



April 2020

Implementation of the Educator Effectiveness System during the 2019-20 COVID-19 Pandemic

The COVID-19 pandemic has led to changes in K-12 public education across the Commonwealth that impact almost every aspect of the system. Teacher evaluation is no exception; ***school building closures and the cancellation of state assessments have caused the state to substantially alter requirements for the Educator Effectiveness System for the 2019-20 school year.***

Changes fall into three main areas:

Student Achievement Data. With authorization from the PA legislature, the Secretary of Education cancelled all state assessments for the 2019-20 school year and waived the requirement to include student performance data in an educator's performance rating. This means all measures of student achievement—building level data, teacher specific data, and elective data—are excluded from the calculation of an educator's summative score for 2019-20, and summative ratings for the 2019-20 school year are based entirely upon observations of professional practice.

Observation of Professional Practice. Because student achievement data is excluded from the calculation of summative ratings for the 2019-20 school year, 100 percent of an educator's rating will be based upon observations of professional practice. The Department has posted updated summative rating forms for the 2019-20 school year on its website that reflect this change.

Timing. Because employers do not need to wait for student assessment and building level data to be issued by the Department, data collection for the 2019-20 evaluation year should be completed no later than June 30, 2020.

Issues to Consider

Options for Completion of Evaluations. PDE advises that an employer may select one of three options to complete evaluations based on observations of professional practice for 2019-20. Collective bargaining agreements, past practice, or employer policies may establish parameters around observations of professional practice.

1. ***Issue a rating based upon observations conducted prior to the school building closure.*** PDE advises that an employer may base an educator's summative rating on observations conducted prior to March 13, 2020, and that the employer should make any decision to do so in consultation with its attorney and the collective bargaining unit representative. Some employees may have been observed prior to school building closures, while others may not have. This variability may make it difficult for an employer to issue fair and consistent ratings.

2. ***Issue a rating based upon observations of distance education practices.*** There is nothing in the School Code that prohibits observation of online instruction. Unless the collective bargaining unit, past practice, or employer policies would prohibit such observation, the employer may observe remote instruction by employees. However, most educators have not received adequate training, resources, or planning time to transition to online instruction during the COVID-19 school building closures. As a result, PSEA strongly recommends that employers not adversely evaluate employees who are working hard to administer online instructional practices according to district policies with little support.
3. ***Determine that it is not possible to conduct an observation of professional practice for the 2019-20 school year.*** PDE guidance advises that absent a strategy to gather information about an educator's professional practice, an employer may base the 2019-20 rating for practicing educators on current procedures for teachers who are on sabbaticals or other extended leave.

Differentiated Supervision. Educators who are engaged in differentiated supervision typically are not observed but instead complete projects and activities designed to encourage professional growth in a specific area of practice. Requirements for differentiated supervision vary widely across employers and may even vary across employees within a district. Because of the variability of differentiated supervision plans, some may be able to be completed during school building closures. Employers should inform employees of any changes to a differentiated supervision plan due to the closure of school buildings.

Tenure. Satisfactory teaching during the 2019-20 school year should count toward an educator's acquisition of tenure. Tenure is granted upon satisfactory completion of three years of teaching with the same employer and does not require any further action on the part of the employer. If an employer does not issue an evaluation for the 2019-20 school year, the year should be deemed satisfactory and count toward tenure.

Instructional II. Changes to evaluation in 2019-20 do not impact an educator's eligibility to apply for an Instructional II certificate. However, the requirement to earn an Instructional II within six years has not been waived due to the pandemic. Educators who have met the criteria for an Instructional II should apply as soon as possible in the event their higher education institution, their employer, or PDE delays in processing applications.

Furloughs. Educator furlough decisions are based in part on evaluation results from the most recent two years. Section 1125.1 of the School Code places each educator into one of four categories based upon evaluation results, and within each category, furlough decisions are based upon seniority within the certificated area of an educator's current assignment. As required by the School Code, ratings from the 2019-20 year will count in furlough decisions for the 2020-21 and 2021-22 school year.¹

For More Information

Additional information about educator evaluation during the 2019-20 school building closures is available in PSEA's FAQ on [educator evaluation during the COVID-19 pandemic](#). For specific information about your evaluation or the processes adopted by your employer, please contact your UniServ Representative.

¹ Professional employees retain 'bumping' rights that allow more senior employees to move into any position with the district for which they are certificated, provided the more senior employee is in the same or higher evaluation category as a less senior employee in the position.