

DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

Statutory Authority: 14 Delaware Code, Section 122(b) (14 **Del.C.** §122(b))
14 **DE Admin. Code** 107A

FINAL

REGULATORY IMPLEMENTING ORDER

107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised

I. SUMMARY OF THE EVIDENCE AND INFORMATION SUBMITTED

The Secretary of Education seeks the consent of the State Board of Education to amend 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised. The regulation is being amended to align with changes made during the second session of the 148th General Assembly by House Bill 399 as amended by House Amendment 1 and Senate Amendments 1 and 2, and by Senate Bill 199 as well as other process changes identified through implementation. These amendments include: (1) providing for equal weighting of the DPAS II Components; (2) eliminating a required annual assessment; and (3) adding language related to new provisional license.

Notice of the proposed regulation was published in the *News Journal* and the *Delaware State News* on May 1, 2017, in the form hereto attached as Exhibit "A". No comments were received.

II. FINDINGS OF FACTS

The Secretary finds that it is appropriate to amend 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised in order to align with changes made during the second session of the 148th General Assembly by House Bill 399 as amended by House Amendment 1 and Senate Amendments 1 and 2, and by Senate Bill 199 as well as other process changes identified through implementation. These amendments include: (1) providing for equal weighting of the DPAS II Components; (2) eliminating a required annual assessment; and (3) adding language related to new provisional license.

III. DECISION TO AMEND THE REGULATION

For the foregoing reasons, the Secretary concludes that it is appropriate to amend 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised. Therefore, pursuant to 14 **Del.C.** §122, 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised attached hereto as Exhibit "B" is hereby amended. Pursuant to the provision of 14 **Del.C.** §122(e), 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised hereby amended shall be in effect for a period of five years from the effective date of this order as set forth in Section V. below.

IV. TEXT AND CITATION

The text of 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised amended hereby shall be in the form attached hereto as Exhibit "B", and said regulation shall be cited as 14 **DE Admin. Code** 107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised in the Administrative Code of Regulations for the Department of Education.

V. EFFECTIVE DATE OF ORDER

The actions hereinabove referred to were taken by the Secretary pursuant to 14 **Del.C.** §122 on June 15, 2017. The effective date of this Order shall be ten (10) days from the date this Order is published in the Delaware *Register of Regulations*.

IT IS SO ORDERED the 15th day of June 2017.

Department of Education

Susan S. Bunting, Ed.D, Secretary of Education

Approved this 15th day of June 2017

State Board of Education

Teri Quinn Gray, Ph.D., President

Nina L. Bunting, Vice President

Barbara B. Rutt

Gregory B. Coverdale, Jr.

107A Specialist Appraisal Process Delaware Performance Appraisal System (DPAS II) Revised**1.0 Effective Date**

The Specialist Appraisal Process, Delaware Performance Appraisal System (DPAS II) Revised shall be effective for all school districts and charter schools beginning with the ~~2015-2016~~ 2017-2018 school year, unless another specialist appraisal system has been approved by the Department pursuant to Chapter 12 of Title 14 of the Delaware Code.

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

18 DE Reg. 40 (07/01/14)

19 DE Reg. 38 (07/01/15)

2.0 Definitions

~~The following definitions shall be applied for purposes of this regulation:~~ In this regulation, the following words and terms shall have the following meaning unless the context clearly indicates otherwise:

"Announced Observation" ~~means the an observation form and conference with the by a Credentialed Observer; an observation by the Credentialed Observer at an agreed-upon a date and time that has been previously arranged, using the associated formative conferences and reports, which may include the use of an observation form.~~ The observation ~~for the specialist may be a collection of data over a specified period of time, up to four (4) weeks, or it may be an observation shall be~~ of sufficient length, at least thirty (30) minutes, to ~~gather appropriate data analyze the lesson~~ and assess specialist performance.

"Board" means a local board of education or a charter school board of directors.

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

"DASA" means the Delaware Association of School Administrators.

"Department" means the Delaware Department of Education.

"DPAS II Revised Guide for Specialists" means the manual that contains the prescribed forms, detailed procedures, specific details about the five (5) components of evaluation and other relevant documents that are used to implement the appraisal process.

"DSEA" means the Delaware State Education Association.

"Evaluator" means a Credentialed Observer who is responsible for a specialist's Summative Evaluation. A specialist's required observations as part of the appraisal cycle shall generally be conducted by the assigned Evaluator; however, the assigned Evaluator may designate a school administrator who is also a Credentialed Observer to conduct the required observations.

"Experienced Specialist" means a specialist who holds a valid and current Continuing or Advanced License, issued pursuant to Chapter 12 of Title 14 of the *Delaware Code*; or Standard or Professional Status Certificate issued prior to August 1, 2003 or holds a valid and current license from his or her respective licensure body.

"Improvement Plan" means the plan that a specialist and Evaluator mutually develop in accordance with Section 8.0.

"Novice Specialist" means a specialist who holds a valid and current Provisional or Initial License issued pursuant to Chapter 12 of Title 14 of the *Delaware Code* or holds a valid and current license from his or her respective licensure body.

"Satisfactory Evaluation" shall be equivalent to the overall "Highly Effective" or "Effective" rating on the Summative Evaluation and shall be used to qualify for a continuing license.

"Specialist" means an educator other than a teacher or administrator and includes, but is not limited to, School Counselors, Library Media Specialists, School Psychologists, and School Nurses.

"Student Achievement" means:

(a) For tested grades and subjects:

(1) Student scores on the state assessment system; and, as appropriate,

(2) Other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across classrooms.

(b) For non-tested grades and subjects: alternative measures of student learning and performance such as student scores on pre-tests and end-of-course tests; student performance on English language proficiency assessment; and other measures of student achievement that are rigorous and comparable across classrooms. Such alternative measures shall be approved by the Department of Education and developed in partnership with input from the relevant specialist organizations or respective licensure body and the Delaware State Education Association (DSEA).

(c) ~~For the 2014-15 school year only, student scores on the Smarter English Language Arts and Smarter Mathematics statewide assessments shall not be incorporated into any specialist's 2014-15 performance appraisal. This may be extended by the Department for the 2015-16 school year.~~

"Student Growth" means the change in Student Achievement data for an individual student between two points in time. Growth may also include other measures that are rigorous and comparable across classrooms.

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

"Unannounced Observation" means an observation by a Credentialed Observer at a date and time that has not been previously arranged, using the associated formative conferences and reports, and which may include the use of the observation form. The observation shall be of sufficient length, at least thirty (30) minutes, to gather appropriate data and assess specialist performance.

"Unsatisfactory Evaluation" shall be the equivalent to the overall "Needs Improvement" or Ineffective rating on the Summative Evaluation as it pertains to educators seeking a continuing license.

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

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

18 DE Reg. 40 (07/01/14)

19 DE Reg. 38 (07/01/15)

3.0 Appraisal Cycles

3.1 Experienced Specialists who have earned a rating of "Highly Effective" or "Effective" on their most recent Summative Evaluation shall receive a minimum of one (1) Announced or Unannounced Observation each year with a Summative Evaluation at least once every two (2) years. ~~The Student Improvement component for Highly Effective specialists shall be evaluated each year, regardless of whether or not a Summative Evaluation is conducted. If a Highly Effective specialist does not achieve a Satisfactory rating on the Student Improvement Component, the specialist shall receive a Summative Evaluation the following year, regardless of whether the specialist would otherwise be due for a Summative Evaluation pursuant to this section.~~

3.2 Experienced Specialists who have earned a rating of Effective and have earned Satisfactory ratings on at least four (4) of the Appraisal Components found in 5.0, including Student Improvement, on his or her most recent Summative Evaluation shall receive a minimum of one (1) Announced or Unannounced Observation each year with a Summative Evaluation at least once every two (2) years. ~~The Student Improvement component for Effective specialists shall be evaluated each year, regardless of whether or not a Summative Evaluation is conducted. If an Effective specialist does not achieve a Satisfactory rating on the Student Improvement Component, the specialist shall receive a Summative Evaluation the following year, regardless of whether the specialist would otherwise be due for a Summative Evaluation pursuant to this section.~~

3.32 Experienced Specialists who are not otherwise included in subsection 3.1 or 3.2 shall receive a minimum of one (1) Announced Observation and one (1) Unannounced Observation with a Summative evaluation at the end of the one (1) year period. These specialists shall have an Improvement Plan which may require additional observations and other types of monitoring as outlined in the DPAS II Revised Guide for Specialists.

3.43 Novice Specialists shall receive a minimum of one (1) Announced Observation and one (1) Unannounced Observation with a Summative Evaluation at the end of the one year period. Novice specialists who have earned a rating of Needs Improvement or Ineffective on their most recent Summative Evaluation shall have an Improvement Plan which may require additional observations or other types of monitoring as outlined in the *DPAS II Revised Guide for Specialists*.

3.4 Novice Specialists who have earned a minimum of three (3) consecutive "Highly Effective" or "Effective" ratings on their most recent Summative Evaluations may receive a minimum of one (1) Announced or Unannounced Observation each year with a Summative Evaluation at least once every two (2) years.

3.5 ~~Beginning in the 2017-2018 school year, all Specialists shall receive an Annual Appraisal subject to the following conditions:~~

- 3.5.1 ~~Experienced Specialists who have earned a rating of "Highly Effective" or "Effective" on their most recent Summative Evaluation shall receive a minimum of one (1) Announced or Unannounced Observation with a Summative Evaluation each year.~~
- 3.5.2 ~~Experienced Specialists who have received a rating of "Needs Improvement" or "Ineffective" on their most recent Summative Evaluation shall receive a minimum of one (1) Announced Observation and one (1) Unannounced Observation with a Summative Evaluation each year.~~
- 3.5.3 ~~Novice Specialists shall receive a minimum of one (1) Announced Observation and one (1) Unannounced Observation with a Summative Evaluation each year.~~

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

18 DE Reg. 40 (07/01/14)

19 DE Reg. 38 (07/01/15)

4.0 DPAS II Guide for Specialists

- 4.1 All districts and charter schools shall use the manual entitled *DPAS II Revised Guide for Specialists* as developed and as may be amended by the Department of Education in collaboration with DASA and DSEA 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 five (5) Appraisal Components 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.

5.0 Appraisal Components and Appraisal Criteria

- 5.1 The following five (5) Appraisal Components, including any Appraisal Criteria specified for each, shall be the basis upon which the performance of a specialist shall be determined. In each academic year, for each of the first four (4) Appraisal Components, a school district or charter school may waive one (1) criterion identified as optional below. In addition, for the Professional Responsibilities Component (subsection 5.1.4), a school district or charter school may substitute a locally determined alternative Appraisal Component, which must be approved by the Department no later than the last day of July of each year. Final notification of any such waiver or substitution shall be provided to all specialists in a school district or charter school and the Department of Education by the last day in August of each year:
 - 5.1.1 Planning and Preparation
 - 5.1.1.1 Designing Coherent Programs or Services: Specialist designs activities and plans for services that support the needs of the students or clients served.
 - 5.1.1.2 Demonstrating Knowledge of Best Practice and Models of Delivery: Specialist uses practices and models of delivery that are aligned with local and national standards. (Optional)
 - 5.1.1.3 Demonstrating Knowledge of Students or Clients: Specialist shows knowledge of the needs and characteristics of the students or clients, including their approaches to learning, knowledge, skills, and interests. (Optional)
 - 5.1.1.4 Demonstrating Knowledge of Resources: Specialist selects appropriate resources, either within or outside of the school, that support the needs of students or clients.
 - 5.1.1.5 Demonstrating Knowledge of How to Design or Use Student Assessments: Specialist creates and or selects assessments that are congruent with instructional goals, criteria and standards. The specialist plans for the use of formative and summative assessments of the specialist's students.
 - 5.1.2 Professional Practice and Delivery of Services
 - 5.1.2.1 Creating an Environment to Support Student or Client Needs: Specialist creates an environment in which student or client needs are identified and valued. Specialist and student or client interactions show rapport that is grounded in mutual respect.
 - 5.1.2.2 Demonstrating Flexibility and Responsiveness: Specialist has a repertoire of instructional or professional strategies and makes modifications to services based on needs of the students or clients. (Optional)
 - 5.1.2.3 Communicating Clearly and Accurately: Verbal and written communication is clear and appropriate to students' or clients' ages, backgrounds, needs, or levels of understanding. (Optional)
 - 5.1.2.4 Delivering Services to Students or Clients: Specialist is responsive to the identified needs of the students or clients and meets standards of professional practice. The resources and materials are suitable and match the needs of the students or clients. The delivery of service is coherent.

5.1.3 Professional Collaboration and Consultation

- 5.1.3.1 Collaborating with Others: Specialist develops partnerships with school or district staff or external agencies to provide integrated services that meet student or client needs. (Optional)
- 5.1.3.2 Serving as a Consultant to the School Community: Specialist shares expertise with school staff to assist them in their work or to respond to school wide issues, problems, or concerns. (Optional)
- 5.1.3.3 Providing Resources and Access: Specialist provides school, district or external based resources to appropriate staff, students, or clients or gives information about the effective use of the resources.
- 5.1.3.4 Communicating with Families: Specialist shares information about district or school educational programs and expectations for student or client performance. Specialist develops a mechanism for two way communication with families about student or client progress, behavior, personal needs, or concerns.
- 5.1.3.5 Use of Assessment in Planning and Delivery of Services: Specialist makes the criteria of the assessment known to the students, monitors the students' progress, provides descriptive feedback, and promotes student self-assessment and uses data to plan future instruction.

5.1.4 Professional Responsibilities

- 5.1.4.1 Maintaining Standards of Professional Practice: Specialist adheres to his or her professional standards of practice, including issues surrounding confidentiality.
- 5.1.4.2 Recording student data in a Record System: Specialist keeps student or client records relevant to their services and shares information with appropriate school personnel. (Optional)
- 5.1.4.3 Growing and Developing Professionally: Specialist chooses and participates in professional development that is aligned with his or her professional needs and aligned with the needs of the school, district or students. (Optional)
- 5.1.4.4 Reflecting on Professional Practice: Specialist engages in reflective thinking as an individual, as a team participant, or as a school and community member with the goal of improving professional practice and delivery of service.

5.1.5 Student Improvement

- 5.1.5.1 Measuring Student Improvement: Students collectively demonstrate appropriate levels of Student Growth as benchmarked against standards set by the Secretary based on input from stakeholder groups.

15 DE Reg. 835 (12/01/11)

15 DE Reg. 1595 (05/01/12)

17 DE Reg. 216 (08/01/13)

18 DE Reg. 40 (07/01/14)

6.0 Summative Evaluation Ratings

- 6.1 Each of the ~~first four (4)~~ five (5) Appraisal Components (Component(s)) shall be equally weighted and assigned a rating of "Highly Effective," "Effective," "Needs Improvement" or "Ineffective" on the Summative Evaluation. ~~The rating for the Student Improvement Component shall be assigned a rating of "Exceeds," "Satisfactory" or "Unsatisfactory" on the Summative Evaluation.~~ The rating for each of the five (5) Appraisal Components shall reflect the standards as described in the DPAS II Revised Guides for Specialists.
 - 6.1.1 ~~A "Highly Effective" or "Effective" rating for each of the first four Appraisal Components shall mean the specialist has no more than one unacceptable rating on the Appraisal Criteria specified in each of the components. Appraisal Criteria observed shall be rated on each observation conducted and Appraisal Criteria also shall be assigned an overall rating in a specialist's Summative Evaluation. Each Component rating shall be equal to an assigned point value. A "Highly Effective" Component rating shall earn four (4) points, an "Effective" Component rating shall earn three (3) points, a "Needs Improvement" Component rating shall earn two (2) points, and an "Ineffective" Component rating shall earn one (1) point. No partial points shall be awarded.~~
 - 6.1.2 ~~A satisfactory rating for the Student Improvement Component shall mean that the specialist demonstrates acceptable performance by meeting the standards set by the Secretary pursuant to 5.1.5.1. Once all Component ratings are assigned, a Summative Evaluation rating is determined by the sum of all five (5) Components.~~
- 6.2 The Summative Evaluation rating shall also include one of four overall ratings: "Highly Effective", "Effective", "Needs Improvement" or "Ineffective".

- 6.2.1 A "Highly Effective" Summative Evaluation rating shall mean that the specialist has earned an "Effective" or "Highly Effective" rating in the first four (4) Appraisal Components and an Exceeds rating in the Student Improvement Component a sum of 19 or 20 Component rating points.
- 6.2.2 An "Effective" Summative Evaluation rating shall mean that the specialist has earned an "Effective" or "Highly Effective" rating in at least three (3) of the first four (4) Appraisal Components with zero (0) Ineffective ratings and a "Satisfactory" or "Exceeds" rating in the Student Improvement Component a sum of 14 to 18 Component rating points.
- 6.2.2.1 "Effective" may also mean, in accordance with procedures outlined in the DPAS II Guide for Specialists, that the specialist has earned a "Highly Effective" rating in two of the first (four) Appraisal Components with zero (0) "Ineffective" ratings and an "Unsatisfactory" rating in the Student Improvement Component.
- 6.2.3 A "Needs Improvement" Summative Evaluation rating shall mean that: the specialist has earned a sum of 9 to 13 Component rating points.
- 6.2.3.1 The specialist has earned "Effective" or "Highly Effective" ratings in one (1) or two (2) of the first four (4) Appraisal Components with zero (0), one (1) or two (2) "Ineffective" ratings and a "Satisfactory" or "Exceeds" rating in the Student Improvement Component; or
- 6.2.3.2 The specialist has earned "Effective" or "Highly Effective" ratings in three (3) or four (4) of the first four (4) Appraisal Components and an Unsatisfactory rating in the Student Improvement Component; or
- 6.2.3.3 The specialist has earned three "Effective" or "Highly Effective" ratings and one (1) "Ineffective" rating on the first four Appraisal Components and a "Satisfactory" or "Exceeds" rating in the Student Improvement Component.
- 6.2.4 An "Ineffective" Summative Evaluation rating shall mean that: the specialist has earned a sum of 5 to 8 Component rating points.
- 6.2.4.1 The specialist has earned "Effective" or "Highly Effective" ratings in zero (0), one (1), or two (2) of the first four (4) Appraisal Components and an "Unsatisfactory" rating in the Student Improvement Component; or
- 6.2.4.2 The specialist has earned "Effective" or "Highly Effective" ratings in zero (0) of the first four (4) Appraisal Components and "Satisfactory" or "Exceeds" rating in the Student Improvement Component; or
- 6.2.4.3 The specialist has earned Ineffective ratings in three (3) or four (4) of the first four (4) Appraisal Components
- 6.2.5 Experienced Specialists receiving a Summative Evaluation every two years in accordance with subsection 3.1 above shall earn an overall Student Improvement Component rating on the Summative Evaluation in accordance with the following chart:

<u>Year 1 or 2</u>	<u>Year 1 or 2</u>	<u>Rating</u>
<u>Exceeds</u>	<u>Exceeds</u>	<u>Highly Effective</u>
<u>Exceeds</u>	<u>Satisfactory</u>	<u>Effective</u>
<u>Exceeds</u>	<u>Unsatisfactory</u>	<u>Effective</u>
<u>Satisfactory</u>	<u>Satisfactory</u>	<u>Effective</u>
<u>Satisfactory</u>	<u>Unsatisfactory</u>	<u>Needs Improvement</u>
<u>Unsatisfactory</u>	<u>Unsatisfactory</u>	<u>Ineffective</u>

The first two columns above indicate the rating combinations earned in a two year Summative Evaluation cycle, regardless of the order in which they were earned.

- 6.2.56 If a specialist's overall Summative Evaluation rating is determined to be "Needs Improvement" for the third consecutive year, the rating shall be re-categorized as "Ineffective".

15 DE Reg. 835 (12/01/11)
 15 DE Reg. 1595 (05/01/12)
 17 DE Reg. 216 (08/01/13)
 19 DE Reg. 38 (07/01/15)

7.0 Pattern of Ineffective Practice Defined

A pattern of ineffective practice shall be based on the most recent Summative Evaluation ratings of a specialist using the DPAS II process. Two consecutive ratings of Ineffective shall be deemed as a pattern of ineffective

practice. The following chart shows the consecutive Summative Evaluation ratings that shall be determined to be a pattern of ineffective practice:

Year 1	Year 2	Year 3
Ineffective	Ineffective	
Needs Improvement	Needs Improvement	Needs Improvement
Needs Improvement	Ineffective	Needs Improvement
Needs Improvement	Needs Improvement	Ineffective
Ineffective	Needs Improvement	Ineffective
Ineffective	Needs Improvement	Needs Improvement
Needs Improvement	Ineffective	Ineffective

15 DE Reg. 835 (12/01/11)

15 DE Reg. 1595 (05/01/12)

19 DE Reg. 38 (07/01/15)

8.0 Improvement Plan

- 8.1 An Improvement Plan shall be developed for a specialist who receives an overall rating of "Needs Improvement" or "Ineffective" on the Summative Evaluation or a rating of "Needs Improvement" or "Ineffective" on any component in Section 5.0 on the Summative Evaluation regardless of the overall rating.
- 8.2 An Improvement Plan may be developed if a specialist's overall performance during an observation is unsatisfactory. In instances where an improvement plan is to be developed, the evaluator shall first have noted the unsatisfactory performance on the required forms by noting "Performance Requires an Improvement Plan" and initialing the statement.
- 8.3 The Improvement Plan shall contain the following:
 - 8.3.1 Identification of the specific deficiencies and recommended area(s) 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 specialist to work with curriculum specialist(s), subject area specialist(s), instructional specialist(s) 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 Observer, a mentor, or lead specialist, or an instructional coach.
- 8.4 Professional development that is completed during the time that the Improvement Plan is in effect must directly relate to areas identified as needing improvement.
- 8.5 The Improvement Plan shall be developed cooperatively by the specialist and Evaluator. If the plan cannot be cooperatively developed, the Evaluator shall have the authority and responsibility to determine the plan as specified in subsections 8.1 and 8.2 above.
- 8.6 The specialist shall be held accountable for the implementation and completion of the Improvement Plan.
- 8.7 Upon completion of the Improvement Plan, the specialist and Evaluator shall sign the documentation that determines the satisfactory or unsatisfactory performance of the plan.

15 DE Reg. 835 (12/01/11)

15 DE Reg. 1595 (05/01/12)

17 DE Reg. 216 (08/01/13)

19 DE Reg. 38 (07/01/15)

9.0 Challenge Process

- 9.1 A specialist may challenge any rating on the Summative Evaluation, either a Component Rating or the Overall Rating, or a specialist may challenge the conclusions of an observation if the statement "Performance Requires An Improvement Plan" has been included on the required form(s). To initiate a challenge, a specialist shall submit additional information specific to the point of disagreement in writing within fifteen (15) working days of the date of the specialist'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 Evaluator unless the supervisor of the Evaluator is also in the same building as the specialist. In this situation, the challenge together with the record shall be forwarded to a designated district or charter school level Evaluator.

9.1.1 Within fifteen (15) working days of receiving the written challenge, the supervisor of the Evaluator or the designated district or charter school level Evaluator shall review the record which consists of all documents used in the appraisal process and the written challenge, meet with the specialist, and issue a written decision.

9.1.2 If the challenge is denied, the decision shall state the reasons for denial.

9.1.3 The decision of the supervisor of the Evaluator or the designated district or charter school level Evaluator shall be final.

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

19 DE Reg. 38 (07/01/15)

10.0 Credentialing

10.1 Credentialing processes and assessments shall be established and conducted by the Department of Education and developed in collaboration with school and district level administrators.

10.2 Credentialed Observer credentials are earned upon successful completion of a credentialing assessment and related trainings. Credentialed Observer credentials are valid for five years from the date of issue. Credentialed Observers may seek to renew their credentials within 24 months prior to the expiration date.

10.2.1 The Department shall establish an annual schedule during which the credentialing assessment will be offered in order to provide multiple opportunities for individuals to earn credentials. Individuals shall have the opportunity to sit for the assessment multiple times in order to earn credentials. The Department shall not limit the number of times individuals seeking credentials can sit for an assessment offered by the Department.

10.2.2 The Department shall offer no less than six (6) opportunities annually to earn or renew a credential.

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

19 DE Reg. 1013 (05/01/16)

11.0 Evaluation of Process

The Department of Education shall conduct a biennial evaluation of the specialist appraisal process. The evaluation shall, at a minimum, include a survey of teachers, specialists and Evaluators and interviews with a sampling of teachers, specialists and Evaluators. Data from the evaluation and proposed changes to DPAS II Revised shall be presented to the State Board of Education for review on ~~an annual~~ a biennial basis.

19 DE Reg. 1013 (05/01/16)

12.0 DPAS II Monitoring

The Department of Education shall annually monitor implementation of DPAS II for specialists.

13 DE Reg. 1445 (05/01/10)

15 DE Reg. 835 (12/01/11)

17 DE Reg. 216 (08/01/13)

18 DE Reg. 40 (07/01/14)

19 DE Reg. 1013 (05/01/16)

21 DE Reg. 38 (07/01/17) (Final)