

# Peer Assistance and Review: Working Models Across the Country

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## About This Report

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This report was prepared by the California State University Institute for Education Reform, a university-based policy center focusing on elementary and secondary school issues. Located on the California State University, Sacramento campus, the Institute is supported by the California State University Chancellor's Office.

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Copies of the video conference upon which this report was based may be purchased from the Santa Clara County Office of Education. Order forms are available from the CSU Institute for Education Reform at (916) 278-4600.

### Additional copies of this report may be obtained by contacting:

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## Introduction

In 1999, the California Legislature adopted a handful of education reforms that the state's new governor made a top priority in his drive to improve schools and student performance. Laws to institute a high school exit exam and to create comparative rankings for schools attracted much of the public spotlight. But in many ways, the measure that created the California Peer Assistance and Review (PAR) Program holds far more potential for changing the way schools operate than the other more-high-profile reforms. By addressing teacher quality and seeking to enhance the daily practice of teaching, PAR focuses on the one element that a multitude of studies have identified as the critical factor in student learning: teacher knowledge and ability.

As a concept, peer assistance and review relies on proven, expert teachers to share their knowledge with and assess the performance of beginning teachers, low-performing teachers and teachers who voluntarily seek assistance to improve their skills. In practice, successful PAR programs across the nation have taken different forms, addressed different teacher segments and arrived at different governing mechanisms. That, coupled with the rich diversity of situations and challenges in California's 1,000 school districts, convinced California policy makers to create the PAR program as a flexible framework.

### California's Law

The California law keeps details to a minimum but does provide the following specifics:

- The California Peer Assistance and Review Program becomes fully operational on July 1, 2001 and replaces the California Mentor Teacher Program.
- The form the program will take and the details of its implementation are to be negotiated between school districts and teacher unions, with the agreement either included entirely in the labor contract or referenced in the contract with details in a separate agreement.
- The faster school districts implement the program, the more money they receive. Districts that fail to implement a program will no longer be eligible for several types of training and evaluation funding.
- Teachers who have unsatisfactory classroom evaluations must participate in the program; programs also may include beginning teachers; and any teacher may participate voluntarily.
- A governing panel that has one more teacher representative than administration representative is to oversee the program, selecting consultants, forwarding evaluations and reporting to the school board on PAR effectiveness.

The law does not address many of the structural decisions that will be required to make PAR work. For instance, there is no mandated process for selecting the governing panel, no specified compensation for the extra work performed by consulting teachers and no requirement that all districts have the same teacher performance standards. The law is silent as to how consulting teachers will be selected, how an appeals process would work and how long a teacher should be assisted before a final evaluation is made. All of these operational choices, as well as many others, are left to the discretion of each district and the bargaining process.

### Philosophical Concerns

The strength of allowing customized design of PAR district by district is that no one is forced to adopt a one-size-fits-all approach that ignores local conditions and undermines the chance for success. But that same flexibility, with few guideposts for where to begin and scant directions for how to proceed, can be almost paralyzing for districts and unions because of doubts, fears and apprehension. In addition to questions about nuts and bolts, major philosophical concerns have been raised. These include:

- Does such a program diminish the authority and responsibility for teacher evaluations now vested with principals?
- If a hostile environment exists because of an adversarial relationship between the bargaining unit and the district, how can an effective program be created?
- If the best teachers are removed from the classroom to play the role of consultants, are the students being short-changed?
- Are there enough “experts” to be teacher consultants in rural and inner city districts where the number of experienced teachers may be limited?
- Will some teachers be “railroaded” by the PAR process if their teaching style doesn’t fit the current favored methods but their student performance results are good?
- Can the system be kept free of favoritism? Will the administration stack the deck to get the results it wants? Will teachers be able to be tough on one of their own?
- Is there an inherent conflict when a union member has a role in the evaluation of a fellow union member, especially when the union may be called upon to defend the performance of the teacher being evaluated?
- Does the investment of time and resources in this type of program pay off in improved student performance – or does it sound better in theory than it works in practice?

In essence, the underlying question that many are asking is: Does PAR work? The answer, as reflected in the experience of Toledo, Ohio, Columbus, Ohio and Rochester, New York is yes – despite and in the midst of the very same concerns now being expressed in California. And early signs in California, in Poway and Mt. Diablo, indicate that PAR will work here.

## Spreading the Word

The road these school districts across the nation have traveled and the challenges they have overcome can be a rich resource for California districts as they begin the process

of building their own programs. Recognizing this, the Office of the Secretary of Education, the California County Superintendents Education Association and the California State University Institute for Education Reform brought experts from across the nation to share their experience in a video teleconference on November 16, 1999. The purpose was three-fold: to provide information about what PAR looks like elsewhere, to dispel the myths and rumors about hidden agendas, and to begin to identify options for how districts and unions can approach the creation of PAR programs in California.

But the overarching goal was even more direct: to spread the word that Peer Assistance and Review is not a new, untried concept. It is a system that is almost 20 years old. And while it may sound controversial to have districts and unions work hand in hand to have teachers help and assess other teachers, it is a system that is not in the least controversial where it is in place because it is working so well. Those involved in the programs uniformly insisted that once PAR is in place neither unions nor districts want to give it up despite the commitment of time and resources required.

## This Report

Based on the video teleconference and other resource material, this report looks at PAR in the diverse districts that participated in the video teleconference, summarizes key program elements and shares commentary from many of the people who were instrumental in forming the programs.

In addition, this report concludes with an appendix that includes a list of suggested reading and further resources, as well as a copy of the California law. Also included is the Joint Statement of Commitment to the Successful Implementation of Peer Assistance and Review adopted by the Association of California School Administrators, the California Federation of Teachers, the California School Boards Association and the California Teachers Association in August 1999.

## GOAL OF PAR REFORM

Secretary of Education Gary Hart states that the Peer Assistance and Review Program is a central part of Governor Gray Davis' efforts to reform education. "The Governor has a strong belief that if we are going to succeed in improving student learning, we need excellent teachers," Hart says. "Peers can be a very important tool in strengthening teacher quality, and this program has a strong record across the nation."

Hart says existing evaluation efforts often fall short of accurately identifying struggling teachers and helping them – or moving them out of the system if support fails to improve their performance. Evaluation now typically involves a couple of classroom observations by a principal. There are not enough training, time or resources to do a thorough assessment of performance. In addition, resources are limited for the type of effective and ongoing professional development that targets a teacher's needs and can improve his or her knowledge of curriculum and instruction.

PAR changes the dynamic, using classroom teachers to bring credibility and expertise to the process. Administrators retain a role through the joint panel that operates the program. In addition, state law that vests administrators with the authority and responsibility to evaluate teachers remains unchanged. Teachers are offered constructive feedback and assistance to improve so that when they are formally evaluated they can show improvement in their own performance and/or attainment of standards for students.

"PAR is no silver bullet or panacea," Hart says. "But we believe strongly that it can be an opportunity for a new partnership between teachers and administrators to strengthen the profession."

## Toledo, Ohio: Birth of the Concept

### DISTRICT STATISTICS • TOLEDO SCHOOL DISTRICT

Number of students: 37,700

Number of teachers: 2,650

Annual budget: \$232 million

Dal Lawrence, a long-time teacher and union activist in Toledo, Ohio, is considered the “father” of peer assistance and review. The story of its beginning, as he related it at the video teleconference, is one of a long gestation period, a hasty birthing and then speedy recognition of the value achieved through peer involvement in teacher development.

In 1971, Lawrence had been a high school teacher for about a decade and had spent the past five years as head of the teachers’ union. He and many others were dissatisfied with the process for becoming a teacher. “Teachers needed more time in preparation,” he says. “We needed to have a common understanding of what the elements of good practice are. And we needed to have a system that would help all teachers grow in their profession.”

Lawrence says he looked to medicine as the model that teachers should follow to reinforce that teaching is a profession, not merely a job. As in medicine, teachers should be mentored through the early years and then provided further training and assistance throughout their careers. Lawrence says getting the support of teachers for the concept of peer assistance and evaluation was fairly easy. Teachers recognized that if they set standards high and “owned the process” for making sure that good teachers were recognized, struggling teachers were assisted and poor teachers were eliminated, then the profession would grow in stature and respect.

The school district, however, initially was opposed to giving teachers a role in the evaluation process. Principals, in particular, did not want to yield what they viewed as their responsibility. The situation created a stalemate for almost a decade, with the concept always on the bargaining table but never making it into the final agreement. Then in the early 1980s, the teachers went on strike over

a variety of issues and a new superintendent and negotiating team were brought in. Lawrence says the new superintendent, unlike his predecessor, recognized the value of the peer review concept.

“Peer review was included in the March 1981 agreement and we had the program up and running by September 1981,” Lawrence says. “By November, we had principals calling us to compliment the consulting teachers for the work being done and the results that they were seeing.”

### Key Program Elements

The Toledo program is referenced in a single sentence in the collective bargaining agreement, with the process and structure created outside of the contract. The program is overseen by a nine-member board composed of five teachers and four administrators.

Lawrence says there has been no formal training for the consulting teachers but instead heavy reliance on common sense. “We’ve tried to keep it simple, not make it too complicated,” he says. “The important thing is to have a good set of standards in place – and then to have people who can make decisions.”

The governing board selects the consulting teachers from a pool of applicants based on interviews, references and their past performance. The area of expertise and experience of the consulting teachers is matched to teachers who are referred to the program or who voluntarily enter it.

The consulting teachers shape the program, making their own decisions about what needs to be done and how long it will take to assist a struggling teacher. The outcome may be a report to the governing board that improvement has been achieved. Or consulting teachers may file a report that details what has been done and why they believe further assistance will not be productive. The report is given to the teacher being assisted, the governing body and the managers. If the district decides to remove a

teacher after PAR has failed to bring about improvement, the union has a process in place for determining whether

to challenge the dismissal that includes consideration of the consulting teacher's report.

### THE BIG PICTURE

Dal Lawrence offers two key points to those creating a Peer Assistance and Review program:

Stay focused on the big picture. There is no sense in creating a program that only addresses experienced teachers. The induction process for beginning teachers needs to be included as well. "Incompetence shouldn't be the issue," he says. "Establishing good standards and raising the level of everyone's ability to reach those standards should be the issue."

Be aware that not all of the program outcomes are measurable. "This program changes the attitude of teachers about the job, about themselves and about others," he says. "It really has a dramatic affect on the culture of the school."

## Columbus, Ohio: Involving a University

### DISTRICT STATISTICS • COLUMBUS PUBLIC SCHOOLS

Number of students: 65,000

Number of teachers: 4,700

Annual budget: \$621 million

The PAR program in Columbus, Ohio borrowed the initial concept from neighboring Toledo. But from the beginning, it took a different direction, adopting a close alignment with Ohio State University and a heavy emphasis on formal training. John Grossman, president of the Columbus Federation of Teachers, says the major focus of the program is beginning teachers, with the strong goal of helping them connect the theory they have learned in college with the reality of the daily classroom challenges.

“The district superintendent felt that the evaluation system wasn’t working,” Grossman says. “It was the ‘dipstick approach’ – with someone simply dipping into the classroom a few times to try to see whether the teacher was doing a good job, and with no support or help offered if they weren’t. It just wasn’t enough.”

The district was losing about 50 percent of new teachers in the first three years, many of them frustrated by the gap between what they had learned in their teacher preparation courses and what they were facing in the classroom. As a result, the Columbus program was designed to focus on beginning teachers. Grossman says 95 percent of the PAR cases involve new teachers. Today about 80 percent of the teachers who begin with the district remain after five years, with about 5 to 7 percent being “evaluated out” after the first year of teaching.

A lesser, but still real, problem is the tenured teacher who lacks effective skills to help students learn. The program allows either a union representative or a principal to refer a teacher to the PAR governing body, which can mandate PAR participation with a two-thirds vote. The teacher is then assigned a consulting teacher, who assesses the situation and works with the teacher on mutually established goals. “No one has a right to teach,” Grossman says.

“There is a demonstrated body of knowledge that they should possess, as well as an understanding about what constitutes good teaching.”

Grossman says the program was controversial at first. “But once you talk about the goals and people see what can be achieved, they become very supportive,” he says. “The program lays the foundation for growth throughout a teacher’s career. And student proficiency test results have shown a steady improvement.”

### Key Program Elements

The Columbus PAR program is governed by a seven-member panel, four from the teachers’ union and three from the administration. The panel selects consulting teachers, creates program criteria, considers referrals of tenured teachers and arranges for training. The program relies on Ohio State University to provide training for consulting teachers. Topics that consulting teachers are exposed to include developmental stages of teachers, characteristics of consulting teachers, performance principles, formal case study presentations, systematic observation techniques, dealing with difficult clients, conferencing strategies, developing a supportive collegial atmosphere and evaluation standards.

The PAR Panel has established specific criteria for the new-teacher program. Consulting teachers visit the beginning teacher’s classroom a minimum of 25 times during the first year, and the two spend a similar amount of time conferencing outside of the classroom. The goal is to give new teachers instant feedback, as well as to provide them with options and resources that are outside of their experience. The consulting teacher provides an interim and a final evaluation, copies of which are given to the PAR Panel and the new teacher.

In addition, new teachers are encouraged to attend six workshops at Ohio State University that are planned by consulting teachers. They include: creating a positive

classroom culture, instructional strategies, cooperative discipline, anti-bias and addressing diversity, individualizing instruction for students with special needs, and sharing success stories from the first year of teaching. Consulting teachers also design and facilitate a three-hour course each year through the university that focuses on topics such as dealing with anger, teaching in the urban setting, management strategies and self assessment.

The program for intervention is less structured so that consulting teachers can shape their efforts to fit the scope and nature of the problem the tenured teacher is experiencing. The consulting teacher assigned to the case is matched to the struggling teacher according to area of expertise. The overall philosophy is for the two to arrive at mutual goals for improvement. The program allows the consulting teacher to work with the veteran until he or she determines that the teacher is now operating success-

fully. If the consulting teacher determines that no progress has been made or that further improvement is unlikely, a report is made to the PAR Panel and shared with the teacher and the administration of the teacher's home school.

Veteran teachers can volunteer to be placed in the program. In the past six years, about half of the experienced teachers have been in PAR at their own request.

Consulting teachers are selected by the PAR Panel after review of the recommendations of colleagues and administrators and both oral and written interviews. Consultants must have been teachers in the district for at least five years. They are released from their classroom for up to three years and receive supplemental pay of 20 percent of their base salary while on active assignment.

## WORKING TOGETHER

Many view teacher unions and district administrators as natural adversaries. Peer Assistance and Review blends the responsibility and authority of the two in a new way. Is that a prescription for success or disaster?

John Grossman says that the outcome all depends on the collegiality of the working group. "You have to establish the partnership and view each other as equals working on an important issue," he says. "It's not about us vs. them but about helping teachers become effective so that students learn more."

Grossman says the consulting teachers are the key to success. "It takes a unique individual to be able to work as both a colleague and an assessor. They have to break down the barriers and the resistance so that the teachers they are trying to help trust them and feel supported rather than threatened."

## Rochester, New York: Realigning Responsibility

### DISTRICT STATISTICS • ROCHESTER CITY SCHOOLS

Number of students: 40,000

Number of teachers: 3,300

Annual budget: \$400 million

In Rochester, as in many school districts, the evaluation and professional development processes were distinctly different functions, “owned” by different parties and operated separately. “The evaluations were almost random and the ability to get help was almost random,” says Peter McWalters, a former superintendent of Rochester City Schools and now Commissioner of Education in the state of Rhode Island. “Somehow we had gotten to the point where teachers taught and administrators judged what was best practice. The administrators controlled the inspection process and the teachers controlled the professional development process.”

The two functions did not support or build upon each other. The common element that should have driven both – improving student performance – often got lost in the shuffle. “We had to get to the point where we could agree on standards and form a protocol for governing a program. But most importantly, we had to develop confidence that both sides were working in good faith because we all wanted the teachers to do well so the students would learn more,” McWalters says. “We had to see it together as a joint effort, not a battle.”

With the PAR program up and working well in Rochester, the value it brings to the district is evident. But that was not so in the beginning, according to Adam Urbanski, who is director of the Teacher Reform Network and a driving force behind the Rochester Teacher Association. He says teachers fought for the program for more than a dozen years, viewing it as a way to strengthen their professionalism and build respect for teachers. “Studies have proven that nothing matters more than the knowledge and skills of the teacher,” he says. “And we want all teachers to have the knowledge and skills they need.”

Urbanski identifies six components that he believes are necessary for a PAR program to work well:

- 1) The program must be based on a set of clear, articulated standards that are reached by consensus. Otherwise the process and the results will be idiosyncratic rather than uniform and dependable.
- 2) Collegiality should be a clear foundation value. The program should be by, with and for teachers – not something that is done “to” teachers – for it to operate effectively.
- 3) The program should not be viewed primarily as a mechanism for weeding out poor teachers, but instead be built on the concept of cultivating good teachers.
- 4) How the program operates and what processes are used should be consensual rather than imposed from the top. As in California, a state can impose the requirement for a program, but the district should have options for working out the best implementation method.
- 5) Any successful program has to combine both review and professional development. If it is only about review, the program will not be effective.
- 6) The consulting teachers must have credibility with the rest of the teaching staffs. They must be highly regarded, and they cannot be viewed as “snitches” who are simply out to get other teachers.

Most of all, Urbanski says, the program has to be created with the philosophy that knowledge and skills are what matter most in the classroom.

### Key Program Elements

The Rochester PAR program is described in 12 pages of the contract between the school district and the teachers’ union, a detailed, bargained agreement that has been crucial in keeping the program intact during several years of district turmoil over other issues. The following elements are identified in a case study of the Rochester system that

is being prepared for the National Commission on Teaching and America's Future:

- Called the Career in Teaching Plan, the program has four components: an intern-mentor program for new teachers in the district; an alternative evaluation process for teachers whose practice is not in question; professional support for teachers who voluntarily seek assistance; and intervention for tenured teachers who are identified as having trouble in the classroom.
- Teachers move through career stages in Rochester. As interns, new to teaching or new to the district, they are given mentoring support for a year. When they have between one and five years of experience, they are designated as residents and typically are in the process of earning tenure. The third stage is professional, teachers with more than five years' experience who are tenured and are eligible to request the alternative evaluation process. In addition, professionals may be designated as lead teachers. Lead teachers serve as mentors, coaches and evaluators.
- Rochester has identified five expectations:
  - Pedagogy: Teachers are committed to their students and to provide for effective, worthwhile, student-centered learning.
  - Content: Teachers know the subjects they teach and how to develop content-related skills, knowledge, understanding, and attitudes in students.
  - School Quality: Teachers have a professional, collegial responsibility to the improvement of school quality and to student learning.
  - Home Involvement: Teachers reach beyond the school to make connections with students' homes and families in order to provide a school experience that addresses the needs and interests of each child.
  - Professional Development: Teachers think systematically about their practice and are members of learning communities.

The Rochester program is governed by a 12-member panel, six teachers and six administrators with a co-chair from each group. Panel members receive a stipend of

\$5,000 per year. The group meets once a week and seven votes are required to take action. To avoid directly involving union members in hiring and firing decisions, the panel makes recommendations about evaluation outcomes to the superintendent and the school board. The final determination is up to the school board.

Mentors are selected based on experience (at least seven years, five of them in Rochester), status as a professional and five letters of recommendation. Mentors serve two-year terms and participate in training to understand their role and responsibility as well as to develop needed skills. They remain classroom teachers, but are released up to half-time from teaching responsibilities depending on how many mentoring activities they are assigned. Mentors who have one to three assignments receive a stipend of 5 percent of their base salary, usually about \$3,100 a year. Mentors who oversee four or more cases receive a stipend of 10 percent of their salary, typically about \$6,100 a year.

Principals retain the traditional role of evaluating classroom performance. Their reported observations about a teacher are submitted to the administration and are used in making final decisions about retention and tenure. Often the assessments by the mentor and the principal agree; when they do not, the administration has been known to rely on the mentor recommendation, which is backed by a more in-depth process and detailed assessment. Principals also are part of the assessment process for mentors, who are evaluated by administrators and the teachers they assist.

Teachers who have reached the level of professional and who elect to be part of the alternative evaluation process develop a written proposal that identifies the area that they want to improve. The proposal includes how the area relates to the five expectations, what steps will be taken to gain improvement and what measurements will reflect the outcome. The process takes place over a three-year time span, with annual progress reports submitted for review.

The intervention program is an effort to help teachers in trouble. Teachers are recommended for inclusion by the governing panel, but they are not mandated to participate. If they voluntarily opt into the program, no disciplinary

action can be taken for substandard teaching until and unless the intervention process is found to have brought no improvement. In 10 years, 68 teachers have gone through the intervention program and 90 percent of the interventions have been successful in improving teacher performance. Typically districts have the burden to prove that a teacher is incompetent when dismissal is contemplated. In Rochester, however, a key arbitration decision has shifted the burden of proof of competence to the teacher when the intervention process has been used.

A component of the Rochester program not found elsewhere is parental involvement. Each year, the district sur-

veys parent opinion about issues such as parent-teacher communication, home involvement and parent perspective about the child's academic progress. Survey results are provided to the teachers and may become a part of their evaluation record if they choose to include them.

The case study (from which the above details are drawn) concludes that Rochester's Career in Teaching Plan is a "thoughtful, integrated approach to a teaching career built on an ethic of continuous improvement" that reflects the growing recognition that teacher quality is the driving factor in student learning.

### **NOT JUST A BUDDY SYSTEM**

To be effective, a Peer Assistance and Review Program for experienced teachers who are having trouble has to have consequences, according to Adam Urbanski. "It has to have teeth," he says. "It can't be informal, just another buddy system."

Such a model can be threatening to those who fear that the system will jeopardize teachers who have earned their stripes in longevity if not in successful classroom performance. But in Rochester, teachers have been adamant about wanting the right to police their own ranks. "In Rochester, the teachers own this program. We were even sued for doing what administrators thought they should be doing – and we won," Urbanski says. "It's an indispensable part of our drive to build the profession and contribute to better learning for students."

## Poway, California: Focusing on Standards

### DISTRICT STATISTICS • POWAY UNIFIED SCHOOL DISTRICT

Number of students: 33,000  
Number of teachers: 1,600  
Annual budget: \$178 million

While Peer Assistance and Review raises the question of who should be doing teacher evaluation, in Poway educators have decided the far more critical question is what standards should be used to judge performance. “No matter who does the evaluation, it is important for teachers to know what standard they are being evaluated against,” says Don Raczka, president of the Poway Federation of Teachers. “Today we have better trained teachers who are used to reflecting on their practice and talking about pedagogy. We want evaluation to make sense for them.”

As a result, in Poway the PAR program focuses on agreed-upon standards that are articulated clearly enough for teachers to understand what constitutes unsatisfactory, basic, proficient and distinguished performance. The program was initiated in 1985 after Poway representatives examined the Toledo program and liked what they saw.

The Poway program includes both beginning teachers and veterans, with experienced teachers being allowed to opt into an Alternative Evaluation system. “The old evaluation system, where a principal just looks in the room, doesn’t help teachers learn or grow,” Raczka says. “With tenured teachers where competence is not a question, the teacher can identify a goal based on the standards. Then the administrator comes in and works with the teacher and talks about how to make progress in that area. The principal becomes a facilitator rather than a rater.”

Raczka says the power of the system is not in the rating, but in the shared standards that make expectations clear. In 13 years, 825 teachers have been through the program and only 36 first-year teachers have not been retained. “The process is formative in nature,” he says. “Only at the end is there a summative evaluation – and it’s the formative piece that is the powerful part.”

### Key Elements of Standards

Poway uses standards that are similar to the California standards for teachers but that have been fleshed out through discussions and consensus about important indicators of good teaching. The system includes five “domains,” each with several elements. The system is described in a document that includes a “formative” section (which allows teachers to understand how to shape their practice) and a summative section (which guides the evaluation process). The domains and the elements are:

#### DOMAIN 1: PLANNING AND DESIGNING INSTRUCTION

- Element 1 – Designs long-range plans to accomplish yearly learning goals.
- Element 2 – Selects appropriate lesson objectives.
- Element 3 – Designs lessons that include elements essential for learning.

#### DOMAIN 2: INSTRUCTION

- Element 1 – Delivers effective instruction.
- Element 2 – Utilizes appropriate learning materials.
- Element 3 – Utilizes a variety of instructional strategies to meet the needs of the students.
- Element 4 – Creates learning opportunities for all students.
- Element 5 – Demonstrates subject matter competence.

#### DOMAIN 3: CLASSROOM MANAGEMENT

- Element 1 – Maintains a positive learning environment which promotes appropriate student behavior.
- Element 2 – Effectively manages instructional time.
- Element 3 – Organizes physical space.

#### DOMAIN 4: ASSESSMENT

- Element 1 – Establishes clear academic standards.
- Element 2 – Monitors student learning.
- Element 3 – Adjusts teaching and learning based on assessment.

Element 4 – Uses assessment results to give students and/or parents timely, accurate and constructive feedback.

#### DOMAIN 5: PROFESSIONAL RESPONSIBILITIES

Element 1 – Grows and develops professionally.

Element 2 – Shares in the responsibility for the smooth operation of the school.

Element 3 – Complies with established rules, regulations, policies and laws.

The formative document gives examples for unsatisfactory, basic, proficient and distinguished levels of performance for each element in each domain. For instance, under the first element for the “planning and designing instruction” domain, designing long-range plans to accomplish yearly learning goals is judged by the following criteria:

- Unsatisfactory: Plans alone on a day-to-day basis without using information about student progress. Unaware of resources available through the school or district.

Lesson plans are sketchy and do not follow an organized progression.

- Basic: Plans instruction on a short-term basis and may use some information about student progress to guide planning. Is aware of course/academic standards but seldom uses them in planning. Plans units of instruction with basic understanding of when units will be presented. May be able to adapt units from other resources.
- Proficient: Frequently develops long-range plans for instruction from a repertoire of strategies based on academic and course standards. Plans with grade/team/department to coordinate instruction. Has completed lesson plans that possess an even progression of activities that reflect the best practices of course/grade.
- Distinguished: Understands academic and course standards and uses assessment to frequently adjust long-range plans. Assists in leadership in joint planning with grade/team/department and serves as a resource for other teachers. Lesson plans progress coherently, producing a unified whole from yearly goal to daily lesson.

## A DAY IN THE LIFE OF A *Consulting Teacher*

The consulting teacher is the engine that makes the Peer Assistance and Review concept work. The video teleconference provided some insight into what it's like to be a consulting teacher and what it takes to be a good one. Excerpts from the experts:

**What is it like to be a consulting teacher?** A Poway consulting teacher shares her day: "On one typical day, I started at the elementary school, helping a Special Education teacher with a combined third, fourth and fifth grade class. Her focus has to be on the special problems each child brings to the classroom. Then I moved on to a brand new teacher whose classroom management skills are excellent but who is having difficulty with reading instruction. I arranged for her to watch some reading specialists at work, as well as to observe some veteran teachers. Then I went to the middle school to discuss with a teacher what is going well and what she is working on. Her main challenge is classroom management and the effectiveness of her teaching. I taped a video from the back of the classroom and then had her watch it while we talked about ways to create a positive classroom environment for the kids. Next I met with another teacher, reviewed her lesson plans and then provided her with an evaluation. This is the formal part of the job and I left her plenty of notes so she doesn't feel like there is any hidden agenda. My last stop at the middle school was with a half-time teacher who has just been given more classes. Then it was on to the high school where I introduced myself to a new teacher. Back at the office, I finished the day with a discussion about where the district wants to go with PAR."

*"Being a wonderful teacher is not enough. You can be great with children and it doesn't necessarily make you a great consultant."*

**Who should be consulting teachers?** The experts seem to agree that a consulting teacher must be something more than just an excellent teacher. Adam Urbanski from Rochester says training for consultants is critical. "Being a wonderful teacher is not enough. You can be great with children and it doesn't necessarily make you a great consultant," he says. "Consultants must learn about adult learning, peer culture, conflict mediation and many other skills." In addition,

he says, consulting teachers must be trusted by their peers. "The teacher has to accept the consultant as someone who is respected and as someone who can help." Others offered their definitions,

which included stellar teachers, excellent communicators, coach, guide, ability to provide structure and direction for improvement and trusted collaborator.

**How are consulting teachers evaluated and compensated?** In Rochester where consulting teachers remain in the classroom, they undergo normal evaluation processes. They are also assessed on their consulting skills by the PAR governing panel and the teachers whom they coach. Other districts use principals and the governing board to evaluate consulting teachers. Districts typically provide a stipend for consulting, but there was general agreement that the limited extra salary is not on par with the extra work involved. Instead, consulting teachers say they gain personal and professional growth, as well as satisfaction in having a hand in improving teacher quality in their schools.

## Mt. Diablo: Creating PAR Under California's New Law

### DISTRICT STATISTICS • MT. DIABLO UNIFIED SCHOOL DISTRICT

Number of students: 37,000

Number of teachers: 2,000

Annual budget: \$185 million

Mt. Diablo Unified School District was already well on the way to developing a beginning teacher coaching program when the Legislature passed the measure to create California's Peer Assistance and Review Program. The district moved quickly to modify its approach to fit the requirements of the law. The speed of the response and the ease with which the district shifted gears had a lot to do with the long-term trust-building relationship between the district and the union that was already in place. Dan Threatt, executive director of the Mt. Diablo Education Association and Greg Dannis, an attorney who helps the district with bargaining, held a conversation during the video teleconference about the process of arriving at that point.

"We both came to Mt. Diablo in 1995 when the district was on the verge of a strike," Threatt said. "We were able to successfully put together a three-year agreement that give us some space to begin to negotiate about other things."

"We focused on how to define success," Dannis said. "We wanted to define success differently so that it wasn't about losing and winning. We wanted to attack the system and not each other. We had to consciously put aside the advocacy role and instead focus on improving the profession."

"We had to develop a relationship that was about a commitment to teaching and to kids," Threatt added. Dannis concluded: "We didn't want to get in the way of educators – we didn't want to lose what we needed to do through contract language."

During the "breathing room" offered by the three-year contract, the district and union began an extensive exploration of the importance of quality teaching. Among their

research efforts, they visited Poway and were impressed over three days of observation. In May 1998, the bargaining agreement included a Beginning Teacher Coaching Program that was to begin a year later. In May 1999, when the PAR bill passed the Legislature, the portion of the contract that deals with the Beginning Teacher Coaching Program was quickly reopened and modified to match the provisions of the law. Over a two-year phased period, the new language provides for combining a new-teacher coaching program and a veteran teacher intervention program aimed primarily at teachers with unsatisfactory evaluations.

Mt. Diablo stands as an example of a district where the union and the administration could put aside differences and work on common goals. But many have raised the question of what to do when a hostile environment exists and unions and districts do not trust each other. One video teleconference participant was adamant: It won't work. But others, including Threatt and Dannis, stressed the importance of beginning to approach issues from the perspective of what is best for the children.

Mt. Diablo's white paper on its program cites a speech by NEA President Bob Chase in 1997 as inspirational. "In that speech, Chase made a statement that has been crucial in helping [the Mt. Diablo teachers' union] leaders reconcile their roles of advocacy with the new work of PAR. That comment was, 'This new collaboration is not about sleeping with the enemy. It is about waking up to our shared stake in reinvigorating the public education enterprise.'"

### Key Program Elements

The Mt. Diablo program is delineated in the collective bargaining agreement. The program is governed by an eight-member panel, four teachers and four administrators (the district, which had this governing structure in place prior to the law's enactment, has applied for a waiver to the state law's requirement for a teacher majority). The panel se-

lects the coaches, makes recommendations on retaining first-year teachers, reports to the board about intervention cases, oversees and evaluates coaches, and makes other decisions about how the program will operate.

Coaches must have eight years' experience in the district and are selected based on writing samples, four recommendations, background checks and a formal interview. Coaches are appointed for three years. Their work year is the standard time plus 10 days, for which they receive per diem. Coaches can expect to have responsibility for up to 15 beginning teachers, with the lead coach limited to 10. Intervention cases count as two towards the caseload.

The Mt. Diablo program relies on an explicit grid of standards, much like the one used in Poway. This grid contains clear criteria for ratings of unsatisfactory, needs improvement, proficient and distinguished. The program also explicitly references the intent to provide significant assistance to any teacher who is rated poorly rather than simply "reviewing them out" of the district.

Finally, Mt. Diablo is partnering with the UC Santa Cruz New Teacher Center for assistance with developing high quality professional development opportunities and an exemplary teacher support program.

### MT. DIABLO'S COLLECTION OF QUOTES

"Connecting unionism to the public interest complicates unionism. It creates a blend of rights and responsibilities. It confers the right to speak forcefully on educational policy questions and the responsibility to assure that quality education is being provided."

– Charles Taylor Kerchner  
Claremont Graduate School

"After all, America's public schools do not exist for teachers and other employees. They exist to give us jobs and salaries. Schools do exist for children – to give students the very best...beginning with a quality teacher in every classroom."

– Bob Chase  
NEA President

"The education challenge facing the U.S. is not that its schools are not as good as they once were. It is that schools must help the vast majority of young people reach levels of skill and competence that were once thought to be within the reach of only a few."

– Linda Darling-Hammond  
National Commission on Teaching and America's Future

## Conclusion

Peer Assistance and Review is a recognized, successful strategy for improving teacher quality that is working well in many districts across the nation. The video teleconference participants were unified in their belief that the program is making a difference in student learning. In Ohio, the three districts in urban cities that have PAR programs are showing the most success on standardized tests. In Rochester, the program's creators believe there are plenty of common-sense indicators even if there is not direct evidence that the program makes a difference. And in Poway and Mt. Diablo, student results are being tracked.

The new California law will make PAR a reality in all districts over the next few years. At the end of the video teleconference, three key points were highlighted:

1. Developing and implementing effective PAR programs will require patience and a clear intent on both sides to make them work.
2. Getting it right the first time is not as important as committing to the hard work required to put a system in place and then being willing to modify it as the program progresses.
3. The starting point for everyone involved should be helping children by improving the quality of teaching.

The above concepts are relatively easy for a district and its teachers to embrace. The difficult part, many have noted, is getting started. The American Federation of Teachers and the National Education Association produced the Peer Assistance & Peer Review Handbook, a document that was prepared for a 1998 conference on teacher quality titled "Shaping the Profession that Shapes the Future." The handbook lays out five areas where questions need to be discussed and answered:

1. **The purpose of the program.** Is it assistance only, or assistance and review? And who is covered? While the California law outlines minimum requirements, it gives flexibility to districts to set up the program more broadly.

2. **The governing board.** Who will be the members and what will their responsibilities be? How big should the board be, how often will it meet and how will disputes be settled?
3. **The teachers who participate.** Will the program apply only to veteran teachers, only to teachers in trouble or will it include all teachers who are referred or who volunteer? How will the teachers be identified for inclusion? Will the program be mandatory? Will there be confidentiality?
4. **The consulting teachers.** What are the qualifications they should have and how will they be selected? What are their duties and responsibilities? What training will be provided? How will they be compensated?
5. **Funding.** How will the program be funded? What will be covered as expenses of the program? Some potential costs are administrative support, program coordinator salary, training expenses, mileage for consulting teachers, equipment such as camcorders, and a library of resource material.

The handbook offers guidance in each of these areas, and the case studies examined in this report illustrate how other districts have handled several of these questions. The next step for most districts is to begin the discussions that can lead to consensus about these issues.

It is clear that California policy makers have high hopes for the value of peer participation in improving teacher quality. Secretary of Education Gary Hart describes the strategy as a powerful tool for teachers – "a collaborative arrangement that when focused on student achievement is a means for teachers to assist themselves and to assist their schools." Now it is up to districts and their teachers to put this powerful tool to work.

## Recommended Readings:

\**AFT President Sandra Feldman Advocates “Slim Contracts” to Link Collective Bargaining and Education Improvement*

Author: Charles Kerchner

\**Labor Relations as a Reform Strategy*

Author: Charles Kerchner

\**Organizing Around Quality: Examples and Policy Options from the Frontiers of Teacher Unionism*

Authors: Charles Kerchner and Julia Koppich

*Peer Assistance and Review Reader*

Edited by: Gary Bloom and Jennifer Goldstein

New Teach Center, UC Santa Cruz

(831) 459-4323

\**Peer Review’s Advantages for Teachers, Schools, Kids*

Authors: Julia Koppich and Charles Kerchner

\* From internet site: [www.mindworkers.com](http://www.mindworkers.com)

### CHAPTER 4

An act to amend Sections 44662 and 44664 of, to add Section 44498 to, to add Article 4.5 (commencing with Section 44500) to Chapter 3 of Part 25 of, and to repeal Article 4 (commencing with Section 44490) of Chapter 3 of Part 25 of, the Education Code, relating to teachers, and making an appropriation therefor.

*[Approved by Governor April 6, 1999. Filed with Secretary of State April 6, 1999.]*

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1, Villaraigosa. California Peer Assistance and Review Program for Teachers.

(1) Existing law establishes the California Mentor Teacher Program and provides that the primary function of a mentor teacher is to provide assistance and guidance to new teachers. Existing law authorizes mentor teachers to provide staff development for teachers and develop special curriculum.

This bill would make the California Mentor Teacher Program inoperative on July 1, 2001, and would repeal it as of January 1, 2002. The bill would establish the California Peer Assistance and Review Program for Teachers, which would become fully operational on July 1, 2001, when it would completely replace the California Mentor Teacher Program.

This bill would allow the governing board of a school district and the exclusive representative of the certificated employees in the school district to implement a peer assistance and review program for teachers. The bill would require teachers receiving assistance in the program to have permanent status if the school district has 250 or greater units of average daily attendance or to be a permanent or probationary employee if the school district has fewer than 250 units of average daily attendance and to volunteer to participate or be referred for participation in the program as a result of their biennial evaluation. The program would also require performance goals for

individual teachers to be in writing, clearly stated, and aligned with pupil learning goals, assistance and review to include multiple observations of a teacher during periods of classroom instruction, a school district to provide sufficient staff development activities to assist teachers to improve their teaching skills and knowledge, a teacher's final evaluation on program participation to be made available for placement in the teacher's personnel file, and a monitoring component with a written record.

This bill would require a joint teacher administrator peer review panel to select consulting teachers and to annually evaluate the impact of the district's peer assistance and review program in order to improve the program.

This bill would provide that a school district that accepts state funds for purposes of this program agrees to negotiate the development and implementation of the program with the exclusive representative of the certificated employees in the school district, if the certificated employees in the district are represented by an exclusive representative.

This bill would provide that not more than 5% of the funds received by a school district for the Peer Assistance and Review Program for Teachers may be expended for administrative expenses.

This bill would permit a school district to notify the Superintendent of Public Instruction that it plans to implement a program and would require the superintendent to apportion funds to that school district for staff development activities and training for district personnel that are necessary to implement a program.

This bill would make a school district that does not elect to participate in the California Peer Assistance and Review Program for Teachers ineligible for any apportionment, allocation, or other funding from an appropriation for this program, for local assistance appropriated pursuant to Budget Act Item 6110-231-0001, for the Administrator Training and Evaluation Program, for the Instruc-

tional Time and Staff Development Reform Program, and for school development plans.

This bill would, commencing with the 2000–01 fiscal year, authorize a school district that receives funds for the California Peer Assistance and Review Program for Teachers to expend those funds also for the Marian Bergeson Beginning Teacher Support and Assessment System, the California Pre-Internship Teaching Program, district intern program, and other professional development, as described.

This bill would require the Superintendent of Public Instruction, subject to the availability of funding in the annual Budget Act, to contract with an independent evaluator on or before December 15, 2002, to prepare a comprehensive evaluation of the implementation, impact, cost, and benefit of the California Peer Assistance and Review Program for Teachers and to submit the evaluation to the Legislature, the Governor, and interested parties on or before January 1, 2004.

This bill would provide that state funding for this program subsequent to the 1999–2000 fiscal year is subject to an appropriation in the annual Budget Act.

(2) Existing law requires the governing board of each school district to evaluate and assess certificated employee performance as it reasonably relates to the progress of pupils toward the standards of expected pupil achievement established by the governing board.

This bill would require the governing board also to evaluate and assess certificated employee performance as it reasonably relates to the progress of pupils toward the state-adopted academic content standards as measured by state-adopted criterion referenced assessments, thereby imposing a state-mandated local program. The bill would require the results of an employee’s participation in the Peer Assistance and Review Program to be considered in this evaluation. The bill would authorize a school district to require that a certificated employee who receives an unsatisfactory rating in this evaluation to participate in its Peer Assistance and Review Program.

(3) This bill would appropriate \$125,082,000 for the 1999–2000 fiscal year from the General Fund to the Superintendent of Public Instruction, with \$41,800,000 for the purpose of providing staff development activities and training for school district personnel that is necessary to implement the Peer Assistance and Review Program for Teachers, \$83,200,000 for the purpose of the California Mentor Teacher Program, and \$82,000 for support services for the Peer Assistance and Review Program for Teachers.

To the extent that funds appropriated by this bill are allocated to a school district or community college district, those funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to establish a teacher peer assistance and review system as a critical feedback mechanism that allows exemplary teachers to assist veteran teachers in need of development in subject matter knowledge or teaching strategies, or both.

It is further the intent of the Legislature that a school district that operates a program pursuant to Article 4.5 (com-

mencing with Section 44500) of Chapter 3 of Part 25 of the Education Code coordinate its employment policies and procedures for that program with its activities for professional staff development, the Beginning Teacher Support and Assessment Program, and the biennial evaluations of certificated employees required pursuant to Section 44664.

SEC. 2. Section 44498 is added to the Education Code, to read:

44498. (a) When a school district notifies the Superintendent of Public Instruction that it plans to implement a program pursuant to Article 4.5 (commencing with Section 44500), this article shall not apply to that school district.

(b) This article shall become inoperative on July 1, 2001, and, as of January 1, 2002, is repealed, unless a later enacted statute that is enacted before January 1, 2002, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Article 4.5 (commencing with Section 44500) is added to Chapter 3 of Part 25 of the Education Code, to read:

Article 4.5. California Peer Assistance and Review Program for Teachers

44500. (a) There is hereby established the California Peer Assistance and Review Program for Teachers. The governing board of a school district and the exclusive representative of the certificated employees in the school district may develop and implement a program authorized by this article that meets local conditions and conforms with the principles set forth in subdivision (b).

(b) The following principles, at a minimum, shall be included in a locally developed program authorized by this article:

(1) A teacher participant shall be a permanent employee in a school district with 250 or greater units of average daily attendance or a permanent or probationary employee

in a school district with fewer than 250 units of average daily attendance and volunteer to participate in the program or be referred for participation in the program as a result of an evaluation performed pursuant to subdivision (b) of Section 44664. In addition, teachers receiving assistance may be referred pursuant to a collectively bargained agreement.

(2) Performance goals for an individual teacher shall be in writing, clearly stated, aligned with pupil learning, and consistent with Section 44662.

(3) Assistance and review shall include multiple observations of a teacher during periods of classroom instruction.

(4) The program shall expect and strongly encourage a cooperative relationship between the consulting teacher and the principal with respect to the process of peer assistance and review.

(5) The school district shall provide sufficient staff development activities to assist a teacher to improve his or her teaching skills and knowledge.

(6) The program shall have a monitoring component with a written record.

(7) The final evaluation of a teacher's participation in the program shall be made available for placement in the personnel file of the teacher receiving assistance.

44501. A consulting teacher participating in a program operated pursuant to this article shall meet locally determined criteria and each of the following qualifications:

(a) The consulting teacher shall be a credentialed classroom teacher with permanent status or, in a school district with an average daily attendance of less than 250 pupils, a credentialed classroom teacher who has completed at least three consecutive school years as an employee of the school district in a position requiring certification qualifications.

(b) The consulting teacher shall have substantial recent experience in classroom instruction.

(c) The consulting teacher shall have demonstrated exemplary teaching ability, as indicated by, among other things, effective communication skills, subject matter knowledge, and mastery of a range of teaching strategies necessary to meet the needs of pupils in different contexts.

44502. (a) The governance structure of a program designed pursuant to this article shall include a joint teacher administrator peer review panel that shall select consulting teachers, review peer review reports prepared by consulting teachers, and make recommendations to the governing board of a school district regarding participants in the program, including forwarding to the governing board the names of individuals who, after sustained assistance, are not able to demonstrate satisfactory improvement.

(b) The majority of the panel shall be composed of certificated classroom teachers chosen to serve on the panel by other certificated classroom teachers. The remainder of the panel shall be composed of school administrators chosen to serve on the panel by the school district.

(c) The panel's procedures for selecting consulting teachers, at a minimum, shall require the following:

(1) Consulting teachers shall be selected by the majority vote of the panel.

(2) The selection process shall include provisions for classroom observation of the candidates for consulting teacher by the panel.

(d) The panel shall also annually evaluate the impact of the district's peer assistance and review program in order to improve the program. This evaluation may include, but is not limited to, interviews or surveys of the program participants. The panel may submit recommendations for improvement of the program to the governing board of the school district and to the exclusive representative of the certificated employees in the school district, if the certificated employees in the district are represented by an exclusive representative.

44503. (a) The governing board of a school district that accepts state funds for purposes of this article agrees to negotiate the development and implementation of the program with the exclusive representative of the certificated employees in the school district, if the certificated employees in the district are represented by an exclusive representative. In a school district in which the certificated employees are not represented, the school district shall develop a Peer Assistance and Review Program for Teachers consistent with this article in order to be eligible to receive funding under this article.

(b) Functions performed pursuant to this article by certificated employees employed in a bargaining unit position shall not constitute either management or supervisory functions as defined by subdivisions (g) and (m) of Section 3540.1 of the Government Code.

(c) Teachers who provide assistance and review shall have the same protection from liability and access to appropriate defense as other public school employees pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(d) It is the intent of the Legislature that school districts be allowed to combine, by mutual agreement, their programs of peer assistance and review with those of other school districts.

(e) Not more than 5 percent of the funds received by a school district for the Peer Assistance and Review Program for Teachers may be expended for administrative expenses.

44504. (a) Except as provided in Section 44505, the California Peer Assistance and Review Program for Teachers shall become fully operational on July 1, 2001, on which date it shall completely replace the California Mentor Teacher Program established pursuant to Chapter 1302 of the Statutes of 1983 and set forth in Article 4 (commencing with Section 44490). This article is applicable to all school districts that elect to receive state funds for the California Peer Assistance and Review Program for Teachers. Commencing with the 2001–02 fiscal year,

funding shall only be made available for purposes authorized by this article. A school district that elects to participate in the program established pursuant to this article shall certify to the Superintendent of Public Instruction that it has implemented a Peer Assistance and Review Program for Teachers pursuant to this article.

(b) A school district that does not elect to participate in the program authorized under this article by July 1, 2001, is not eligible for any apportionment, allocation, or other funding from an appropriation for the program authorized pursuant to this article or for any apportionments, allocations, or other funding from funding for local assistance appropriated pursuant to Budget Act Item 6110-231-0001, funding appropriated for the Administrator Training and Evaluation Program set forth in Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25, from an appropriation for the Instructional Time and Staff Development Reform Program as set forth in Article 7.5 (commencing with Section 44579) of Chapter 3, or from an appropriation for school development plans as set forth in Article 1 (commencing with Section 44670.1) of Chapter 3.1 and the Superintendent of Public Instruction shall not apportion, allocate, or otherwise provide any funds to the district pursuant to those programs.

(c) Commencing February 1, 2002, a school district that elects not to participate in the program authorized under this article shall report annually at a regularly scheduled meeting of the governing board of the school district on the rationale for not participating in the program.

44505. (a) Between July 1, 1999, and June 30, 2000, a school district may notify the Superintendent of Public Instruction that it plans to implement, commencing July 1, 2000, a Peer Assistance and Review Program for Teachers pursuant to this article. Upon receipt of the notification by the school district, the Superintendent of Public Instruction shall apportion to the school district an amount equal to the number of mentor teachers that the state funded for the district in the 1999–2000 fiscal year pursuant to Article 4 (commencing with Section 44490) multiplied by two thousand eight hundred dollars (\$2,800). The school district may use the funds apportioned pursu-

ant to this section for activities necessary to implement the Peer Assistance and Review Program for Teachers.

(b) Between July 1, 2000, and May 31, 2001, a school district may notify the Superintendent of Public Instruction that it plans to implement, commencing July 1, 2001, a Peer Assistance and Review Program for Teachers pursuant to this article. On or before June 29, 2001, the Superintendent of Public Instruction shall apportion to every school district that provides this notification an amount equal to the number of mentor teachers that the state funded for the school district in the 1999–2000 school year pursuant to Article 4 (commencing with Section 44490) times a maximum of one thousand dollars (\$1,000).

(c) The maximum amount of funds available for apportionment to school districts by the Superintendent of Public Instruction for allocation pursuant to subdivision (b) shall be the amount appropriated pursuant to subdivision (a) of Section 6 of the act adding this section, minus any funds apportioned by the Superintendent of Public Instruction to school districts pursuant to subdivision (a) as of June 30, 2000.

(d) A school district may use funds apportioned pursuant to this section for activities necessary to implement the Peer Assistance and Review Program for Teachers.

44506. (a) The state funding for this article subsequent to the 1999–2000 fiscal year is subject to an appropriation in the annual Budget Act. It is the intent of the Legislature that the funding for the program for the 2000–01 fiscal year be at least equal to the 1999–2000 fiscal year appropriation for Article 4 (commencing with Section 44490) plus the amount apportioned pursuant to Section 44505.

(b) If a school district elects to implement a Peer Assistance and Review Program for Teachers after June 30, 2000, but before July 1, 2001, it is the intent of the Legislature that the school district's state apportionment for fiscal year 2000–01 be at least equal to the dollar amount the district received in the 1999–2000 fiscal year for pur-

poses of Article 4 (commencing with Section 44490).

(c) A school district that receives funds for purposes of this article may also expend those funds for any of the following purposes:

(1) The Marian Bergeson Beginning Teacher Support and Assessment System as set forth in Article 4.5 (commencing with Section 44279.1) of Chapter 2.

(2) The California Pre-Internship Teaching Program as set forth in Article 5.6 (commencing with Section 44305) of Chapter 2.

(3) A district intern program as set forth in Article 7.5 (commencing with Section 44325) of Chapter 2.

(4) Professional development or other educational activities previously provided pursuant to Article 4 (commencing with Section 44490) of Chapter 3.

(5) Any program that supports the training and development of new teachers.

44507. Subject to the availability of funding in the annual Budget Act, the Superintendent of Public Instruction shall contract with an independent evaluator on or before December 15, 2002, to prepare a comprehensive evaluation of the implementation, impact, cost, and benefit of the California Peer Assistance and Review Program for Teachers. The evaluation shall be delivered to the Legislature, the Governor, and interested parties on or before January 1, 2004.

44508. For purposes of this article, "school district" includes a county office of education.

SEC. 4. Section 44662 of the Education Code is amended to read:

44662. (a) The governing board of each school district shall establish standards of expected pupil achievement at each grade level in each area of study.

(b) The governing board of each school district shall evaluate and assess certificated employee performance as it reasonably relates to:

(1) The progress of pupils toward the standards established pursuant to subdivision (a) and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.

(2) The instructional techniques and strategies used by the employee.

(3) The employee's adherence to curricular objectives.

(4) The establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

(c) The governing board of each school district shall establish and define job responsibilities for certificated noninstructional personnel, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b) and shall evaluate and assess the performance of those noninstructional certificated employees as it reasonably relates to the fulfillment of those responsibilities.

(d) Results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.

(e) The evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publishers' norms established by standardized tests.

(f) Nothing in this section shall be construed as in any way limiting the authority of school district governing boards to develop and adopt additional evaluation and assessment guidelines or criteria.

SEC. 5. Section 44664 of the Education Code is amended to read:

44664. (a) Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at least every other year for personnel with permanent status. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If an employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of that fact and describe the unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist the employee in his or her performance. When any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall annually evaluate the employee until the employee achieves a positive evaluation or is separated from the district.

(b) Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction may include the requirement that the certificated employee shall, as determined necessary by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority. If a district participates in the Peer Assistance and Review Program for Teachers established pursuant to Article 4.5 (commencing with Section 44500), any certificated employee who receives an unsatisfactory rating on an evaluation performed pursuant to this section shall participate in the Peer Assistance and Review Program for Teachers.

(c) Hourly and temporary hourly certificated employees, other than those employed in adult education classes who are excluded by the provisions of Section 44660, and substitute teachers may be excluded from the provisions of this section at the discretion of the governing board.

SEC. 6. There is hereby appropriated for the 1999–2000 fiscal year the sum of one hundred twenty-five million eighty-two thousand dollars (\$125,082,000) according to the following schedule:

(a) The sum of forty-one million eight hundred thousand dollars (\$41,800,000) from the General Fund to the Superintendent of Public Instruction for the purposes of Section 44505 of the Education Code.

(b) The sum of eighty-three million two hundred thousand dollars (\$83,200,000) from the General Fund to the Superintendent of Public Instruction for the purposes of Article 4 (commencing with Section 44490) of Chapter 3 of Part 25 of the Education Code.

(c) The sum of eighty-two thousand dollars (\$82,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to provide support services related to the program established pursuant to Section 44500 of the Education Code.

SEC. 7. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

# Joint Statement of Commitment to the Successful Implementation of Peer Assistance and Review

*Association of California School Administrators  
California Federation of Teachers  
California School Boards Association  
California Teachers Association*

## Introduction

Assembly Bill AB 1X, the California Peer Assistance and Review Program for Teachers (PAR), provides a genuine opportunity to forge new working partnerships in education and to strengthen the teaching profession. The purpose of this legislation is to improve the education of students by improving the classroom performance of teachers. Learning to teach effectively depends upon ongoing professional growth and is a lifelong developmental process.

Several successful models of peer assistance and review have been developed in districts that have made significant commitments to staff development, have high levels of labor-management cooperation, and collaborative professional cultures. Statewide implementation of PAR in California represents a momentous challenge, requiring prudent planning, flexibility, and major commitments of time and resources. The successful implementation of PAR further requires that all parties work together in recognition of their individual and shared interests in order to accomplish what we believe is an overriding common goal, the success of PAR.

The organizations issuing this statement declare a mutual interest in and commitment to the successful and meaningful implementation of AB 1X, the California Peer Assistance and Review Program.

## Statement of Principles

### CORE BELIEFS

- This legislation has the potential to strengthen the teaching profession and labor-management relationships in California;

- PAR provides a district's teachers and administrators with the opportunity to work collaboratively to improve professional development;
- Successful implementation of PAR requires commitment, time, resources, cooperation and flexibility from all parties;
- The best chances for negotiating a successful PAR program exist where negotiations can be done in a non-adversarial manner;
- Each school district has a unique culture and history and must design their PAR programs accordingly;
- Existing program models should be used as reference tools but not as fixed templates which might impede the development of plans tailored to meet local needs and goals;
- PAR represents a fundamental systematic change for many districts; therefore, the pace at which PAR is developed and implemented will be different in each district;
- Locally designed PAR and other high quality professional development programs should be aligned with established standards such as the California Standards for the Teaching Profession;
- Teachers play a key role in the support, assistance and review of their professional colleagues;
- Districts retain the responsibility for teacher evaluation under the Stull Act.

## Planning, Negotiation and Implementation

- Everyone involved in developing and implementing PAR should carefully examine the new law and make every effort to understand all of its ramifications prior to attempting to negotiate its implementation;
- All parties should exercise flexibility and, if appropri-

ate, pursue new approaches in relation to the manner in which PAR is negotiated;

- Each district and exclusive representative should agree locally whether to address PAR as an independent issue or as part of the regular bargaining process; The process of designing local district PAR programs must allow implementation to evolve over time, informed by an ongoing program evaluation;
- All parties should examine their current teacher evaluation processes and staff development in relation to PAR;
- All parties should develop a common understanding of the substantive differences between assistance, evaluation and review. The parties should clearly indicate how these distinctive areas are integrated into a PAR program;
- School districts, particularly small districts, and bargaining agents should explore collaborative arrangements such as interdistrict consortia;
- The successful implementation of PAR will require a working partnership and ongoing dialogue between all involved parties;
- All parties should examine the budget implications of this law and make optimum use of PAR funds to enhance teacher development;
- Parties should consider developing and implementing a full continuum of teacher support for new teachers and for successful veteran teachers;
- Parties should consider providing access to peer assistance beyond the minimum required by the law recognizing that early intervention may be of more value to struggling teachers than waiting until referral is mandatory;
- PAR must be implemented in a manner that guarantees the dues process rights of all participants;
- Voluntary participation in PAR must be confidential and risk-free, as well as distinct from referred (mandatory) participation in PAR;
- The qualifications of Consulting Teachers must be ex-

plicitly stated and the selection process must have a high degree of integrity;

- Consulting Teachers and Joint Teacher-Administrator panel members must be provided with high quality training and support.

*This Joint Statement is the product of a dialogue initiated and facilitated by the New Teacher Center, University of California Santa Cruz.*

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