, every teacher has the option to participate in a mid-year conference unless the teacher's performance is low or declining as provided in subsection 3.3.

15 DE Reg. 833 (12/01/11)

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21 DE Reg. 37 (07/01/17)

22 DE Reg. 49 (07/01/18)

27 DE Reg. 99 (08/01/23)

4.0 DTGSS Guide for Teachers

- 4.1 All school districts and charter schools shall use the manual titled *DTGSS Guide for Teachers* as developed and as amended by the Department in collaboration with the Delaware Association of School Administrators (DASA) and the Delaware State Education Association to implement the appraisal system.
- 4.2 The manual shall contain, at a minimum, the following:
 - 4.2.1 Specific details about each of the 4 performance areas listed in subsection 5.1.
 - 4.2.2 All forms or documents needed to complete the requirements of the appraisal process.
 - 4.2.3 Specific procedures to implement the appraisal system.

21 DE Reg. 37 (07/01/17)

27 DE Reg. 99 (08/01/23)

5.0 Performance Areas and Indicators

- 5.1 The following 4 performance areas, including indicators specified for each in the *DTGSS Guide for Teachers*, shall be the basis upon which the performance of a teacher shall be evaluated by the Credentialed Administrator or the Credentialed Observer.
 - 5.1.1 Performance Area 1: Learning Environment: To what extent does the classroom environment support and engage all students?
 - 5.1.2 Performance Area 2: Engagement in Learning: To what extent does the instruction support and engage all students?
 - 5.1.3 Performance Area 3: Maximizing Learning: To what extent do all students retain and apply their learning with productive struggle?
 - 5.1.4 Performance Area 4: Outcomes of Learning

- 5.1.4.1 In accordance with 14 **Del.C.** §1270A(c)(1), Performance Area 4 is dedicated to student improvement. Performance Area 4 assesses student learning through the creation and measurement of student improvement goals. All teachers set student improvement goals each year. Student improvement goals support the teacher and evaluator in assessing the teacher's impact on student learning and to incorporate this impact into a holistic picture of the teacher's performance. Student growth goals are established each year and student results are used as an indicator of student growth. These results are included in the evaluation within Performance Area 4.
- 5.1.4.2 Performance Area 4 also encompasses the extent to which the teacher is growing in their knowledge and skills. Professional growth priorities are set each year and guides efforts for development and support. While a professional growth priority is not directly assessed, the impact of efforts towards goals is assessed through the collection of evidence for Performance Areas 1, 2, and 3. Performance Area 4 is documented through the teacher's Professional Growth Plan.

15 DE Reg. 833 (12/01/11)

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27 DE Reg. 99 (08/01/23)

6.0 Summative Evaluation Ratings

- 6.1 Each of the 4 performance areas shall be equally weighted and assigned a rating of "Level 4," "Level 3," "Level 2," or "Level 1" on the Summative Evaluation. The rating for each of the 4 performance areas shall reflect the standards as described in the *DTGSS Guide for Teachers*.
- 6.1.1 Each performance area rating shall be equal to an assigned point value. A "Level 4" performance area rating shall earn 4 points, a "Level 3" performance area rating shall earn 3 points, a "Level 2" performance area rating shall earn 2 points, and a "Level 1" performance area rating shall earn 1 point. No partial points shall be awarded.
- 6.1.2 Once all performance area ratings are assigned, a Summative Evaluation rating is determined by the sum of all 4 performance area rating.
- 6.1.3 Satisfactory performance on a performance area is a rating equivalent to "Level 3" or "Level 4" on the Summative Evaluation. An overall rating of "Level 2" may also be deemed as satisfactory performance using the discretion of the Credentialed Administrator. Discretion shall be based on the length of time in a position, change in assignment, or previous ratings.
- 6.1.4 Unsatisfactory performance on a performance area is a rating equivalent to the overall "Level 1" rating on the Summative Evaluation. An overall rating of "Level 2" may also be deemed an unsatisfactory evaluation using the discretion of the Credentialed Administrator. Discretion shall be based on the length of time in a position, change in assignment, or previous ratings.
- 6.2 The Summative Evaluation rating shall also include 1 of 4 overall ratings: "Level 4", "Level 3", "Level 2", "Level 1".
- 6.2.1 A "Level 4" Summative Evaluation rating shall mean that the teacher has earned a sum of 15 or 16 performance area rating points.
- 6.2.2 A "Level 3" Summative Evaluation rating shall mean that the teacher has earned a sum of 11 to 14 performance area rating points.
- 6.2.3 A "Level 2" Summative Evaluation rating shall mean that the teacher has earned a sum of 7 to 10 performance area rating points.
- 6.2.4 A "Level 1" Summative Evaluation rating shall mean that the teacher has earned a sum of 4 to 6 performance area rating points.
- 6.2.5 All teachers, regardless of novice or experienced status, shall receive a Summative Evaluation each year.
- 6.2.6 If a teacher's overall Summative Evaluation rating is determined to be "Level 2" for the third consecutive year, the teacher's rating shall be re-categorized as "low or declining performance." At least 2 consecutive ratings of "Level 1" or 3 consecutive ratings that are a combination of "Level 1" and "Level 2" shall be deemed as a pattern of low or declining performance.

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6.2.7 Satisfactory performance on the overall evaluation is a rating equivalent to "Level 3" or "Level 4" on the Summative Evaluation. An overall rating of "Level 2" may also be deemed as satisfactory performance using the discretion of the Credentialed Administrator. Discretion shall be based on the length of time in a position, change in assignment, or previous ratings as it pertains to educators seeking a Continuing License.

6.2.8 Unsatisfactory performance on the overall evaluation is a rating equivalent to the overall "Level 1" rating on the Summative Evaluation. An overall rating of "Level 2" may also be deemed an unsatisfactory evaluation using the discretion of the Credentialed Administrator. Discretion shall be based on the length of time in a position, change in assignment, or previous ratings as it pertains to educators seeking a Continuing License.

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22 DE Reg. 49 (07/01/18)

27 DE Reg. 99 (08/01/23)

7.0 Pattern of Low or Declining Performance Defined

For the purpose of this regulation, and as required by 14 Del.C. §1270A(b), "pattern of ineffective teaching" means a pattern of low or declining performance and shall be based on the most recent Summative Evaluation ratings of a teacher using the DTGSS process. Two consecutive ratings of "Level 1" shall be deemed as a pattern of low or declining performance. Three consecutive ratings that are a combination of "Level 1" and "Level 2" shall be deemed as a pattern of low or declining performance.

15 DE Reg. 833 (12/01/11)

15 DE Reg. 1586 (05/01/12)

19 DE Reg. 35 (07/01/15)

27 DE Reg. 99 (08/01/23)

8.0 Directed Growth Plan

8.1 A Directed Growth Plan shall be developed for a teacher who receives an overall rating of "Level 1" on the Summative Evaluation on any performance area in Section 5.0 on the Summative Evaluation regardless of the overall rating.

8.2 A Directed Growth Plan may be developed if evidence from an observed lesson aligns with descriptors from a "Level 1". In instances where a Directed Growth Plan is to be developed, the Credentialed Administrator shall first have noted the low or declining performance on the required forms by noting "Performance Requires a Directed Growth Plan" and initialing the statement.

8.2.1 Teachers with low or declining performance shall have the opportunity to understand and discuss their performance with their administrator prior to the summative conference in order to engage in growth and development efforts.

8.2.2 The mid-year conference is the formal opportunity for the Credentialed Administrator to document low or declining performance and to make recommendations about next steps. The mid-year conference is not optional if a Directed Growth Plan is required. The mid-year conference is optional if a Directed Growth Plan is not required.

8.3 The Directed Growth Plan shall contain the following:

8.3.1 Identification of the specific deficiencies and recommended areas for growth;

8.3.2 Measurable goals for improving the deficiencies to satisfactory levels;

8.3.3 Specific professional development or activities to accomplish the goals;

8.3.4 Specific resources necessary to implement the plan, including but not limited to, opportunities for the teacher to work with curriculum specialists, subject area specialists, instructional specialists, or others with relevant expertise;

8.3.5 Procedures and evidence that must be collected to determine that the goals of the plan were met;

- 8.3.6 Timeline for the plan, including intermediate check points to determine progress;
- 8.3.7 Procedures for determining satisfactory improvement;
- 8.3.8 Multiple observations and opportunity for feedback provided by a Credentialed Administrator, a Credentialed Observer, a mentor, a lead teacher, or an instructional coach.
- 8.4 Professional development that is completed during the time that the Directed Growth Plan is in effect must directly relate to areas identified as needing improvement.
- 8.5 The Directed Growth Plan shall be created and managed by the Credentialed Administrator in partnership with the teacher. If the plan cannot be cooperatively developed, the Credentialed Administrator shall have the authority and responsibility to determine the plan as specified in subsections 8.1 and 8.2 above.
 - 8.5.1 The teacher shall be held accountable for understanding the professional goals and completing the work to improve professional practice.
 - 8.5.2 The Credentialed Administrator shall be held responsible for identifying goals and metrics and in monitoring progress.
- 8.6 Upon completion of the Directed Growth Plan, the teacher and Credentialed Administrator shall sign the documentation that determines the satisfactory or unsatisfactory performance of the Directed Growth Plan.

15 DE Reg. 833 (12/01/11)

15 DE Reg. 1586 (05/01/12)

17 DE Reg. 205 (08/01/13)

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9.0 Challenge Process

- 9.1 A teacher may challenge any rating on the Summative Evaluation, either a performance area rating or the overall rating, or a teacher may challenge the conclusions of a lesson observation if the statement "Performance Requires A Directed Growth Plan" has been included on the required forms. To initiate a challenge, a teacher shall submit additional information specific to the point of disagreement in writing within 15 working days of the date of the teacher's receipt of the Summative Evaluation. Such written response shall become part of the appraisal record and shall be attached to the Summative Evaluation. All challenges together with the record shall be forwarded to the supervisor of the Credentialed Administrator unless the supervisor of the Credentialed Administrator is also in the same building as the teacher. In this situation, the challenge together with the record shall be forwarded to a designated district or charter school level Credentialed Administrator.
 - 9.1.1 Within 15 working days of receiving the written challenge, the supervisor of the Credentialed Administrator or the designated district or charter school level Credentialed Administrator shall review the record which consists of all documents used in the appraisal process and the written challenge, meet with the teacher, and issue a written decision.
 - 9.1.2 If the challenge is denied, the written decision shall state the reasons for denial.
 - 9.1.3 The decision of the supervisor of the Credentialed Administrator or the designated district or charter school's level Credentialed Administrator shall be final.

15 DE Reg. 833 (12/01/11)

17 DE Reg. 205 (08/01/13)

19 DE Reg. 35 (07/01/15)

27 DE Reg. 99 (08/01/23)

10.0 Credentialing

- 10.1 Credentialing processes and performance tasks shall be established and conducted by the Department and developed in collaboration with school and district level Credentialed Administrators.
- 10.2 DTGSS credentials are earned upon successful completion of performance tasks and related trainings. DTGSS credentials are valid for 5 years from the date of issue. Credentialed Administrators or Credentialed Observers may seek to renew their credentials within 24 months prior to the expiration date. If the educator does not renew the educator's credentials, the educator shall not complete the DTGSS.

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15 DE Reg. 833 (12/01/11)
17 DE Reg. 205 (08/01/13)
19 DE Reg. 1011 (05/01/16)
27 DE Reg. 99 (08/01/23)

11.0 Waiver of DTGSS Provisions

- 11.1 In accordance with 14 **Del.C.** §1270A(f), a school district or charter school may submit an application to the Department for a waiver of the provisions of the DTGSS. The waiver request shall be based on a locally developed evaluation process that meets all of the requirements in subsections 11.1.1 through 11.1.4.
- 11.1.1 The applicant's evaluation process is demonstrated to be the product of the collective bargaining process pursuant to 14 **Del.C.** Ch. 40 and community review.
- 11.1.2 The applicant's evaluation process is as rigorous and as educationally sound as DTGSS.
- 11.1.3 The applicant's evaluation process provides for evaluating educator performance by measuring student growth using multiple measures over the course of a curricular year.
- 11.1.4 The applicant's evaluation process contains a mechanism for certifying evaluators and for quality control.
- 11.2 The school district or charter school shall submit the application and supporting documentation to the Department's Educator Excellence Workgroup by March 1.
- 11.3 The Department will review the application to determine if it is complete. If the application is incomplete, the school district or charter school may resubmit the application. If the application is complete, the Department will determine whether to grant the application based on the rubric in the application.
- 11.4 The Department may grant an application for a waiver for up to 3 years.
- 11.5 If the school district or charter school is granted a waiver, and the waiver expires, the school district or charter school shall submit a new application in order for the Department to grant another waiver.

27 DE Reg. 99 (08/01/23)

12.0 Evaluation of Process

The Department shall conduct a biennial evaluation of the teacher appraisal process. The evaluation shall, at a minimum, include a survey of teachers and Credentialed Administrators and interviews with a sampling of teachers and Credentialed Administrators. Data from the evaluation and proposed changes to DTGSS shall be presented to the State Board of Education for review on a biennial basis.

19 DE Reg. 1011 (05/01/16)
21 DE Reg. 37 (07/01/17)
27 DE Reg. 99 (08/01/23)

13.0 DTGSS Monitoring

The Department of Education shall annually monitor implementation of DTGSS for teachers.

13 DE Reg. 1067 (02/01/10)
15 DE Reg. 833 (12/01/11)
15 DE Reg. 1586 (05/01/12)
17 DE Reg. 205 (08/01/13)
18 DE Reg. 31 (07/01/14)
19 DE Reg. 35 (07/01/15)
19 DE Reg. 1011 (05/01/16)
21 DE Reg. 37 (07/01/17)
22 DE Reg. 49 (07/01/18)
27 DE Reg. 99 (08/01/23)