

# T-TESS and T-PESS Update: A Practicum of Everyday Challenges to These New Appraisal Systems

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## History of Educator Appraisals

- Prior to 1981, no appraisals
- Term Contract Nonrenewal Act
- 1984 – The Career Ladder
- Section 13.102(a) – mandate to develop an appraisal process and criteria...” for use by the school districts to appraise performance

## The Birth of an Appraisal System

- Provide some assurance that nonrenewal would not be based on arbitrary decisions
- Focus on what constitutes good performance in the classroom
- The “new teacher”

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## Early Commissioner Decisions

- Deference to the appraiser
- “could not have scored (the teacher’s) performance the way (the appraiser) did by good-faith application of the proper standards.”  
*Isbell v. Alvord ISD*, Dkt. # 016-R10-988 (Comm’r Educ. 1991)

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## But Sometimes the Teacher Won

- *DeLeon v. Del Valle ISD*, Dkt. # 292-R10-789 (Comm'r Educ. 1991)(district failed to meet deadlines to deliver written report of observation)
- *Fowler v. LaPorte ISD*, Dkt. # 014-R10-998 (Comm'r Educ. 1999)(appraiser failed to share cumulative data with teacher within 10 working days)

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## Teacher wins – No Appraisal

- *Patterson v. Albany ISD*, Dkt. #427-R1-791 (Comm'r Educ. 1992)(district had tried to terminate the teacher the previous year, so the district had no current evaluations to consider at the teacher's nonrenewal hearing)
- *Kelly v. Blooming Grove ISD*, Dkt. #232-R1-589 (Comm'r Educ. 1991)(failure to complete an annual appraisal will negate an attempt to nonrenew teacher's contract)

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[School Law Update 2017: Commissioner Decisions, Attorney General Developments, ESSA Updates, and T-TESS in Practice](#)

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