



Teacher Development and Evaluation (TDE) Requirements - Checklist and Frequently Asked Questions

This tool is designed to provide local district/charter teams with a checklist that includes some description and discussion around frequently asked questions so that local teams can design a teacher development and evaluation (TDE) model that meets requirements.

All of the following requirements apply to both public districts and charter schools unless otherwise noted. This checklist summarizes statutory language; districts/charters are required to meet the language in law. For statutory language, visit [Minnesota Statutes, section 122A.40, subdivision 8](#) or [Minnesota Statutes, section 122A.41, subdivision 5](#). The charter school reference is [Minnesota Statutes, section 124E.03, subdivision 2, paragraph \(h\)](#).

Within the checklist, certain key terms or concepts are linked to a [discussion of terms](#) section. This section discusses some frequently asked questions about the terms that are used in the law, and in some cases offers *example* definitions. While the discussion section offers example information, districts (through joint agreement with teachers) and charters should define terms for themselves as part of designing their local model.

Minnesota Department of Education (MDE) staff are available to support district, charter and teacher leaders to improve the design and implementation of their local models. Please contact us by sending an e-mail to mde.schoolsupport@state.mn.us or calling Tyler Livingston at 651-582-8427.

Overall Model Design Goals

- (For school districts only) A [local teacher development and evaluation \(TDE\) model](#) was developed by a school board and an exclusive representative of the teachers in a district (union) through [joint agreement](#).
 - Or, the district and union did not reach joint agreement and must therefore implement the [TDE State Model](#) (if this is the case, the remainder of this checklist is unnecessary).
 - Or, the district and union jointly agreed to use the state TDE State Model (and in this case, the remainder of this checklist is unnecessary).
- The local TDE model is designed to develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success.

- The local TDE model is designed to provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers.

Model Requirements for Probationary Teachers

The following apply only to probationary teachers working in districts and charter schools where a continuing contract or tenure status applies.

- The model must provide for all evaluations required under [Minnesota Statutes, section 122A.40, subdivision 5](#) or [Minnesota Statutes, section 122A.41, subdivision 2](#).

Model Requirements for All Teachers

The following requirements apply to all teachers unless otherwise noted.

- The model establishes a [three-year professional review cycle](#) for each teacher that includes
 - an [individual growth and development](#) plan,
 - a [peer review process](#),
 - at least one [summative evaluation](#) performed by a [qualified and trained evaluator](#) such as a school administrator, and
 - includes [evaluation by a peer review](#) in years when a continuing contract teacher is not evaluated by a summative evaluator (Not applicable for districts in cities of the first class covered under 122A.41).
- The model's process must include having [trained observers serve as peer coaches or having teachers participate in professional learning communities](#).
- The model is based on [professional teaching standards established](#) in [Minnesota Rules, part 8710.2000](#).
- The model includes [longitudinal data on student engagement](#) and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners.
- The model uses [student growth measures](#) to determine 35% of teacher summative evaluation results. The student growth measure process
 - must use state and local measures of student growth,
 - must use valid and reliable assessments aligned to state and local academic standards,
 - must use assessments to measure student growth and literacy, and
 - may include value-added models or student learning goals.

- The model includes an option for a teacher to develop and present a [portfolio](#) for the summative evaluation. The portfolio must
 - demonstrate evidence of reflection and professional growth, consistent with licensure renewal requirements ([Minnesota Statutes 2022, section 122A.187, subdivision 3](#)), and
 - include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities.

Training Requirements

The following items refer to training requirements or other staff development requirements.

- Training is required for observers serving as peer coaches/reviewers.
- School districts and charter schools must provide for [effective training for qualified and trained evaluators](#) such as school administrators (“summative evaluators”) specific to teacher development and evaluation.
- [Staff development](#) activities (under sections [Minnesota Statutes 2022, section 122A.60](#) and [Minnesota Statutes 2022, section 122A.61](#)) are coordinated with the evaluation process and outcomes.

Teacher Improvement Process, Discipline, Data Privacy, Student Placement Requirements

- The summative evaluation identifies teachers [not meeting professional teaching standards](#) as defined in the local TDE model.
- The model includes a [teacher improvement process](#) for teachers not meeting standards that includes established goals and timelines.
- A school administrator must discipline a teacher for not making adequate progress in the teacher improvement process, which may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator deems is appropriate.
- Provisions around data on individual teachers generated by the entire process are personnel data under [Minnesota Statutes 2022, section 13.43](#). The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.
- School administrators must not place or approve the [placement of a student](#) in the classroom of a teacher who is a) in the teacher improvement process or b) not yet had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline for not making

adequate progress on the teacher improvement plan, unless no other teacher at the school teaches that grade level or subject area.

Optional Activities Referenced in Statute

The following items refer to language in statute that is listed as an option or that “may” be a part of the model.

- The model may provide time during the school day and school year for peer coaching and teacher collaboration.
- The model may include job-embedded learning opportunities such as professional learning communities.
- The model may include mentoring and induction programs for teachers, including teachers who are members of populations among the licensed teachers in the district or school and who reflect the racial and ethnic diversity of students.

Discussion of Terms

As “local leadership teams”—a term used throughout this section to refer to the district/union joint leadership of the local TDE model as well as the charter leadership of the local TDE model—use the checklist, they often have questions about the meanings of certain terms as well as how they might approach a requirement.

This section is designed to offer some ideas, examples, and context around the terminology that is used in statute. The information in this “discussion of terms” comes from hundreds of conversations since the law first passed in 2011. Discussion items are organized by the order in which they appear on the checklist. Hyperlinks are embedded to assist with transitioning to and from the checklist and discussion sections.

Ultimately the local leadership team must determine how they will define terms as part of their local TDE model. That is, while this section offers some definitions of terms, they are not the final or only definition. The responsibility to design a plan that meets statutory requirements is local.

Local Model

(also “local teacher development and evaluation (TDE) model,” “local TDE model,” “local model”)

Districts or charters are required to have a process to develop and evaluate teachers that meets all of the requirements in statute. An overwhelming majority of school systems decided to develop their own system, which are called “local model” in this document. Other names might include plan, system, process.

There is a [state TDE model](#) that was developed by a working group representing many stakeholder organizations. In the early days during that working group, this model was referred to as a “default model” since the prediction was that some districts would not reach joint agreement with their union. However, that prediction did not come true. The state TDE model ended up being a very useful “example model” which is a more accurate description of the role that the state model has played in Minnesota. MDE is not aware of any system using the entire state model, but a significant majority of systems have borrowed elements of the state model and made modifications for their local model.

Joint Agreement

A requirement for all traditional districts. From the initial passage in 2011, joint agreement has been a significant feature of this policy initiative. The law essentially states that locals—specifically the school board (aka district) and the exclusive representative of the teachers (aka union)—develop their own TDE model or they must use the state model.

The law is silent on how to continuously improve the design or implementation of the local model, and this is a critical procedure to the overall success of this initiative. Just as teaching and learning should continue to evolve, so should the professional learning and evaluation systems for educators continue to improve.

MDE's advice has been to establish a leadership or oversight team that is responsible for the continuous improvement of the design and implementation of the local model. This team should be made up of members of both district/charter administration and teacher leadership.

FAQs: When we have changes to our local model, how do we make those? Do all parties need to vote again? Do we need to vote at all?

MDE Response: These are all parameters that should be discussed locally. Some boards/unions prefer to defer most TDE system revisions to the TDE oversight team and do not feel the need to update a vote. Others prefer to vote on every detail. Some guiding questions for locals to consider:

- What is the decision-making authority of the TDE oversight team?
- What decisions are they empowered to make on their own, and what decisions need to go the Board/Union?
- What do local bylaws say about all of the above?

Three-Year Professional Review Cycle

The local TDE model activities occur as part of this professional review cycle, which lasts up to three years. Many districts have taken an approach to summatively evaluate about one-third of their teachers each year in an effort to distribute the workload more evenly.

FAQ: Can a district summatively evaluate teachers more frequently? Or do three years need to pass between summative evaluations?

MDE Response: Districts may summatively evaluate teachers more frequently. In the context of TDE, a summative evaluation includes evidence gathered across multiple activities and is a culminating experience. Districts may also formatively evaluate at a greater frequency and may conduct evaluation activities (e.g., classroom observations) more frequently as well. Local models would benefit from clear distinction between these concepts—evaluation activities, formative evaluation, summative evaluation.

FAQ: Are probationary teachers a part of this cycle?

MDE Response: Yes, the model activities (including this cycle) apply to *all* teachers. While certain specific activities are required under the probationary teacher sections of statute, probationary teachers are also *summatively evaluated* at least once in a three-year cycle. Consequently, for those teachers working to accumulate three consecutive years of experience in order to attain continuing contract/tenure status, they should have a summative evaluation experience by the end of those three years. Many districts use the summative evaluation experience as an activity that occurs before tenure.

Individual Growth and Development Plan (IGDP)

The individual growth and development plan (IGDP) is a professional growth activity required for all teachers as part of the three-year professional review cycle.

FAQ: What should we include in an IGDP? What role should it play in the system?

MDE Response: Statute is silent on these questions, so local teams should determine these answers. With that said, most IGDPs (sometimes referred to as “professional learning plans”) include some common criteria, including:

- Self-assessment of strengths and opportunities to grow (often associated with a rubric or framework that describes standards of practice for teachers).
- Identification of one or more professional growth goals (e.g., improve classroom transitions, learn and implement a new instructional strategy, increase/improve parent communications).
 - Like all goals, these are stronger when they are specific/strategic, measurable, attainable, relevant/rigorous and time-based (SMART)
 - Goals might reflect district/school priorities
 - Teacher autonomy in selecting improvement goals is often driven by past performance. High performers often get full autonomy. Teachers who have some performance concerns (that don’t rise to the level of a teacher improvement process) may have goals suggested or required.
- An action plan that indicates the steps to reach the goal, resources needed, and a timeline.
- A method to share the IGDP with colleagues, coaches, and evaluators/principals for their feedback and other support.

FAQ: Shouldn’t the IGDP be measured based on changes in student outcomes? We have to write goals for students too for TDE, can we just write one goal for both?

MDE Response: Statute clearly requires both an IGDP and a measure of student growth. It is true that both are typically written as “goals.” However, the IGDP is focused on the improvement of the *adult* and the measure of student growth is focused on the improvement of *children*.

For example: Let’s say a teacher is struggling with managing the transition from the end of passing time to the first learning activity for kids. A goal in the IGDP might be, “I want to improve the transition from the end of passing time to first learning activity from approximately 8 minutes of transition time to 30 seconds of transition time by the beginning of second quarter.” There is no doubt that if this teacher accomplishes this adult goal, students will benefit. But the right measure of the success of the adult goal is the change in transition time, not student performance on classroom assessments.

Another example: A special educator realizes they are struggling with facilitating an effective individual education plan (IEP) meeting with parents/guardians. A potential goal might be to research and learn some meeting facilitation strategies and to implement at least one new strategy in at least 50% of IEP meetings throughout the school year. In this case, this is absolutely a goal that is a part of the special educator’s professional practice, but its connection to student outcomes is not nearly as clear as the first example.

Several districts have combined these goals onto one form within their local model. This practice is not problematic, provided attention is being paid to both a) adult professional growth and b) student growth. However, as discussed in more detail in the [student growth measures](#) section, local models that include the

activities or growth that the adult demonstrated as part of the required 35% of evaluation results based on student growth are not compliant with statute.

Peer Review, Peer Coaching, Professional Learning Community

Peers—perhaps those teachers who have modelled excellent instructional and professional practices; who have sought leadership opportunities; who have been trained in facilitation strategies, classroom observations, feedback/coaching conversations—play an important role in the ongoing development of their colleagues. The law clearly requires a role for peers in TDE system, but it also uses inconsistent terminology leading to some confusion. As with all of the terms highlighted on this document, these are concepts that need to be defined locally.

MDE recognizes that there are nuanced and important differences between “peer review” and “peer coaching.” Local leadership teams have the authority to select the terminology that makes the most sense for their local context. While these terms certainly matter and they send signals about what the role is all about, it is just as important to operationalize the role of peer reviewer/coach by answering questions such as:

- What is our vision/purpose for the peer reviewer/coach position?
- What are the qualifications of a peer reviewer/coach? What training and ongoing coaching do they need in order to be successful?
- How many teachers will each peer reviewer/coach be asked to support? (Or, what is the caseload for these teacher leaders?)
 - The larger the caseload, the more limited the depth of support (and frequency) a reviewer/coach can offer.
 - Some local models differentiate the support based on teacher needs. Example: Newer teachers receive more support than accomplished, veteran teachers.
- How will resources (time, personnel, money) be organized to ensure peer reviewers/coaches can be successful?

Note: While allowable under statute, the practice of making every teacher a peer reviewer/coach is not a strong practice. A peer reviewer/coach is a teacher leadership position that takes a certain knowledge, skillset and disposition to be effective in. Requiring all teachers to serve as a peer reviewer/coach may have some benefits, but the party experiencing the benefit is most likely the peer reviewer/coach and not the teacher receiving the review/coaching.

FAQ: Given all the different ways peers are mentioned in law (or implied, as in the case of professional learning communities), what exactly is required?

MDE Response: All teachers should have access to a peer to support the teachers’ development, and that interaction should occur at least annually.

Minimally local leadership teams are encouraged to define:

- A. A clear purpose for peer review/coaching (which will help with the remaining questions).

- B. What the role(s) of peer reviewer/coach is in the context of the entire local TDE model.
- C. Who can be a peer reviewer/coach (i.e., what are the qualifications) and what training they need.
- D. What is the frequency of peer review/coaching? [Note: for all sites except cities of the first class, the law requires that a tenured teacher be evaluated by a peer reviewer in the years when the teacher is not summatively evaluated].

FAQ: Professional learning communities (PLCs) are also referenced in statute. Do we need both peer review/coaching and PLCs?

MDE Response: The term “professional learning community” (PLC) is not defined in statute, so local teams will need to define this for themselves. However, the four questions that PLCs should pursue (as popularized by Rick DuFour) are: 1) What do we want students to know and be able to do? 2) How will we know if they learn it? 3) How will we respond when some students do not learn? 4) How will we extend the learning for students who are already proficient? Most PLCs following these principles engage in protocols where peer feedback on lesson plans, instruction, and student outcomes is a regular activity.

PLC has become one of those terms that seem to generically apply to a gathering of educators. If a group of educators are not systematically working on their professional practices, then it is a meeting, not a PLC.

Consequently, MDE’s position has been that a local TDE model should ensure that all teachers have access to peer review/coaching *or* PLCs, provided that teachers regularly (minimally once per year) get feedback from peers about their practice (e.g., instruction, planning).

Summative Evaluation

This is a consistently used phrase in the law to describe a *specific type of evaluation experience* that all teachers must have at least once every three years. “Summative” implies that this particular kind of evaluation is a cumulative experience looking back across multiple years (where applicable) and looking across multiple sources of evidence (e.g., multiple classroom observations, teacher portfolios, student growth measures, student engagement data). Local TDE models require several development and evaluation activities as articulated in the checklist, but the summative evaluation brings it all together. At the end of the day, a summative evaluation is a determination of a teacher’s performance based on evidence.

As with every item in this discussion section, these terms, activities and conversations should be sorted out within the local TDE model.

FAQ: How are summative evaluations computed? How many performance levels are required? Are summative “ratings” or “scores” required?

MDE Response: One of the requirements is to base at least 35% of the summative evaluation results on the measures of student academic growth. By implication, there is another 65% of the evaluation to be based on other measures of teacher practice (e.g., classroom observations, IGDP progress, student engagement data). In 2012, the American Institutes for Research published [Creating Summative Educator Effectiveness Scores](#), a

resource that discusses the various ways to determine a summative evaluation rating, including how to combine measures of student growth with measures of adult practice.

The law does not specify a certain number of performance levels; however, the law does state that the local TDE model must identify “teachers not meeting professional teaching standards” for a teacher improvement process, so the implication there is that at least two performance levels are required: meeting standards and not meeting standards. Some constituents have also pointed out that the law does not explicitly state that a “rating” needs to exist in local TDE models. While true in a “score” or “numerical” sense, there is a rating of “meeting” or “not meeting” standards.

FAQ: What is required in a summative evaluation? What are some good practices in a summative evaluation?

MDE Response:

Required

- Summative evaluation happens at least once every three years.
- It is conducted by a qualified and trained evaluator (see discussion below).
- 35% of summative evaluation results be based on student academic growth measures.
- Teachers have an option to include a portfolio of evidence for the summative evaluation.

Best practices include

- The summative evaluation
 - reflects the vision for the local TDE model,
 - is anchored in the local performance standards rubric ,
 - is evidence-based, and
 - is conducted in a face-to-face interaction with time allocated for the teacher to reflect or even self-evaluate.

MDE has found that a great guiding question for the summative evaluation is, “What is the *minimum threshold* of **relevant**, **sufficient**, and **comprehensive** evidence needed to accurately evaluate teachers?” The summative evaluator’s job is to collect evidence that is relevant, collect sufficient evidence to have enough to make an evaluative judgement, and to collect a comprehensive picture of evidence so that the evaluation is not based on a single element of professional practice but a comprehensive look at the whole educator. Thinking through these questions may help local leadership teams craft local TDE model activities that allow an evaluator to collect relevant, sufficient, and comprehensive evidence to support the summative evaluation.

Qualified and Trained Evaluator

This is the person (or persons, if this role is shared among building leaders) who is responsible for conducting the summative evaluation. This language is always in the context of the summative evaluation, so the shorthand used in this document for this position is “summative evaluator.”

FAQ: What does “qualified” mean? What does “trained” mean?

MDE Response: As with all terms in the statute and this checklist, local leadership teams must determine local definitions that fit the context of their system.

“Qualified” refers to the prerequisites that must be met in order to be a summative evaluator. In many local TDE models, the qualifications simply require the summative evaluator to be a building principal or assistant principal. Some other educational settings do not have “principals”, but they do have an administrator in charge of the program, so the person hired to be the administrator of the program is the summative evaluator.

“Trained” is a little more nuanced than “qualified.” The statute requires districts and charter schools to “provide for effective evaluator training specific to teacher development and evaluation.” Again, local leadership teams will have to determine what “effective” means in this context.

An illustration may be best to articulate the difference in the terms. If Gopherville Public Schools hires Dr. Dessa to be the principal of one of their buildings, she is “qualified.” But Dr. Dessa likely does not know the vision, purpose or design of the local TDE model, so *minimally* Dr. Dessa will need “training” in order to serve as a summative evaluator.

There are other skills that are desired in summative evaluators. Generally speaking, in order to effectively evaluate teachers, summative evaluators must be able to:

- Gather evidence that is relevant, sufficient, and comprehensive;
- Align the evidence to a defined and well-established rubric (or standard of performance);
- Determine an accurate rating based on the evidence and language in the rubric; and
- Communicate effectively with teachers.

FAQ: What does “such as a school administrator” mean? Doesn’t a summative evaluator have to have a principal’s license?

MDE Response:

When the teacher evaluation work group met in 2012-13 to create the state TDE model, this language was thoroughly discussed. In the end, that group determined that anyone who met the “qualifications” and “training” (discussed above) could serve as the summative evaluator. In other words, it did not have to be the school leader. Nevertheless, the lesson for local TDE models is to be specific about who can be a summative evaluator. The overwhelming majority of district and charter local TDE models identify the school leader/principal (or assistant principals/directors) as the evaluator, so there is an element of this response that is more academic than practical.

The summative evaluator does not have to have a principal’s license. The language of “such as a school administrator” allows for this flexibility. Also, there are some charter schools have school leaders who do not have nor are not required to have a principal’s license.

Finally, at least within the context of traditional school districts, stakeholders were adamant that if a summative evaluation were to result in a teacher improvement process and potentially discipline, then that should be handled by a licensed principal.

Professional Teaching Standards in Rule

This language refers to the standards that candidates for teacher licensure must meet through their teacher preparation program. The standards themselves are referred to as the Standards of Effective Practice (SEPs) can be found in [Minnesota Rule 8710.2000](#).

Evaluation systems must be based on a set of standards that are often articulated in a rubric or framework that clearly delineates what it looks like to “meet,” “not meet,” or “exceed” the standards. In layman’s terms, this text should define what “good teaching” looks like in the local TDE model.

The trick with the SEPs is that they describe *entry level* qualities of a teacher to earn a license. For a practicing teacher, these might be considered minimum standards, but they don’t describe performance that might be expected of a veteran, practicing teacher.

Consequently, MDE’s guidance has been that local leadership teams must select or modify an existing, well-researched, published rubric or framework that describes levels of teacher performance. Examples include but are not limited to rubrics/frameworks published by Danielson, Marzano, Marshall, et. al. Local TDE models that use a well-established rubric are meeting the requirement to base the model on the professional teaching standards in rule.

Note: it is also allowable—but NOT recommended—for a local leadership team to design their own rubric from scratch. In this case, that team must crosswalk their locally designed rubric with the standards in rule to ensure the local tool provides a comprehensive picture of professional teacher practice. This is not recommended because it take a tremendous amount of work as well as internal expertise to do well, and the benefits are unlikely to outweigh the costs.

FAQ: Are there required rubrics? Recommended rubrics? What types of rubrics are out there and how frequently are they used?

MDE Response: There are no required rubrics. There is a rubric that serves as an example in the state TDE model. The state’s rubric is a variation of the Danielson rubric at least in terms of the four domains used. MDE does not recommend one rubric over another, but Danielson, Marzano and Marshall are examples that the overwhelming majority of local TDE models use. MDE does not have hard data about the usage overall, as MDE does not collect or inventory local TDE models. Our best estimate is that the majority of local TDE models use Danielson or a local variation of that tool, followed by Marzano, followed by Marshall.

Longitudinal Data on Student Engagement

When MDE works with local leadership teams on this requirement, three questions frame that conversation.

How do teachers, evaluators, and peer reviewers define “student engagement”?

A clear definition is the starting point for this work, especially a concept that likely means different things to different people like “student engagement.” To resolve this in the state TDE model, MDE convened experts from the field and settled on the following definition that is embedded in the state’s model:

Student engagement is an organizing framework for examining a student’s commitment to and involvement in learning, which includes **academic, behavioral, cognitive**, and **affective** dimensions. It is influenced by the context of family, peers, community, and school. Within the classroom, a teacher can influence student engagement through **relationships** with students and the **relevance** and **rigor** of instruction.

Local leadership teams are encouraged to embed a definition of “student engagement” in their local TDE model and then to talk more about what these dimensions of student engagement look, sound or feel like.

What measures of student engagement would provide meaningful data for teacher reflection, development, and evaluation?

Measures typically fall into one of three categories: student survey, classroom observations, or teacher portfolio. Student surveys have the potential (provided the design and administration is of high quality) to be tremendously valuable to a teacher’s development and it may inform some aspects of a teacher’s evaluation. If a survey is desired, local leadership teams are encouraged to consider the following:

- If the desire is to take a survey score and plug that in to a calculation for a teacher’s evaluation, then the stakes for the validity and reliability of the survey itself and how it is administered. MDE highly recommends working with a vendor with the survey design and administration expertise on this project. Unless you have an in-house expert (exceedingly rare), you should not design your own survey.
- If the desire is to use surveys more as a reflective opportunity and a development activity for teachers, the stakes are lower. Consequently, administering an open-source survey or even developing your own survey would be appropriate.

With classroom observations, an important conversation to have is, “What does “engagement” look like in my classroom setting?” Certainly students at various stages of development and grade levels (K, 5, 12) demonstrate their engagement differently. Engagement also looks different in a physical education classroom compared to a social studies classroom. Also, students bring with them a rich and various cultural background that observers and teachers should recognize and honor, as the observable qualities of engagement can look different too.

In reviewing the definition of engagement offered above, the academic and behavioral domains are more “observable” than cognitive and affective that may show up in a survey more than an observation, which is one argument for multiple measures of student engagement. Finally, a teacher may present artifacts of student engagement as part of a portfolio.

What role will student engagement data play in your local teacher development and evaluation model?

Is this data for development purposes only? If this data informs the summative evaluation, is the data collected and considered alongside evidence from classroom observations and other local TDE model activities to

determine the summative evaluation? Or, is the data itself going to weigh a certain percentage in the summative evaluation (like the student academic growth must weigh at least 35% of that score)?

All of the above are possibilities under the law. The local leadership team should clarify the role student engagement data plays in the local TDE model.

FAQ: Are student surveys required?

MDE Response: Surveys are not required in the law. The state TDE model uses a survey, so if a district or charter were implementing the state model without modification, then a survey would be required.

FAQ: Does the student engagement data need to be a certain percent of the summative evaluation? I've heard it has to be 15 or 20%?

MDE Response: The only required percentage is for student academic growth, not student engagement data. The *state* TDE model requires that student engagement data be 20% of the summative evaluation, but local leadership teams are not required to use the state model.

FAQ: What does the other information (“...and connectedness and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners”) mean for the local TDE model?

MDE Response: “Connectedness” is a more appropriate measure for the entire school community and climate. For example, a student may feel deeply connected to the school (e.g. perhaps an athlete that “bleeds the school colors”) but not engaged in an individual teacher’s classroom. Local TDE models are meeting this requirement by focusing on engagement.

In terms of the “other student outcome measures...” this is an area also for local leadership teams to explore. This language was amended in 2014 as part of the LEAPS act. This is really an opportunity to offer additional information about student outcomes, with special emphasis to support the needs of multilingual learners. Local TDE models are meeting this requirement in both the student engagement and the student academic growth if they are examining outcomes for multilingual learners. MDE encourages reviewing student data for multiple student groups in addition to multilingual learners.

Student Growth Measures

This area is simple in concept and complex in execution. The simple concept could be expressed in a teacher’s reflective question, “Did students grow (academically) while they were in my care?” Good teachers are constantly monitoring student progress in a variety of formal and informal ways. The challenge here is how to scale these practices up in a systemic way to inform professional development activities as well as a consistent evaluation program.

A measure of student growth is the only defined activity that carries a weight in the final summative evaluation. A summative evaluation is basically a determination of a teacher’s performance based on evidence, and the law requires that at least 35% of that determination must be based on evidence of *student* growth. This aspect of

TDE systems has a lot of attention (so much so that it is known colloquially as “the 35% requirement”), thus there are a number of FAQs to offer.

FAQ: What are the ways that districts/charters are meeting this requirement?

MDE Response: There are two broad approaches to this requirement that are named in statute. A “value-added model (VAM)” is a statistical process that attempts to control for certain factors (most often students’ prior test performance) in an effort to determine a more accurate measure of an individual teacher’s impact on student growth. VAMs are rare in Minnesota because the state doesn’t provide this data for districts and, due to the complexity of the VAM process, most districts do not have the personnel to calculate it locally (nor the access to statewide data to calculate it with a stronger data set). Unless you are or desire to become a psychometrician, your time is better spent learning other things than VAM.

The overwhelming majority of local TDE models are doing some form of goal-setting process called “student learning goals” (SLGs). A student learning goal is a measurable, long-term academic growth target that a teacher sets at the beginning of the year for all students or for groups of students. SLGs demonstrate a teacher’s impact on student learning within a given interval of instruction based upon baseline data gathered at the beginning of the course.

FAQ: We use PLC’s to meet this requirement, since they regularly examine student data. Does that work?

MDE Response: This is heard often from local leadership teams, and when pressed for more information, local teams often describe the activities that PLC teams do to make student data-informed improvements to instruction. In essence, they describe really important (truly!) *adult* activities that are designed to improve student learning. While MDE fully endorses the practice of PLCs (in fact, MDE regularly offer trainings to support the implementation of PLCs), they are not *student outcome measures*.

To directly answer the question, the existence of PLCs (and the activities that adults do within PLCs) do not meet the requirement to base 35% of a teacher’s summative evaluation on student growth outcomes. However, PLCs do provide great evidence that could be used for the other 65% of a teacher’s evaluation. The law is clear that the student growth measure needs to be based on *student* growth, not adult activities.

FAQ: What are Student Learning Goals? Where can I go for help?

MDE Response: Information on [MDE’s website](#) is a good place to start. MDE also provides training annually on SLG’s. If you would like to be notified about future offerings, send an email to mde.schoolsupport@state.mn.us and we can send you dates and registration information. Several additional FAQs are answered as a part of this training, including what is meant by:

- Must use state and local measures of student growth.
- Must use valid and reliable assessments aligned to state and local academic standards.
- Must use assessments to measure student growth and literacy.
- May include value-added models or student learning goals.

FAQ: What about licensed teachers who fall under these requirements but who do not have a traditional classroom (e.g., Educators who work primarily with families, teachers on special assignments, some special educators, nurses, guidance counselors)? What does a student academic growth measure look like for them?

MDE Response: When the TDE law first passed, a group of leaders in the special education field immediately recognized that some of the requirements were not a great fit for the context of some of their staff. MDE convened this group to discuss these concerns and to problem solve, and what emerged is one of our most frequently shared resources.

Though written by and for special educators, the [Teacher Development and Evaluation for Special Education Teachers](#) resource provides recommendations and rationales that may be applicable to other types of teachers. Included in these recommendations are specific considerations for the student outcome measures requirement, particularly numbers 5 and 6.

Portfolio

A teacher possesses the individual right to submit a portfolio to the summative evaluator as a source of evidence. A teacher portfolio is a collection of evidence and artifacts that may demonstrate the teacher's professional practice, student outcomes (academic, engagement, other) or both. A summative evaluator must consider portfolio evidence, if submitted, when determining a summative evaluation. A teacher may use evidence from this portfolio and accompanying reflective statements for re-licensure.

FAQ: Does MDE have any templates or advice regarding the construction of portfolios?

MDE Response: MDE does not have a template to share. Generally, our advice is about how to organize the portfolio in such a way that a summative evaluator can make sense of it within the framework of the local TDE model.

For example: If a teacher submits a lesson plan in a portfolio, the local TDE model should describe how that is submitted (e.g., digital? 3 ring binder?), what else should accompany the artifact (e.g., reflective statement that describes what the evidence is and which areas in the rubric the evidence supports), as well as parameters about when portfolios would be due in order to be considered. In other words, it is good for all parties concerned if the artifacts/evidence is submitted in such a way that it is clear to both teacher and evaluator what they are looking at and how it fits in the local TDE model.

FAQ: The portfolio requirement sentence concludes with the phrase "...for the summative evaluation." Does the "for" mean "as part of" the summative evaluation, or does it mean "in place of" the summative evaluation?

MDE Response: This, too, was thoroughly discussed by the original teacher evaluation work group that developed the state TDE model. In the end, our consensus was that either understanding would be allowable in the statute, though for the state TDE model the workgroup selected the first definition ("as part of"). In other words, this is a decision point for the local leadership team to make in the crafting of the local TDE model.

If the local TDE model allows the portfolio to be used *in place of* the summative evaluation, that system should place some very clear parameters for that portfolio, including that the portfolio would need to bring forward all

the evidence required in the TDE law, including student academic growth as 35% of the evaluation. While that is a minimum requirement, a suggested consideration is to reserve this option for the highest performing teachers. Another suggested parameter would be to accept National Board for Professional Teaching Standards certification (which also requires a portfolio) as sufficient evidence of exceeding the performance standards in the local TDE model.

Effective Training for Evaluators

This language passed in 2013 out of a concern some stakeholders raised that summative evaluators needed to be properly trained. As discussed in the previous [qualified and trained evaluator](#) section, evaluators themselves need to be qualified and trained, and this language states that it is the district or charter's responsibility to provide for that training.

FAQ: What is “effective training for evaluators”?

MDE Response: This response needs to be determined locally. Though MDE has indicated a minimum training threshold for evaluators (discussed in the [qualified and trained section](#)), MDE will not be defining training effectiveness.

MDE does, however, offer this guiding question for local leadership teams to consider.

What is the *minimum threshold* of **relevant**, **sufficient**, and **comprehensive** training for evaluators needed to accurately evaluate teachers using your local TDE model?

Sending an evaluator off to Danielson training when you use a Marzano model is not relevant, even if the evaluator learns some great approaches. Is a 30 minute orientation to the local model sufficient or comprehensive? How much training in classroom observations or facilitating reflective, coaching conversations? Does your organization have an approach to these conversations, such as using situational leadership, courageous conversations, or other frameworks? If so, what training should the evaluator have to adopt that approach?

Staff Development

The [staff development](#) program and requirements pre-dates TDE by several years. One key difference is that staff development applies to *all staff* whereas the TDE is specific to teachers.

FAQ: What are the requirements in the TDE law specific to staff development?

MDE Response: The requirement in the TDE law is basically two things. First, a requirement to connect evaluation results to staff development activities. That is, if the teachers in a district or school are strong in many areas but could use some support in another area, this information should inform decisions within the local staff development plan. This is one (of many) reasons MDE staff always refer to this initiative as “teacher *development* and evaluation” and not just “teacher evaluation.” Second, the staff development statutes were

also updated to reflect TDE and principal development and evaluation (PDE), indicating that the funds that are set aside to use for staff development can be used to support TDE and PDE activities.

Not Meeting Professional Teaching Standards

This is the only indicator in the TDE statute that clearly states there is a level of teacher performance that meets standards and another level of performance that does not meet standards. This determination is made in the summative evaluation and is based on the evidence collected throughout the activities of the local TDE model. The statute does not prescribe names for different levels of performance (e.g., “Not meeting/meeting” or “Unsatisfactory/Satisfactory”), so this is a local decision. Many local TDE models embed a third level of performance, generally reserved for top performers or those who are exceeding standards. Still other models include four levels of performance. Statute requires at least two levels of performance, and the law allows local TDE models to have additional levels of performance beyond two.

FAQ: What advice does MDE share when it comes to determining how many levels of performance a local TDE model should have?

MDE Response: MDE typically recommend three levels of performance that could broadly be described as 1) not meeting, 2) meeting, and 3) exceeding professional teaching standards. MDE does not weigh in on the naming convention for these levels, as that should reflect the values and beliefs of the local system. After exploring other state and local systems nationwide and interacting with experts in this field, MDE staff have come to believe the following ideas about performance levels.

- It is very important for everyone in the system to clearly understand the distinction between levels, no matter how many you have. If the evaluator is unable to decide between two ratings, that is a signal that more evidence should be gathered and/or the system’s tools need to be improved to draw a clearer distinction between those levels.
 - Systems with four levels of performance have often shown difficulty clearly delineating between the 2nd and 3rd level of performance. That is, the difference between a 1 and a 2 teacher is clear, and the difference between a 3 and 4 teacher is clear, but the level 2 and 3 teachers are not that distinct in their performance to have separate categories.
 - MDE acknowledges that most instructional frameworks/rubrics include 4 levels of performance, and often these are very clearly articulated. While instructional frameworks or rubrics feature language that clearly distinguishes between 4 levels of performance, when combined with other measures (such as student growth measures) for a summative evaluation, it is not as clear. Consequently, the recommendation is three levels of performance for summative evaluations.
- It is valuable to formally identify the high performers. These educators are often tapped to be teacher leaders, encouraged to model lessons and strategies, incentivized to take on more challenging assignments, and generally ones teachers all can learn from. If there are incentives, awards, recognitions or other distinctions with achieving this level of performance (whether formal or informal), the stakes are higher for ensuring an accurate rating. Consequently, the importance of the first bullet in this list.
- Identifying teachers who are not meeting standards is not synonymous with “discipline” (see next section on Teacher Improvement Process). With that said, teachers not meeting standards are, by

definition, needing to improve in order to best serve students. Consequently, the stakes for accurate identification of underperforming teachers are high.

Teacher Improvement Process

The teacher improvement process is not discipline; rather, this process supports teacher improvement for a teacher identified during a summative evaluation as not meeting standards. A teacher who does not make adequate progress in this teacher improvement process is subject to discipline.

A teacher who receives a rating of not meeting standards (or the similar rating category in a local TDE model) on a summative evaluation must enter the teacher improvement process. The purpose of the teacher improvement process is to provide support and assistance to teachers who are not meeting standards of performance. A teacher remains in the teacher improvement process until:

- The teacher improves in all areas identified in the improvement plan, or
- The teacher has had sufficient time and resources to meet performance standards and has not done so. [Note: The sufficiency of time and resources is intended to be flexible based on the plan established and the needs of the teacher. Should a district ultimately seek to terminate a teacher based on performance, arbitrators' decisions based on case law and statute (primarily [Minnesota Statutes, section 122A.40, subdivision 9](#)) have typically determined that sufficient time for improvement is a minimum of six months.] A district must discipline a teacher for not making adequate progress in a teacher improvement process.

In the case of improved performance, the teacher exits the teacher improvement process. The district may determine when to summatively evaluate this teacher, provided a summative evaluation occurs a minimum of one time within a three-year window of the previous summative evaluation.

FAQ: What steps should be followed in a teacher improvement process? What are the elements of a teacher improvement process? What other considerations are there?

MDE Response: The state TDE model includes a very thorough description of a teacher improvement, including multiple pathways into the TIP and steps to follow within the TIP. To be clear, the state TDE model is an example that local leadership teams may adopt in its entirety or amend to suit their needs. View the teacher improvement process section in the [State Teacher Model Implementation Handbook](#).

Student Placement

First added to the law in the 2015 legislative session, this provision requires school administrators to ensure students are not taught in consecutive years by teachers who are underperforming or otherwise not meeting professional teaching standards.

Educational research clearly demonstrates the lasting impact that teacher effectiveness has on children, both on the positive and negative ends of the spectrum. The impacts of an ineffective teacher last several years beyond

the time when the students had that teacher (scholars debate about the duration of this effect but seem to agree that impacts are significant). Consequently, it is critical (and required under the law) that administrators ensure students who see an ineffective teacher (including a teacher currently engaging in a teacher improvement process) in one year have an effective (ideally, an exemplary) teacher the next year.

Also, for that “next year” experience for the child, school administrators are prohibited from placing a student in the classroom of a teacher who has not yet had a summative evaluation. This is likely due to a perception that the teacher’s effectiveness as determined through the local TDE model has not yet been determined. While most veteran teachers have had at least one summative evaluation at the time this tool was published (2020), there are implications for new teachers who may not have had a summative evaluation experience.

In short, if students have a bad experience with a teacher in one school year, school administration must be sure they get a veteran, effective teacher the following year (and, to the degree possible, placing them with an exemplary teacher is preferred). This is one portion of a larger state initiative to [ensure every student benefits from and excellent and diverse educator workforce](#).

FAQ: We are a small school, so our classes are looped (one teacher works with all grade 1 and 2 students, for example). How can we meet this requirement?

MDE Response: The statute does include some language to exempt certain situations (“unless no other teacher at the school teaches that subject area and grade”).

With that said, if the teacher in question is truly underperforming and not improving through the teacher improvement process, there is a sense of urgency for the children in these classrooms. As many educators and advocates say, “Most children only get one shot at first grade.” If that experience is not good for the child, then it is a professional and legal responsibility and a public expectation to provide a better experience for the child as soon as possible.