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教育部 95 年度選送公私立高級中等以下學校  
及幼稚園教師出國專題研究報告

英國小學教師專業評鑑之研究

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## 摘 要

英國的國民教育制度分成四個獨立系統，分別是英格蘭(England)、威爾斯(Wales)、蘇格蘭(Scotland)及北愛爾蘭(North Ireland)。囿限於研究時間、人力與經費，本研究僅聚焦於英國國內英格蘭地區的小學教師專業評鑑。

本研究除蒐整英國英格蘭小學教師專業評鑑之相關文獻資料，另一方面為驗證文獻資料的正確性與缺漏部分，研究者乃和倫敦地區涉入國小教師專業評鑑人員們進行訪談，以深入瞭解目前英格蘭小學教師專業評鑑的內涵、影響、成效、面臨的難題與因應策略。隨後將蒐集資料綜合歸納成研究成果，並提出研究心得與具體建議，供我國教育主管機關制定教師評鑑制度及各國民小學落實教師專業評鑑之參考。

關鍵詞：教師評鑑；教師專業評鑑；績效管理；國小教師；小學教師

key words : teacher appraisal ; teacher evaluation ; performance management ; primary teacher ;  
elementary teacher

## 目 次

第一章 緒論	1
第一節 研究動機	1
第二節 研究目的	3
第三節 名詞釋義	4
第四節 文獻資料	5
第二章 研究方法設計	7
第一節 研究方法	7
第二節 研究流程與經過	8
第三節 訪談大綱	11
第三章 研究結果	12
第四章 研究心得與建議	23
第一節 研究心得	23
第二節 研究建議	27
參考文獻	36
一、中文部分	36
二、外文部分	37
三、網路部分	40
附錄	41
一、訪談大綱	41
二、2001 年英格蘭教育之學校教師評鑑規定(The Education School Teacher Appraisal Regulation 2001)之原文資料.....	43
三、2001 年英格蘭教育之學校教師評鑑規定之中文翻譯 (僅列出針對國小教師評鑑部份).....	62
四、2006 年英格蘭教育之學校教師績效管理規定(The Education School Teacher Performance Management Regulation 2006) 之原文資料.....	71
五、2006 年英格蘭教育之學校教師績效管理規定之中文翻譯.....	100

# 第一章 緒論

本章依序說明進行本研究之研究動機、研究目的、名詞釋義、文獻資料等四節如下：

## 第一節 研究動機

世界各國不斷地進行教育改革，「教師專業評鑑」的議題始終被列為重要的實施策略之一，其目標乃在於促進教師專業發展，以提昇教育品質和學生學習效果。Shinkfield 及 Stufflebeam (1995) 曾說：「舉凡社會及其制度，都需要評鑑的機制來達成全體公民之卓越與正義」。因此，以評鑑制度控管教師的專業素質在本質上是有其必要的。

處於開放、多元的二十一世紀社會，各界對學校老師的期盼與日俱增，過去教師的地位，現在已不能說服社會大眾，須以專業建立教育尊嚴。如何建立具有公信力的教師評鑑制度，並落實教師教學評鑑工作，將成為教育改革成敗之關鍵。古諺有云：「他山之石，可以攻錯。」國內目前教師專業評鑑的發展尚未臻成熟。放眼英格蘭，其國內工黨於 1995 年 5 月藉「以教育為優先」的口號，取得執政優勢，在其教育白皮書中即明白揭示：「教師應有改善其教學的機會，並提供他們足夠的訓練，但若教師無法改善，他們應被去職，以避免對學童造成更多的傷害」（葉郁菁，1998）。相較於我國目前的師資培育法，其雖明文以初檢及複檢機制來控管並提昇教師專業，惟擔任教職後一直缺乏適當的專業評鑑機制，使教師專業的提升受到很大限制。因此，現在需要的是一個好的專業評鑑機制，以喚醒教師們勇於面對社會變遷而時時進步，受到尊重且保有高昂的內在動機。

目前教育部試辦中小學教師專業評鑑已於 2006 年九月正式上路，全國有 173 所學校自願參與，參加老師有 2000 多人。教育部強調此項試辦三年的計畫目標定位為提升教師專業，採自願參加方式，與考績脫勾。不少學校報告試辦情形，多數都提到最多老師的疑慮是怕加入教師評鑑方案，會被打成績，參加後如被認為未達標準，會不會被家長質疑老師的專業，或評鑑會不會被當成迫害老師的工具，以及誰有權來評鑑老師等。（聯合報，2006/10/17）

教師評鑑的目的應是多重的，方法是多樣的，方式是多元的。然現階段教師評鑑制度在國內推行也面臨諸多困難。譬如評鑑內涵無法真正評量教師工作表現、教師評鑑制

度未建立、缺乏人力與時間實施教師評鑑、教師評鑑未能與教師發展相結合等問題(羅清水, 1999)。此外, 依目前的評鑑方式而言, 教師對評鑑的看法依其目的而有不同態度; 當參與的教師認為評鑑是為了教學, 就會支持其過程, 而當教師認為評鑑是為了行政教學, 例如解聘、遷調、職級認證或永久建檔, 膠著就會產生負面態度(陳聖謨, 1997)。據以上研究得知, 國內教師較認同的目的為改進教學的評鑑方式, 但是對於評鑑過程結果的信任與接受程度並不高, 對於校長或視導人員擔任評鑑人選大多抱持否定心態。是以, 國內教師評鑑的盲點到處可見, 如果不能全面檢討並進行改革, 教師評鑑的真正目的將無法達成。

然而, 可能因為我國自古尊師重道, 不好意思對教師進行評鑑; 其次是國內教師較重權威, 被評鑑就好像權威受到挑戰似的。此外, 有些教師抱持「教育是良心事業」, 認為教師評鑑等於是打擊教師尊嚴士氣的不當做法。這些原因導致過去我國小學教師專業評鑑制度一向付諸闕如或者功能不彰, 少有學校能透過教師自我評鑑、同儕評鑑、視導人員評鑑, 來促進教師的專業成長。倘若沒有良善完備的評鑑機制運作, 怎能一廂情願地期待基層教師們的教學品質能夠優而不墜呢? 再者, 環顧目前國內小學教師甄試錄取率超低的現象, 雖有助遴選優秀教師加入教育行列, 卻一方面使得師資培育機構無法吸引優秀大學生就讀, 導致師資培育機構的發展將日漸萎縮, 日後中小學教師素質也將會大大降低。另外, 小學教師因缺乏新進人員加入, 難以新陳代謝, 易造成學校組織老化與惰性, 不利於教育長遠發展。職此之故, 推動國小教師專業評鑑勢必將扮演替學童教育品質把關的重要關鍵。

當教師評鑑在先進國家的發展日漸成熟(Peterson, 2000), 已然成為促進教師專業發展、提高教學效能的有效途徑之際, 我國建立的教師評鑑制度, 相較於英國教師評鑑制度顯然有許多加強的空間。研究者期擷取英國自 1991 年試辦實施教師評鑑至今(現已改稱為績效管理)逾二十載之豐富經驗, 作為我國目前試辦國小教師專業評鑑之參考, 以此截長補短, 讓未來正式施行的國小教師專業評鑑能夠確實引領全國國小教師同仁們一同向上提升「百年樹人」的專業, 讓我國家未來的主人翁能夠接受更優質的教育薰陶, 提升國家立足世界的競爭力!

## 第二節 研究目的

根據上述研究動機，本研究具體目的有以下四項：

- 一、瞭解英國小學教師專業評鑑實施的內涵。
- 二、瞭解英國小學教師專業評鑑的影響與成效。
- 三、瞭解英國小學教師專業評鑑面臨的問題。
- 四、提供小學教師專業評鑑研究心得與建議供我國國小教師、學校校長、政府與教育主管機關參考。

### 第三節 名詞釋義

教師專業評鑑(Teacher Appraisal)：依據 1986 年英國調仲裁審議委員會(Advisory Conciliation and Arbitration Service,ACAS)定義「教師專業評鑑」是一種連續的、系統化的歷程，意在協助教師專業發展與生涯規畫，並為求確使教師在職訓練活動、內容或解雇事宜，能夠真正配合教師與學校的共同需要。

自從 2000 年九月開始，英國教育主管機關明文將教師評鑑(Teacher Appraisal)更名為教師績效管理(Teacher Performance Management)，並將於 2007 年 9 月正式全面落實。是以，本文中出現的教師評鑑(Teacher Appraisal)與績效管理(Teacher Performance Management)視為同義詞。



## 第四節 文獻資料

本節內容茲介紹英國教師專業評鑑發展沿革如下：

十九世紀初期，英格蘭教師評鑑係為控制教師，僅要求教師培育出服從及勤勉的新勞工階級，以避免社會階層流動為目的，忽略教師個人教學專業及績效的要求(Gilton & Smyth, 1989)。此外，1970年代以前英格蘭的中小學教師被認為是良心工作，教師會自動反省，無須藉外在力量，在教室中便能自動完成評鑑的實質效果，以提升教師的專業知能。可是在1970年至1980年間這種論調開始被外界質疑，因為當時教師的表現已不能滿足外界的要求，期冀教師應該像其他職業一樣，獎優汰劣，不斷追求專業成長。

在二十世紀最後的二十五年期間內，教學逐漸變成了專業。老師擁有越來越多的自治和獨立，也獲得工作上的充分保障。其享有了教室內絕對的權力與不受外界干擾的權利，卻也封閉了外界支持力量。當時英格蘭對教師的刻板印象是「老師將教室門上玻璃窗上貼上海報，然後完全控制整個教室內部的情況」。雖然當時的學校校長了解到這個現象，但卻甚少踏入老師的教室。直到1988年的教育改革法案(The 1988 Education Reform Act)出現後才有了明顯的巨大改變。

於1980年代開始，受到英格蘭保守黨「精英教育」的教育政策主張影響，在地方教育當局的支持與輔助之下，使得教師專業評鑑進入每一所學校，評鑑對象不再僅限於見習教師。1984年初，教師評鑑也成了英格蘭教育與科學部(Department of Education and Science, DES)所關心的一個重點問題。此外，英格蘭亦因為少子化現象的強大衝擊，意識到了教師專業評鑑對提昇教育水準和國家強盛與否的重要性。爾後於1991年英國正式公布「教師考評條例」，對教師考評目的、方法、週期督導與評鑑等，都有詳細的規定。此外，亦強調訓練可以提升教師的教學品質，教師的在職訓練因而受到普遍的重視(劉寶貴，2002)。

英國工黨於1995年5月，藉「以教育為優先」的口號，取得執政優勢，在其教育白皮書中即明白揭示：「教師應有改善其教學的機會，並提供他們足夠的訓練，但若教師無法改善，他們應被開除，以避免對學童造成更多的傷害(葉郁菁，1998)。」英國教師評鑑實施要項根據英國教育科學部(1991)學校教師評鑑公告顯示，學校教師評鑑過程應包括初期會議(initial meeting)、自我評鑑(self appraisal)、蒐集資料(collection of other data)、

評鑑晤談(appraisal interview)、目標設定(targets setting)、評鑑報告(appraisal statement produced)、檢討會議(review meeting)等七大項(劉寶貴, 2002)。

拜 1998 年英國教育綠皮書(The Green Paper)的政策所賜, 原先實施的教師評鑑(teacher appraisal)變成了績效管理(performance management); 其主張融合了原先教師專業評鑑所達成的成效以及最佳的企業經營理念, 形成改進教師責任、提升教學水準以及提高學生學習效果的新門徑。

績效管理究竟為何物呢? Tomlinson(1993)曾將績效管理描述為「連結人與工作以推動組織策略和目標之過程」。此名詞開始出現在 90 年代, 如再探究其根源, 可清楚發現其源自 80 年代的「績效與薪資相關」(performance-related pay, PRP)。在 80 年代執行「績效與薪資相關」政策人員深刻地瞭解到單位主管可能在傳送「實質表現與薪資具有密切關係」觀念時, 同時會傳送「長期服務及敬業的態度更為重要」的訊息給組織內的成員, 以致後來慢慢地改變當時的組織文化。

在 2000 年 9 月, 英國「教師專業評鑑」(teacher appraisal)這個專有名詞的意涵正式被績效管理(performance management)所承接(Sara Bubb & pauline Hoare, 2001)。英格蘭教育與技能部(DfES, The Department for Education and Skills, 2000)將績效管理定義為「一種藉由支持與改進個別教師與教師團隊工作來幫助學校向上提升的方式」。(HMI, 2002)其強調學校有效使所有教師獲得成長提昇的使命及確保工作滿意、高程度的專業以及教師在其專業上的進展。好的績效管理讓所有教職員在工作崗位上感受到被支持、肯定與鼓勵, 並且以學校這個團體一分子為榮。此亦代表著教師評鑑制度進入了另一個階段; 由原本僅聚焦在檢驗、提升教師專業發展拓展至將整體學校教育的各環節均納入評鑑的範疇。

雖至今日, 此新型態的教師評鑑制度仍未百分之百地落實在英國各地的國民小學內。但在經過此嶄新的評鑑制度實施後, 許多學校發現當其校內需求和激勵教師的學校發展計畫有關聯時會產生許多助益。而績效管理(performance management)的目的乃在強化這些實施後尾隨而至的裨益, 使得教師專業發展獲得向上發展、和學生互動中增加教學滿意程度以及最終促成學校辦學的成功。(Sara Bubb & pauline Hoare, 2001)

## 第二章 研究方法與設計

本研究目的乃在了解目前英國英格蘭地區小學所實施的教師專業評鑑之內涵、實施現況，以及當地從事國小教師專業評鑑者(appraiser)與被評鑑者(appraisee)有何想法與感受。因此，研究者首先經由嚴謹且大量的文獻閱讀。

爾後，研究者以開放中立的態度，進入倫敦地區數所國小校園裡進行多次半結構式的訪談(interview)國小教師專業評鑑的涉入人員，藉記錄、分析、綜整涉入國小教師專業評鑑過程人員的現身說法，使我國讀者能夠充分理解英格蘭地區國小教師專業評鑑涉入人員之心聲。研究者希冀透過上述兩個部分，使我國內讀者對於英國英格蘭地區國小教師專業評鑑有清楚且深入的認識。

本章將詳細說明研究採用之方法及設計，共分為三節，包括研究方法、研究流程與訪談大綱。

### 第一節 研究方法

本研究旨在瞭解英國小學實施教師專業評鑑之現況。為達成本研究目的，本研究擬以文件分析法為主，佐以非觀察觀察與訪談進行研究。正因為任何單一的資訊或資料來源，都不可能完全作為方案的全面綜合的觀點。必須透過使用觀察、訪談、文件分析等，實地工作人員就能夠利用各種不同的資料來源，以檢驗和雙向檢測研究結果(吳芝儀、李奉儒，1995)。

研究者以英國倫敦當地國民小學為研究現場，運用訪談、非參與觀察與文件分析法蒐集資料，歸納整理出研究成果。茲將三種研究方法依序說明如下：

#### 一、文件分析法：

於本研究中擬蒐集相關文件，藉以對英格蘭小學教師專業評鑑實施的內涵與方式更為清楚，並釐清所蒐集到的資料意義。本研究擬蒐集的文件包含近年英格蘭小學教師專業評鑑之教育規定(詳如附錄二、附錄三、附錄四、附錄五)。

#### 二、非參與觀察法：

非參與觀察法是指觀察者並無表明自己的身分，且本身並沒有融入被觀察者的生

活中。根據預先設定的研究目的，對現象或個體的行為做有計畫與有系統的觀察，並依觀察的記錄，對現象或個體的行為做客觀性解釋。此外，研究者在進行觀察過程中須留心做紀錄以期完整掌握研究過程中的細節，如觀察與教師評鑑實施主題相關的現象、對訪談對象呈現的口語訊息、表達內心的深層語意以及研究者自我的省思。透過詳盡的紀錄有助於資料分析與專題報告的撰寫。

### 三、訪談法：

本研究的訪談包括非正式對話式訪談及訪談指引法兩種。一旦對觀察到的現象中有疑惑處即刻請教受訪者。另外，亦安排正式的訪談，由事先擬好的訪談大綱作為指引，採開放式的談話態度，隨受訪者的談話內容進行，惟需適度引導，以避免話題過度廣泛。

研究者為了接近受訪者的經驗世界，以獲得豐富資訊建構之真實完整敘說。是故，採取半結構式的訪談方法；以開放的態度傾聽受訪者所釋出的訊息，並重視受訪者的主觀知覺和內心感受，再輔以研究者的觀察，來蒐集英國倫敦地區國小教師專業評鑑涉入人員的經驗感受。

## 第二節 研究流程與經過

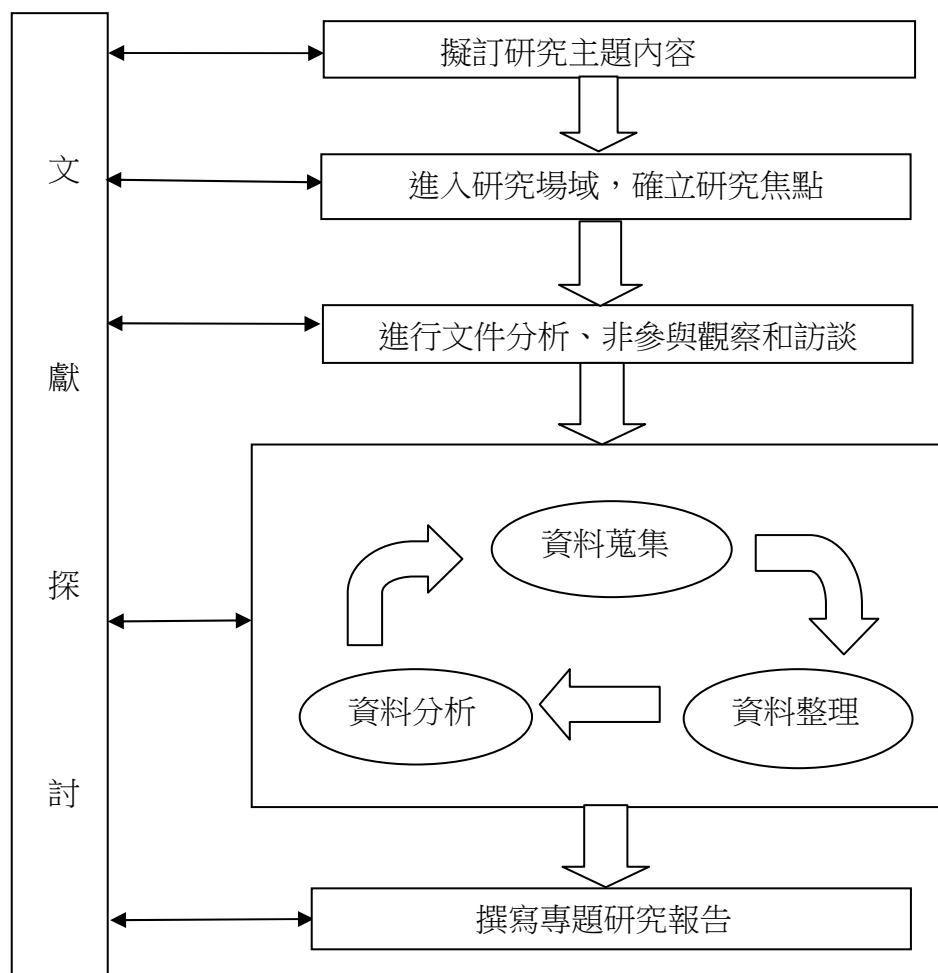
### 壹、研究流程

研究者於通過「教育部95年度選送公私立高級中等以下學校及幼稚園教師出國專題研究」口試後，於民國九十五年九月九日飛往萬里之外的英國首都倫敦進行為期四個月的專題研究，以深入瞭解英國小學教師專業評鑑實施情形。

英國的國民教育制度分成四個獨立系統，分別是英格蘭(England)、威爾斯(Wales)、蘇格蘭(Scotland)及北愛爾蘭(North Ireland)。囿限於研究時間、人力與經費，因此本研究僅聚焦於英國國內英格蘭地區的小學教師專業評鑑；採取立意選樣（purposeful sampling），亦即找尋可提供豐富資料的訊息提供者、團體、位置或事件，藉以選取可以確知的小規模群體或個人，以獲得有關現象的資訊（王文科，1995；吳芝儀、李奉儒，1995）。

研究者於出國期間除不斷蒐整英格蘭倫敦地區最新的小學教師專業評鑑資料，並進一步與當地涉入國小教師專業評鑑人員們進行頻繁互動與訪談，了解當地小學教師專業

評鑑涉入人員對專業評鑑實施的看法與感受。在整個研究資料蒐集過程中，會因應真實情境中的現象不斷修正研究問題及架構，即持續進行文獻探討，以獲得對研究主題更多的思考和較全面性的了解。研究流程請參閱下圖一。



圖一 研究流程圖

依據圖一之研究流程，說明本研究實施狀況如下：

- 一、蒐集文獻與確定研究主題：研究者自民國九十五年三月開始閱讀相關文獻資料，經與國立嘉義大學吳瓊洳教授多次商討後確立了研究主題與方向。
- 二、撰寫研究計畫：蒐集有關英格蘭小學教師專業評鑑方面的文獻與資料，包括理論基礎、課程標準及其他相關研究，加以組織整理，作為本研究的理論基礎，

以撰寫研究計畫。

- 三、實施訪談：本研究以「半結構」(semi-structured) 訪談法為主要資料蒐集方法，研究者除依據本研究預先擬定之「訪談大綱」(interview guide) 詢問主要問題之外，並可視受訪者實際回答內容加以探問，以增加資料的豐富性與可信性(吳芝儀，2000)。深度訪談為質性研究中甚具代表性的資料蒐集策略。訪談者詢問受訪者開放性的問題，由受訪者就其經驗、意見、知覺、感受、知識等來回答，其逐字記錄即是質性研究的基本資料(吳芝儀、李奉儒譯，1995)。
- 四、整理資料結果與撰寫研究報告：將文獻探討資料以及進行深入訪談所得的結果加以整理歸納並分析，撰寫成研究報告。

## 貳、研究經過

研究者在研究計畫的申請初期，即進行與英國小學教師專業評鑑之相關的資料蒐集、研讀與整理工作。有幸通過教育部甄試錄取後，於六月底審慎挑選訪英國首府倫敦之頂尖教育研究機構，並於七月初寄出相關申請文件。

經過暑假期間與多所英國高等教育機構進行持續的聯繫與溝通，爾後榮獲位於英格蘭倫敦市區泰晤士河畔的倫敦大學國王學院(King's College London, KCL)教育研究所系主任強納森歐斯朋教授(Professor Jonathon Osborne)首肯擔任此次出國專題之指導教授，並以學術訪問員(visiting academic)身分前往該校進行為期四個月的專題研究。

在英格蘭期間的研究工作包含文獻研讀與分析、選修學術英文課程、旁聽教師評鑑相關課程或研討會、與指導教授共同討論專題研究內容以及訪談當地國小教師專業評鑑涉入人員。研究者為深入了解英格蘭國小教師評鑑情況，經過和國王學院 Professor Jonathan Osborne 討論後，隨即展開連絡與訪談國小教師(primary teacher)、學年主任或領域代表(coordinator)、校長(head teacher/head master)、代理校長(deputy head teacher)等之相關事宜。尋找訪談對象過程之中曾獲倫敦大學教育學院(Institute of Education, IOE)博士生陳延興學長以及幼兒暨初等教育系講師 Esme Glauert 的大力幫忙協助，遂使研究者在資料蒐集和訪問學校評鑑相關人員的進程相當順遂。進入倫敦蘇活教區小學(SOHO Parish primary school)、聖依莉莎白天主教羅馬小學(St.Elizabeth Catholic Roman primary school)、Moss Hall School 等三所小學訪談部份國小教師以及評鑑人員，其中在蘇活教區

小學(SOHO Parish primary school)乃是進行為期兩星期的訪談與和非參與觀察。研究者藉由進入以上三所學校和多位涉入教師專業評鑑人員進行訪談過程，專注於受訪者所提出的訊息並用心找出資料的飽和點，當蒐集的訊息已顯得多餘、重複時便即時退出。

研究者最後於2007年一月初結束研究並搭機返回台灣。

### 第三節 訪談大綱

在正式進入研究前，研究者已經做過一次前導研究 (pilot study)；與一位倫敦地區資深國小教師進行訪談，藉由此研究進行初步分析，檢視研究者的訪談技巧與訊息接收程度，並省察半結構式問題能否引出研究主題相關資訊—能否提供研究者所需足夠的資訊內容，繼而再修正或補足訪談大綱不足之處，以深入呈現研究主題之內容。訪談大綱是研究者在閱讀相關文獻之後，再經由前導研究訪談，進一步思索所要研究的問題而草擬出來的訪談大方向，在和倫敦大學國王學院(King's College London, KCL)強納森歐斯朋教授(Professor Jonathan Osborne)多次討論和修改後，研擬成訪談大綱（詳如附錄一）。

其中訪談內容主要涵括五部份：

- 一、探究實施國小教師專業評鑑實施所代表的意涵。
- 二、瞭解國小教師專業評鑑在學校場域中的實施情況。
- 三、探究英格蘭當地國小教師與行政人員在實施國小教師專業評鑑的經歷與感受。
- 四、瞭解英格蘭當地國小教師專業評鑑對國小教師與行政人員所帶來的影響。
- 五、知悉英格蘭當地國小教師與行政人員對實施國小教師專業評鑑面臨到的難題、因應解決之道和建議。

研究者希冀藉此訪談大綱了解英國國小涉入教師評鑑人員的實際感受，但在實際進行訪談時，並不一定依序發問，而是視實際情況加以調整。

## 第三章 研究結果

本章綜整歸納後的研究結果如下：

研究者綜整於倫敦大學國王學院訪問時所獲關於英國小學教師專業評鑑的各項資訊以及實地訪談小學時蒐集的文件與訪談內容，歸納出英國小學教師專業評鑑的結果，包括：（一）英國小學教師專業評鑑的內涵（二）英國小學教師專業評鑑實施的影響與成效（三）英國小學教師專業評鑑面臨的問題。以下依序說明：

### 一、英國小學教師專業評鑑的內涵

#### （一）英國教師評鑑的新詞－績效管理

研究者訪問倫敦地區多位涉入小學教師評鑑相關人員，發現涉入小學教師專業評鑑之受訪人員對之抱予正面樂觀的態度，認為其有助提升國小教師專業水準與學生學習品質。另外，受訪者認為專業評鑑/績效管理乃是使教師在專業能力上得以獲得提升改進的一套機制，且這套機制的運作對於教師本身是具有支持與鼓勵的作用，亦即教師評鑑/績效管理乃藉由肯定教師成就以及對其表現進行建設性回饋(constructive feedback)來提昇教師的自尊和工作滿意度。

目前英格蘭教育當局已將「教師評鑑」(teacher appraisal)一詞更改成「績效管理」(performance management)。經過研究者在英格蘭當地小學進行深入觀察與閱讀相關文獻後，發現教師專業評鑑的實施程序與目標並未因為專有名詞上的替換而有本質上的改變，只是目前英格蘭政府教育當局對教師評鑑的看法，已將眼光更積極地投注在教育品質的整體提昇，不再像 90 年代僅要求個別教師(individual teacher)進行其專業上的成長與能力之提升，而是將教師專業評鑑融入成為英格蘭教育當局推行「績效管理」的主要內涵之一。

何以致此呢？根據研究者參閱文獻與實地和經歷教師評鑑的國小教師訪談後發現，英格蘭教育當局在過去十餘年來雖然十分重視以教師作為教育改革的主要對象，卻因為忽略了學校行政和其給予教學者充分的支持與協助，導致教師評鑑的實施僅讓個體教師在專業上的發展與教學能力上的改進十分有限。經過多年來的不斷嘗試與調整後，目前英格蘭已於 2006 年 10 月 9 日頒布「學校教師績效管理規定」(The Education



School Teacher Performance Management Regulation 2006，中譯內容如附錄三)，其用意乃是希冀更進一步地將教育改革的焦點延伸拓展至學校教育辦學成果的層面。因此，英格蘭地區於此十餘年間在教師評鑑制度的改革乃是相當值得我國教育當局試辦推行教師專業評鑑制度之重要參考指標。

教師在課堂中的教學表現如按企業觀點來說便是員工的工作績效。研究者個人認為在教育環境裡 performance 譯為「表現」較佳，因為它是教學者依本身內蘊的能力 (competence) 基礎經後天不斷努力琢磨後在教學環境裡所展現出來的面貌。再者，由於教育的許多成效是需要長期耕耘才得以彰顯的；無法在短暫時間內用量化的方式呈現出來。國內許多小學教育工作者之所以對於評鑑產生排斥恐懼的心態，原因不外乎對此強調要有實質結果產出的制度精神感到壓力而生。是以，企業界所謂的績效管理 (performance management) 移植至教育界應該將之譯作「表現管理」為佳，以免造成教師對評鑑制度的無謂誤解和對教師專業評鑑懷有敵意，使學校教師們能夠專心致力於改進提昇自己的教學表現，而不是因為薪津、考績甚至工作權會受評鑑制度的影響而作消極被動式的因應。

根據 Sara Bubb 以及 Pauline Hoare(2001)的研究報告，從 2000 年起英格蘭各級學校必須將專業評鑑/績效管理予以落實，其涵括下列五項：

1. 同意每位教師的年度目標，包括和學生成長、提昇及改進教師專業訓練的方式。
2. 對於學校校長的要求，是與學校領導、管理以及學生成長等方面有關。
3. 年度內進行監督教師成長和觀察其在教室內的教學。
4. 在年度結束前進行評論會議 (review meeting)；包含了評量教師的整體表現、注意與目標相違的成就、同意來年的目標以及對專業發展機會的討論。
5. 運用績效評論成果來告知薪資決定是否合宜。

Radlett(2000)將學校績效管理和企業績效管理進行比較，並對教師提出以下四點關注：

1. 質疑個別教師在教室內的表現能否被平日在教室以外共處的「團隊領導人」(team leader) 予以公正的評鑑。
2. 關心將學生考試的運用以及考試成績視為評鑑指標。
3. 提出教師表現酬償會造成反團體的影響 (anti-team effects)。

4. 恐懼英國教育部下轄教育評鑑機構(Office for Standards in Education, OfSTED)的訪視資料可能會不當地被用來作為評鑑個別教師表現之用途。

## (二) 績效管理的過程與程序

績效管理的計畫會議(the planning meeting)共分成三個部份：一般討論(general discussion)、計畫(planning)及評論會議(the review meeting)。假如學校要提昇學生學業表現，那麼就會需要支持老師在工作上的過程以及給予適度壓力來達成設定的目標。而這正是績效管理所要進行的。

學校績效管理過程(the performance management process)應該以下列幾種方式使學校獲利：

1. 增加教職員的自尊與工作滿意度的程度；
2. 在個人、部門與學校目標做連結；
3. 貢獻個體、部門與整個學校的能力來評量績效表現；
4. 提昇學生達成成就的等級；
5. 幫助教職員意識到影響職業發展的因素；
6. 認定挑戰的新領域

此外，績效管理的程序如下：

1. 團隊領導人在教室裡觀察教師工作。
2. 教師工作的其他部份之資料蒐集；對課外活動的貢獻、對學童表現的紀錄、對學童和家長的回饋等等。
3. 學校教職員與團隊領導人之間的平常回饋與對話。
4. 實施一般性的評鑑訪談(appraisal interview)，針對先前未能達到目標的績效表現進行討論，並且設定新的目標。
5. 討論教職員遇到的任何問題。
6. 討論訓練的需求和提供專業成長的機會。
7. 團隊領導人支持教職員達成所設定的目標。這可能包含額外的會議來評論進展。

Poster 等人(1991)指出：績效評鑑(Performance appraisal)著重設定目標之達成，通常是較短期的目標和給予回饋。此外績效評鑑也著重在任務澄清上，藉由使教師目標與

學校機構目標一致來達成共識。還有，績效評鑑也界定出訓練的需求，譬如指出被評鑑者績效上的缺點或是潛力。

### (三)績效管理目標

績效管理的目標(aim)應該包含以下幾項：

- 1.表揚學校教師的成就並幫助其確定能夠改進提昇之處。
- 2.幫助顯現教師的潛力並助其找出適當的發展機會。
- 3.透過適當的引導和支持來幫助遇有困難的教師
- 4.培養校內所有教師的領導能力和管理技巧。
- 5.營造支持學童達成其潛力發揮的氣氛。

### (四)績效管理的角色與責任

英格蘭教育與就業部(DfEE, Department for Education and Employment)提出：績效管理是一個分享的責任。教育主管機關在應允學校績效管理政策時乃是扮演策略性角色，亦即確保學校教師的績效經常性的被評論以及確保績效管理過程中被妥善監督。

### (五)績效管理的年度週期

- 1.績效管理的目標應該是 SMART—特定的(specific)、可測量的(measurable)、可達成的(achievable)、實在的(realistic)、有時效行的(timed)。這些應該和學校目標、發展目標或發展計畫有關。每位教師將進行討論並與團隊領導人(校長、主任或領域代表)在設定的少數目標(通常為三個)上達成共識。然後團隊領導人將這些目標紀錄在個別教師的計畫上。這些目標包括了學生的學習成長、實習演練的發展、巡察關心的責任以及領導與管理的責任。另外，這些目標應該和學校目標、學年目標有關，且應著重在對教師有直接影響的議題。而教師的發展需求也應該被討論和確定訓練機會。假如老師與校長討論的目標有歧異，那麼老師可以在書寫目標的紀錄上加上自己的評論見解。同樣地，假如校長和教育主管機構之間對目標無法凝聚共識，那麼校長亦可在書寫目標的紀錄上加上己見。
- 2.經過這一年，教師和團隊領導者會在評論下有所成長。此過程可能包含了非正式與正式的會議、支持與訓練的供給以及假若環境改變的目標修正(amendment of objectives)。教室觀察(classroom observation)是規定中的強制性部份。團隊的領導人必須至少對個別教師進行一次的教室觀察。這應該包含課程目的的初步討

論、對觀察焦點的同意以及課後建設性的回饋。資料可能藉由評論回顧學生書寫的作業範本來獲得。

- 3.教師與團隊領導人之間勢必有個年度的評論以討論被紀錄的目標、被肯定的成就。向上發展的主意、需要考慮的支持與新達成共識的目標。一份書寫的評論報告書將被團隊領導人在會議中的十個工作日內準備完畢，其內容記載主要的觀點、結論、同意的目標以及發展的需求、而被評鑑者將會允許獲得這份評論報告的影本。
- 4.此過程可能包括提供證據以作為合適教師獲得績效薪津的依據或是晉級的決定。

#### (六)績效管理的申訴抱怨

通常在十個工作天內接收回顧評論(review)的資料，此外：

- 1.學校老師可以對評論報告的部份內容紀錄其抱怨(complaint)。雖然此舉不能改變原先評鑑的結果，但是藉此可讓教育主管長官正視之。
- 2.同樣的，學校校長也可以對評論的部份內容紀錄其不滿來引起長官的關注。然後上級教育主管機構應該指派三位先前並未評鑑該位校長的人員(並不包括該位校長校內的教師)來進行複審。
- 3.複審人員將調查申訴者提出的抱怨並考慮實施評鑑者在十日內所做出的評論。此外他們可以決定複審結果是維持原案或是透過再次觀察來下定奪。
- 4.複審人員可以決定同意或修正原先該校校長或指派長官的評鑑結果。
- 5.當該位校長的評鑑被重新安排，新的政府官員將被指派去對之實施評鑑。對老師而言，此校長將指派一位新的團隊領導人(主任、學年主任或領域代表)在十五天內對其實施評鑑。
- 6.此抱怨程序中並沒有移除受評鑑者在任何階段享有抱怨的資源權利。

## 二、英國實施小學教師專業評鑑的影響與成效

英格蘭政府當局近年來為了改善學童們的學業表現，使得國內各小學面對巨大的壓力。卻也使得多數學校的辦學與教學品質得到提昇。教師評鑑的最根本的部份乃是在期待學校評鑑校內教師。研究指出多數英格蘭的小學評鑑並無提昇其教學品質，且不少學校並沒有達到法定的需求，即使是目前所推行的教師績效管理(performance management)

仍有著過去相同的問題。(Joan Dean, 2002)以下分別就影響與成效分別敘述之：

### (一)英國實施小學教師專業評鑑的影響

以下歸納整理出英國實施國小教師專業評鑑對教師、學校校長、地方教育局、教師會及評鑑制度的影響。

#### 1.對教師的影響

教師在教室內的表現會受到觀察者的到來而有所改變。例如校長巡堂時，老師們在課堂上表現便會較平常更賣力和投入。舉凡觀察者本身的性別、年齡、穿著以及出現的頻率均會對教師的身心產生微妙的變化。假如進行教師專業評鑑無法測得其平日的教學表現、師生互動的實際情況，那麼將原本立意良善的評鑑制度僅淪為形式化的例行工作，而無法讓老師們在接受評鑑後對教學品質有實際上的提升。這是採用質性方式進行教師評鑑時無可避免的一大難題！

而在經歷過去英格蘭小學教師專業評鑑後，老師雖然會對教學產生反思，但普遍希望評鑑的結果不要淪為上級單位控制教師的工具。研究者訪問某地方教育局協調人員其表示：『假如評鑑人員無法發自內心地尊重被評鑑者，結果將不會產生任何有生產力的東西。』因此，使教師評鑑在積極的氣氛中被推動乃是英格蘭基層教師地方教育局內共同協調人員在教育局和學校內的核心工作。這個訪談顯示教師評鑑對追求專業發展的目的和價值有相當高程度的共識。

#### 2.對學校校長的影響

英格蘭部分教育主管單位已經決定，假如學校領導者對於學校績效管理的目標有具備傑出優異的落實，那麼校長的薪資可以有所提升。然而在實際情況中，校長們的目標是否具體落實卻是上級教育機構經常無法做出適切決定的。那麼要如何檢驗校長的績效表現呢？英格蘭教育官員主要是依據校長自己提出的證據、報告或是檔案卷宗(portfolio)。此外，學生的表現資料(pupil performance data)也是判斷學校校長是否符合其設定過程目標成功與否的項目之一。

英格蘭教育官員意識到其可以仰賴透過課程訪視(curriculum monitoring process)找出相關佐證來做評鑑決定。一般來說，英格蘭教育當局對於監督校長是否達成其治校目標尚未有周延充分的想法。在大多數國民小學中，設定過程目標和評鑑校長的表現具備了提升教育水準的潛力。

### 3.對地方教育局的影響

英格蘭當地的教育局稱為 LEAs(Local education authorities)，與台灣各縣市的教育局功能雷同。然而卻在八十年代晚期至九十年代初期因為英格蘭國會的教育法案的一連串更動，造成當地教育局的權力產生巨大的變動。1986 年的教育法案(The Education Act 1986)確保了每間學校的自主權，亦即賦予學校自行擁有管理與決定課程的權利。1988 年的教育法案(The Education Act 1988)內容中則更明白地將教育局的部分權利移轉給學校和政府，使得學校最高主管從而獲得教育局先前所握的人事決定權，且讓政府獲得掌握課程與考試的權利。此外，1998 年的教育法案更是開放了入學的權限，亦即家長有權為自己孩子選擇學校就讀，大大地削減了教育局掌管學童入學的能力，此時英格蘭各地的教育局權限已不大不如前。不過英格蘭各地的教育局依然保留不少功能。舉例來說，教育局必須確定學校有足夠的空間給學生們使用、負責撥款給學校單位、負責轉學、特殊教育、醫療給付、落實國定課程(National Curriculum)以及負責進行教師評鑑等功能。1991 年的教育公告(Circular 12/91)中闡明地方教育局被界定成替國家實施評鑑的單位；負責扮演詮釋當時教育規定以及對學校提供建議和訓練的中間角色。但是當時英格蘭某些地方教育局卻將其自身主要的政策文件、教師評鑑人員訓練課程的材料、教師手冊等視為生財工具，導致其和教師評鑑相關的研究計畫配合度不高。

英格蘭地方教育局承擔起評估評鑑在學校裡是否嚴謹落實的角色。地方教育局的其中一個監視研究，透過和小學校長以及學校評鑑共同協調者面談，顯示出一個發展模型被落實的證據。三個最常見的益處分別為可以觀察同事們教學、和可信賴的同事討論被評鑑者本身的優先權(priorities)以及可回到日常生活中進行反映、分析、考慮可取之道的時間。問卷調查的結果證實了這些積極的特徵，特別是準備接受評鑑的有效訓練和贊同強烈重視在地方教育局內部協調方面的架構。

### 4.對地方教師會的影響

英格蘭地方教師會質疑教師專業評鑑/績效管理制度裡的部分規定，並且反對執行缺乏政府經費補助的自我評鑑。此外，地方教師會對於國家政府的意圖還抱持著懷疑的態度。地方教師會其實是不希望老師們抱著認定自己缺點的態度。這種情形導致地方教育局的共同協調者擔心雖然他們致力於營造積極的氣氛，但是此評鑑過

程卻可能變成聚焦在個人的回答能力部分(individual answerability)。

總而言之，英國當地國小教師評鑑已經普遍實施良好且被地方教育局和學校妥善管理。雖然關於試圖維持積極氣氛和處理不足的資源議題意味著老師們有著較少的積極結果產出。目前英格蘭有些學校正如火如荼地適應目前情況以獲得最大的學校改進(school improvement)利益。有些學校則因為有限的資源以及沉重的工作負擔而不把教師評鑑列入推展校務之優先考量。

### 三、英國實施小學教師評鑑所面臨的問題

研究者以為，英格蘭自 1991 年開始試辦實施教師評鑑，1994 年正式全面施行至今已十餘載。其遭遇的問題值得我國未來正式落實國小教師專業評鑑之參考：

#### (一)教師未有足夠時間進行自我省察

教學是個孤立的(isolating)專業，尤其是在國民小學階段。(Sara Bubb & Pauline Hoare, 2001)。對於許多英格蘭的新手教師(initiative teacher)而言，她們對於教學充滿著熱誠，希望自己能夠成為理想中具備教學專業的老師。然而是否有依循的途徑來幫助自己不斷地向上提升呢？平時，國小教師們每每疲於教導、照顧班上的每個孩子們，部分老師還要身兼處理繁複行政工作的重擔，實在很難抽出時間來進行省察教學活動的缺失以及轉化如何改進之思考。因此，必須透過教師專業資源來幫助老師進行不斷地提昇、增進專業。

#### (二)校園風氣惡化

回顧 1988 年至 1998 年十年間的英國教師專業評鑑的成效。正如某位英格蘭地方教育局(Local Education Authority, LEA)的評鑑協調者(coordinator)所說的：『教師評鑑本身製造了一個失去信任的風氣(climate of distrust)。』(Helen M. Gunter, 2002)處在此氣氛下的老師們，對於他們的一言一行都必須被記錄下來抱持著懷疑的態度。因為這些「資料」都可能隨著評鑑者切入觀察角度而有所差異。譬如在上課觀察師生互動自然會較下課時間觀察師生之間的互動密切，因而決定有利或不利於評鑑的結果。

另外，校園內的教師們為了爭取固定名額的晉級頭銜，產生了所謂的惡性競爭的風氣，例如浮濫參加各式研習來提高研習時數和獲取相關證書、過份用心蒐集和製作教師評鑑的相關檔案文件、熱心投入活動成果展示，這些過分重視評鑑指標而忽略學

生上課學習權益的舉動，都很可能抹煞原先教師評鑑制度設計的美意！

再者，按照英格蘭的國小實施教師評鑑的情形，學校內部評鑑亦由校長委託具備評鑑能力的行政主管來進行，此舉可能會導致學校行政過份干預教師教學自主權的可能危機。是以，我國未來推動的教師評鑑制度必須明文規範學校校長以及其他評鑑人員的權力與義務，並且要設立檢視學校教師評鑑工作的檢核機制、開闢保障教師權益的申訴與要求複審教師評鑑結果的管道。

耐人尋味的是，英國某地方教育局曾針對 1991 年英國教育規定(The 1991 Regulations)提出了下列三項建議。首先，教育官員應放棄運用教師評鑑報告書內容的權利。第二，在訓練期間，學校單位被建議與政府主管(Chair of Governors)協商廢止其運用對個別教師的主要陳述內容。第三，學校單位被建議將「不可把評鑑報告書內容作為晉級、解聘、訓練或薪資決策上」寫入教育政策。然而，根據英國教育當局的監督報告的證據顯示，除了極少數小學以外，所有的政府主管都對個別教師的評鑑陳述內容(appraisal statement)做運用。

由上述建議事項，可以了解到接受教師評鑑的英國小學老師們雖然會對教學產生反省，但普遍希望評鑑的結果不要淪為上級單位控制教師的工具。正如某位英格蘭地方教育局協調人員的陳述：『假如評鑑人員並不由衷地尊重被評鑑者，結果將不會產生任何有生產力的東西。』因此，讓教師評鑑在積極的氣氛中被推動乃是影響其成效的關鍵因素之一。

### (三)不適任教師難以處理

2000 年英格蘭曾有研究詢問知名人物們回憶其印象最深刻的教師姓名，其回應多半伴隨著愉悅的微笑，然而在此調查中也發現這些名人們對於表現特別差勁的老師亦印象深刻。(Derek Torrington et al, 2003)

英國國事大臣(The Secretary of State)在 1997 年 11 月寫信給各教育主管機關，要求把去除不適任教師的規定納入學校規定之中。諷刺的是，英國教師訓練機構(The Teacher Training Agency, TTA)制訂的國定標準內容僅說明要如何成為一位具有能力的教師以及評量能力的指標，但是並沒有解釋要達到何種程度方被視為沒有能力的老師。

Derek Torrington 等人(2003)則發現不適任教師表現的解決之道必須藉由運用具有啟發意義的管理方法來對當前學校教學的情境進行充分的了解。



對於不適任教師的界定與處理，英國國小教育機構即使到現今仍視之為一大難題。譬如有少數教師雖具有怪異的人格特質，但是卻難以將其行徑界定為有問題的或是不具備能力的。根據研究指出，縱使有些教師表現不理想的情形只有短暫的時間，但是研究發現這些老師中有很高的比率是表現逐漸變差的，特別是五十幾歲的老師因為失去對教學的熱情、能力不足或是不願接受過多的新倡議和管理工作。(Derek Torrington *et al* ,2003)是以，「年齡」與老師是否勝任教學有所關聯。某位教師可能在年輕時期對教學充滿無比的熱情和衝勁，但是經過多年在教學上面臨的挫折與歷練後慢慢地失去從前的教育熱忱。反觀我國當前的國小現況，先前我國政府為促進國小教師之新陳代謝，釋放出優退的福利來鼓勵資深教師退休。然而隨著國家財政的吃緊以及優退福利政策逐漸取消，目前國小教師退休的年齡已有向後攀升的趨勢，此乃是造成年輕準教師們延後進入國小職場服務的最大問題。長久看來，我國的國小教育如欲要求教師具備高專業性以及維持基礎教育的品質，教育當局應該審慎思考該如何確保國內各小學能夠持續不斷地注入新手教師。

#### (四)擔任教師評鑑人員的迷思危機

擔任教師評鑑人員在評鑑過程中須格外注意並克服評鑑他人的問題，例如：

1. 偏見：評鑑者可能對被評鑑教師有著喜愛或厭惡的偏見或是過度焦慮會造成偏見的產生，而這兩種情況都有可能扭曲對評鑑的判斷。
2. 對老師有過多或過少的了解：學校裡多半由資深老師擔任評鑑者的角色，但是「資深」不代表其對個別老師有著較他人深入的了解。同樣地，學校校長亦可能因為對某特定老師熟識太久而無法做出清楚的評價無誤的評鑑。
3. 月暈效應(The halo effect)：評鑑者個人對教師的印象會影響評鑑的過程，甚至是評鑑的結果。因此，團隊領導者會有可能忽略被評鑑教師的實際教學表現與所達成的目標，陷入僅僅以原先對該位教師印象來做評鑑的迷思。
4. 背景(context)的問題：由於每位被評鑑教師所處的情境均不同，因此很難加以比較。而上述的問題只要評鑑者多加留意就能避免。

下列是其他妨礙評鑑者和被評鑑教師對教師專業評鑑過程表現的評論：

- (1)紙上作業：文件建檔似乎是件相當討厭、費時與沉悶的事情。
- (2)評鑑形式：團隊領導人傾向嘗試並避免呆板的形式，但是參與評鑑的涉入人員（評鑑者和被評鑑者）會瞭解到實際進行時難以放鬆，因為有如此多事情要持續進行導致評鑑變成是相當正式的。
- (3)發展行動被忽視：評鑑之後的專業發展行動很可能被忽略，因此評鑑管理者應該持續協助支持被評鑑教師，使之有繼續下去的動力。
- (4)每個人都在”平均”表現以上：多數被評鑑者尋求被卻認為表現良好，而最簡單的方法就是指出被評鑑者和多數其他人一樣表現相近。但是被評價為平凡智力、平凡相貌的個體似乎並沒有太好的感受。換句話說，對被評鑑者來說，「中庸」評價的激勵效果不大。
- (5)對無關特徵(feature)進行評鑑：有時候評鑑人員會對於無關的工作進行評鑑，例如是否費時、看起來很忙碌或是很愉快的樣子。因為這些特徵都較容易觀察到。英國目前新推行的教師評鑑架構中便極力要避免評鑑者對無關特徵的評鑑，因此著重在設定要達成或不要達成的目標，使得評鑑能夠有效。

心理學家 Norman Maier(1958)曾針對評鑑訪談(appraisal interview)的過程指出：評鑑者在訪談中要不斷鼓勵被評鑑者找出並討論問題。因此被評鑑者在分析問題與建議解決之道的過程中扮演積極主動的角色，而不是完全被動地按照評鑑者的指示進行改進。但是，教師評鑑人員與被評鑑者彼此間因價值理念之不同，導致時常會有共識難以達成的窘況出現，但因彼此之理念亦多所重疊，所以，以民主參與的團體決策模式來建構教師專業評鑑制度有成功落實之希望，但仍需多方配合方能奏效，包括改變現行排拒創新之保守文化，和提昇教師員額編制以減輕教師負擔和增加教師互動與專業成長之時間與機會，另外尚需開明有擔當之行政主管全力支持方能成功。

## 第四章 研究心得與建議

本章共分成兩節，將出國四個月期間的研究心得與研究建議呈現如下：

### 第一節 研究心得

本節分別說明研究者在研究場域裡遭遇到的限制與困難，以及英國績效與薪津相關(Performance Related Pay, PRP)、進階教師(Advanced Skilled Teacher, AST)等制度對我國小學教師專業評鑑制度的啟示。

#### 一、在研究場域裡遭遇的限制與困難

首先，礙於時間、經費、人力有限，研究者僅能將訪談對象鎖定在位於倫敦地區的數所小學中參與教師專業評鑑的涉入人員。假如日後如需前往英國進行教師專業評鑑的考察研究，可分別派員前往英格蘭、蘇格蘭、愛爾蘭、威爾斯等英國四大地區分別進行當地資料蒐整分析和訪談工作事宜。

第二，研究者前往英格蘭之前，本以為可以順利進入國小校園進行觀察與訪談，但直至接洽英格蘭倫敦地區當地小學時才發現校方為了維護學童安全，在正常情況下並不對外開放參觀。唯有透過正式的申請程序方得進入，譬如透過指導教授(supervisor)和校方接洽。是故，對於日後前往英格蘭從事研究的人員們要多費心在申請進入國小校園的環節，以免屆時延誤了進行實地觀察、訪談的進程。

第三，我國於 95 年 9 月開始試辦教師評鑑制度，與英格蘭 1991 年開始試辦教師評鑑的架構和立意十分相近。然而，英格蘭教育當局在 2001 年卻在把握住原來實施教師評鑑的實施內涵進行了另一波的改革；以績效管理(performance management)取替教師評鑑(teacher appraisal)。由於研究者出發前於國內前所蒐集閱讀的文獻資料僅限於教師評鑑(teacher appraisal)的內容，以致研究者初抵英國時對此字面上的改變全然不知。

目前英格蘭教育當局主推的「績效管理」並未僅著重在教師在課堂上的表現，而是更進一步地將學校校長領導、專業成長與學校改進等納入評鑑的面向。換句話說，現行的英格蘭教育乃是採取以更寬廣的視野建立一套嶄新的多元評鑑制度，以更有效地檢驗

教育品質的良莠。如此試著由教育多角度切入執行的評鑑制度，超越了 90 年代僅著教師們是否達到專業水準的觀視角度，畢竟影響學生學習效果和品質的因素不勝枚舉，學校教育是否發揮良好的功效必須將各項影響的環節均納入評鑑的項目，亦即納入「績效管理」的範疇。關於英格蘭小學教師評鑑與績效管理的官方規定，請參閱附錄二和附錄三。

## 二、英國小學教師「績效與薪津相關」(Performance Related Pay, PRP)、進階教師(Advanced Skilled Teacher, AST)等制度對我國小學教師專業評鑑制度的啟示

基於市場多變性對傳統薪酬管理方式提出的挑戰,英格蘭於 1998 年開始在學校改革中引入企業化管理經營理念,在教師中推行 PRP 制度,促使教師注重教學業績,提高教育品質這樣的改革理念及其實踐和遇到的問題對我國學校教育的體制改革和實踐創新具有重要的借鑒意義。

傳統上以職務終身制和按資歷晉升薪級為特點的英格蘭學校，從上世紀 90 年代起，也大力推行以績效考量薪資的制度。1998 年 12 月，工黨政府提出了「績效與薪津相關」(Performance Related Pay, PRP)的教師評價體系，並出版了英格蘭教師職業現代化的綠皮書。該報告的最重大成果就是將教師和校長的薪金與表現績效相連結。早在 1861 年，新堡(Newcastle)委員會的報告中就已經建議在基礎教育階段實施一個教師評價 PRP 框架體系了。該體系於 19 世紀 90 年代被取消。直到 1992 年，關於教師評價的 PRP 體系才得以恢復。工黨政府聲稱評價體系具有“雙重”功能：一個功能是按照量化指標決定教師的薪水；另一個功能是促進教師個人職業的發展。PRP 評價體系包括：

- (1)校長評價：主要考察他們對學生進步和學校管理所作貢獻的程度大小；
- (2)教師的年度評價：主要評估他們教學的效度，包括教師以何種方式對團隊的進步作出貢獻和教師自己職業發展的狀況等；
- (3)學校獎勵體系：政府資助獎勵金給教師和為學校做出貢獻的校長或管理階層。

儘管 PRP 立意很好，在實施過程中卻進入了兩難處境。主要是因為受到政治因素的影響。定量與定性的矛盾也是教育體系的 PRP 最為明顯的兩難。雖然新的體系也採用了合作、友好的方式，但由於獎勵並不是給予所有人或大多數教師，而是有區別地發給部分教師，並且薪資待遇與年度評鑑指標相關，這使大多數人還是感到了孤立與傷害。PRP 體系在實踐中遭遇的困難還出現在時間方面的問題。過於縝密的評價需要耗費大量的時

間，學校管理層普遍都存在負擔過重的問題，英國全國校長聯合會反應尤為激烈。另外，就是經費預算問題。凡成功通過評價的教師都將獲得可觀的獎勵，平均每人每年大約 3 萬英鎊，加上獨立的管理津貼，總數還可大於 3 萬 5 千英鎊，其中某些教師還有可能獲得另外一筆獎金——學校表現獎。這樣，PRP 計畫的實施對經費要求的壓力也上升了。儘管如此，英格蘭 PRP 的“反覆”和“兩難”現象說明了英格蘭教師評鑑體系正在走向一個新的發展階段，它的缺陷也正是需要努力的方向。一個通過「媒介」(外部評價員)實施的多元化綜合評鑑體系正在形成：它既結合了政府的宏觀調控，又照顧了具體組織及個人發展目標的實現；實行自上而下和自下而上相結合、標準與非標準相結合、形成性和總結性評價相結合的方法。

研究者訪談英格蘭當地小學校長、領域負責老師與班級老師的訪談互動過程裡，得知英格蘭當地國小教師的年收入約兩萬五千英鎊至四萬五千磅之(折合台幣約 160-280 萬元)間，依照當地物價消費水準以及當地其他行業的薪資所得相較僅為中下收入等級。另外，在 2003 年至 2005 年期間英格蘭當地遭逢「國小教師荒」，還發生沒人願意擔任國小教師的窘境。相較之下，我國國小教師的社會地位與薪資所得算是不錯的。這可能是拜我國自古尊師重道的觀念所影響，國內小學教師在社會上的地位相較於英格蘭要高尚許多。目前國內小學教師的給薪制度與英格蘭當地相似，原則上均是按年資的晉級和予以加薪。然而，英格蘭當地與國內不同的乃是除了原先教師薪資制度外，另行一套教師進階制(Advanced skilled teacher, AST)：凡國小裡的學校老師均得提出申請，然而須達資格上的規定與提出相關具體佐證，譬如教學表現優異、進修時數、學經歷等客觀條件，經過地方教育局以上單位的審核後方能取得進階教師的資格。成為進階教師後，除了原先的教學工作外，另需從事教材教法的設計與開發，肩負督導鄰近區域學校領域教學輔導的責任、課程與教學研究、參與校務發展相關事項以及從事以教育革新相關議題的研究工作。由上述諸多的工作事項，可見其所肩負的責任與壓力相對要高出一般教師許多(與我國國小種子教師、巡迴輔導員的職責相仿)，因而可以獲得較高的薪資所得(平均而言年收入可較一般教師多出九千五百至一萬英鎊(折合台幣約 60-65 萬元)。而更重要的是，進階教師的取得資格並不受年齡限制。此即說明英國的進階教師制度(AST)對教學表現卓越、專業涵養或是具備前述二者條件卻年資尚淺的優秀國小教師們而言不啻為鼓勵與肯定的最佳誘因，亦是促進整體國小教師專業向上提升的強心針。

對照我國近年教育部所擬定的教師分級制度(把教師分成初階、中階、高階以及研究教師等四級)，對於薪水報酬部分乃是主張教師現行之年資提敘維持不變，但是學術研究費則依照教師等級支給。研究者認為我國教育當局如能夠吸取英格蘭實施進階教師制度之優點，在原先長久實行之依照年資晉級的制度的前提之下，建立出一套對目前國內國小表現優異的教師獎勵制度。而特別要注意的是，須具體列出國小教師要獲得額外晉級、提敘薪津所要達到的門檻標準，並研擬一套嚴格公正的資格審核系統，使身處國小場域中犧牲奉獻其專業的老師們能夠獲得實質上的「正增強」，如此不僅使普遍的國小教師樂於接受教師專業評鑑制度的實施，更能使年資尚淺卻具備高度專業表現的教師們願意更用心地致力於百年樹人的志業！此舉凸顯教師專業評鑑存在的重要性，使我國國小基層教師積極投入教學、參與進修和提高專業能力，扭轉純粹依據年資深淺作為決定薪津高低之消極作法。

惟研究者個人認為英國「教師專業評鑑和薪資制度做全面性結合」的理念僅能列為我國的遠程目標。這是因為英格蘭教育當局早在 1991 年即開始試辦推行教師評鑑制度，加上將教師績效與薪津所得一併考慮的氛圍亦早在 90 年代在落實教師專業化時發酵。反觀我國目前正處於教師專業評鑑的試辦階段，保守反對的風氣尚且瀰漫，未來幾年內較適合先把教師評鑑結果作為被評鑑者改進教學品質與專業水準的參考指標，以制定獎勵教師評鑑結果良好的受評教師與有關單位，採溫和漸進的方式來進行推動結合薪資制度的改革。

## 第二節 研究建議

本節分別針對我國國小教師、小學校長、政府與教育主管機構提供具體建議如下：

### 一、對國小教師的建議：

#### (一)勇於接受評鑑，追求專業提升

二十一世紀是屬於專業取向的時代！專業的建立必須有賴外界的檢驗和同意方能成立。因此，本身為專業人員的教師們接受外界檢驗乃是理所當然的。從事教育工作者在心中均有一個盼望，亦即不斷提升教學品質以及學習新知。過去古諺所謂：「師者，所以傳道、授業、解惑者也。」字面解釋僅著重於教師專業的功能，卻忽略了時代的脈動。隨著科技時代的知識訊息爆炸，教育工作者必須時時進行自我提升，方能以符合時代潮流的知識來教授給莘莘學子。

英格蘭教育當局於 2003 年宣布國小教師無論教學年資長短或經歷深淺都必須具備學士後教育課程(PGCE, Postgraduate Certificate of Education)的資格，造成部分老師因無法通過此考試而離開職場的現象。反觀我國目前的國民小學生態，雖然擁有碩士以上學歷的國小老師有日漸增多的趨勢，惟其佔整體國小師資的比例仍有待提升。「教師專業評鑑」正如同一面明徹的鏡子，可以讓致力於教學的每位老師們在繁忙的教學過程裡獲得專業的改進和提昇。因此，為了提昇教師的專業能力與形象，國內國小教師應勇於投入研習與進修的行列，不斷接受新知，使我國基礎教育持續注入活水，永保「新鮮」！

#### (二)祛除對教師評鑑的偏見

英格蘭教育當局自 1991 年實施教師專業評鑑以來，一直將評鑑焦點置於教師的教學表現上，藉落實此制度來提升教師專業和教育品質，而不是以「教師評鑑」作為行政箝制教師專業自主權以及主導考績薪津的消極工具。也就是說，其實施目的並不在強調以評鑑結果作為決定教師去留、薪資的主要依據，而是在要求老師們達成自己在年度裡所設定的目標。而我國 2006 年開始試辦之教師專業評鑑著重「形成性」評鑑正和其實英格蘭的教師評鑑目的不謀而合。因此，研究者建議我國國小教師們宜放下對「評鑑」的既有成見，先多用心了解教育當局目前推動教師專業評鑑的內涵，再以教師「專業」對教育當局提供建設性的看法與回饋，讓我國家未來推動小學教師專業評鑑更臻完善。

## 二、對國小校長的建議：

### (一)在評鑑過程裡扮演積極鼓勵與支持教師的角色

小學校長(the head teacher/master)在整個績效管理的過程中扮演著關鍵性的角色，除具有決定校內評鑑小組成員的權力外，其必須不斷關注學校環境裡的每位教師並給予適當的支持。

### (二)樂於與教師同仁分享願景

國小校長在小學教師評鑑中扮演著至關重要的角色。校長所扮演的角色應該如Elliott(1999)所指出的「樂於與教師一同分享未來對學校的願景....」，由於其參與了所有學校內教師的評鑑過程，因此其看法影響了教師評鑑的最終結果。

此外，校長的願景(vision)在教師評鑑/績效管理中應該是暫定的(provisional)且隨時保持開放彈性的。換句話說，是讓學校老師能夠與校長一同開創共同的願景，而非權威式、由上而下的一己之念，如此才能有效引領學校教師們教育學生適應當前快速變遷的世界。

### (三)堅持客觀中立的評鑑態度

國小校長肩負保存學校全體教師評鑑結果資料之重責大任。其對學校教師的一絲好惡都足以影響最終的教師專業評鑑結果。假如國小校長無法保持個人的中立立場，即無法將個人好惡放置一旁，那麼立意良好的教師專業評鑑功能便無法正常且順利的運作。因此，應透過國家教育主管機構將國小教師專業評鑑制度內的各項評分項目的內容、規定做清楚明確的陳述和界定，以避免人為偏見所帶來的失真之評鑑結果。



### 三、對政府和教育主管機構的建議：

#### (一)評鑑結果須絕對保密，並以維護國小教師尊嚴作為教師專業評鑑的前提

研究者進行訪談時發現有受訪老師反映英格蘭教育與技能部(Department for Education and Skills, DfES)下轄的教育評鑑機構(Office for Standards in Education, OfSTED)每三年的訪視，其評鑑的結果未必絕對公正，但是卻逕將訪視評鑑結果上網公告週知，枉顧個別教師有遭受同儕、家長與學生背後批評的可能性。此明顯違反教師評鑑結果保密(confidentiality)原則。相形之下，英國另外一個教師評鑑機制－女王視導 (Her Majesty Inspector, HMI)所進行的評鑑工作則會採取給予受評鑑教師正面回饋和維護其尊嚴的方式，頗值得我國教育當局規劃設置國小教師專業評鑑機構之參考。

#### (二)宜訂定全國統一的國小教師專業評鑑制度的規定、實施內容、評鑑標準，並暢通申訴管道。

有鑑於英格蘭的教師評鑑制度實施雖久，卻因為將評鑑權限下放給各地方教育局(Local Education Authorities, LEA)執行，導致產生許多套不同的評鑑系統，造成在統計各地方資料上的不便與有礙事後比較分析和檢討。為使國小教師專業評鑑維持客觀中立，宜建立全國統一的教師專業評鑑程序，且須健全評鑑人員之訓練與組織，並將教師成績評鑑結果徹底保密，以維護受評鑑國小教師之權利。

此外，尚須健全國小教師評鑑申訴制度，以保障教師專業自主權和督促教師專業評鑑正常運作。因為即便是客觀公正的專業評鑑制度運作，評鑑人員與被評鑑者之間仍有可能有評鑑結果認知上的差異。因此，需要有一個健全的申訴制度與管道，以維持教師專業評鑑的正常運作。

#### (三)宜以積極鼓勵教師提升專業代替消極淘汰不適任教師

我國現行中小學教師考核制度宜以原先薪津晉級的架構為基礎，另視個別教師教學表現給予提高職級和敘薪。要格外注意的是，國小教師專業評鑑結果不宜直接與教師薪津所得結合，以免引起參與評鑑教師強烈反彈抵制。然而，英格蘭進階教師制度宜作為我國中小學教師成績考核制度修訂以及提敘種子教師、領域輔導員薪津之參考。

評鑑制度的目標宜以積極鼓勵表現優良之教師做出發，對於評鑑後不適任的教師則須妥善擬定有效能的輔導機制，協助其達到專業應有的水準。至於淘汰不適任教師(weed-out poor teachers)的退場機制設計，我國教育當局則不宜僅依據教師專業評鑑的

結果來處理之，而是應該健全學校人事考核系統、建立暢通的申訴管道和明確訂定處理不適任教師的法條依據與相關配套措施，以免讓我國內小學老師們產生排斥接受教師專業評鑑的恐懼心理。

#### **(四)宜為個別教師量身設立欲達成的目標。**

研究者發現，英國實施國小教師專業評鑑時判斷教師是否表現合宜之最主要核心關鍵乃在其是否達成先前預設的年度目標(target objectives)。因此，即使是一個教學能力欠佳的老師，只要能達成自己所設定的年度目標，依舊可以順利通過國小教師專業評鑑的考驗。此種尊重每位國小教師具有先天差異、個別性(individuality)的專業評鑑制度使得國小老師們可以依照自己的能力水準來適切設定年度要達成的目標。相信如此，國小教師們將更願意投入提昇自身的教育專業能力，並可減少國小教師對該立意良好的專業評鑑制度之反彈。研究者呼籲這正是我國目前推動教師評鑑必須特別加以納入考量的！

#### **(五)宜以多面向的觀點切入了解小學教師的教學表現，並以形成性評鑑作為未來正式推動國小教師專業評鑑之核心。**

教師評鑑可透過不同身份的評鑑者來實施教師評鑑，例如透過同儕評鑑 (Peer appraisal)、自我評鑑 (Faculty Self-Evaluation)、上級對部屬評鑑 (Superior-subordinate appraisal)、學生評鑑教師、行政人員評鑑 (Administrative evaluation)、小組評鑑(Group evaluation)、校外人士評鑑及非教育人士評鑑等八種(McColskey & Egelson, 1993)方式來更全面性地了解教師的實際教學表現。另外，評鑑者亦可以透過教學觀摩、教室觀察、教學錄影、學生學習成效、教學日誌、卷宗檔案、問卷與面談等多元方式來客觀呈現接受評鑑教師的教學表現。然而，教師評鑑不管採用何種評鑑工具，都應避免根據單一來源或工具的方式取得評鑑資料及做評鑑決定。一切均要謹慎客觀，才足以取信受評者。

教師專業評鑑的內涵可分為「形成性評鑑」和「總結性評鑑」。形成性教師評鑑旨在發現教師教學之優劣得失及其原因，協助教師改進教學，以提高教學效果，達成教學目標。總結性教師評鑑旨在考核教師表現水準的優劣程度，以便作為僱用教師、續聘教師、決定教師薪資水準、表揚優秀教師、以及處理不適任教師的依據，藉以促進學校人事之新陳代謝。研究者以為，台灣目前正開始試辦國小教師評鑑，屬於廣泛推

廣和積極鼓勵學校教師參與評鑑的萌芽階段，評鑑單位與人員宜運用「形成性」的觀點來看待教師接受評鑑後的結果，如此不但給教師充分的時間來適應此「新」制度的運作及營造，更可以真實地讓評鑑結果呈現出教師平日的表現。舉例來說，研究者訪問倫敦當地小學時，發現有小學老師表示以前曾有學校同仁的教學表現被一致地公認為不理想，並且對班上學生的態度亦不佳，然而因為其善於製作文書資料與應付短時間的教室觀察，而讓上級派遣的評鑑人員竟然發生離譜的誤判。這何嘗不是實施教師評鑑的過程中必須加以避免的情形呢？「形成性」評鑑理念的重要性由此可見！

是以，以「形成性評鑑」作為我國未來正式推動的教師評鑑制度，會遠比以「總結性評鑑」更容易讓國內小學教師樂於接受。畢竟，國小教師專業評鑑實施之目的乃在瞭解教師平日教學的成效與是否達成其自身設定的目標，而並非將教學者一時的表現粗糙地視為平日的點滴教學表現。研究者相信我國教育當局若能秉持此重視「形成性」過程甚於「總結性」結果的務實評鑑理念，將可祛除我國基層教師們對「評鑑結果直接影響工作權」無謂的恐懼與排斥心態。

#### **(六)宜體諒國小教師平日繁複沉重的工作量。**

教師專業評鑑需要對於過程和結果提供支持性的投資，但必須考量花費時間開評鑑會議(appraisal meeting)(運用空堂、午餐時間或放學後的時間)，或是運用時間來準備課程和做評量註記。有些老師想要運用資源使評鑑有效率，卻感到苦無時間進行。

據研究者於英格蘭倫敦地區國小場域中的觀察，英格蘭國小教師的工作量雖然沉重，但是其在學校所要面對的任務乃是以教學活動為主，職級較高的教師(類似我國國小的領域召集人、學年主任)除了將焦點置於班級教學外，尚須投入更多的時間與熱忱貢獻其專業知能、積極使教師專業獲得提升，並開拓學生發展更多的學習機會以及接受較困難的教學任務。

在研究者看來，台灣國內小學教師評鑑制度的建立和落實乃是提升整體教育水準的當務之急。然而，提昇國小教師的專業評鑑系統的設計必須考量國小教師原先繁複沉重的工作量，不宜讓老師們在專注教學工作同時付注太多心力在準備評鑑資料上，否則會使之無法將心思完全投注在孩童身上，反而造成教學品質下降。是故，筆者強烈建議國內教育當局在發展國小教師專業評鑑上能夠思量評鑑對教師造成的壓力和其隨後衍生的相關負面影響，譬如為準備詳盡精美的評鑑資料導致教學者無法專心授課

的窘況。況且教師評鑑所要了解的乃是教學人員平日上課的情況，並非要欣賞曇花一現的「完美演出」！研究者以為，唯有讓站在教育第一線的教學同仁們以平常心去接受教師評鑑的檢驗，方能達到積極追求教學品質維持和提升的理想目標。

教師評鑑是幫助教師追求專業表現與成長的機制，惟其運作不宜影響教師正常教學。研究者實際進入英格蘭當地數所小學中實施非參與觀察(non-participant observation)，發現當地小學教師們均疲於教學，甚少時間能夠進行教學反思和檢討，更何況乎接受專業評鑑呢？或許正因為當地國小老師們的強烈反彈，以及英格蘭政府在財政上的資助遞減，遂使英格蘭國小教師評鑑在 1997 年以後慢慢地演變成「績效管理」(performance management)，不再只單獨評鑑教師專業，而是更全面性地考量學校教育各個面向對學生學習的影響，舉凡教學軟硬體設施、行政服務、社區服務、親師溝通、校長決策等均是評鑑教育品質的指標。

值得探討的是，平時擁有許多訪客(包括熱心的家長、由多位教師組成的教師評鑑團體等)的學校，其到來是否會讓教師教學品質與學生表現有所提升呢？而甚少有陌生訪客的學校是否會有較少的改變。經過研究者前往倫敦市區的幾所小學，詢問學校評鑑人員、班級教師、學生和校長後，發現情況正好相反。亦即較少出現訪客的學校師生，對於陌生人的到來會在行為上有較大的改變。由於過多的評鑑次數可能反而產生副作用，譬如教師工作壓力過大、學生受外力吸引而無法專心上課等問題。因此，此可供國內當局思考擬訂教師專業評鑑的適當次數。

#### **(七)宜每年持續注入國小新進教師，以維持教育品質和樹立專業。**

以台灣的師資培育而言，自前教育部長吳京正式開放師資多元化後，教師的來源不再由師範院校所壟斷，一般大學畢業生修習教育學程者亦能參加教師的甄試。師資培育政策上的開放固然值得讚許，卻因為未注意整體師資員額的問題，埋下了造成今日國小教師甄試的超低錄取率的現象。面對當前國小師資已趨飽和的事實，如何以有效的評鑑機制來為站在第一線的教師專業品質把關實是當務之急！

英國學者 Wragg 等人(1996)曾指出班級教師是否具備能力(competence)並沒有很清楚的界定。教學是個多元面向(multi-dimensional)的活動，因此教師可能在某些方面擁有專長能力，卻在其他方面並沒有能力。此外有些教師難以適應突如其來的改變。國內小學前幾年推動的九年一貫改革便讓許多資深教師陷入焦慮，英格蘭的教師早在

80 至 90 年代即因為課程大幅改變而需調整其教學方法。這情形與台灣實施九年一貫的課程改革的情形如出一轍。當然首當其衝的便是教師本身。一位英國全國教師公會的代表道出過去英國在 90 年代進行課程改革時的當時情況，他說：『工作的內容改變很多。教師發現他們不再擁有跟上時代的技巧，尤以國民小學的情況最為嚴重，因為其課程與所需的教學風格有了巨大的改變。』

#### **(八)國內宜設立專責國小教師評鑑之機構、培育從事教師專業評鑑人員與明文規範國小教師專業評鑑人員所扮演的角色與責任。**

國內未來宜組織成立一個專責國小教師專業評鑑的單位，例如可在教育研究院下設置國小教師專業評鑑處抑或授權國內各教育大學聯合組成評鑑小組來負責評鑑監督教師專業評鑑實施的過程與品質，並充分支持和協助輔導各縣市教育局、國小推動教師專業評鑑。而更重要的，擔任國小教師專業評鑑成員，絕非擁有高學歷或位階即可勝任，而是其本身必須具備豐富的國小實務經驗和具備教學評鑑等相關領域的專業訓練。放眼目前國內，舉凡各教育大學、師範學院或一般大學教育學程中心均具備豐富的培育師資經驗以及提昇教師專業的訓練課程，職此建議教育當局可借重各師範院校師資培育中心研商成立國內各縣市師資評鑑小組，擬訂由上而下的統一評鑑方式和運作系統，並以各相關機構所在地來分別執行國小教師專業評鑑。設立專責推動教師專業評鑑機構、培訓評鑑人員以及政府充足且長期經費的補助乃是英格蘭地區持續推動與落實教師評鑑的主要因素。

國小校長扮演國小教師專業評鑑的靈魂人物。其必須樂於協助並支持校內每位教師追求專業表現上的提升。尤其，國小校長擁有影響校內教師專業評鑑結果的最高權力。是以，如何責成國小校長以公正客觀的立場進行教師評鑑乃是教師業評鑑成敗的關鍵之一。

#### **(九)宜採取穩健逐步的實施策略與提供充裕經費補助。**

教師評鑑/績效管理(teacher appraisal/performance management)絕不是一套標準技術。它是可以在任何組織環境裡被採用的一個方法或是文化風格(culture style)，並且除非組織內大部分的人接受其有效性(validity)方能使之推動成功。要達成廣泛落實需要時間、努力以及信念。(Derek Torrington *et al*, 2003)

另外，英格蘭地方教育局過去因為正受限於政府財力資助的關係，必須在教師評

鑑發展傾向上予以妥協。導致後來在 1995 年因為缺乏資金(原先估計四千萬英鎊，卻僅補助一千萬英鎊)而一度結束。

由此我們可以瞭解到，要推動國小教師專業評鑑必須體認到推動後的成效是需要長期耕耘方能致之。對於國內小學教師專業評鑑之推行，建議教育當局唯有捨棄冀望在極短期間內獲得豐碩成效之「烏托邦」理想，而是率先一肩將國小教師專業評鑑的實施程序、內容與配套措施妥善訂定，並積極爭取充足教育經費給予下屬各縣市教育局與國民小學單位來推動教師專業評鑑事宜。在具有支持性的教育大環境下，方能使國內各縣市的老師們對此即將付諸實行的嶄新制度產生信任感和抱持正面接受觀感。

#### (十)宜廣納國小教師對教師評鑑的看法與建議。

由上述英格蘭實施績效管理評鑑的情形，可見教師的態度具有關鍵性的影響。是以，我國教育當局宜在正式落實國小教師專業評鑑度以前，邀請評鑑學者專家們巡迴至全國各國小學辦教師評鑑相關研習與廣搜教師對評鑑之疑慮和建議，此舉一方面得讓國內基層教師們對教師評鑑的目的和內涵有了正確的認知；了解教師評鑑乃是全球提昇教育品質的潮流，也是使國小教師專業向上提昇的必備條件。另外，此方式則有助於教育上層機關於制定專業評鑑制度的內容時能兼顧理想與實際面，使未來真正落實國內小學教師專業評鑑制度之際能遭逢較少的反彈和有效率地改善提昇教師表現。

#### (十一)宜在現有教師編制下增加支援教師(teaching assistant)，以提昇教學品質。

在進入倫敦地區國小訪談個案老師時，研究者留意到學校裡除了班級級任老師、科任老師之外，尚有所謂的教學助理(teaching assistant, TA)；他們並沒有具備教學的資格(teaching qualification)，其作用在協助國小正式編制教師指導學生們的學習。關於當地教學助理的評鑑乃是透過學校評鑑人員和校外評鑑人士對之實施觀察和監督，但並不像一般國民小學正式編制的教師們所接受的專業評鑑那般密集嚴謹。關於薪資部分，教學助理的薪資明顯低於一般正式教師許多。英格蘭地區的教學助理可以經由許多路徑(routine)成為國小正式老師，舉例來說學校的教學助理可採取每週至少上班兩天半的時間，其他時間則前往大學機構修習學分，經通過長達四年的課程後則可以取得正式教師的資格。研究者建議我國教育當局可酌予參考此英格蘭國校內設置教學助理的理念，使國內目前已取得正式教師資格的準老師們，在面臨學校教師人數飽和甚至超額的現況，仍有機會能夠進入國小場域中發揮其教育專長。在教學助理的

協助教學之下，相信將可有效減輕目前國小老師們的沉重教學負擔和額外行政工作，使班級老師能夠更專注地投入在幫助個別學生進行有效學習、精進課程內容設計安排和自身的教學表現，終而使我國國小教育品質能夠躋居世界先進國家的行列中。

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## 網路部分

倫敦大學國王學院網站<http://www.kcl.ac.uk/>

倫敦大學教育學院網站<http://ioewebsserver.ioe.ac.uk/ioe/index.html>

英格蘭教育部網站<http://www.dfes.gov.uk/performancetables/>

英格蘭教育部所屬之教育評鑑機構<http://www.ofsted.gov.uk/>

英格蘭教育部所屬之教師網<http://www.teachernet.gov.uk>

英格蘭全國教師公會<http://www.teachers.org.uk/>

英格蘭 2001 年教育(學校教師評鑑)規定<http://www.opsi.gov.uk/si/si2001/20012855.htm>

英格蘭 2006 年教育(學校教師績效管理)規<http://www.opsi.gov.uk/si/si2006/20062661.htm>

## **The Interview Questions of Primary Teacher Appraisal /performance management in England**

**This interview is composed of five questions related to teacher appraisal /performance management. It would be useful if you could read the questions in advance and think about the kind of answer you would want to give. Once again, can I assure you that no individual or no school will be identifiable from any of the research.**

**Thank you very much!**

### **1. In your point of view, what do you understand by “teacher appraisal /performance management ” at primary school?**

- 1-1 How would you define what primary teacher appraisal /performance management is about?
- 1-2 What kinds of things are involved in primary teacher appraisal /performance management?
- 1-3 What would you do to prepare for primary teacher appraisal /performance management? What kinds of evidence might you collect?
- 1-4 In what ways do you think primary teacher appraisal/performance management is or is not related to your salary?

### **2.Please describe the process in detail and explain how primary teacher appraisal/performance management works at your school as far as you know ?**

- 2-1 Who are the appraisers ?
- 2-2 When will primary teachers receive the notice of being appraised ?
- 2-3 If you are told that you will receive primary teacher appraisal, how would you prepare for it?
- 2-4 Which forms of primary teacher appraisal do you face?( the self appraisal, peer appraisal .....) What’s your opinion about them?

### **3.How do you feel about the teacher appraisal/performance management system in England ?**

- 3-1 Have you ever played the role of the appraiser or appraisee at primary school before?  
What did you do and what did you think of the process?
- 3-2 Are you willing to appraise other primary teachers or be appraised ?

3-3 Do you think it's worthwhile carrying out teacher appraisal or not? Please explain why.

3-4 Do you see teacher appraisal as a threat or benefit to teachers at primary school?

**4. What are the impacts of putting primary teacher appraisal/performance management into practice in schools ?**

4-1 Do you think that primary teacher appraisal has any positive influences on teachers or appraisers?

4-2 Do you think primary teacher appraisal have any negative influences on teachers or appraisers?

4-3 What is the effect of primary teacher appraisal on staff relations in school when it is conducted?

4-4 Do you think that primary appraisal/performance management leads to a long term improvement in teaching quality or are its effects temporary ?

4-5 Do you think that the culture and atmosphere of primary schools changes as a consequence of primary teacher appraisal/performance management ?

4-6 Do you think that primary teacher appraisal/performance management really improves the teaching quality in the classroom? What is your thought?

**5. In your opinion, what have been the problems of putting teacher appraisal into practice in recent years ? How could the teacher appraisal/performance management system be improved?**

5-1 What are the strategies to support teachers who perform badly in teacher appraisal? Is it easy or hard to improve their performance?

5-2 Do you think that the appraisal made by Local Educational authorities /the head teacher and administrators /Her Majesty's Chief Inspector or some other organizations are fair?

5-3 What's your opinion of threshold assessment or AST(Advanced Skills Teacher) payment system related with the result of teacher performance management/ appraisal ? (Threshold assessment :In this system, there are eight threshold standards. They cover five areas, all of which relate directly or indirectly to classroom teaching: knowledge and understanding ;teaching and assessment ; pupil progress; wider professional effectiveness; and professional characteristics. Teachers can raise their salary (2000 pounds)by crossing the next level.)

5-4 If you were the person in power, what would you do to improve the system of teacher performance management/appraisal in England ?

附錄二：2001 年英格蘭教育之學校教師評鑑規定之原文資料

(完整文獻請參閱：<http://www.opsi.gov.uk/si/si2001/20012855.htm>)

## 2001 No. 2855

### EDUCATION, ENGLAND

Education (School Teacher Appraisal) (England) Regulations 2001

*Made* 3rd August 2001

*Laid before Parliament* 9th August 2001

*Coming into force* 1st September 2001

### ARRANGEMENT OF REGULATIONS

#### PART I

##### *General*

1. Citation, commencement, extent and revocation
2. Breach of time limits

#### PART II

##### *Provisions applying to teachers employed at schools*

3. Application of Part II
4. Interpretation of Part II
5. Duty to appraise
6. Appointment of appraisers for head teachers
7. Appointment of external advisers for head teachers
8. Appointment of appraisers for other teachers
- 9-11. The appraisal cycle
- 12-14. Planning appraisal and setting of objectives
15. Classroom observation
16. The appraisal interview and the appraisal statement
17. Appraisal procedures
18. Head teacher's report
19. Review of appraisal
- 20-22. Use and retention of appraisal statements

## PART III

*Provisions applying to certain teachers employed by the local education authority other than in certain nursery schools*

23. Application of Part III

24. Interpretation of Part III

25. Duty to appraise

26. Appointment of appraisers for head teachers

27. Appointment of appraisers for other unattached teachers

28-30. The appraisal cycle

31-32. Planning appraisal and setting objectives

33. Teaching observation

34. The appraisal interview and the appraisal statement

35. Appraisal procedures

36. Review of appraisal

37. Chief Education Officer's report

38-39. Use and retention of appraisal statement

## PART IV

*Transitional provisions*

40. Transitional provision

Explanatory note

In exercise of the powers conferred on the Secretary of State by sections 49 and 63(3) of the Education (No. 2) Act 1986[1] and after consulting in accordance with section 49(4) of that Act such associations of local authorities, and representatives of school teachers, as appeared to her to be concerned and other persons with whom consultation appeared to her to be desirable, the Secretary of State for Education and Skills hereby makes the following Regulations:

## PART I

### GENERAL

#### **Citation, commencement, extent and revocation**

1. - (1) These Regulations may be cited as the Education (School Teacher Appraisal) (England) Regulations 2001 and shall come into force on 1st September 2001.

(2) These Regulations shall apply in relation to England.

(3) The Education (School Teacher Appraisal) (England) Regulations 2000[2] and the



Education (School Teacher Appraisal) (Amendment) (England) Regulations 2000[3] are hereby revoked.

**Breach of time limits**

2. Failure by any person to discharge any duty within a time limit specified in these Regulations shall not relieve him of that duty.

PART II

PROVISIONS APPLYING TO TEACHERS EMPLOYED AT SCHOOL

**Application of Part II**

3. - (1) Part II applies to the appraisal of the performance of a teacher who -

(a) is employed by a local education authority in a community, voluntary, foundation, community special, foundation special school or nursery school or by the governing body of a community, voluntary, foundation, community special or foundation special school; and

(b) if he is employed under a fixed term contract of employment, is employed for a period of one school term or more;

and "teacher" in this Part shall be interpreted accordingly.

(2) Regulations 6, 7, 11, 12, 14 and 16 shall not apply to a head teacher who is not employed under the terms and conditions determined by the Secretary of State by order under the School Teachers' Pay and Conditions Act 1991[4].

**Interpretation of Part II**

4. - (1) In this Part -

"appraisal statement" means an appraisal statement prepared under regulation 16 in respect of a teacher;

"external adviser" means a person appointed as such by a school governing body being one of the persons on a list of advisers in relation to the appraisal of head teachers maintained by the Secretary of State;

"nursery school" means a nursery school maintained by a local education authority for which a management committee, governing body or board of governors (however described) has been constituted and which is charged with the exercise of staff management functions;

"school" means -

(a) a community, voluntary, foundation, community special, or foundation special school; or

(b) a nursery school;

"school day", in relation to a school, means any day on which at that school there is a school session;

"school which has a religious character" means a foundation or voluntary school designated as a school having such a character under section 69(3) of the School Standards and Framework Act 1998[5];

"short fixed term contract" means a fixed term contract of one school term or more but less than one year; and

"teacher" has the meaning assigned to it in regulation 3.

(2) In the application of Part II to a teacher employed to work at a nursery school -

"chairman of the governing body" means the chairman of the management committee, governing body or board of governors (however described) of the school;

"governing body" means the management committee, governing body or board of governors (however described) of the school; and

"governor" means a member of the management committee, governing body or board of governors (however described) of the school.

### **Duty to appraise**

**5.** - (1) It shall be the duty of the governing body of a community, voluntary, foundation, community special, or foundation special school to secure that the performance of teachers in discharging their duties at the school is regularly appraised in accordance with this Part.

(2) It shall be the duty of the local education authority responsible for maintaining a nursery school to secure that the performance in discharging their duties of teachers at the school is regularly appraised in accordance with this Part.

### **Appointment of appraisers for head teachers**

**6.** - (1) The governing body of a school shall appoint two or three governors to be appraisers for the head teacher, and may appoint a new appraiser in place of an existing appraiser at any time.

(2) No governor who is a teacher or other member of staff at the school shall be appointed as appraiser of the head teacher.

(3) Subject to paragraph (4), one or more of the appraisers of the head teacher of -

(a) a school which has a religious character; or

(b) a voluntary aided school which does not have a religious character,

shall be foundation governors of the school.

(4) Where the governing body of a voluntary aided school appoints three governors as appraisers of the head teacher under paragraph (1), not less than two of them shall be foundation governors of the school.

### **Appointment of external advisers for head teachers**

7. The governing body of a school shall appoint an external adviser in relation to the appraisal of the head teacher, and may appoint a new external adviser in place of an existing external adviser at any time.

### **Appointment of appraisers for other teachers**

8. - (1) The head teacher shall appoint as appraiser for every other teacher at the school, a teacher at the school who may be the head teacher.

(2) The head teacher may appoint a new appraiser in place of an existing appraiser at any time.

### **The appraisal cycle**

9. - (1) Subject to the following provisions of this regulation, and to regulations 10 and 11, the governing body of a school shall determine the timing of the appraisal cycle for the head teacher (including an acting head teacher) and the head teacher shall determine the timing of the appraisal cycle for every other teacher at the school.

(2) Except as provided for in regulation 10(4), (5), (6) and (7) the length of an appraisal cycle shall be one year.

(3) Once begun, appraisal cycles for every teacher shall be continuous.

10. - (1) If a teacher moves to a post in another school or to a new post as a head teacher, the appraisal cycle shall begin again.

(2) The governing body may determine that the length of the first appraisal cycle under these regulations of the head teacher of the school shall be a period of less than one year.

(3) If a teacher other than a head teacher moves to a new post in the same school the head teacher may determine that the appraisal cycle shall begin again.

(4) If a teacher becomes an acting head teacher the governing body may determine that -

(a) the appraisal cycle shall begin again; and

(b) the teacher shall be appraised as a head teacher.

(5) Where a teacher's appraisal cycle begins again under paragraph (1), (3) or (4)(a), the head teacher or the governing body may determine that the length of the teacher's first appraisal cycle in his new post shall be a period of less than one year.

(6) Where the teacher is employed under short fixed term contract the length of the appraisal cycle shall be the term of the contract.

(7) In the case of the first appraisal cycle under these Regulations of a school teacher other than a head teacher, the head teacher may determine that the length of the cycle shall be a

period of not less than nine months and not exceeding 18 months.

(8) The appointment of a new appraiser or new external adviser shall not cause a teacher's appraisal cycle to begin again.

**11.** The governing body shall secure that objectives have been agreed or set for the head teacher of a school in accordance with regulation 12 on or before 31st December 2001 and on or before 31st December in every subsequent year.

**Planning appraisal and setting of objectives**

**12.** - (1) Before or at the start of the appraisal cycle, all the appraisers of a head teacher, the external adviser and the head teacher shall meet to plan and prepare for the appraisal and to seek to agree objectives which shall include objectives relating to -

- (a) school leadership and management; and
- (b) pupil progress.

(2) If objectives are not agreed under paragraph (1), the appraisers shall set the objectives for the head teacher.

(3) The objectives agreed or set under this regulation shall be recorded in a written statement of objectives and in the case of objectives set under paragraph (2) the head teacher may add to it comments in writing.

**13.** - (1) This regulation applies in relation to the appraisal of a teacher who is not a head teacher.

(2) Before or at the start of the appraisal cycle, the appraiser and the teacher shall meet to plan and prepare for the appraisal and to seek to agree objectives which shall include objectives relating to -

- (a) developing and improving the teacher's professional practice; and
- (b) pupil progress.

(3) If objectives are not agreed under paragraph (2), the appraiser shall record such objectives as he considers appropriate in writing, and the teacher may add comments in writing.

(4) The objectives agreed under paragraph (2), or where objectives have not been agreed, the objectives recorded under paragraph (3) and the teacher's written comments shall be recorded in a written statement of objectives.

(5) Where a teacher is employed at more than one school the requirements of subsections (2) to (4) above must be met in relation to each school.

**14.** - (1) A teacher's objectives may be revised at any time during the appraisal cycle where the teacher and his appraiser, or in the case of a head teacher all his appraisers, agree.

(2) Where a teacher's objectives are revised under this regulation -

(a) his statement of objectives shall be amended to show the agreed revision;

(b) references in these Regulations to his objectives shall be read as references to his revised objectives; and

(c) references in these Regulations to his statement of objectives shall be read as references to his amended statement of objectives.

### **Classroom observation**

**15.** - (1) In appraising a teacher who is not a head teacher the appraiser shall observe the teacher teaching on at least one occasion.

(2) An appraiser may not without first consulting the teacher obtain from any other person information, whether written or oral, relevant to the teacher's performance.

### **The appraisal interview and the appraisal statement**

**16.** - (1) At or near the end of the appraisal cycle, the appraiser and the teacher, and in the case of a head teacher, all the appraisers, the external adviser and the head teacher shall hold an appraisal interview, with the objects of -

(a) reviewing the teacher's performance and identifying his achievements and aspects in which further development would be desirable;

(b) assessing the extent to which the teacher has met the objectives agreed or set under regulation 12 or recorded under regulation 13(4); and

(c) identifying any training and developmental needs and ways of meeting such needs.

(2) Not later than the end of the period of 10 school days beginning with each appraisal interview, the appraiser or appraisers shall prepare a written appraisal statement recording the main points made by the appraiser or appraisers and the teacher at the interview and the conclusions reached, and there shall be recorded in a separate annex to the appraisal statement (which shall form part of the statement) the training and developmental needs and ways of meeting such needs identified at the interview.

(3) An appraisal interview under paragraph (1) may be combined with a meeting under regulation 12 or 13 in relation to the following appraisal cycle.

(4) The appraiser shall give the teacher a copy of the appraisal statement not later than the end of the period of 10 school days beginning with the date of the appraisal interview.

(5) The teacher may, not later than the end of the period of 10 school days beginning with

the date on which he first had access to the appraisal statement, add to it comments in writing.

### **Appraisal procedures**

**17.** Subject to regulations 12 to 16, the governing body of a school shall determine any ancillary or supplementary procedures for the appraisal of the teachers at the school.

### **Head teacher's report**

**18.** - (1) At least once during each school year the head teacher shall make a written report to the governing body about the operation of teachers' appraisal at the school, the effectiveness of the school's appraisal procedures, and the training and developmental needs of the teachers.

(2) The governing body of a nursery school shall upon request provide a copy of the head teacher's report to the Chief Education Officer or representative of that officer.

### **Review of appraisal**

**19.** - (1) A teacher shall be entitled to complain about an appraisal statement not later than the end of the period of 10 school days beginning with the day on which he first had access to it.

(2) The review officer in relation to a complaint by a head teacher shall be the chairman of the governing body, but where the chairman of the governing body had participated in the appraisal complained of, the governing body shall appoint one or more governors who have not participated in the appraisal complained of as review officers in relation to such complaint.

(3) The review officer in relation to a complaint by a teacher who is not a head teacher shall be the head teacher, but where the appraiser is the head teacher, the review officer shall be the chairman of the governing body.

(4) No governor who is a teacher or other staff member at the school shall be appointed as a review officer for a teacher at the school.

(5) The review officer shall not later than the end of the period of 10 school days beginning with the day on which he was provided with a copy of the appraisal statement conduct and conclude a review of the appraisal complained of, and shall take account of any representations made by the teacher.

(6) The review officer may -

(a) order the appraisal statement to stand with or without observations of his own; or

(b) with the agreement of the appraiser, or in the case of a head teacher all the appraisers, amend the appraisal statement; or

(c) except where the teacher is employed under a short fixed term contract, order that the appraisal statement be expunged and order a new appraisal.

(7) Where a new appraisal is ordered under paragraph (6)(c) -

(a) in the case of a head teacher, all the appraisers shall be replaced by new appraisers appointed in accordance with regulation 6; and

(b) in the case of a teacher who is not a head teacher, a new appraiser shall be appointed in accordance with regulation 8, and where the head teacher was the appraiser the review officer shall appoint as appraiser the head teacher of another school or such other person of suitable seniority, expertise and experience as he considers fit,

and subject to paragraph (8) the review officer shall determine which appraisal procedures shall be repeated.

(8) The review officer shall not -

(a) determine that new objectives be agreed or set in accordance with regulation 12 or 13; or

(b) determine that the objectives agreed or set under regulation 12 or 13 be revised.

(9) All appraisal procedures determined to be repeated where a new appraisal is ordered under paragraph (6)(c) shall be completed by not later than the end of the period of 15 school days beginning with the date on which the review officer made his order.

#### **Use and retention of appraisal statements**

**20.** - (1) This regulation applies in the case of a head teacher.

(2) The appraisers shall give the appraisal statement to the chairman of the governing body.

(3) The chairman of the governing body shall provide a copy of the appraisal statement to -

(a) the appraisers, upon request;

(b) any review officer, who shall also be given access to the statement of objectives for the appraisal cycle to which the statement relates;

(c) any governors responsible for advising about, or taking decisions in relation to, the use of any discretion in relation to the head teacher's pay, upon request;

(d) in the case of the head teacher of a school which does not have a delegated budget the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer with responsibility for advising about, or taking decisions in relation to, the use of any discretion in relation to the head teacher's pay, upon request; and

(e) in the case of the head teacher of a nursery school the Chief Education Officer,

upon request.

(4) The chairman of the governing body shall provide the appraisal statement to the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer with responsibility for advising about, or taking decisions in relation to, the performance of head teachers pursuant to paragraph 23 of Schedule 16 and paragraph 22 of Schedule 17 to the School Standards and Framework Act 1998[6], upon request.

(5) The chairman of the governing body shall make a head teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.

(6) The chairman of the governing body shall provide a copy of the annex to the appraisal statement referred to in regulation 16(2) to the person or persons responsible for planning the training and development of teachers at the school.

(7) A head teacher shall keep a copy of his appraisal statement until at least three years after his next appraisal statement has been finalised.

(8) The governing body shall keep a copy of the head's appraisal statement until at least three years after his next appraisal statement has been finalised.

**21.** - (1) This regulation applies in the case of a teacher who is not a head teacher.

(2) The appraiser shall give the appraisal statement to the head teacher.

(3) The head teacher shall make the appraisal statement available to -

(a) the appraiser, upon request;

(b) any review officer, who shall also be given access to the statement of objectives for the appraisal cycle to which the statement relates;

(c) any governors responsible for advising about, or taking decisions in relation to, the promotion of the teacher or the use of any discretion in relation to his pay, upon request; and

(d) in the case of a teacher employed at a school which does not have a delegated budget the Chief Education Officer or any officer or adviser specifically designated by the Chief Education Officer with responsibility for advising about, or taking decisions in relation to, the promotion of the teacher or the use of any discretion in relation to his pay, upon request.

(4) The head teacher shall make a teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.

(5) The head teacher shall provide a copy of the annex to the appraisal statement referred to



in regulation 16(2) to the person or persons responsible for planning the training and development of teachers at the school.

(6) The head teacher shall keep a teacher's appraisal statement until at least three years after his next appraisal statement has been finalised.

**22.** - (1) Relevant information from appraisal statements may be taken into account by head teachers, school governing bodies (including committees of governing bodies), Chief Education Officers or any officers or advisers specifically designated by a Chief Education Officer under regulation 20(3)(d), 20(4) or 21(3)(d) in taking decisions, and in advising those responsible for taking decisions, about the performance, promotion, dismissal or discipline of teachers or the use of any discretion in relation to pay.

(2) Appraisal procedures shall not form part of any disciplinary or dismissal procedures.

### PART III

#### PROVISIONS APPLYING TO CERTAIN TEACHERS EMPLOYED BY THE LOCAL EDUCATION AUTHORITY OTHER THAN IN CERTAIN NURSERY SCHOOLS

##### **Application of Part III**

**23.** Part III applies to the appraisal of the performance of a teacher who is employed by a local education authority under the terms and conditions determined by the Secretary of State by Order under Section 2 of the School Teachers' Pay and Conditions Act 1991<sup>[7]</sup> and who -

(a) is not attached to a particular school (other than a pupil referral unit); or

(b) is employed to work in a nursery school to which part II does not apply;

and if he is employed under a fixed term contract of employment, is employed for a period of twelve weeks or more.

##### **Interpretation of Part III**

**24.** In this Part -

"appraisal statement" means an appraisal statement prepared under regulation 34 in respect of a teacher;

"authority" in relation to a teacher to whom part III applies means the local education authority by which he is employed;

"Chief Education Officer" includes (except in regulation 35(3)) any officer specifically designated by the Chief Education Officer with responsibility for carrying out any function of the Chief Education Officer under this Part;

"head teacher" means a teacher paid as a head under the School Teachers' Pay and Conditions Act 1991;

"pupil referral unit" has the meaning given to that expression in section 19(2) of the

Education Act 1996[8];

"short fixed term contract" means a fixed term contract of 12 weeks or more but less than one year;

"teacher" means a teacher to whom regulation 23 applies;

"working day" means any day except Saturday and Sunday, which is not a public holiday.

### **Duty to appraise**

**25.** It shall be the duty of the local education authority to secure that the performance in discharging their duties of teachers employed by them is regularly appraised in accordance with this Part.

### **Appointment of appraisers**

**26.** - (1) The Chief Education Officer shall appoint an appraiser for every teacher to whom this part applies.

(2) The Chief Education Officer may appoint a new appraiser in place of an existing appraiser at any time.

### **The appraisal cycle**

**27.** - (1) Subject to the following provisions of this regulation, and to regulations 28 and 29, the Chief Education Officer shall determine the timing of the appraisal cycle for the head teacher and every teacher employed by the authority to whom this Part applies.

(2) Except as provided for in paragraphs (3), (4) and (5) of this regulation and regulation 28(3) the length of an appraisal cycle shall be one year.

(3) The Chief Education Officer may determine that the length of the first appraisal cycle under these Regulations of a teacher other than a head teacher shall be a period of not less than nine months and not exceeding 18 months.

(4) The Chief Education Officer may determine that the length of the first appraisal cycle under these Regulations of a head teacher shall be a period of less than one year.

(5) Where the teacher is employed under a short fixed term contract the length of the appraisal cycle shall be the term of the contract.

(6) Once begun, appraisal cycles for every teacher shall be continuous.

**28.** - (1) If a teacher moves to a new post in the local education authority the appraisal cycle may begin again.

(2) If a teacher becomes an acting head teacher the Chief Education Officer may determine that -

(a) the appraisal cycle shall begin again; and

(b) the teacher shall be appraised as a head teacher.

(3) Where the Chief Education Officer determines that a teacher's appraisal cycle shall begin again under paragraph (1) or (2)(a), they may also determine that the length of the teacher's first appraisal cycle in his new post shall be a period of less than one year.

(4) The appointment of a new appraiser shall not cause a teacher's appraisal cycle to begin again.

**29.** The Chief Education Officer shall secure that:

(a) objectives have been agreed or set for every head teacher in accordance with regulation 30 on or before 31st December 2001 and on or before 31st December in every subsequent year; and

(b) objectives have been recorded in relation to every teacher who is not a head teacher, in accordance with regulation 31 on or before 28th February 2002.

**30.** - (1) This regulation applies in relation to the appraisal of all teachers including head teachers.

(2) Before or at the start of the appraisal cycle, the appraiser and the teacher shall meet to plan and prepare for the appraisal and to seek to agree objectives which shall include objectives relating to -

(a) in the case of a head teacher -

(i) leadership and management; and

(ii) pupil progress, or where the head teacher does not have sufficient direct contact with pupils to enable a direct measure of progress, his contribution to pupil progress;

(b) in the case of a teacher who is not a head teacher -

(i) developing and improving the teacher's professional practice; and

(ii) pupil progress, or where the teacher does not have sufficient direct contact with pupils to enable a direct measure of progress, his contribution to pupil progress.

(3) If objectives are not agreed under paragraph (2), the appraiser shall record such objectives as he considers appropriate in writing, and the teacher may add comments in writing.

(4) The objectives agreed under paragraph (2), or where objectives have not been agreed, the objectives recorded under paragraph (3) and the teacher's written comments shall be

recorded in a written statement of objectives.

**31.** - (1) A teacher's objectives may be revised at any time during the appraisal cycle where the teacher and his appraiser agree.

(2) Where a teacher's objectives are revised under this regulation -

(a) his statement of objectives shall be amended to show the agreed revision;

(b) references in this Part to his objectives shall be read as references to his revised objectives; and

(c) references in this Part to his statement of objectives shall be read as references to his amended statement of objectives.

### **Teaching observation**

**32.** - (1) Subject to paragraph (3) in appraising a teacher who is not a head teacher the appraiser shall observe the teacher teaching on at least one occasion.

(2) An appraiser may not without first consulting the teacher obtain from any other person (save for a person appointed in accordance with paragraph (3)) information, whether written or oral, relevant to the teacher's performance.

(3) Any observation of a teacher may be undertaken by a suitably experienced person, appointed by the appraiser, who shall provide a report to the appraiser and feedback to the teacher.

### **The appraisal interview and the appraisal statement**

**33.** - (1) At or near the end of the appraisal cycle, the appraiser, and the teacher shall hold an appraisal interview, with the objects of -

(a) reviewing the teacher's performance and identifying his achievements and aspects in which further development would be desirable;

(b) assessing the extent to which the teacher has met the objectives agreed or set under regulation 30 or recorded under regulation 30(4); and

(c) identifying any training and developmental needs and ways of meeting such needs.

(2) Not later than the end of the period of 10 working days beginning with each appraisal interview, the appraiser shall prepare a written appraisal statement recording the main points made by the appraiser and the teacher at the interview and the conclusions reached, and there shall be recorded in a separate annex to the appraisal statement (which shall form part of the statement) the training and developmental needs and ways of meeting such needs identified at the interview.

(3) The appraiser shall give the teacher a copy of the appraisal statement not later than the

end of the period of 10 working days beginning with the date of the appraisal interview.

(4) The teacher may, not later than the end of the period of 10 working days beginning with the date on which he first had access to the appraisal statement, add to it comments in writing.

### **Appraisal procedures**

**34.** Subject to regulations 30 to 33, the Chief Education Officer shall determine any ancillary or supplementary procedures for the appraisal of teachers in the area of his authority.

### **Review of appraisal**

**35.** - (1) A teacher shall be entitled to complain about an appraisal statement not later than the end of the period of 10 working days beginning with the day on which he first had access to it.

(2) Subject to subparagraph (3) the review officer shall be the Chief Education Officer.

(3) Where the Chief Education Officer (in person) has participated in the appraisal complained of the review officer shall be the Chief Executive of the authority.

(4) The review officer shall not later than the end of the period of 10 working days beginning with the day on which he was provided with a copy of the appraisal statement conduct and conclude a review of the appraisal complained of, and shall take account of any representations made by the teacher.

(5) The review officer may -

(a) order the appraisal statement to stand with or without observations of his own; or

(b) with the agreement of the appraiser, amend the appraisal statement; or

(c) except in the case of a teacher employed under a short fixed term contract, order that the appraisal statement be expunged and order a new appraisal.

(6) Where a new appraisal is ordered under paragraph (5)(c) the appraisal shall not be conducted by the person who conducted the original appraisal and subject to paragraph (7) the review officer shall determine which appraisal procedures shall be repeated.

(7) The review officer shall not -

(a) determine that new objectives be agreed or set in accordance with regulation 30 or 31; or

(b) determine that the objectives agreed or set in accordance with regulation 30 or 31 be revised.

(8) All appraisal procedures determined to be repeated where a new appraisal is ordered under paragraph (6)(c) shall be completed by not later than the end of the period of 15

working days beginning with the date on which the review officer made his order.

### **Chief Education Officer's Report**

**36.** At least once a year, the Chief Education Officer shall make a written report to the local education authority about the operation of teachers' appraisal in the authority's area, the effectiveness of the authority's appraisal procedures and the training and developmental needs of the teachers.

**37.** - (1) This regulation applies in the case of any teacher who may be a head teacher.

(2) The appraiser shall give the appraisal statement to the Chief Education Officer.

(3) The Chief Education Officer shall make the appraisal statement available to -

(a) the appraiser, upon request;

(b) any review officer, who shall also be given access to the statement of objectives for the appraisal cycle to which the statement relates;

(c) any officer of the authority responsible for advising about, or taking decisions in relation to, the promotion of the teacher or the use of any discretion in relation to his pay, upon request.

(4) The Chief Education Officer shall make a teacher's current statement of objectives available to a new appraiser appointed otherwise than at the beginning of an appraisal cycle.

(5) The Chief Education Officer shall provide a copy of the annex to the appraisal statement referred to in regulation 33(2) to the person or persons responsible for planning the training and development of teachers at the pupil referral unit, nursery school or in the education service.

(6) The Chief Education Officer shall keep a teacher's appraisal statement until at least three years after his next appraisal statement has been finalised.

**38.** - (1) Relevant information from appraisal statements may be taken into account by Chief Education Officers in taking decisions, and in advising those responsible for taking decisions, about the performance, promotion, dismissal or discipline of teachers or the use of any discretion in relation to pay.

(2) Appraisal procedures shall not form part of any disciplinary or dismissal procedures.

## PART IV

### TRANSITIONAL PROVISIONS

#### **Transitional provision**

**39.** Regulations 20 to 22 shall apply in relation to -

(a) appraisal records produced and maintained under the Education (School Teacher Appraisal) Regulations 1991; and

(b) appraisal statements produced and maintained under the Education (School Teacher Appraisal) Regulations 2000,

as they apply in relation to appraisal statements and review documents produced and maintained under these Regulations.

*Stephen Timms*

Minister of State, Department for Education and Skills

3rd August 2001

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Education (School Teacher Appraisal) Regulations 2000 (S.I. 2000/1620) as amended (S.I. 2000/3369).

The Regulations in part II provide for the appraisal of the performance of teachers (including unqualified teachers and those employed on fixed term contracts of less than a year) employed at one or more community, voluntary, foundation, community special, foundation special schools or nursery schools with a management committee which exercises staff management functions.

The Regulations in part III provide for the appraisal of the performance of teachers who are employed by the local education authority in pupil referral units, nursery schools without a management committee or not attached to a particular school.

By virtue of section 19(7) of the Teaching and Higher Education Act 1998, these Regulations

do not apply to teachers serving an induction period under section 19.

In relation to the teachers to whom part II applies, the Regulations make provision for the appointment of an appraiser for each teacher. A school governing body (or management committee of a nursery school) must appoint an external adviser in relation to the appraisal of a head teacher, and they shall appoint either two or three appraisers for a head teacher.

The governing body of a school are under a duty to secure that the performance of all teachers at the school is appraised regularly. The appraisal cycle normally lasts for one year, although the first appraisal cycle under these Regulations for a teacher who is not a head teacher may last for between 9 and 18 months. The Regulations make provision for the procedures for appraisal.

A teacher has a right to have his appraisal statement reviewed if he complains within 10 school days.

The Regulations impose a duty on head teachers to make an annual written report on the effectiveness of appraisal procedures to the governing body.

The Regulations also make provision for the retention, disclosure and use of appraisal statements.

In relation to the teachers to whom part III applies, it is the duty of the local education authority to secure that the performance of all teachers employed by them is appraised in accordance with these Regulations and the Regulations make provision for the Chief Education Officer, or person acting on his behalf, to appoint an appraiser for every teacher.

As with appraisals under part II of these Regulations, the appraisal cycle normally lasts for one year although the first appraisal cycle under these Regulations of a teacher other than a head teacher may last for between 9 and 18 months and the first appraisal cycle under these Regulations of a head teacher may be less than one year.

The Regulations provide for the procedure to be followed in carrying out appraisal, which is



very similar to that in schools under part II. A teacher has a right to have his appraisal reviewed if he complains within 10 working days.

The Regulations impose a duty on the Chief Education Officer to submit an annual report to the local education authority about the operation of the teachers' appraisal within the authority's area, its effectiveness and the training and development needs of the teachers.

The Regulations also make provision for the retention, disclosure and use of appraisal statements of teachers to whom part III applies.

附錄三：2001 年英格蘭教育之學校教師評鑑規定之中文翻譯 The Education(此附錄僅列出針對國小教師評鑑部份的中文翻譯)

2001 年第 2855 號

2001 年八月三日制定

2001 年八月三日國會通過

2001 年九月一日實施

規定的架構

第一部份

總綱

- 1.引註、前言、範圍、廢除
- 2.失效的時限

第二部份

應用到學校教師的規定(僅摘錄國小教師部份)

- 3.第二部份的應用
- 4.第二部份的詮釋
- 5.評鑑的責任
- 6.對校長的評鑑者會議
- 7.對校長評鑑的外部顧問會議
- 8.對一般教師之評鑑者會議
- 9-11.評鑑週期
- 12-14.計畫評鑑和目標設定
- 15.教室觀察
- 16.評鑑訪談與評鑑陳述
- 17.評鑑程序
- 18.學校校長的報告
- 19.評鑑的評論
- 20-22.評鑑陳述的使用和保留

第三部份(以下僅列出本部份的架構標題，內容省略)

應用在受聘於地方教育機構(除某些學前學校以外)的規定

23.第三部份的應用

24.第三部份的詮釋

25.評鑑的責任

26.對校長的評鑑者會議

27.對其他教師的評鑑者會議

28-30.評鑑週期

31-32.計畫評鑑和設定目標

33.教學觀察

34.評鑑訪談與評鑑陳述

35.評鑑程序

36.評鑑評論

37.主要教育官員的報告

38-39. 評鑑陳述的使用與保留

#### 第四部份

#### 40.過渡條款

解釋的註解(此註記並非 2001 年英格蘭教育之學校教師評鑑規定的一部分)

經行使 1986 年第二號教育法案的第四十九節、第六十三節第三條，與其後地方教育局、學校教師代表組成的協會磋商此法案的第四十九節第四條，導致下述規定的產生：

#### 第一部份

##### 總綱

##### 引註、前言、範圍、廢除

1.

(1)這些規定可由 2001 年教育(學校教師評鑑)規定中引註出來，並在 2001 年九月實施。

(2)這些規定將在英格蘭內運用。

(3)2000 年英格蘭教育(學校教師評鑑)規定與 2000 年英格蘭教育(學校教師評鑑)規定修正案因此廢除。

## 廢除時限

2.在這些規定的一段時效內，執行任務失敗的人將不會被解除職務。

## 第二部份

應用在學校教師的規定

### 第二部份的應用

3.

(1) 第二部份應用在教師表現上的評鑑，教師的資格是：

(a)受聘於地方教育主管機關或是學校的主管單位；

(b)假如他/她是受聘於一個固定期限內的聘用合約，是受聘在一個學期內的一段時間或是更多學期。

(2)第 6、7、11、12、14、16 條規定不能應用在由國內大臣頒布在 1991 年教師酬償與狀況法案以外的校長身上。

### 第二部份的詮釋

4.

"評鑑陳述"意味著在關於教師的第十六條規定下的評鑑陳述；

"外部顧問" 意指一位被學校管理單位指定的人物；或是校長評鑑相關的顧問名單中的某位人物；

"學校"意指：一個團體、自願、基礎、特別群體或特別的基礎學校

"學校日"：與學校有關，意指在學期中的任何一日。

"短期合約"：意指在一個學期或少於一年的聘期。

"教師"：其意義請參閱第三條規定

### 評鑑的責任

5.這應該是一個團體、自願、基礎、特別團體或特別基礎學校的管理主體之責任，用以確保教師在學校中完成的表現能夠經常性地根據此環節來被評鑑。

### 對校長的評鑑者委派

6.

- (1)學校的管理部門應該指定兩至三位管理人員來評鑑學校校長，並且可以指定一位新的評鑑者以便在任何時間取代目前現存的一位評鑑者。
- (2)擔任校長評鑑的評鑑人員並無出自該位校長學校的教師或其他職員。
- (3)上述第一段落中指出的三位管理人員，其中至少有兩位必須是學校的基礎管理人員。

### **對校長之外部顧問委派**

7.

學校的管理部門應該指定兩至三位外部顧問來評鑑學校校長，並且可以指定一位新的評鑑者以便在任何時間取代目前現存的一位評鑑者。

### **對一般教師的評鑑者委派**

8.

- (1)校長可以委派學校的其他教師為評鑑者。學校的老師可以成為學校校長。
- (2)學校校長可以指定一個新的評鑑者在任何時間取替現存的一位評鑑者。

### **評鑑週期**

9.

- (1)受到這條規定的下列部份管制，以及第十條、第十一條規定，學校的管理單位應該決定校長評鑑週期的時間選擇。另外學校校長應該決定學校內其他每位教師評鑑週期的時間選擇。
- (2)除了第十條四項、第十條五項、第十條六項、第十條七項，評鑑週期的長度應該為一年。
- (3)一旦開始，對每位教師的評鑑週期將持續進行。

10.

- (1)假如一位老師到其他學校擔任職務或是成為校長，其評鑑週期應該重新開始。
- (2)管理部門可以在學校校長的這些規定下少於一年的期間內決定第一次評鑑週期的長度。
- (3)假如一個老師在原本學校內升遷，該校校長可以決定其評鑑週期是否重新開始。
- (4)假如一位老師變成代理校長，管理部門可以決定：
  - (a)評鑑週期是否重新開始；
  - (b)這位教師是否以校長身份接受評鑑。

- (5)在上述段落一、段落三或段落四(a)中的教師評鑑週期，校長或管理單位可以在少於一年的時間內決定升遷教師的第一次評鑑週期的時間長度。
  - (6)簽短期合約的受聘教師，其評鑑週期的時間長度應該為合約上的期限。
  - (7)在這些規定下的學校老師(校長除外)之第一次評鑑週期的情況中，校長可以決定評鑑週期至少為九個月、至多不得超過十八個月的時間長度。
  - (8)新評鑑者或是新的外部顧問之委派不應該導致教師評鑑週期的重新開始。
- 11.管理部門應確定學校校長的目標按規定被同意或設定。
- 12.計畫評鑑及目標設定
- (1)在評鑑週期開始以前或剛開始時，一位學校校長的所有評鑑者、外部顧問及此校長應符合去計畫與準備該評鑑並尋求與下述相關的目標：
    - (a)學校領導與管理
    - (b)學生發展
  - (2)假如目標不符合上述段落一，評鑑者應該為校長設定目標。
  - (3)符合或在此規定下設定的目標應該寫下紀錄，並且在上述段落二中的校長可以將其目標寫下以註記之。
- 13.(1)此規定乃應用在個別教師(不含校長)的評鑑上
- (2)在評鑑週期開始以前，評鑑者和教師應該見面來為評鑑進行討論與準備，並且尋求在目標上的一致。目標內容包含：
    - (a)培養或改進教師專業訓練；
    - (b)學生學習進展
  - (3)假如目標與段落二內容並不符合，評鑑者應該書寫紀錄這些其認為是適當的目標，另外被評鑑教師也可以寫下評論註解。
  - (4)假如目標與段落二內容符合、或是與其他段落不符合，在段落三紀錄下來的目標以及被評鑑教師的評論註記應該以目標陳述的方式記錄下來。
  - (5)當教師被聘至多於一所學校以上時，每間學校必須符合上述細節(2)、(4)的需求。
- 14.(1)一位教師的目標可以在評鑑週期的任何時間內進行修改，只要被評鑑教師、評鑑者或是在校長的評鑑者同意的情況之下。
- (2)以下三種情形，此規定下的教師目標會被進行修正：
    - (a)其目標陳述應該進行修正以顯現為達成共識應允後的修訂；
    - (b)對其目標的規定之參考應該被解讀做其修改目標的參考；
    - (c)對其目標陳述規定之參考應該被解讀做其修改的目標陳述之參考。

## 教室觀察

15.

- (1)當評鑑一位不是校長的教師，評鑑者應該至少在一個場合中觀察教師教學。
- (2)一位評鑑者不能在首次與被評鑑教師磋商時憑藉其他人關於教師表現的資訊(無論是書寫或是口頭訊息)。

## 評鑑訪談和評鑑陳述

16.

- (1)在評鑑週期的結束或接近結束之際，評鑑者與被評鑑教師或是接受校長評鑑的校長、評鑑者、外部顧問等應該抱持下列目標來舉行評鑑訪談：
  - (a)評論教師的表現與確認其所達成的部份及進一步發展可以達成的部份；
  - (b)評量教師在第十二條規定或第十三條規定第四項下設定之符合達成共識的目標內容；
  - (c)確認任何訓練和發展需求以及符合如此需求的方式。
- (2)最遲在評鑑訪談十日期間內，評鑑者應準備由評鑑者、被評鑑教師以及所達成結論等一份書寫之評鑑陳述主要觀點的紀錄，並且應該以一份有別於評鑑陳述的附冊(此亦為評鑑陳述的一部分)紀錄訓練、發展需求與符合訪談中所認定需求的方法。
- (3)在段落(1)裡的評鑑訪談可能與第十二條規定或第十三條規定裡有關其後評鑑週期的會議相結合。
- (4)評鑑者應該在開始評鑑訪談的十日內給予被評鑑教師一份評鑑陳述的複本。
- (5)被評鑑教師可在第一次紀錄評鑑陳述內容時間算起十日內中增加其原先書寫的評論注解。

## 評鑑程序

- 17.受第十二條至第十六條規定管制，學校管理部門應決定學校教師評鑑的輔助或補充之程序。

## 校長報告

18.

- (1) 學校校長至少每學年撰寫一次評鑑報告交給上級管理單位，其報告內容包含學校內部教師評鑑的運作情況、學校評鑑程序的效能以及教師的訓練發展需求。

## 評鑑的評論

19.

- (1) 一位教師有權利在最初接受評鑑的十日以內抱怨其評鑑的陳述內容。
- (2) 關於學校校長所提出的抱怨，評鑑評論官員應該是管理單位的主席。但是當此管理單位的主席參與這起受抱怨的評鑑時，管理單位應該指定一位或更多位參與此評鑑的長官最為處理抱怨事件的評論官員。
- (3) 關於學校一位教師(並非校長)所提出的抱怨，此評論官員應為該教師學校的校長，但是當先前評鑑者是學校校長，評論官員便應該是管理單位的主席。
- (4) 沒有一位教師或學校其他員工成員是被指定為校內某位教師的評論官員。
- (5) 評論官員最遲應在其獲得評鑑陳述產出副本、評鑑抱怨總結評論以及考慮評鑑教師的任何陳述後的十日內開始工作。
- (6) 評論官員應該：
  - (a) 整理評鑑陳述中其表達同意或不同意的部份；
  - (b) 獲得評鑑者的同意修正評鑑陳述；
  - (c) 除了在短期受聘的教師以外，評鑑陳述內容應該被消去並安排一個新的評鑑。
- (7) 在段落(6)(c)下一個新的評鑑被安排：
  - (a) 就一位校長的立場而言，所有評鑑者應根據規則六被新的指定評鑑者所取代；
  - (b) 而就一位不是校長的老師而言，一位新的評鑑者(被評論官員委派的校長；應該為其他學校的校長或是資深、專業、有經驗的其他人物)應根據規則八被指定。此外，受到段落八的管制，評論官員應該決定哪個評鑑程序要重複進行。
- (8) 評論官員不應該：
  - (a) 根據規則十二或規則十三決定新的同意或設定目標；
  - (b) 根據規則十二或規則十三修改決定同意或設定的目標。
- (9) 所有決定要重複執行的評鑑程序應該在評論官員安排後的十五日內完成。

## 評鑑陳述的使用與保留

20.

- (1) 此規則應用於校長的情況。



- (2)評鑑者應該給予管理單位主席評鑑陳述。
- (3)管理單位的主席應該提供評鑑陳述一份影印本給提出請求的評鑑者。
- (4)校長應該讓新的被指定評鑑者在評鑑週期的開始階段時獲得教師目前目標的陳述。
- (5)根據規定 16(2)校長應該提供評鑑陳述附冊的影本給肩負計畫訓練與學校教師發展的人員(們)。
- (6)校長應該存放教師評鑑陳述影本至少三年直至下一個評鑑陳述完成時。

22.

- (1)評鑑陳述的相關訊息依據規定 20(3)(d)、規定 20(4)、規定 21(3)(d)可以納入校長、學校行政單位(包含管理單位委員會)的、主要教育官員、任何官員或是由主要教育官員指派的顧問作決定、提供關於教師表現、教師晉級、教師解僱、教師懲戒、教師作決定或是關於薪津處理權運用的建議。
- (2)評鑑程序不應該形成任何訓練或解聘程序的部分內容。

### 第三部份

應用在受聘於某些托兒所、地方教育局的老師規定

(因為上述評鑑對象並非研究者在本文中所欲探討了解的，故第三部份省略)

### 第四部份

過渡條款

39.第二十至第二十二條規定應與下列有關：

- (a)依據 1991 年教育(學校教師評鑑)規定產生與維持評鑑紀錄；
  - (b)依據 2000 年教育(學校教師評鑑)規定產生與維持評鑑陳述，
- 當上述規定應用在那些規定項下產生與維持的評鑑陳述和評論文件。

### 解釋的註解

(此註記並非本文規定的一部分)

這些規定將 2000 年教育(學校教師評鑑)規定(S.I. 2000/1620)內容修改廢除和替換為(S.I. 2000/3369).

在第二部份的規定適用於受聘於一個或多個團體、私立的、基礎的、特別團體、基礎特別學校或有管理委員會執行員工管理功能的學前學校等教師 (包括不符合教師資格和那些少於一年聘期的老師)表現評鑑。

關於規定在第二部份的應用，其中規定為每位教師提供評鑑者會議。一個學校管理單位(或學前學校的管理委員會)必須委派一位實施校長評鑑的外部顧問，且為此校長指定兩個或三個評鑑者。

學校的管理單位有責任確保學校所有教師的表現被經常性的評鑑。評鑑週期通常持續一年，雖然在規定下對於不是校長的教師之首次評鑑週期可以持續 9 至 18 個月。本文規定為評鑑的程序定下相關條例。

一位教師有權評論其評鑑陳述報告，假使其在十日內提出抱怨。

本文規定中賦予學校校長撰寫年度書寫報告將評鑑程序的效能陳報給管理單位之責任。本文規定中亦提供保留、公佈和使用評鑑陳述報告的條例。

在本文規定裡的第二部份，評鑑週期通常持續一年，雖然在規定下對於不是校長的教師之首次評鑑週期可以持續 9 至 18 個月，且在這些規定下的校長的評鑑尋歡可能少於一年。

本文規定提供可依循來實現評鑑的程序；與學校裡第二部份非常雷同。被評鑑教師有權評論其評鑑，假使在十日內提出抱怨。

本文規定賦予主要教育長官提出年度報告給地方教育局，其內容為管轄地區內的教師評鑑運作、教師評鑑的效能、教師訓練及教師的發展需求。

附錄四：2006 年英格蘭教育之學校教師績效管理規定(The Education School Teacher Performance Management Regulation 2006) 之原文資料  
(完整英文文獻出處請參閱：<http://www.opsi.gov.uk/si/si2006/20062661.htm>)

## 2006 No. 2661

### EDUCATION, ENGLAND

#### The Education (School Teacher Performance Management) (England) Regulations 2006

<i>Made</i>	<i>4th October 2006</i>
<i>Laid before Parliament</i>	<i>9th October 2006</i>
<i>Coming into force</i>	<i>1st September 2007</i>

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by sections 21, 131 and 210 of the Education Act 2002[1].

In accordance with section 131(6) of that Act he has consulted with such associations of local education authorities, bodies representing the interests of governing bodies and bodies representing the interests of teachers, as appeared to him to be appropriate.

#### PART 1

##### General

##### 1. —

(1) These Regulations may be cited as the Education (School Teacher Performance Management) (England) Regulations 2006 and shall come into force on 1<sup>st</sup> September 2007.

(2) These Regulations shall apply in relation to England.

##### **Interpretation**

##### 2. In these Regulations—

"the Act" means the Education Act 2002;

"authority", in relation to a teacher to whom Part 3 applies, means the local education authority by which he is employed;

"appeal", in relation to a teacher to whom Part 2 applies, means raise a grievance in accordance with the procedure established by the governing body of the school for dealing with such matters and, in relation to a teacher to whom Part 3 applies, means raise a grievance

in accordance with the procedure laid down by the authority for dealing with such matters;

"capability procedures" means the procedures established by the governing body pursuant to regulation 7 of the School Staffing (England) Regulations 2003<sup>[2]</sup>;

"classroom" in relation to "classroom observation" means any type of setting where teaching and learning takes place;

"cycle" means the performance management and review cycle referred to in regulations 12 and 26;

"day" means any day in the school year on which a teacher is required to be available for work;

"the Document" means the document referred to in any order made under section 122 of the Act for the time being in force;

"nursery school" means a nursery school maintained by a local education authority;

"pay progression criteria" means the criteria referred to in the Document for determining whether a teacher is eligible for a pay award of one or more scale or spine points;

"performance criteria" means the criteria against which the reviewee's performance will be judged in relation to the matters referred to in regulations 13(1)(a) to (c) or 27(1)(a) to (c), as the case may be;

"plan" means the plan for managing and reviewing the reviewee's performance referred to in regulations 14(1) and 28(1);

"qualified teacher" means a person who satisfies requirements specified in regulations made under section 132 of the Act;

"school" means a community, voluntary, foundation, community special or foundation special school or a nursery school;

"school development planning" means the process of putting in place a plan which specifies the actions needed to bring about school improvement as part of the school improvement process;

"school improvement" means the processes put in place by the governing body of the school to improve standards at the school;

"school improvement partner" means any person appointed by the local education authority for the purposes of providing advice to the governing body and head teacher of the school with a view to improving standards at the school and who is for the time being accredited for those purposes by the Secretary of State or by a person authorised by the Secretary of State to accredit persons for those purposes;

"School Improvement Plan" means the strategic plan setting out the objectives to improve the school's provision and performance;

"school self-evaluation" means the arrangements put in place by the governing body of the school to evaluate the quality of school provision as part of the school improvement process;

"school which has a religious character" means a foundation or voluntary school designated as a school having such a character under section 69(3) of the School Standards and Framework Act 1998<sup>[3]</sup>;

"statement" means the planning and review statement referred to in regulations 14(1) and 28(1);

"teacher" means a school teacher as defined in section 122 of the Act;

"unattached teacher" means—

- (a) a teacher not attached to a particular school;
  
- (b) a teacher employed otherwise than at a school; or

(c) a teacher at a pupil referral unit (including a teacher in charge of a unit).

### **Time limits**

3. Failure on the part of any person to discharge any duty within a time limit specified in these Regulations shall not relieve him of that duty.

### **Revocations and transitional provision**

4. —(1) Subject to paragraph (2), the Education (School Teacher Appraisal) (England) Regulations 2001[4] ("the 2001 Regulations") are revoked.

(2)The 2001 Regulations shall apply in relation to the appraisal of the performance of teachers during any part of the school year 2006-2007.

(3)Any appraisal statement produced and retained under the 2001 Regulations since 1<sup>st</sup> September 2003 shall be retained for a minimum period of 6 years from the date on which the appraisal cycle to which it relates ended and relevant information from those statements may be taken into account in taking decisions and advising those responsible for taking decisions about the use of any discretion in relation to pay.

(4) Regulation 9 of the Education (School Government) (Terms of Reference) (England) Regulations 2000[5] is revoked.

### **Application**

5. —

(1) Subject to paragraph (2), these Regulations apply in relation to any teacher employed for one term or more.

(2) These Regulations shall not apply to the performance of—

(a)any teacher who is undergoing but who has not satisfactorily completed an induction period in accordance with the Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001[6];

(b) any teacher whilst he is the subject of capability procedures.

## PART 2

### Provisions Applying to Teachers Employed at Schools

#### **Application of Part 2**

6. Part 2 applies to the performance management and review of any teacher who is employed by—
- (a) a local education authority in a school; or
  - (b) the governing body of a school.

#### **Performance management policy**

7. —

- (1) The governing body shall establish a written policy ("the performance management policy") setting out how the performance of teachers at the school is to be managed and reviewed.
- (2) The governing body shall formulate the performance management policy or direct the head teacher to formulate the policy.
- (3) Where the head teacher formulates the policy, the governing body may modify it before adopting it or reject it.
- (4) Where the governing body rejects the performance management policy formulated by the head teacher, it shall formulate the policy itself.
- (5) The governing body shall review the performance management policy every school year.
- (6) Following such review, the governing body shall, if it sees fit, revise the performance management policy.
- (7) Before establishing or revising the performance management policy, the governing body or, if the governing body so directs, the head teacher shall—
  - (a) consult all teachers at the school; and
  - (b) seek to agree the policy or any revision to it with the recognised trade unions, having regard to the results of the consultation of all teachers.
- (8) The governing body and the head teacher shall implement the performance management policy.

(9) The performance management policy shall—

- (a) state what results the policy is intended to achieve and how these will be measured;(b) show how the school's arrangements for school teacher performance management link with those for school improvement, school self-evaluation and school development planning;
- (c) show how the school will seek to achieve consistency of treatment and fairness between those teachers with similar experience or levels of responsibility;
- (d) set out the timing of the cycle;
- (e) include a classroom observation protocol;
- (f) provide for performance management training to be made available as the need arises;
- (g) state the arrangements for monitoring and evaluating the policy; and
- (h) specify any ancillary or supplementary procedures necessary for the operation of performance management of teachers at the school in accordance with these Regulations.

### **Duty to ensure that teachers' performance is managed and reviewed**

**8.** —

(1) The governing body of the school shall ensure that the performance of teachers at the school is managed and reviewed in accordance with the performance management policy and this Part.

(2) Where a teacher is employed at more than one school, the governing body of each school shall comply with this regulation in relation to that teacher.

### **Appointment of external advisers in respect of head teachers**

**9.** —

(1) Subject to paragraph (2), the governing body shall appoint an external adviser for the purposes of providing it with advice and support in relation to the management and review of the performance of the head teacher.

(2) Where the local education authority has appointed a school improvement partner for that school, paragraph (1) shall not apply and the governing body shall use the school improvement partner for the purposes of providing it with advice and support in relation to the management and review of the performance of the head teacher.

## **Appointment of reviewers for head teachers**

### **10. —**

- (1) Subject to the following paragraphs of this regulation, the governing body of the school shall be the reviewer for the head teacher.
- (2) The governing body may appoint two or three governors to perform the duties imposed upon the reviewer on behalf of the governing body.
- (3) No governor who is a teacher or other member of staff at the school may be appointed as a reviewer for the head teacher.
- (4) Where the governing body of a school which has a religious character appoints two or three governors pursuant to paragraph (2), at least one of them shall be a foundation governor of the school.
- (5) Where, pursuant to paragraph (2), the governing body of a voluntary aided school appoints—
  - (a) two governors, at least one of them shall be a foundation governor of the school; and
  - (b) three governors, not less than two of them shall be foundation governors of the school.
- (6) Where a head teacher is of the opinion that any of the governors appointed by the governing body under this regulation is unsuitable for professional reasons, he may submit a written request to the governing body for that governor to be replaced, stating those reasons.
- (7) Where the governing body is persuaded that that governor is unsuitable, it shall terminate that appointment and appoint another governor in accordance with this regulation.
- (8) Where the governing body is not persuaded that that governor is unsuitable, it shall—
  - (a) notify the head teacher in writing of its decision, stating its reasons; and
  - (b) upon request, attach the head teacher's request and the notification of its rejection of that request to the statement for that cycle.
- (9) A reviewee may request that any governor appointed under paragraph (2) be replaced once in any cycle.
- (10) Where the governing body decides at any time that any of the governors appointed under this regulation is no longer suitable for professional reasons, or is no longer able to perform his duties for any reason, it shall terminate the appointment of that governor and appoint one in accordance with this regulation.



## **Appointment of reviewers for other teachers**

11. —

- (1) Subject to the following paragraphs of this regulation, the head teacher shall be the reviewer for all other teachers at the school.
- (2) In the case where the head teacher is not the teacher's line manager, the head teacher may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager.
- (3) Where the teacher has more than one line manager, the head teacher may delegate the reviewer's duties, in their entirety, to the line manager whom he considers would be best placed to manage and review the teacher's performance.
- (4) Where it becomes apparent that the teacher to whom the head teacher has delegated the reviewer's duties will be absent for the majority of the cycle, the head teacher may perform those duties himself or delegate those duties, in their entirety, to another teacher for the duration of that absence.
- (5) Where a teacher is of the opinion that the person to whom the head teacher has delegated the reviewer's duties is unsuitable for professional reasons, he may submit a written request to the head teacher for that reviewer to be replaced, stating those reasons.
- (6) Where the head teacher is persuaded that the teacher to whom he has delegated the reviewer's duties is unsuitable, he may perform those duties himself or delegate them, in their entirety, to another teacher.
- (7) Where the head teacher is not persuaded that the teacher to whom he has delegated the reviewer's duties is unsuitable, he shall—
  - (a) notify the teacher in writing of his decision, stating his reasons; and
  - (b) upon request, attach the teacher's request and the notification of his rejection of that request to the statement for that cycle.
- (8) A reviewee may request that a person to whom the head teacher has delegated the reviewer's duties be replaced once in any cycle.
- (9) Where the head teacher decides at any time that the person to whom he has delegated the reviewer's duties is no longer suitable for professional reasons, or is no longer able to perform those duties for any reason, he may perform those duties himself or delegate them, in their entirety, to another teacher.
- (10) Where, pursuant to this regulation, the head teacher delegates the reviewer's duties to a teacher who is not the teacher's line manager, the teacher to whom he delegates those

duties must have an equivalent or higher status in the staffing structure than the teacher's line manager.

## **Performance management and review cycle**

### **12. —**

- (1) Subject to the following paragraphs of this regulation, the performance of every teacher at the school shall be managed and reviewed on an annual basis ("the performance management and review cycle").
- (2) The governing body shall determine the timing of the performance management and review cycle for the head teacher and the head teacher shall determine the timing of the performance management and review cycle for the other teachers at the school.
- (3) Where a teacher is employed at the school on a fixed term contract of less than one year, his performance shall be managed throughout the life of the contract and reviewed at the end of the contract.
- (4) Where a teacher is employed at the school part-way through a cycle, the head teacher or, in the case where the teacher is the head teacher, the governing body shall determine the length of the first cycle for that teacher, with a view to bringing his cycle into line with the cycle for other teachers at the school as soon as possible.
- (5) Where a teacher transfers to a new post within the school, whether on a temporary or permanent basis, part-way through his cycle, the head teacher or, in the case where the teacher is to be the head teacher, the governing body shall determine whether the cycle shall begin again and, if so, whether to change the reviewer or reviewers, as the case may be.
- (6) A change of reviewer or the appointment of a new external adviser or school improvement partner shall not cause the reviewee's cycle to begin again.

## **Planning meetings**

### **13. —**

- (1) At the beginning of each cycle, the reviewer or, in the case where the reviewee is the head teacher, all the reviewers and the external adviser or school improvement partner, as the case may be, shall arrange a meeting with the reviewee ("the planning meeting") to consider and determine—

- (a) the reviewee's objectives;
  - (b) the arrangements for observing the reviewee's performance in the classroom, where appropriate;
  - (c) any other evidence which will be taken into account in judging the reviewee's performance;
  - (d) the performance criteria;
  - (e) the support that will be provided to the reviewee to help him to meet the performance criteria;
  - (f) the timescales for the achievement of the objectives and within which support will be provided, where these differ from the length of the cycle of the reviewee; and
  - (g) the reviewee's training and development needs and the actions which will be taken to address them.
- (2) The matters referred to in paragraph (1) shall be determined having regard to—
- (a) the reviewee's job description;
  - (b) any relevant pay progression criteria;
  - (c) any relevant whole-school or team objectives specified in the School Improvement Plan;
  - (d) what can be reasonably expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work;
  - (e) the reviewee's professional aspirations; and
  - (f) the relevant professional standards.
- (3) The reviewee's objectives shall be such that, if they are achieved, they will contribute to improving the progress of pupils at the school.
- (4) Only persons who have a direct professional knowledge of the reviewee may provide evidence for the purposes of paragraph (1)(c).
- (5) Where a joint determination cannot be made in relation to any of the matters referred to in paragraph (1), the reviewer shall make the determination.

## **Recording of plans**

### **14. —**

- (1) Within 5 days of the planning meeting, the reviewer shall—(a) prepare a planning and review statement in respect of the reviewee in draft, in which he shall record the plan for managing and reviewing the reviewee's performance, comprising the matters referred to in regulation 13(1)(a) to (f) and, in a separate annex to the statement, ("the Training and Development Annex"), the matters referred to in regulation 13(1)(g); and(b) pass the draft statement to the reviewee, who may add his comments.
- (2) Within 10 days of the planning meeting, the reviewer shall—
  - (a) prepare and sign a final version of the plan in the statement;
  - (b) make the statement available to the reviewee, who may add his comments;
  - (c) where the reviewee is a teacher and the reviewer is not the head teacher, pass the signed statement to the head teacher or where the reviewee is the head teacher and the review is conducted by individual governors, pass the signed statement to the governing body;
  - (d) provide a copy of the statement to the reviewee; and
  - (e) provide a copy of the Training and Development Annex to the person responsible for planning the training and development of teachers at the school.
- (3) Subject to the outcome of any appeal, the contents of the plan shall be deemed to reflect the results of the planning meeting.
- (4) The time limit specified in paragraphs (1) and (2) may be extended if the reviewer or the reviewee is absent from work during those times.
- (5) The plan shall be recorded in the statement by 31<sup>st</sup> October or, where the reviewee is the head teacher, by 31<sup>st</sup> December, following completion of the previous cycle.

## **Quality assurance and moderation of plans**

### **15. —**

- (1) Where individual governors perform the reviewer's duties on its behalf, the governing body may review the contents of the plan recorded in the head teacher's statement within

10 days of it being passed to it pursuant to regulation 14(2)(c).

(2) Where, pursuant to paragraph (1), the governing body is of the opinion that the plan—

(a) is inconsistent with the school's improvement priorities; or

(b) does not comply with the performance management policy or any relevant

requirement in these Regulations, it shall instruct the reviewers to prepare a new plan and statement.

(3) Where the head teacher delegates the reviewer's duties to another teacher he may review the contents of the plan recorded in the statement within 10 days of it being passed to him pursuant to regulation 14(2)(c).

(4) Where, pursuant to paragraph (3), the head teacher is of the opinion that any such plan—

(a) is inconsistent with the plans recorded in the statements of other teachers at the school who have similar experience or similar responsibilities; or

(b) does not comply with the performance management policy or any relevant requirement in these Regulations, he shall instruct the reviewer to prepare a new plan and statement.

(5) Within 10 days of receiving an instruction pursuant to paragraph (2) or paragraph (4), the reviewer shall—

(a) consult the reviewee;

(b) prepare a new plan, record it in a new statement and sign the statement;

(c) make the statement available to the reviewee, who may add his comments;

(d) pass the signed statement to the head teacher, or the governing body, as the case may be;

(e) provide a copy of the statement to the reviewee; and

(f) provide a copy of the Training and Development Annex to the person responsible for planning the training and development of teachers at the school.

(6) The time limit specified in paragraph (5) may be extended if the reviewer or reviewee is absent from work during that time.

## **Revision of plans**

**16. —**

(1) Where, during the course of any cycle—

(a) the reviewee's circumstances or responsibilities change;

(b) evidence emerges which gives rise to concern about the reviewee's performance but which does not justify the application of capability procedures; or

(c) the reviewee is absent for such a period of time that some of the entries in the plan recorded in the statement are no longer appropriate, the reviewer or the reviewee may request a meeting (a "revision meeting") and that meeting shall be held within 10 days.

(2) Within 10 days of the revision meeting, the reviewer shall—

(a) record any changes in the plan agreed at the meeting in the form of an addendum to the original statement or, where there is no agreement, any changes he thinks ought to be made to the plan and sign the addendum;

(b) make the revised statement available to the reviewee, who may add his comments to the addendum;

(c) where the reviewee is a teacher and the reviewer is not the head teacher, pass the signed revised statement to the head teacher or, where the reviewee is the head teacher and the review is conducted by individual governors, pass the signed statement to the governing body;

(d) provide a copy of the revised statement to the reviewee; and

(e) where the addendum relates to the training and development of the reviewee, provide a copy of the addendum to the person responsible for planning the training and development of teachers at the school.

(3) Subject to the outcome of any appeal, the contents of the addendum shall be deemed to reflect the results of the revision meeting.

(4) The time limit specified in paragraphs (1) and (2) may be extended if the reviewer or reviewee is absent from work during that time.

- (5) The statement shall not be revised unless a revision meeting has been held pursuant to paragraph (1).

### **Classroom observation**

#### **17. —**

- (1) Classroom observation shall be conducted in accordance with the classroom observation protocol referred to in regulation 7(9)(e).
- (2) The arrangements for classroom observation recorded in the reviewee's statement shall—
- (a) specify the primary purpose of each observation to be undertaken; and
  - (b) subject to paragraph (3), specify any particular aspects of the reviewee's teaching performance that will be assessed during each observation.
- (3) Nothing in paragraph (2)(b) shall prevent any other aspect of the reviewee's teaching performance observed during any classroom observation arranged for the purposes of these Regulations from being assessed and taken into account when the teacher's performance is reviewed in accordance with regulation 18.
- (4) Subject to paragraph (5), the total period of classroom observation arranged for any teacher under this Part shall not exceed 3 hours per cycle and shall be determined having regard to the individual circumstances of the teacher.
- (5) Where evidence emerges which gives rise to concern about the reviewee's teaching performance, classroom observations may be arranged in addition to those referred to in paragraph (4).
- (6) Where it is considered appropriate to arrange additional classroom observations pursuant to paragraph (5) the reviewer shall ensure that a revision meeting is held and that details of any such observation are inserted into an addendum to the statement pursuant to regulation 16.
- (7) Where a teacher's performance in the classroom is observed for the purposes of these Regulations, the reviewer shall ensure that the teacher receives a written report on his findings within 5 days of the observation, to which he may add his comments.
- (8) Classroom observation must be conducted by a qualified teacher.

## **Review of teacher's performance**

### **18. —**

- (1) At or near the end of each cycle the reviewer or, in the case where the reviewee is the head teacher, all the reviewers and the external adviser or school improvement partner, as the case may be, shall meet with the reviewee to—
  - (a) review his performance throughout that cycle against the performance criteria specified in the statement; and
  - (b) where the reviewee is eligible for pay progression under the Document, determine the recommendation on pay progression, having regard to the results of the review referred to in sub-paragraph (a).
- (2) The review meeting shall be combined with the planning meeting for the next cycle, wherever practicable.
- (3) Within 5 days of the review meeting, the reviewer shall—
  - (a) record in draft in the statement—
    - (i) the results of the review; and
    - (ii) any recommendation on pay progression; and
  - (b) pass the draft statement to the reviewee.
- (4) Within 10 days of the review meeting, the reviewer shall—
  - (a) prepare and sign a final version of the statement;
  - (b) make it available to the reviewee, who may add his comments;
  - (c) where the reviewee is a teacher and the reviewer is not the head teacher, pass the signed statement to the head teacher or, where the reviewee is the head teacher and the review is conducted by individual governors, pass the signed statement to the governing body; and
  - (d) provide a copy of the statement to the reviewee.
- (5) Subject to the outcome of any appeal, the contents of the statement shall be deemed to reflect the results of the review meeting.
- (6) The time limit specified in paragraphs (3) and (4) may be extended if the reviewer or the reviewee is absent from work during those times.



- (7)The results of the review and any pay recommendation shall be recorded in the statement by 31<sup>st</sup> October or, where the reviewee is the head teacher, 31<sup>st</sup> December, following completion of the cycle to which it relates.

## **Appeals**

19. The reviewee may appeal against any of the entries made by the reviewer in his statement, following receipt of a copy of it pursuant to regulations 14(2)(d), 15(5)(e), 16(2)(d) and 18(4)(d).[a]

## **Use and retention of statements**

### **20. —**

- (1)The head teacher or, in the case where the reviewee is the head teacher, the governing body shall retain the reviewee's statement for a minimum period of 6 years from the date on which the cycle to which it relates ends.
- (2) Where the reviewee is a teacher other than a head teacher, the governing body shall have regard to the results of the review recorded in the statement pursuant to regulation 18 when exercising any discretion in relation to his pay.
- (3)The governing body shall be provided with access to the reviewee's statement for the purposes of paragraph (2), upon request.
- (4)Where the reviewee is the head teacher, the governing body or, in the case where the school does not have a delegated budget, the local education authority shall have regard to the results of the review recorded in the statement pursuant to regulation 18 when exercising any discretion in relation to his pay.
- (5)Where the school does not have a delegated budget, the local education authority shall be provided with access to the reviewee's statement for the purposes of paragraph (4), upon request.
- (6) The reviewee's line manager or, where he has more than one, each of his line managers shall be provided with access to the reviewee's plan recorded in the statement, upon request, where this is necessary to enable him to discharge his line management responsibilities.
- (7)Where a reviewee pursues an appeal in relation to the contents of his statement the head teacher or, where the reviewee is the head teacher, the governing body shall provide anyone hearing that appeal with access to that statement.
- (8)Where a reviewee transfers from one school to another school part-way through his cycle, the head teacher or, where the reviewee is the head teacher, the governing body of the school shall transfer the reviewee's statement for that cycle, together with any evidence

gathered concerning his performance during that cycle, to the head teacher or governing body of the new school, as the case may be, upon receipt of a written request from the reviewee.

(9) Where a reviewee employed by an authority in a school or a governing body of a school becomes an unattached teacher part-way through his cycle, the head teacher or, where the reviewee was the head teacher, the governing body shall transfer the reviewee's statement for that cycle, together with any evidence gathered concerning his performance during that cycle, to the new authority, upon receipt of a written request from the reviewee.

(10) Where a reviewee employed as an unattached teacher becomes employed as a teacher by an authority in a school or by a governing body of a school part-way through his cycle, the authority shall transfer the reviewee's statement for that cycle, together with any evidence gathered concerning his performance during that cycle, to the head teacher or, in the case where the unattached teacher is to become the head teacher of the school, the governing body of the school, upon receipt of a written request from the reviewee.

### **Head teacher's report**

#### **21. —**

(1) The head teacher shall provide the governing body with an annual written report

about—

- (a) the operation of the performance management policy;
- (b) the effectiveness of the school's performance management procedures; and
- (c) the teachers' training and development needs.

(2) The head teacher's report shall not contain any information which would enable any teacher at the school to be identified.

## **PART 3 Provisions Applying to Unattached Teachers**

### **Application of Part 3**

**22.** Part 3 applies to the performance management and review of any unattached teacher.

### **Performance management policy**

**23.** —

- (1) The authority shall establish a written policy ("the performance management policy") setting out how the performance of their unattached teachers is to be managed and reviewed.
- (2) The authority shall review the performance management policy every school year.
- (3) Following such review, the authority shall, if they see fit, revise the performance management policy.
- (4) Before establishing or revising the performance management policy, the authority shall—
  - (a) consult all their unattached teachers; and
  - (b) seek to agree the policy or any revision to it with the recognised trade unions, having regard to the results of the consultation of all unattached teachers.
- (5) The authority shall implement the performance management policy.
- (6) The performance management policy shall—
  - (a) state what results the policy is intended to achieve and how these will be measured;
  - (b) show how the authority will seek to achieve consistency of treatment and fairness between those teachers with similar experience or levels of responsibility;
  - (c) set out the timing of the review cycle;
  - (d) include a classroom observation protocol;
  - (e) provide for performance management training to be made available as the need arises;
  - (f) state the arrangements for monitoring and evaluating the policy; and

(g) specify any ancillary or supplementary procedures necessary for the operation of performance management of unattached teachers in accordance with these Regulations.

#### **Duty to ensure that teachers' performance is managed and reviewed**

##### **24. —**

(1) The authority shall ensure that the performance of unattached teachers is managed and reviewed in accordance with the performance management policy and this Part.

(2) Where an unattached teacher is employed by more than one authority, each authority shall comply with this regulation in relation to that teacher.

#### **Appointment of reviewers for teachers**

##### **25. —**

(1) Subject to the following paragraphs of this regulation, the authority shall be the reviewer for every unattached teacher.

(2) The authority may delegate the duties imposed upon the reviewer, in their entirety, to the teacher's line manager.

(3) Where the teacher has more than one line manager, the authority may delegate the reviewer's duties, in their entirety, to the line manager whom they consider would be best placed to manage and review the teacher's performance.

(4) Where it becomes apparent that the person to whom the authority have delegated the reviewer's duties will be absent for the majority of the cycle, the authority may perform those duties themselves or delegate those duties, in their entirety, to another person for the duration of that absence.

(5) Where a teacher is of the opinion that the person to whom the authority have delegated the reviewer's duties is unsuitable, for professional reasons, he may submit

a written request to the authority for that reviewer to be replaced, stating those reasons.

(6) Where the authority are persuaded that the person to whom they have delegated the reviewer's duties is unsuitable, they may perform those duties themselves or delegate them, in their entirety, to another person.

(7) Where the authority are not persuaded that the person to whom they have delegated the reviewer's duties is unsuitable, they shall—

(a) notify the teacher in writing of their decision, stating their reasons; and

(b) upon request, attach the teacher's request and the notification of their rejection of that request to the statement for that cycle.

(8) A reviewee may request that a person to whom the authority have delegated the reviewer's duties be replaced once in any cycle.

(9) Where the authority decide at any time that a person to whom they have delegated the reviewer's duties is no longer suitable for professional reasons, or is no longer able to carry out those duties for any reason, they may perform those duties themselves or delegate them, in their entirety, to another person.

(10) Where, pursuant to this regulation, the authority delegates the reviewer's duties to a person who is not the teacher's line manager, the person to whom they delegate those duties must have an equivalent or higher status in the authority's staffing structure than the teacher's line manager.

## **Performance management and review cycle**

### **26. —**

- (1) Subject to the following paragraphs of this regulation, the performance of every unattached teacher shall be managed and reviewed on an annual basis ("the performance management and review cycle").
- (2) The authority shall determine the timing of the performance management and review cycle for their unattached teachers.
- (3) Where an unattached teacher is employed on a fixed term contract of less than one year, his performance shall be managed throughout the life of the contract and reviewed at the end of the contract.
- (4) Where a teacher is employed by an authority part-way through a cycle, the authority shall determine the length of the first cycle for that teacher.
- (5) Where a teacher transfers to a new post within the authority, whether on a temporary or permanent basis, part-way through his cycle, the authority shall determine whether the cycle shall begin again and, if so, whether to change the reviewer.
- (6) A change of reviewer shall not cause the reviewee's cycle to begin again.

## **Planning meetings**

### **27. —**

- (1) At the beginning of each cycle, the reviewer shall arrange a meeting with the reviewee ("the planning meeting") to consider and determine—
  - (a) the reviewee's objectives;
  - (b) the arrangements for observing the reviewee's performance in the classroom, where appropriate;
  - (c) any other evidence which will be taken into account in judging the reviewee's

- performance;
  - (d)the performance criteria;
  - (e)the support that will be provided to the reviewee to help him to meet the performance criteria;
  - (f)timescales for the achievement of objectives and within which support will be provided, where these differ from the length of the cycle of the reviewee; and
  - (g)the reviewee's training and development needs and the actions which will be taken to address them.
- (2) The matters referred to in paragraph (1) shall be determined having regard to—
- (a) the reviewee's job description;
  - (b) any relevant pay progression criteria;
  - (c) any relevant objectives which the authority may have for unattached teachers generally or any relevant whole-school or team objectives specified in the School Improvement Plan for any school in which the teacher will be working;
  - (d)what can be reasonably expected of any teacher in that position given the desirability of the reviewee being able to achieve a satisfactory balance between the time required to discharge his professional duties and the time required to pursue his personal interests outside work;
  - (e) the reviewee's professional aspirations; and
  - (f) the relevant professional standards.
- (3)The reviewee's objectives shall be such that, if they are achieved, they will contribute to improving the progress of the pupils he teaches.
- (4)Only persons who have a direct professional knowledge of the reviewee may provide evidence for the purposes of paragraph (1)(c).
- (5)Where a joint determination cannot be made in relation to any of the matters referred to in paragraph (1), the reviewer shall make the determination.

## Recording of plans

### 28. —

- (1) Within 5 days of the planning meeting, the reviewer shall—
  - (a) prepare a planning and review statement in respect of the reviewee, in which he shall record the plan for managing and reviewing the reviewee's performance, comprising the matters referred to in regulation 27(1)(a) to (f) and, in a separate annex to the statement, ("the Training and Development Annex") the matters referred to in regulation 27(1)(g); and
  - (b) pass the draft statement to the reviewee, who may add his comments.
- (2) Within 10 days of the planning meeting—
  - (a) the reviewer shall prepare and sign a final version of the plan in the statement;
  - (b) make the statement available to the reviewee, who may add his comments;
  - (c) where the reviewer is not the authority, pass the signed statement to the authority;
  - (d) provide a copy of the statement to the reviewee; and
  - (e) provide a copy of the Training and Development Annex to the person responsible for planning the training and development of that teacher.
- (3) Subject to the outcome of any appeal, the contents of the statement shall be deemed to reflect the results of the planning meeting.
- (4) The time limit specified in paragraphs (1) and (2) may be extended if the reviewer or the reviewee is absent from work during those times.
- (5) The plan shall be recorded in the statement by 31<sup>st</sup> October following completion of the previous cycle.



## **Moderation of plans**

### **29. —**

- (1) Where the authority delegates the reviewer's duties to another person, they may review the contents of the plan recorded in the statement within 10 days of it being passed to them pursuant to regulation 28(2)(c).
- (2) Where, pursuant to paragraph (1), the authority are of the opinion that any such plan—
  - (a) is inconsistent with the plans recorded in the statements of other teachers of similar experience or who have similar responsibilities employed by that authority; or
  - (b) does not comply with any relevant requirement in these Regulations, they shall instruct the reviewer to prepare a new plan and statement.
- (3) Within 10 days of receiving an instruction pursuant to paragraph (2), the reviewer shall—
  - (a) consult the reviewee;
  - (b) prepare a new plan, record it in a new statement and sign the new statement;
  - (c) make it available to the reviewee, who may add his comments;
  - (d) pass the signed statement to the authority;
  - (e) provide a copy of the statement to the reviewee; and
  - (f) provide a copy of the Training and Development Annex to the person responsible for planning the training and development of teachers.
- (4) The time limit specified in paragraph (3) may be extended if the reviewer or reviewee is absent from work during that time.

## **Revision of plans**

### **30. —**

- (1) Where, during the course of any cycle—
  - (a) the reviewee's circumstances or responsibilities change;
  - (b) evidence emerges which gives rise to concern about the reviewee's performance but which does not justify the application of capability procedures; or
  - (c) the reviewee is absent for such a period of time that some of the entries in the plan recorded in the statement are no longer appropriate, the reviewer or the reviewee may request a meeting (a "revision meeting") and that meeting shall be held within 10 days.
- (2) Within 10 days of the revision meeting, the reviewer shall—
  - (a) record any changes in the plan agreed at the meeting in the form of an addendum to the original statement or, where there is no agreement, any changes he thinks ought to be made to the plan and sign the addendum;
  - (b) make the revised statement available to the reviewee, who may add his comments to the addendum;
  - (c) where the reviewer is not the authority, pass the signed revised statement to the authority;
  - (d) provide a copy of the revised statement to the reviewee; and
  - (e) where the addendum relates to the training and development of the reviewee, provide a copy of the addendum to the person responsible for planning the training and development of that teacher.
- (3) Subject to the outcome of any appeal, the contents of the addendum shall be deemed to reflect the results of the revision meeting.
- (4) The time limit specified in paragraphs (1) and (2) may be extended if the reviewer or

reviewee is absent from work during that time.

- (5) The statement shall not be revised unless a revision meeting has been held pursuant to paragraph (1).

### **Classroom observation**

#### **31. —**

- (1) Classroom observation shall be conducted in accordance with the classroom observation protocol referred to in regulation 23(6)(d).
- (2) The arrangements for classroom observation recorded in the reviewee's statement shall—
- (a) specify the primary purpose of each observation to be undertaken; and
  - (b) subject to paragraph (3), specify any particular aspects of the reviewee's teaching that will be assessed during each observation.
- (3) Nothing in paragraph (2)(b) shall prevent any other aspect of the reviewee's teaching performance observed during any classroom observation arranged for the purposes of these Regulations from being assessed and taken into account when the teacher's performance is reviewed in accordance with regulation 32.
- (4) Subject to paragraph (5), the total period of classroom observation arranged for any teacher under this Part shall not exceed 3 hours per cycle and shall be determined having regard to the individual circumstances of the teacher.
- (5) Where evidence emerges which gives rise to concern about the reviewee's teaching performance, classroom observations may be arranged in addition to those referred to in paragraph (4).
- (6) Where it is considered appropriate to arrange additional classroom observations

pursuant to paragraph (5), the reviewer shall ensure that a revision meeting is held and that details of any such observation are inserted into an addendum to the statement pursuant to regulation 30.

(7) Where a teacher's performance in the classroom is observed for the purposes of these Regulations, the reviewer shall ensure that the teacher receives a written report on his findings within 5 days of the observation, to which he may add his comments.

(8) Classroom observation must be conducted by a qualified teacher.

### **Review of teacher's performance**

#### **32. —**

(1) At or near the end of each cycle, the reviewer shall arrange a meeting with the reviewee ("a review meeting") to—

(a) review his performance throughout that cycle against the performance criteria specified in the statement; and

(b) where the reviewee is eligible for pay progression under the Document, determine the recommendation on pay progression, having regard to the results of the review referred to in sub-paragraph (a).

(2) The review meeting shall be combined with the planning meeting for the next cycle, wherever practicable.

(3) Within 5 days of the review meeting, the reviewer shall—

(a) record in draft in the statement—

(i) the results of the review; and

- (ii) any recommendation on pay progression; and
- (b) pass the draft statement to the reviewee.
- (4) Within 10 days of the review meeting, the reviewer shall—
  - (a) prepare and sign a final version of the statement;
  - (b) make it available to the reviewee, who may add his comments;
  - (c) where the reviewer is not the authority, pass the signed statement to the authority;and
  - (d) provide a copy of the statement to the reviewee.
- (5) Subject to the outcome of any appeal, the contents of the statement shall be deemed to reflect the results of the review meeting.
- (6) The time limit specified in paragraphs (3) and (4) may be extended if the reviewer or the reviewee is absent from work during those times.
- (7) The results of the review and any pay recommendation shall be recorded in the statement by 31<sup>st</sup> October following completion of the cycle to which it relates.

## **Appeals**

**33.** The reviewee may appeal against any of the entries made by the reviewer in his statement, following receipt of a copy of it pursuant to regulations 28(2)(d), 29(3)(e), 30(2)(d) and 32(4)(d).

## **Use and retention of statements**

### **34. —**

- (1)The authority shall retain the reviewee's statement for a minimum period of 6 years from the date on which the cycle to which it relates ends.
- (2)The authority shall have regard to the results of the review recorded in the reviewee's statement pursuant to regulation 32 when exercising any discretion in relation to his pay.
- (3)The reviewee's line manager or, where he has more than one, each of his line managers shall be provided with access to the reviewee's plan recorded in the statement, upon request, where this is necessary to enable him to discharge his line management responsibilities.
- (4)Where a reviewee pursues an appeal in relation to the contents of his statement, the authority shall provide anyone hearing that appeal with access to that statement.
- (5)Where a reviewee transfers from one authority to another authority part-way through his cycle, the authority shall transfer the reviewee's statement for that cycle, together with any evidence gathered concerning his performance during that cycle, to the new authority, upon receipt of a written request from the reviewee.
- (6)Where a reviewee becomes employed by another authority in a school or the governing body of a school part-way through his cycle, the authority shall transfer the reviewee's statement for that cycle, together with any evidence gathered concerning his performance during that cycle, to the new authority or governing body, as the case may be, upon receipt of a written request from the reviewee.

(7) Where a reviewee employed by an authority in a school or the governing body of a school becomes an unattached teacher part-way through his cycle, the authority or governing body, as the case may be, shall transfer the reviewee's statement for that cycle, together with any evidence gathered concerning his performance during that cycle, to the new authority, upon receipt of a written request from the reviewee.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Education (School Teacher Appraisal) (England) Regulations 2001.

They apply to teachers whose pay and conditions are determined by order of the Secretary of State under section 122 of the Act, who are employed for one term or more, other than those who are undergoing an induction period or who are the subject of capability procedures .

The regulations in Part 2 provide for the management and review of the performance of teachers employed at schools by governing bodies or local education authorities and the regulations in Part 3 provide for the management and review of the performance of teachers employed by local education authorities who are not attached to any particular school or are employed otherwise than at a school or are employed at pupil referral units, including teachers in charge of such units ("unattached teachers").

The principal provisions of these Regulations—

- (a) require governing bodies in the case of teachers employed at schools and local education authorities ("authorities") in the case of unattached teachers to establish and implement a performance management policy for their teachers;
- (b) provide for the appointment of reviewers and specify the procedure they must follow when preparing and revising teachers' plans and reviewing their performance in the light of those plans in the teachers' planning and review statements;
- (c) allow head teachers and authorities to delegate their reviewer's duties, in their entirety, to the teacher's line manager and, where they do this, enable head teachers and authorities to moderate the plans drawn up by line managers;
- (d) provide that teachers may appeal against any of the entries recorded in their statements; and
- (e) allow governing bodies and authorities to have regard to the results of their teachers' reviews when exercising any discretion in relation to their pay.

附錄五：2006 年英格蘭教育之學校教師績效管理規定之中文翻譯(此附錄僅就英格蘭小學教師評鑑內容進行翻譯)

2006 年十月四日制定

2006 年十月九日國會通過

2007 年九月一日實施

教育與技能部大臣以 2002 年(a)教育法案的第 21、第 131 以及第 210 節授予的權力訂定下列規定。

根據與地方教育機構協會磋商的法案 131(6)節，內文合適呈現管理單位和教師的興趣。

## 第一部份

### 總綱

1.

(1)這些規定可引用 2006 年英格蘭教育(學校教師績效管理)法規並將在 2007 年 9 月 1 日

(2)這些規定的應用須與英格蘭有關。

### 解釋

2.在這些規定中：

“法案”意指 2002 年教育法案；

“主管機構”則指教師受聘的地方教育機構；

“控訴”則與第二部份應用的教師有關；意味根據學校管理單位建立的程序來處理提出的抱怨；

“能力程序”意謂由管理單位依循英格蘭 2003 年學校員工規定(b)建立之程序；

“教室”與“教室觀察”有關；意指以任何形式實施教與學的環境；

“週期”意指根據規定 12、26 的績效管理和評論週期；

“日子”意謂學年期間老師必須上課的任意一天；

“文件”意謂在本法規第 122 節實施下的有關文件；

“薪津級數效標”意指關於在文件中決定一位教師是否與其薪津授與相合適的標準；

“績效效標”意謂反對被評鑑者績效根據規定 13(1)或 27(1)(a) 至(c)項規定；



“計畫”意指根據規定 14(1)和規定 28(1)規定管理和評論被評鑑者績效的計畫；

“符合資格的教師”意指一位符合此法案第 132 部份項下特殊需求的個體；

“學校”意謂一個團體、私人、基礎、特殊團體或特殊基礎學校；

“學校發展計畫”意謂實施學校改進計畫的過程；

“學校改進”意指學校管理單位為改善學校標準將此過程付諸實行謂之；

“學校改進夥伴”意指被地方教育機構、內部大臣或是內部大臣授權者指派提供建議給管理單位和學校校長以改進學校標準的人員；

“學校改進計畫”意謂策略性的計畫展開目標以改進學校規定和績效；

“學校自我評價”意指學校管理單位實施的安排以評價學校內所制定規定的品質；

“報告書”意指有關規定 14(1) 和規定 28(1)項下的計畫和評論報告書內容；

“教師”意指本法案 122 部份中所界定的學校教師；

“未依附教師”意謂：

- (a)未附屬於特定學校的教師；
- (b)非受聘於學校內的教師；
- (c)在學童轉銜單位(包含負責某單位的教師)。

### 時間限制

3.在這些規定的一段時效內，執行任務失敗的人將不會被解除職務。

### 廢止和過渡條款

4.

- (1)受段落(2)管制，2001 年(a)英格蘭的教育(學校教師評鑑)規定已廢除。
- (2) 2001 年規定將於 2006 年至 2007 年期間內應用在關於教師績效評鑑上。
- (3)任何在 2001 年規定下產生和保持評鑑報告書，從 2003 年 9 月 1 日起將從評鑑週期開始後被保留至少六年，直到這些報告書與薪津相關決定的關係結束。
- (4)2000 年(b)教育規定已被廢除。

### 應用

5.

- (1)受段落(2)管制，這些規定應用在與任何受聘一學期以上的教師。
- (2)那些規定不應用在下列的績效：
  - (a)根據 2001(c)年教育(學校教師的誘導安排)規定，任何遭遇但是不滿意地結束一段誘

導期間；

(b)當面臨能力程序對象的教師。

## 第二部份

應用在受聘學校老師的條款

## 第二部份的應用

6. 第二部份應用到績效管理及任何受聘教師的評論在：

(a)在一所學校裡的地方教育機構；或是

(b)一所學校的管理單位。

## 績效管理政策

7.

(1)管理單位應建立一份書寫政策(績效管理政策)，其內容設定學校教師的績效如何進行管理和評論。

(2)管理單位應有系統地報告績效管理政策或是指導校長報告書政策。

(3)當校長在學校裡有系統地說明報告書政策時，管理單位可在採用或拒絕前修正之。

(4)當管理單位拒絕校長在學校裡有系統的說明報告書時，管理單位應自行完成有系統的報告書。

(5)管理單位應在每一學年評論績效管理政策。

(6)接下來的評論，假如妥當，管理單位應該將績效管理政策予以修改。

(7)在管理單位建立或修改績效管理政策以前，學校校長應該：

(a)與學校老師磋商；

(b)與認可的職業聯盟尋求對政策(此產出政策視為對所有教師的協議)贊同或修改。

(8)管理單位及學校校長應落實績效管理政策。

(9)績效管理政策應該呈現：

(a)報告書政策試圖達成哪些結果以及該如何衡量這些結果；

(b)學校如何把教師績效管理、學校改進、學校自我評價與學校發展計畫做妥善連結安排；

(c)顯現學校將如何在有類似經驗或責任等級的教師身上尋求達成處理和公平的一貫性。

- (d)設定週期的時刻；
- (e)包括教室觀察的協定；
- (f)當有需求時提供績效管理訓練；
- (g)報告書監視的安排和評價政策；
- (h)依據這些規定詳細說明國小教師績效管理之任何輔助或補充的程序。

### 確認教師績效被管理與評論評論的責任

8.

- (1)學校的管理部門應確定學校教師的績效是根據績效管理政策來進行管理和評論。
- (2)當一位教師受聘於一所以上學校時，每間學校的管理單位應該同意此和老師有關的規定。

### 有關學校校長的外部顧問會議

9.

- (1)根據段落(2)，管理單位應委派一位提供校長績效管理、評論等有關建議和支持之外部顧問。
- (2)當地方教育機構指派一位改善學校的夥伴時，段落(1)的內容不該被應用。此外，管理單位應該運用學校改進夥伴作為提供有關校長績效管理與評論的建議與支持。

### 評論校長人員會議

10.

- (1)依據此規定的內容，學校管理單位乃是校長的評論者。
- (2)管理單位可以指派二或三位管理者來執行責任。
- (3)校長的評論者並不是校內的教師或是其他員工。
  
- (4)依據段落(2)，私立補助學校的政府單位可以指派：
  - (a)兩位主管人員，至少其中一位應為學校的基礎主管；
  - (b)三位主管人員，其中至少有兩位應該是學校的基礎主管。
- (5)依據規定，一位對管理單位指派之主管人員提出不適合專業理由意見的校長，其可提出一份給管理單位何以必須替換管理人員的書面請求。
- (6)當管理單位不認為指派的管理人員不適任時，其將採取：
  - (a)公告校長寫下的決定與報告書的理由；

- (b)根據評鑑週期的需要, 附上校長的請求以及對此需求的拒絕通知。
- (7)被評鑑者可以在週期中提出一次要求替換段落(2)下指定的管理者。
- (8)當管理單位據此規則在任何時間裡決定指定的管理者不適合時, 或是不再適合執行其責任, 其應該據此規定終止對此管理者的任用並重新指派新的管理者。

### **對其他教師之評論者指派**

#### **11.**

- (1)基於此規定接下來的段落, 學校校長應為學校內其他教師的評論評論者。
- (2)在此校長不是老師的上級管理者, 校長可以授權責任給老師的評論評論者。
- (3)當教師有多於一位的上級管理者, 校長可以授權給其認為最適合管理與評論教師績效的評論者責任。
- (4)當校長授權評論責任給某位會在評鑑週期的多數時間缺席乃為明顯事實時, 校長可以自己執行評論的責任或是在元評論者缺席的時間內指派給另一位老師執行。
- (5)當一位在規定下對管理單位指派之主管人員提出以不適合專業理由意見的老師, 他可以提出一份書面請求給校長說明報告書何以替換的原因。
- (6)當校長被說服其原先指派教師的評論者責任是不適當之際, 校長可以自己執行那些責任或是指派給另一位老師。
- (7)當校長未被說服其原先指派教師的評論者責任是不適當之際, 校長可以:
  - (a)公告此教師寫下的決定與報告其理由; 並
  - (b)根據請求, 附上此教師的請求及其對週期下報告需求的拒絕通知。
- (8)被評鑑者可以請求在任何週期中得提出一次更換校長指派之評論者。
- (9)當校長在任何時間裡根據專業理由決定其委派評論者不再適合或是不再能夠執行那些責任時, 他可以自己執行或是委派給另一位教師。
- (10)依循此規則, 當校長指派評論責任給予不是受評教師的上層管理者時, 這位被委派責任者必須在員工結構中等同或高於受評教師的地位。

### **績效管理與評鑑週期**

#### **12.**

- (1)基於此規定內容, 學校裡每位教師的績效應在年度基礎(績效管理與評論評論週期)上被管理和檢視。
- (2)管理單位須為其他學校裡的老師決定績效管理和評論週期的時刻。
- (3)當某教師乃是受聘少於一年的學校合約, 其績效將在合約期間內被管理與檢視直到合

約終了為止。

- (4)當受聘於學校的某位教師經歷評鑑週期的一部分，校長或是管理單位應決定教師第一週期的長度，使之與其他教師在評鑑週期上達成一致。
- (5)當學校教師在學校裡升遷到另一個新職位時(正在週期的某階段)，無論是基於暫時或是永久的基礎，校長或是管理單位則會無論是否改變決定週期是否重新開始、評鑑者或被評鑑者是否更動。
- (6)評鑑者的變動或是新的外部顧問的指派將不會造成被評鑑者的週期重新開始。

## 計畫會議

13.

- (1)在每一個週期的開始，評論者或是當受評論者為校長時，所有的評論者、外部顧問或是學校改進夥伴，將安排召開與受評論者的會議來衡量與決定：
  - (a)受評論者的目標；
  - (b)安排觀察受評論者在教室裡的績效是否適當；
  - (c)任何其他要納入評斷受評論者績效的證據；
  - (d)績效效標；
  - (e)提供給受評論者達到績效效標的支持；
  - (f)達成目標的時間表以及為達目標所提供的支持；
  - (g)評論者的訓練、發展需要以及行動。
- (2)段落(1)的問題應根據下述幾項因素訂定之：
  - (a)評論者的工作描述；
  - (b)任何相關的薪津級數效標；
  - (c)任何在學校改進計畫中與整體學校或特定團隊相關的目標；
  - (d)可以被任何教師合理期待，使得接受評論者可以在執行其任務所需時間以及追求其個人興趣外部工作的時間兩者之間達成一個滿意的平衡；
  - (e)受評論者的專業抱負；
  - (f)相關的專業水準。
- (3)受評論者假如達成其所設定的目標，他們將有助於學校學童學習之進展。
- (4)只有當某人直接擁有受評論者的專業知識，其可提供段落(1)(c)目的的證據。
- (5)當一項聯合的決定無法與段落(1)有關時，評鑑者應該作下決定。

## 計畫的紀錄

14.

(1)在計畫會議的五日內，評論者應該：

(a)準備一份有關受評論者的計畫與評論之草稿報告書，內容可以紀錄管理與評論受評論者的績效、與規定 13(1)(a)至(f)有關的問題及與規定相關的報告書附件(訓練與發展附冊)與問題

13(1)(g)；

(b)傳給受評論者(其可增加評論)草稿之報告書。

(2)在計畫會議的十天以內，評論者應該：

(a)準備並簽署計畫報告書的最後版本；

(b)使受評鑑者得以擁有此報告書的內容紀錄，並且可以增加其註解；

(c)當受評鑑者身為教師(並非校長時)，要將簽署的報告書紀錄交給該校校長，或是當被評鑑者為校長時(評鑑者為獨立主管人員)，會將簽署的報告書交給管理單位；

(d)提供一份受評論者的報告書複本；並

(e)提供一份「訓練與發展附冊」給負責計畫學校教師訓練和發展的人員。

(3)基於任何申訴的結論，計畫的內容應被視為反映計畫會議的結果。

(4)假如評論者或是受評論者在受評時間裡缺席，段落(1)和(2)特定的時限是可以延長的。

(5)計畫應該在十月三十一日以前記錄下來，或是當受評論者為校長時，需在十二月三十一日前接著完成先前的評鑑週期。

## 計畫的品質確認與調整

15.

(1) 依循規定 14(2)(c)，當個別主管人員代表執行評鑑者責任，管理單位可以在十日內檢視校長報告書內容計畫內容之紀錄。

(2) 依照段落(1)，給意見的管理單位之計畫為：

(a)與學校改進優先權不一致；

(b)當不依循績效管理政策或是在這些規定下的相關需求，它將教導評論者準備新的計畫和報告書。

(3)當校長指派評論者責任給其他教師，根據規定 14(2)(c)其可在十日內評論紀錄下來的計畫內容。

(4)當依循段落(3)，校長可對計畫提出以下意見：

(a)與學校其他教師報告書與紀錄計畫不一致；

- (b)當不依照績效管理政策或是規定下的相關需求，校長可以指導評論者準備新計畫和報告書。
- (5)根據段落(2)或段落(4)在十日內接到指示，評論者應該：
  - (a)與受評論者磋商；
  - (b)準備一份新計畫，紀錄在新的報告書及簽訂報告書；
  - (c)讓受評論者可以評論報告書並可增加新的評論；
  - (d)將簽訂報告書遞給校長或是管理單位；
  - (e)提供報告書副本給受評論者；
  - (f)提供複本給訓練與發展附冊給專責學校教師訓練與發展人員。
- (6)假如評論者或受評論者於那段工作時間內缺席時，段落(5)中詳細說明的時限可延長。

## 計畫的修改

### 16.

- (1)當在任何週期的過程裡：
  - (a)受評論者的環境或是責任改變時；
  - (b)當引起對受評論者績效的關心，但在能力程序中並無適當的證據出現；或是
  - (c)受評論者在這段時間內缺席，造成計畫的某些報告書內容不再合適。
- (2)在十日以內的修正會議，評論者應該：
  - (a)紀錄原先會議紀錄內遺漏的任何改變，或是在沒有達成協議的情況下，評論者應剛將先前所想製作成計畫與補漏；
  - (b)將修改後的報告書給予受評論者(其可在闕漏的部份加上解說)；
  - (c)當受評者是老師(非校長)，要把修正後的報告書交給校長，或是當受評論者是校長(評論由獨立官員產出)時要把修正後的報告書交給管理單位；
  - (d)提供一份修正後的報告書交給受評論者；並
  - (e)當補漏與受評論者的訓練和發展有關時，提供一份補漏的複本給負責計畫學校教師訓練和發展的人員。
- (3)基於任何申訴的結果，補漏的內容應被視為修正會議結果的反映。
- (4)假如評論者或是受評者在那段時間內是缺席的，段落(1)和(2)的時限可以延長。
- (5)除非一個修改會議依據段落(1)召開，否則報告書內容不該被修改。

## 教室觀察

17.

- (1) 教室觀察應根據規則 7(9)(e)項下的教室管理草案來處理。
- (2) 教室觀察的整理(紀錄在受評論者的報告書中)應該—
  - (a) 詳細說明每次進行觀察的主要目的；
  - (b) 根據段落(3)，詳細說明接受評鑑者教學績效的任何特殊部份。
- (3) 段落(2)(b)部份不應根據那些規定或與依據規定 18 來避免接受評鑑者被觀察到的教學績效。
- (4) 基於段落(5)，教室觀察的整段時間中每個週期不應超過三個小時，且應該視教師個別環境而定。
- (5) 當與受評論者教學績效有關的證據出現時，除了參照段落(4)以外，教室觀察可以被安排。
- (6) 依據段落(5)，當適合考慮安排額外教室觀察時，評論者可以確認修改會議是否舉行，以及依據規則 16 將任何觀察的細節撰入報告書內容中的遺漏部份。
- (7) 當教師班級績效根據這些規則的目的來進行觀察，評論者應確定被評鑑教師在五日内收到觀察的書面報告，並得以在內容上加上註解。
- (8) 教室觀察必須由合格教師來進行。

## 教師績效的檢視

18.

- (1) 在每個週期的終點或接近結束之際，或是當受評論者身為校長時，所有的評論者、外部顧問或學校改進夥伴必須和受評論者會面：
  - (a) 當詳細說明的報告書和績效效標不同時，得檢視其週期中的績效；
  - (b) 當依據文件下受評論者符合薪津級數的資格、受評論者適合決定薪津級數的建議時，應與次段落(a)的評論結果有關。
- (2) 評論會議應與計畫會議相結合
- (3) 在評論會議五日內，評論者應該：
  - (a) 紀錄在報告書內容裡：
    - (i) 評論的結果；
    - (ii) 任何關於薪津級數的建議；
  - (b) 傳遞草稿報告書內容給受評論者。
- (4) 在評論會議的十日內，評鑑者應該：



- (a)準備和簽署報告書的最終版本；
  - (b)讓受評論者擁有草稿報告書內容，並且可以增加評論；
  - (c)當受評論者是老師時，要將簽署的報告書內容遞給校長，或是當受評論者為校長且評論乃由獨立官員著手進行時，則是把報告書內容交給管理單位；
  - (d)提供受評鑑者一份報告書複本。
- (5)基於任何申訴的結論，報告書內容應被視為評論會議結果的反映。
- (6)假如受評論者在那些評論時間內缺席，段落(3)和段落(4)指定的時限可被往後延伸。
- (7)評論以及任何薪津建議的結果應在十月三十一日以前紀錄下來，或是當被評鑑者為校長時則須在十二月三十一日前完成。

## 申訴

19.被評論者可以依照規則 14(2)(e)、15(3)(e)、16(2)(d)和 18(4)(e)的複本收據，對評論者的報告書

提出申訴。

## 使用和報告書的保留

20.

- (1)校長或當受評者為校長時，管理單位應保留受評鑑者報告書從評鑑週期結束後至少六年的時間。
- (2)當受評論者是老師(並非校長)，當要謹慎執行與其薪津相關判斷，管理單位應根據規則 18 將評論結果予以紀錄在報告書上。
- (3)管理單位應根據段落(2)的目的提供受評鑑者報告書的方法途徑。
- (4)當受評論者為校長時，管理單位或當學校未有委派的預算時，當處理與其薪津有關時，地方教育當局應根據規定 18 考量報告書紀錄上的評論結果。
- (5)當學校沒有委派預算時，地方教育當局應該根據段落(4)的目的建立提供受評論者報告書途徑。
- (6)受評論者的上層管理者(們)應根據要求提供使用受評論者紀錄在報告書內容上的計畫。
- (7)當受評論者申訴關於其報告書的內容，校長或管理單位應提供給任何知曉此控訴人員了解報告書內容的途徑。
- (8)當受評論者在評鑑週期期間轉至他校，校長或是管理單位應函轉受評論者於週期過程裡的報告書資料(包含關於其餘週期中績效的證據)給新學校的校長或管理單位。

- (9)當受評論者原先是被學校當局或學校管理單位所聘請，爾後經歷評鑑週期後成為正常編制外教師時，校長或管理單位必須將受評論者的報告書資料轉移給新的學校主管當局。
- (10)當受評論者原先被學校以正常編制外教師聘請，爾後經過評鑑週期後成為正式教師，校長或管理單位必須將受評論者的報告書資料轉移給新的學校主管當局。

## 校長的報告

### 21.

- (1)校長應提供管理單位一份年度書寫報告：
- (a)績效管理政策操作；
  - (b)學校績效管理程序的有效性；
  - (c)教師訓練與發展需求。
- (2)校長的報告不應包含任何評定學校教師的訊息。

## 第三部分

適用於正常編制外教師的規定

## 第三部分的應用

22.第三部分應用在績效管理以及正常編制外教師評論上。

## 績效管理政策

### 23.

- (1)主管機關應建立一份書寫的政策(績效管理政策)，內容陳述正常編制外教師的績效要如何管理和評論。
- (2)主管機關應於每學年檢視績效管理政策。
- (3)主管機關據此評論可以修改其績效管理政策。
- (4)在建立或修改績效管理政策以前，主管機關應該：
- (a)與所有正常編制外教師磋商；
  - (b)尋求在和正常編制外教師協商結果政策或是修正上的同意。
- (5)主管機構應實現績效管理政策。
- (6)績效管理政策應該呈現：
- (a)報告書政策試圖達成的結果以及其如何被測量；

- (b)政府當局如何尋求對有相同經驗或責任的教師們在處理和公平性上達成一致；
- (c)開始評論週期的時間選擇；
- (d)教室觀察草案；
- (e)當有需求時提供績效管理訓練；
- (f)報告書監控和評估政策的協議；
- (g)詳細說明正常編制外教師績效管理之輔助或補充程序。

#### 確定教師績效被管理和評論的責任

24.

- (1)根據績效管理政策和本章部分，主管機構應確定正常編制外教師的能力是否被管理和評論。
- (2)當正常編制外教師受聘於多於一所機構時，每一所機構應遵守與那位教師相關的規則。

#### 擔任教師評論者的委派

25.

- (1)限於本規定中的下列段落，管理機構乃是正常編制外教師的評論者。
- (2)管理機構可以委託全部的責任給評論者。
- (3)當老師有多於一位的上頭管理者，主管機構可以委託全部的責任給管理和評論教師績效之上頭管理者。
- (4)當管理機構委託的評論者在評鑑週期的大部時間裡缺席時，管理機構可以自行執行此責任或是在缺席時間內全權交給另一人。
- (5)基於專業理由，當一位教師認為管理機構委派之評論者不適任時，其得以遞出要求更換評論者的書寫請求給管理機構。
- (6)當主管機構被說服其委派之評論者不適任時，其可自行執行責任或委託給另一人。
- (7)當主管機構未被提出委派之評論者不適任者所說服，其應該：
  - (a)通知該教師主管機構寫下的決定並報告其理由；
  - (b)應要求，將此教師的請求及管理機構拒絕的通知附在評鑑週期的報告書內容上。
- (8)被評論者得在任一個週期裡提出一次請求管理機構替換委派評論之責的人員。
- (9)基於專業理由，當主管機構在任何時間裡決定的委託評論者不再合適或是不再能夠實行那些責任時，主管機構可以自己執行那些責任或是全部委託給另一人。
- (10)當依循此規則，主管機構委託的評論人並非教師的上頭管理者時，此評論者必須

至少在主管機構的員工結構中有著相同的等級或較高地位。

### 績效管理與評論週期

26.

- (1)基於此規定，每位正常編制外教師績效應根據年度績效管理與評論週期基礎來管理評論。
- (2)管理機構應為正常編制外教師決定績效管理和評論週期的時間點。
- (3)當正常編制外教師受聘少於一年的合約，其績效必須在合約期間內被管理且再合約終了時被評論。
- (4)當某位教師在評鑑週期過程中途中被聘用，主管機關須為此教師決定首次評論週期的時間長度。
- (5)當某位教師在原主管機關內轉至新的職位，不管是基於暫時或永久的基礎，主管機構必須在評論週期的進行中途決定評論週期是否重新開始以及是否要更換評論者。
- (6)評論者的改變不應造成被評論者的週期重新開始。

### 計畫會議

27.

- (1)在每個週期的開始，評論者須安排和被評論者的計畫會議來進行考量和決定：
  - (a)被評論者的目標；
  - (b)安排適當觀察被評論者在教室裡的績效；
  - (c)任何其他可以評判被評論者績效的證據；
  - (d)績效效標；
  - (e)提供給被評論者助其符合績效標準的支持；
  - (f)達成目標提供支持的時間表
  - (g)受評論者的訓練、發展需求及行動。
- (2)關於段落(1)問題將根據下列進行決定：
  - (a)被評論者的工作描述；
  - (b)任何與薪津級數有關的效標；
  - (c)有未達評鑑標準教師的主管機關之任何相關目標或是與整體學校、學校改進計畫中詳細說明的團隊目標；
  - (d)位在有利條件位置上的教師如能在達成其專業責任與追求個人興趣所需時間等二者間達成滿意平衡時，有哪些結果可以被合理地期待；

- (e)被評論者的專業抱負；
- (f)相關的專業標準。
- (3)被評論者的目標假如被達成，他們將提供改善學生的學習。
- (4)唯有擁有直接專業性知識的評論者可以為段落(1)(c)的目的來提供證據。
- (5)當一個聯合的決定無法和段落(1)的議題有關時，評論者應自行做下決定。

## 計畫紀錄

28.

- (1)在計畫會議的五日內，評鑑者：
  - (a)準備一份關於受評論者的計畫與評論報告書，其中紀錄管理、評論被評論者績效的計畫，包含和規則 27(1)(a)至(f)有關的議題，以及另外在一份與規則 27(1)(g)有關議題的附錄(訓練與發展附錄)上；
  - (b)將草稿的報告書內容交給受評論者，且評論者可加註意見。
- (2)在計畫會議的十日內：
  - (a)評論者應準備與簽署報告書計畫的最終版本；
  - (b)受評論者可以瀏覽報告書內容，並可加註其意見；
  - (c)當評論者不是主管機構時，要將簽署的報告書內容交給主管機構；
  - (d)提供一份報告書副本給被評論者；
  - (e)提供訓練與發展附冊給專司計畫教師訓練與發展的人員。
- (3)限於任何申訴的結果，報告書的內容應被視為反映計畫會議的結果。
- (4)假如評論者或是被評論者在哪些日子裡缺席，時限(在段落(1)與段落(2)有詳細說明)得以延長。
- (5)此計畫應在完成之前評鑑週期的時間內(十月三十一日前)紀錄在報告書內容中。

## 計畫調整

29.

- (1)當主管機構委派評論者責任給另一人，根據規定 28(2)(c)他們應該在十日內將評論計畫內容紀錄在報告書內容上並遞交之。
- (2)依照段落(1)，主管機構認為此計畫：
  - (a)與紀錄其他有類似經驗教師報告書或是有著類似責任受聘於主管機構的人員之計畫不一致；或是
  - (b)不同意這些規定裡任何相關需求，他們應該指導評論者準備一份新計畫和報告書

聲明。

- (3)在十日內收到依據段落(2)的指示，評論者應該：
  - (a)與受評論者磋商；
  - (b)準備一份新計畫，紀錄在一份新的報告書聲明上並且簽署之；
  - (c)使被評論者可在此報告書聲明書上增加其註解；
  - (d)將簽署的文件遞給主管機構；
  - (e)提供受評論者一份報告書副本；
  - (f)提供訓練和發展附冊給負責計畫教師訓練和發展的人員。
- (4)假如評論者或受評論者在那段工作時間裡缺席，段落(3)裡載明時限可以延長。

## 計畫修訂

30.

- (1)在任何週期的過程裡：
  - (a)受評論者的環境或責任改變；
  - (b)當證據出現時，會引起對受評論者績效的關心，但卻無法使為能力程序的應用進行辯護；或是
  - (c)當被評論者在計畫開始的某段時間內是缺席的情況，使得報告書紀錄內容不再合宜。評論者或被評論者可以申請一個修訂會議，並要在 10 日內召開。
- (2)十日內的修訂會議，評論者應該：
  - (a)以補漏追加的格式紀錄會議同意計畫中的任何改變，或是當沒有達成協定時，任何想法上的改變應被載入此計畫上且要簽署之；
  - (b)讓受評論者可以增加其評論在此附錄上；
  - (c)當評論者不是主管機構時，須把簽署的修正報告書聲明遞給主管機構；並且
  - (d)提供給受評論者修改報告書聲明的複本；並且
  - (e)當附錄與受評論者訓練發展有關時，要提供附錄複本給專責計畫教師訓練與發展的人員。
- (3)限於申訴的結果，附錄的內容應被視為反映修訂會議的結果。
- (4)當評論者或受評論者在那段時間裡缺席，根據段落(1)和(2)的時間限制可向後延長。
- (5)除非修訂會議根據段落(1)內容舉行，否則報告書不應被修訂。

## 教室觀察

31.

- (1) 教室觀察應根據參考規定 23(6)(d)的教室觀察草案。
- (2) 紀錄被評論者報告書內容的教室觀察安排應該：
  - (a) 載明每個進行的觀察之主要目的；
  - (b) 基於段落(3)，載明每次觀察中被評論者進行教學的特別部分。
- (3) 當教師績效依照規定 32 來進行評論時，段落(2)(b)中並無避免受評論者教學績效以外的其他部分。
- (4) 基於段落(5)，在此部分中為教師安排教室觀察的整個期間的每個週期不應超過三個小時，並且要基於教師個別環境情況來決定。
- (5) 當證據出現引起對受評論者教學績效關注時，教室觀察除可依據段落(4)安排之外，另外尚可被予以安排。
- (6) 依據段落(5)來安排額外的教室觀察，評論者應確認是否召開修訂會議以及根據規定 30 在報告書中插入附錄的觀察細節。
- (7) 基於這些規定的目的，當教師在學校的績效被觀察時，評論者應確定教師在教室觀察的五日內收到一份書寫報告並允許受評論者加註意見。
- (8) 教室觀察必須由合格教師來實施。

## 教師績效的評論

32.

- (1) 在每一個週期裡或結束時，評論者應安排一個和被評論者的會議以：
  - (a) 評論被評論者在周期內的績效；
  - (b) 評斷受評論者的薪津級數是否合宜以及根據次段落(a)來決定薪津級數。
- (2) 評論會議應和下個週期的計畫會議作結合
- (3) 在評論會議的五日內，評論者應：
  - (a) 在報告書上紀錄：
    - (i) 評論的結果；
    - (ii) 薪津級數的建議。
  - (b) 將報告書的草稿交給受評論者。
- (4) 在評論會議的十日內，評論者應：

- (a)準備和簽署報告書的最終版本；
- (b)允許被評論者可以在報告書上增加其意見；
- (c)如果評論者不是主管機關，要將簽署的報告書遞給主管機構；
- (d)提供一份報告書複本給被評論者。
- (5)基於申訴的結果，報告書的內容應被視為反映評論會議的結果。
- (6)假如評論者或被評論者在那些時間內缺席，段落(3)、(4)的時間限制得以延長。
- (7)評論和薪津建議的結果應在十月三十一日前紀錄在報告書上。

## 申訴

33. 依循規則 28(2)(d)、29(3)(e)、30(2)(d)以及 32(4)(d)，評論者可以對評論者報告書上的項目提出申訴。

## 報告書內容使用和保留

34.

- (1)主管機關應保存被評論者的報告書從評論周期結束後至少六年的時間。
- (2)根據規則 32，當進行被評論者的薪津考量時。主管機關應根據紀錄在被評論者報告書上的結果。
- (3)被評論者的上級主管(們)應擁有參閱報告書上的被評論者計畫之權利，以利其執行職責。
- (4)當被評論者申訴有關報告書內容時，主管機構須提供得知此申訴訊息者了解報告書內容的權利。
- (5)當被評論者在評論周期當中由一個主管機關轉至另一個主管機關，原主管機關須將被評論者在周期內關於其績效的報告和證據轉給新的主管機關。
- (6)當被評論者在評論周期當中受聘於學校的另一個主管機關或管理單位時，原主管機關須將被評論者在周期內關於其績效的報告和證據轉給新的主管機關或管理單位。
- (7)當被評論者在評論周期當中受聘於學校主管機關或管理單位時變成為獨立的教師，主管機關或管理單位須將被評論者在周期內關於其績效的報告和證據轉給新的主管機關。

## 解釋的註記

(此註記並非上述法規的一部分)



上述規定終止與取替 2001 年英格蘭教育(學校教師評鑑)法規。

這些新規定應用在那些薪津與情況由此法案的第 122 部份決定的老師們(聘期至少多於一個學期)身上，而非那些正經歷入門期間或是身為能力程序的對象。

第二部分的規定提供給主管單位或地方教育機構學校進行對其聘用教師的績效管理與評論，而第三部分的規定提供給受聘於地方教育機構卻不附屬於任何學校的老師們進行績效管理與評論依循之用。

這些規定的主要條款：

- (a)當教師受聘於學校時需要主管單位，而對獨立教師則是需要地方教育機構以建立與實行教師績效管理政策；
- (b)基於教師計畫與評論報告書中的計畫來準備和修正教師計畫與評論績效，提供評論者們的會議以及詳細說明其必須遵守的程序；
- (c)允許校長和主管機關委派其評論者責任給教師的上級管理者，並使校長和主管機構能夠調整教師上級管理者制定的計畫；
- (d)提供教師申訴報告書項目的內容；
- (e)在進行薪津晉級考量時，允許管理單位與主管機關考量教師評論後的結果。

