

# TEACHER PERFORMANCE APPRAISAL IN PORTUGAL: THE (IM)POSSIBILITIES OF A CONTESTED MODEL

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**Abstract** – *This paper analyses the process of implementation of a new policy on teacher performance appraisal in Portugal. It addresses issues related to its purposes and underpinning assumptions, and the ways in which it has been put into place in schools. Data are drawn from a review of existing literature on the topic both nationally and internationally, from official documents and from current research in which the author is involved. By and large, the system is rather summative and bureaucratic which can be seen in the amount of regulations, grids, and documents and the ways in which the outcomes of the appraisal system are to be achieved and used. Among the most critical issues are the existence of a quota system, the lack of recognition of the appraisers, existing bureaucracy, which represents a burden for most schools and teachers, etc. The paper concludes with some recommendations and ways of looking forward.*

## Introduction

**I**n many countries, concerns about student achievement in national and international assessments and the need to raise the standards of teaching and to improve the quality of pupil learning have led the governments to a number of reforms. These have focused in many cases on standard-based models and on increased accountability and surveillance of teachers' work, among which is teacher performance management and appraisal (Middlewood & Cardno, 2001; Avalos, 2004; Avalos & Assael, 2006; Assael & Pavez, 2008). Portugal is no exception. In 2007, a new Teacher Career Statute (Decree-Law number 15/2007) was issued stipulating the existence of two categories of teachers and the principles of differentiation and hierarchy in the teaching career along with new teacher appraisal mechanisms.

Thus, it is important not only to analyse the assumptions and principles underpinning the new policy on teacher performance appraisal, but it is also crucial to look at the ways in which teachers and school leaders perceive it and the ways in which they make sense of it. This paper addresses the following questions: (i) what are the main features (and the assumptions underpinning them) of the new policy on teacher performance appraisal in the Portuguese context?; and (ii) given the general acceptance of the need for a new policy on teacher performance

appraisal, what are the arguments behind resistance and controversy in regard to the new policy issued in 2007? This analysis is based upon a review of existing literature on the topic both nationally and internationally, from official documents and from current research in which the author is involved.

## **Teacher performance management and appraisal: what does the literature tell us?**

In general, existing literature identified the tensions between formative (oriented toward professional development) and summative purposes (linked to accountability and managerial decisions) (Chow et al., 2002; Avalos & Assael, 2006; Stronge, 2006a). Whereas some authors argue for the incompatibility of these two purposes, others advocate the possibility and the need to incorporate them into the same system of teacher appraisal (see, for instance, Simões, 2000; Chow et al., 2002; Avalos & Assael, 2006; Stronge, 2010). This needs to be related to views of teaching and teacher professionalism (Darling-Hammond, Wise & Pease, 1983; Sachs, 2003; Flores, 2005; Day, Flores & Viana, 2007) and the ways in which given concepts of teaching are translated into evaluation criteria and standards (Avalos & Assael, 2006).

In a recent review, Vaillant (2008) draws attention to the diversity of the teacher appraisal systems worldwide and of the mechanisms for certifying and assessing teachers. She has also identified the political, conceptual and operational factors which facilitate and hinder teacher appraisal process, drawing attention to the need to take into account the contextual variables in the implementation of a teacher appraisal system as well as the adequacy of the instruments for the appraisal process, the need of the appraisers to be recognised and the importance of feedback.

Existing literature discusses teacher appraisal systems within an accountability era through dominant forms that threaten teachers' traditional autonomy (e.g., school inspection and performance management in England), but it also recognises the key importance of self-assessment and of critical reflection to teacher professional development and improvement through, for instance, reflection in, on and about practice; action research; and teacher learning academies (Day, 2010). As Stronge & Tucker (1999) arguably suggest, 'Evaluation can be an important tool for supporting and improving the quality of teaching. Unfortunately, teacher evaluation too frequently has been viewed not as vehicle for growth and improvement, but rather as a formality that must be endured' (p. 356). And they go on to say: 'When evaluators approach evaluation as a mechanical, bureaucratic exercise and teachers view it as an event that must

be endured, evaluation becomes little more than a time-consuming ritual' (p. 356). In other words, what is of crucial importance in teacher appraisal systems is its link to professional development and improvement. This is to be related to issues of quality of teaching, learning and achievement. In this regard, Darling-Hammond (2010) draws a distinction between teacher quality and teaching quality. The former is associated with 'the bundle of personal traits, skills, and understandings an individual brings to teaching, including dispositions to behave in certain ways' (p. 200); the latter has to do with 'strong instruction that enables a wide range of students to learn' (p. 201) in order to meet the demands of the discipline, the goals of instruction, and the needs of students in a particular context. Thus, as the author suggests, 'Teaching quality is in part a function of teacher quality – teachers' knowledge, skills, and dispositions – but it is also strongly influenced by the context of instruction' (p. 201).

Thus, teacher appraisal systems are about documenting the quality of teacher performance, helping them improve and holding them accountable for their work (Stronge, 2006b). Discussing the essential components for a quality teacher appraisal system, Stronge (2010) draws attention to the three Cs – that is, Communication, Commitment and Collaboration – in order to create 'the synergy that can elevate evaluation to a meaningful dialogue about quality instruction for students' (p. 31). This means that for quality teacher appraisal, it is important to look at the ways in which both appraisers and appraisees see the appraisal process and the relationship between them (Chow et al., 2002), the ways in which schools and head teachers put a given policy into practice as well as the nature and the purposes of the appraisal system. Added to this is the level of information and training of various stakeholders involved in the process, particularly the appraisers and the teachers. As Nevo (1994) noted, 'teachers who understand how teaching is being evaluated could not only improve their self-evaluation; they could also benefit in preparing themselves for being evaluated by others or demonstrating the quality of their skills and performance to designated audiences' (pp. 109-110).

Existing literature on teacher appraisal has highlighted its complexity as far as its purposes, processes and effects are concerned. It has drawn attention to the importance of teachers' perceptions and the complexity of the social dimension in the implementation process (Fullan, 2001; Van der Vegt, Smyth & Vandenberghe, 2001; Flores, 2005; Tuytens & Devos, 2008). In this respect, both the content of the evaluation system and the context in which the system will be used have to be taken into account if it is to be effective and successful (Peterson & Comeaux, 1990). Research has demonstrated the need to pay attention to the meaning (and sense-making) of the actors involved in the implementation of a given policy, their values and emotions as well as the social interactions and the contexts in which such change is going to be implemented (Timperley & Robinson, 1997; Van der

Berg, Vandenberghe & Slegers, 1999; Spillane, Reiser & Reimer, 2002). A recent study by Tuytens & Devos (2008) has shown the influence of the principal on teachers' perceptions of a new policy on teacher evaluation, lending support to previous empirical work (Retallick & Fink, 2002; Kertsen & Israel, 2005).

Fullan (2001) draws attention to the dynamics of the factors of change and he states that 'intrinsic dilemmas in the change process, coupled with the intractability of some factors and the uniqueness of individual settings, make successful change a highly complex and subtle process' (p. 71). Van der Berg, Vandenberghe & Slegers (1999), for instance, stress that teachers construct their own systems of knowledge, skills and attitudes regarding their job and these will inform the personal meaning with which they shape their professional behaviour and the ways in which they deal with change. Others suggest that 'teachers' prior beliefs and practices can pose challenges not only because teachers are unwilling to change in the direction of the policy but also because their extant understandings may interfere with their ability to interpret and implement the reform in ways consistent with the designers' intent' (Spillane, Reiser & Reimer, 2002, p. 393). This is even more complex when what is at stake is a new policy on teacher performance appraisal.

## **Teacher performance appraisal in Portugal: context and content**

In Portugal, the centralisation of the decision-making process and bureaucracy are two key elements in the education system (Lima, 2006; Ferreira, 2008). These are very much prevalent in the structures and cultures of the system itself and of the schools, despite the rhetoric of decentralisation and autonomy. This situation leads in many cases to the mismatch between the discourse and the reality, between the legal norms and the real practice. In other words, on the one hand, there is the legal framework – the national policy level – which entails, for instance, the principles of decentralisation and de-bureaucratisation along with the discourse of flexibility and autonomy. On the other hand, there is the level of practice (schools and teachers at the local level) in which opportunities, challenges and constraints emerge in a context marked by highly centralised and bureaucratic tradition (Ferreira, 2008). Thus, the policies and reforms of de-centralisation and de-bureaucratisation and their emphasis on assessment and outcomes co-exist with centralised practices prevailing in the structures and cultures which value the formal procedures (Flores & Ferreira, 2007). This tradition of centralisation and bureaucracy is visible in the amount of legal texts and decree-laws issued by the Ministry of Education, an example of which is the new policy on teacher performance appraisal as it will be illustrated later in this paper. In this section,

a brief overview of the new policy is presented. After a summary of the main features of the legal framework for teacher performance appraisal prior to the publication of the new policy in 2007, the main dimensions of the system currently underway will be discussed in the light of existing literature on this topic.

### *The situation before 2007: teacher career and teacher appraisal*

Up until recently, the career of teachers was regulated by legislation issued in 1990 (Decree-Law number 139-A/1990). This regulation stipulated the Teacher Career Statute which was based upon the principle of a 'single career'. All teachers would follow the same path in order to progress to the top of their career. Ten different steps comprised the teaching career. In general, progression was understood as a 'matter of time' in so far as it was dependent upon years of experience, a number of credits obtained for attending in-service education courses<sup>1</sup> and the writing-up of a critical reflection on one's own practice. Teachers had to write-up a report (self-assessment report) in which they stated the activities they had undertaken, the teaching they had done over a given period of time (depending on the stage of the career in which they were, usually for 4 or 5 years, except for the one-year contract teachers who had to do it annually). The report was to be assessed by the leadership team (the Executive Council) of the school in which they worked. It was an administrative and bureaucratic model for progression in the teaching career within a teacher appraisal system which 'did not evaluate' as literature in this topic has highlighted (e.g., Pacheco & Flores, 1999; Silva & Conboy, 2004).

In 2006, the government started the implementation of a process of change to this model. The principles of differentiation and hierarchy (contrasting with the *flat* career existing up until then) were introduced along with evaluation mechanisms based upon the fact that '[existing] teacher performance appraisal, with very few exceptions, has become a mere bureaucratic procedure without no content at all' (quote from the preamble of the Decree-Law number 15/2007 which has introduced the new policy on teacher performance appraisal).

### *The Teacher Career Statute (2007) and its main features*

The new Teacher Career Statute was issued in 2007 (Decree-Law number 15/2007) and was justified by the government with the need to 'promote the cooperation amongst teachers' and to 'reinforce coordination roles' at school which require a new structure for the teaching career based upon the principles of differentiation. It was also related to the need to introduce a 'more demanding system for teacher performance appraisal with effects on the development of teachers' career' making it possible to 'identify, promote and reward the merit and

to value the teaching activity' (see preamble of Decree-Law 15/2007). The new Teacher Career Statute stipulates the existence of two teacher categories (senior teachers, i.e., *professores titulares* and classroom teachers, i.e., *professores*) – the former, apart from teaching, are responsible for coordinating roles at school and supervision and evaluation of other teachers. The criteria used to apply to senior teachers include years of experience and post-graduate qualification and performance appraisal outcomes<sup>2</sup>. Those who may access the category of *professor titular* (senior teacher) must have a permanent post at school, 18 years of experience, at least 'good' as a classification in terms of performance appraisal and must be approved in a public examination which focuses upon the teacher's professional activity developed over a certain period of time in order to demonstrate the abilities necessary to become senior teacher and undertaking the roles inherent to this post (article 38, Decree-Law number 15/2007). However, access to the top of the career is limited to a third of the number of posts available in any given school. A recent Decree-Law (number 270/2009) establishes new rules for teacher career statute, namely in terms of years of service in each stage; the introduction of another stage for teachers in the category of *professores* (i.e., classroom teachers) and new rules for accessing to the category of *professores titulares* (i.e., senior teachers), namely in terms of years of service to apply for public examination in order to access the senior teacher category.

Another initiative relates to the conditions for accessing the teaching career. From now on, an 'examination' on 'knowledge and competencies' is required for all those entering the teaching profession in order to 'demonstrate the mastery of knowledge and competencies required to teach' in a given area/field of knowledge (article 22, Decree-Law number 15/2007). A 'probationary year' (in order to verify the abilities of the new teacher regarding the requirements of the profession) was also introduced during which the new entrant is accompanied by a senior teacher with specialised training in educational organisation and curriculum development, pedagogical supervision and teacher training (see article 31, Decree-Law number 15/2007). This new initiative is in place for the first time during the academic year 2009/2010 (cf. Despacho number 21666/2009).

### *The teacher performance appraisal system*

With the new legislation, new mechanisms for teacher performance appraisal were also introduced. It is argued that teacher performance appraisal has become more demanding and complex, having effects upon the progression in the teaching career in order to 'identify, promote and recognise merit'. The main goals of the teacher performance appraisal are to 'improve student achievement and the quality of student learning' and to 'provide guidelines for personal and professional

development within a framework of a system recognising merit and excellence' (see article 40, Decree-Law number 15/2007). Teacher performance appraisal also aims at: (i) contributing to improve teaching practice; (ii) contributing to improve teacher development and growth; (iii) identifying teachers' training needs; (iv) identifying the factors which influence teachers' achievements; (v) differentiating and recognising the best professionals; (vi) identifying indicators for managerial decisions; (vii) promoting cooperation among teachers in order to enhance student achievement; and (viii) promoting excellence and quality of the services to the community (see also article 40, Decree-Law number 15/2007). Teacher performance appraisal is applied according to the duties and roles of teachers (stated in the same Decree-Law number 15/2007) in the light of the four main dimensions which are considered to be the key elements in the depiction of the professional profile of teachers (see Decree-Law number 240/2001)<sup>3</sup>: (i) professional and ethical dimension; (ii) development of teaching and learning; (iii) participation in school activities and relationship with the community; and (iv) training and professional development within a lifelong perspective. The Scientific Council for Teacher Appraisal (2008b), the national body which is responsible for giving recommendations and monitoring the implementation of the appraisal process at a national level, suggests the need to define national standards for teacher appraisal beyond 2009/2010 based upon practice carried out in the first cycle of evaluation. Teacher performance appraisal is to be carried out every two years; the end of the first cycle of the evaluation process is to be completed by December 2009. In January 2008, the Decree number 2/2008 was issued specifying the procedures to be put into practice within the new teacher performance appraisal system.

The Decree number 2/2008 stipulates that teachers are entitled to have their performance appraised, the aim of which is to contribute to their professional development. Teachers, it is also stated, are granted the 'necessary means and conditions for their performance in accordance with the targets set up'. Teachers are also required to do 'their own self-assessment in order to guarantee their active involvement and hold them responsible for the appraisal process' and to 'improve their performance based upon the information collected during the appraisal process'. Teachers are knowledgeable of 'the objectives, assumptions, content and functioning of teacher performance appraisal system' and they have the right to appeal. Teachers fill in a form with their own self-assessment, the aim of which is to 'involve the appraisee in the appraisal process in order to identify opportunities for professional development' and 'meeting the targets set up' including those related to the improvement of student achievement (see article 16, Decree number 2/2008). Self-assessment is compulsory for all teachers. Table 1 summarises the main characteristics of the existing teacher performance appraisal system.

TABLE 1: Main characteristics of the teacher performance appraisal system (see also Flores, 2009a)

<b>Frequency</b>	Every two years
<b>Main effects</b>	Progression in the teaching career (mainly summative purpose)
<b>Appraisers</b>	Coordinator/head of department (who may delegate this task to other senior teachers) Head teacher (who may delegate this task to other members of the Executive Council)
<b>Issues to be evaluated</b>	The head of department assesses the scientific and pedagogical involvement and quality of the teacher based upon: (i) preparation and organisation of teaching; (ii) teaching itself; (iii) pedagogical relationship with the students; and (iv) process of assessing student learning. At least three lessons (in different modules or topics) are to be observed each school year for each teacher. The head teacher assesses the following aspects: (i) level of attendance (number of lessons taught); (ii) level of accomplishment of the duties required of the teacher; (iii) progress in student achievement and reduction of dropout rates taking into account the socio-educational context of the school; (iv) participation at school which includes the participation of the teacher in activities planned for the school year and quality and relevance of teacher participation for meeting the targets; (v) in-service training undertaken, namely courses related to the content of the teacher's subject and those related to the needs of the school; (vi) roles undertaken at school; and (vii) development of research and innovative projects at school.
<b>Procedures and instruments</b>	Instruments are to be approved by the Pedagogical Council <sup>4</sup> of each school in the light of the recommendations of the Scientific Council for Teacher Appraisal.  It includes the setting up of individual targets for each teacher (agreed between appraisers and appraisee; in case of disagreement, the appraisers' perspective is prevalent). Individual targets are set up based upon: (i) improvement of student achievement; (ii) reduction of dropout rates; (iii) support given to student learning including those with learning difficulties;



	<p>(iv) participation in the educational and management structures at school; (v) relationship with the community; (vi) in-service activities relevant for the individual professional development plan; and (vii) participation and development of projects or activities included in the Annual Activity Plan of the school and other extra-curricular projects and activities.</p> <p>The appraisal process encompasses the following steps: filling in the self-assessment form by the teacher to be appraised; filling in the assessment forms by the appraisers; checking and validating of the evaluations of ‘excellent’, ‘very good’ and ‘unsatisfactory’ by the Committee for coordinating teacher performance appraisal at school level; individual interview between appraisers and appraisee; final meeting among appraisers in order to reach the final appraisal decision.</p>
<b>Final/outcome rating scale</b>	<p>Excellent Very Good Good Satisfactory Unsatisfactory</p> <p>A quota system does exist in each school for ‘excellent’ and ‘very good’ evaluations (to be fixed in accordance with external evaluation of the school)<sup>5</sup>.</p>
<b>Coordination of the person</b>	<p>In each school, a Committee for coordinating teacher performance appraisal is created. A national council – the Scientific Council for Teacher Appraisal – was also created in order to monitor the process of implementation of teacher performance appraisal (see Decree number 4/2008).</p>

The main characteristics of teacher performance appraisal system in Portugal were presented very briefly in this section. However, a number of adjustments have been made over the last two years in the process of its implementation leading to the publication of more legal texts in order to overcome the resistance (from the part of teachers and teachers’ unions) and turbulence in schools. This was associated with an increase in workload and bureaucracy, thus, making it difficult for schools to manage and implement the system of teacher performance

appraisal which was considered to be a burden for schools and teachers. This has led to two processes of ‘simplification’ of the model which will be dealt with in the next section.

### *The process of implementation of the new policy: resistance and drawbacks*

By and large, the key features of the new system for teacher performance appraisal include a diversity of appraisers and instruments, the consideration of a number of dimensions in the teacher performance appraisal process (including classroom observation), the setting up of targets regarding a number of issues including student achievement, the existence of a quota system (one of the most critical issues), along with hierarchy and differentiation in the teaching career introduced by the Decree-Law number 15/2007. These changes were not without controversy, especially from the part of the teachers’ unions and the teachers themselves who have organised independent movements in order to fight against the new policy. Teachers went on strike twice during 2008/2009 and two large demonstrations were also organised (May and November) in the streets in Lisbon with over 100,000 teachers protesting against the new policy. While the existence of ‘a single career’ for all teachers was an important win acquired by teachers’ unions in the Teacher Career Statute in 1990, teachers also saw it positively in terms of job security, fairness and collegiality, even if many teachers wanted differentiation in teaching. Claims that the model is too bureaucratic due to the amount of meetings, grids and other paperwork teachers have to comply with, preventing them from focusing on teaching and learning, were at the forefront of the protests. Teachers were also critical of the lack of training and specific skills required of appraisers and of the hierarchy and differentiation introduced in the teaching career<sup>6</sup>.

Recent years have, therefore, been marked by turbulence and resistance with implications for schools and teachers’ work. A number of tensions and a climate of anxiety and pressure in schools, along with ongoing protests about the new policy, became part of the day-to-day lives of schools and teachers (which was very much visible in the media). In order to respond to protests and resistance, especially about the claim that there were no conditions to implement the new policy under the current circumstances in schools, the government has introduced two processes of ‘simplification’.

The first one concerned the appraisal of teachers (especially those with one-year contracts and those who needed the outcome of the appraisal process in order to progress in their career) during 2007/2008 (see Decree number 11/2008). This simplified version included the following: (i) self-assessment form; and (ii) assessment form from the Executive Council according to the following items

– (a) level of attendance; (b) accomplishment of the service attributed to the teacher; and (c) attendance at in-service training courses. The second process of ‘simplification’ took place recently (see Decree number 1-A/2009) after a number of protests on the part of the teachers and teachers’ unions, namely two strikes and demonstrations. Three main areas of concern were then identified: (i) the existence of appraisers from different areas of knowledge of those to be assessed; (ii) bureaucracy; and (iii) the heavy workload inherent to the process of teacher performance appraisal. Thus, the government has introduced a simplified version to be put into place in schools in the first cycle of the appraisal process (which ends in December 2009). It can be described as follows:

- (i) to guarantee that appraisers are from the same field of knowledge of those to be assessed;
- (ii) to exclude from the appraisal process the criteria regarding student achievement and dropout rates (taking into consideration the difficulties of these issues identified by the national Scientific Council for Teacher Appraisal);
- (iii) in the case of tacit agreement, meetings between appraisers and appraisees are not necessary;
- (iv) the process of appraisal carried out by the heads of department is to occur only when appraisees require so (including classroom observation), but it is a necessary condition to get the final evaluation of ‘excellent’ and ‘very good’;
- (v) to reduce to two (instead of three) the number of lessons to be observed, although the appraisees may require a third classroom observation;
- (vi) teachers who may retire until 2010/2011 (or those who want to apply for early retirement) are excused from the appraisal process;
- (vii) to excuse teachers teaching professional and vocational areas from the appraisal process unless they want to do so;
- (viii) to simplify the appraisal process of the appraisers and to compensate for their workload (they are only assessed by the Executive Council of the school).

Overall, these changes and adjustments to the process of appraisal resulted from the lack of conditions to put into practice such a complex and bureaucratic system and they represent, to some extent, a drawback in some of the key elements of the new policy. One of the main critical issues is classroom observation – a key element in teacher appraisal – which has become not compulsory over the last two years (i.e., 2007/2008 and 2008/2009). Other areas of concern relate to the lack of recognition and training of appraisers and the excessive bureaucracy which this

model has brought to schools, along with difficulties in terms of time to perform all the tasks and roles required of the schools and teachers within the framework of the new policy. This became visible in teachers' resistance to the model, especially because they saw it as something 'against them' and 'imposed on them'. This is also to be related to the ways in which the government has dealt with the introduction of the new policy and the ways in which it has been put into practice, particularly the timing and the conditions for its implementation. The introduction of this policy was regarded as a fact rather than a process to be understood and tried out within a context of adequate information, training and discussion. All this, associated with the fact that there was no experimentation before generalisation and the inexistence of a culture of evaluation, has led to a rather complicated situation which may undermine the need and relevance (and effects) of a policy of teacher performance appraisal aiming at improving the quality of teaching, teacher and school development.

In a recent empirical study, carried out during the implementation of the new policy, Ribeiro (2008) found that teachers' expectations about the effects of the new system were rather low. A negative view was prevalent which was associated with issues of inequality, competition among teachers, negative impact upon teachers' working relationships, bureaucracy and the lack of possibility to progress in the teaching career due to the quota system. Some teachers were sceptical, pointing to the ambiguity and doubt as far as the effects of the new system were concerned. They were concerned about the purposes and the process of the implementation of the new policy and its impact upon practice. There were doubts and concerns about the ways in which the new system would promote teachers' professional development and the quality of teaching. Only a minority revealed a positive perspective about the new system which they related to the combination between teachers' professional development and accountability purposes that they saw as one of the positive features of the new system. Overall, concerns about the profile of the appraisers, the nature of communication between appraiser and appraisee, and the need for adequate and reliable assessment instruments were also identified by the teachers. The scepticism concerning the effects of the new policy and the lack of social recognition of the teaching profession were also said to be two of the critical issues (Ribeiro & Flores, 2008).

Some of the issues illustrated above have also been highlighted by head teachers and school teachers within the context of ongoing research (see Flores, 2009b, 2009c). By and large, findings point to a rather negative picture of the situation in schools. Feelings of unhappiness, lack of motivation and sense of job satisfaction, along with, in some cases, conflict and tension emerge from the data. These are mainly associated with issues of purpose of the policy and process of its implementation (which many teachers see as too summative and unfair), lack

of recognition of the appraisers, lack of information and training about the teacher performance appraisal system, bureaucracy, and the existence of a quota system. Teachers were also sceptical concerning the effects of the new policy on their continuing professional development and on school improvement.

## **Conclusion and discussion: looking forward**

By and large, the implementation of the new policy has been marked by resistance and controversy, although there is general agreement about the need to change the former system which was considered to be ineffective (based on a self-assessment report). Avalos & Assael (2006, p. 265), drawing upon the Chilean experience, have identified a number of suggestions and recommendations for the implementation of teacher performance appraisal systems: (i) 'wide participation of all stakeholders, especially teachers'; (ii) formulation of 'criteria in a participatory way' to be based upon existing knowledge on competent teaching; (iii) trying out of a 'variety of procedures and instruments'; (iv) connecting teacher performance appraisal to other teacher policies (e.g., professional development opportunities); and (v) 'resisting the temptation to hurry the design and implementation process. Rather, provide time for both, as well as for monitoring especially in the first years of implementation and remain willing to make any needed adjustments'.

If we take these into account and relate them to the Portuguese context, it can be argued that most of them, if not all, were overlooked. Indeed, as described above, there was a generalisation of the system without previous experimentation. The time between design and implementation (and generalisation) was too short for an adequate dissemination of the information and for relevant training to occur<sup>7</sup>. As a consequence, the level of participation was not that adequate either. Teacher participation and a sense of ownership are crucial if teacher performance appraisal is to be effective and successful (Nevo, 1994; Avalos & Assael, 2006). Two of the factors hindering this process were the ways in which the new system was implemented and the timing of its implementation (including all the regulations and increased amount of work that schools and teachers had to handle). By and large, the existing system is rather summative and bureaucratic which can be seen in the amount of regulations, grids, and documents and the ways in which the outcomes of the appraisal system are to be achieved and used. Among the most critical issues are the quota system, the lack of recognition of the appraisers, the necessary time and conditions to undertake such a complex and bureaucratic system, the follow-up and support in terms of opportunities for teacher professional development, bureaucracy, etc.

If there is agreement upon the need to introduce a new system for teacher performance appraisal, which would focus on the key element of teachers' practice – the classroom practice – and which would 'recognise and promote merit', along with the participation of different appraisers, the truth is that the ways in which the new policy has been implemented has led to even more resistance and controversy. An analysis of the new policy, the process of its implementation and the current situation in schools identifies a number of risks. Apart from the problems described above, the ways in which senior teachers were selected (in the first phase), and the timing and the ways in which the process was implemented has led to a climate of tensions, turbulence and anxiety in schools leading to early retirements (in some cases with significant reductions in terms of salary). The risk is that this policy will lead to no real effect in terms of teacher professional development, quality of teaching and school improvement. Rather, superficial changes might occur with no impact upon changing or challenging existing teacher professional cultures (and teacher socialisation), with issues such as individualism and competition undermining the creation and development of communities of practice in schools. This was indeed one of the critical issues identified by the Scientific Council for Teacher Appraisal (2008a, p. 1) recognising 'the risk of teacher appraisal to become an irrelevant act in terms of teacher professional development' due to the 'excessive bureaucracy, the emergence or reinforcement of unnecessary conflicts' and 'moving away from the formative and regulatory goals' that a teacher appraisal model should include. These are also felt as real concerns for teachers in recent research (Flores, 2009b; 2009c) in so far as they were rather negative and sceptical in regard to the ways in which they see the development of this policy, especially in regard to working relationships in the workplace.

Recent reports by OECD (see Santiago et al., 2009) and the national Scientific Council for Teacher Appraisal (CCAP, 2009) point to the existence of a number of features to be improved in the Portuguese teacher performance appraisal system. A recent study (CCAP, 2009) of the process of monitoring of the implementation of the teacher performance appraisal, involving 30 schools, reports that problems were felt at three levels:

- at a macro-level – in which policies related to the teaching career, namely with differentiation, accountability, and quota system, etc., were at the forefront of the resistance and lack of motivation;
- at a meso or school level – changes in school organisation namely in regard to departments and existing cultures and practice. These relate to the lack of classroom observation and the hierarchy and role differentiation which, according to teachers, undermine collaboration;

- at a micro-level – within the teaching profession and at the level of practice in so far as the system has changed the culture of peers (lack of differentiation) and individual autonomy. This gave rise to lack of motivation, conflicts and changes in professional relationships among teachers.

In general data point to the inadequate timing in terms of the implementation of the system; the too early and normative production of tools for teacher appraisal; the normative view prevailing at schools; the mediatisation of the process and its impact upon the profession and upon the society in general; the lack of adequate training mainly for appraisers, etc.

As for the OECD report, although it recognises the need and relevance of the existing model as a foundation for further development, it also suggests a number of adjustments and recommendations for a more robust model, among which are: strengthen teacher evaluation for improvement purposes; providing links between developmental evaluation and career-progression evaluation; ensuring the articulation between school and teacher evaluation; re-examining profession-wide standards and a sharing understanding of what counts as accomplished teacher; differentiating criteria according to stage of the career and type of education; targeting instruments to assess key aspects of teaching; relying on three core instruments: classroom observation, self-evaluation and teacher portfolio; redesigning and further developing training for evaluation skills; accrediting external evaluators for career-progression evaluation; ensuring teacher engagement and motivation for successful reform, etc.

The question is: where do we go from here? It is hard to say at this moment because there is ongoing debate and discussion about the ‘new’ model for teacher performance appraisal involving the new Minister of Education, teachers’ unions and political parties. Recent debates seem to point to changes in the status quo. However, at this moment, it is possible to highlight a number of issues to be considered in the change process: the key importance of teachers’ participation, motivation, morale and commitment (which has been affected over the last years); the need for a climate of trust and reliability in the appraisal process (which was related, among other factors, to the lack of recognition of appraisers and validity of instruments); the need to focus on the key aspects of teaching, namely through classroom observation; the creation and clarification of the criteria for the appraisal process; the simplification of procedures and instruments, which were too bureaucratic and summative; the need to build upon school and teachers’ experiences on appraisal developed over the last years. More importantly, a sense of ownership and a climate of trust is essential if teacher performance appraisal is to be effective and successful. For this to happen and for positive impact in terms of teacher development and improvement of student learning and achievement,

teacher performance appraisal needs to be reliable and valid. Issues such as the nature of communication (a key element for effective and successful teacher appraisal), the quality of feedback, the relationship between appraisers and appraisees, the existence of relevant support and follow-up opportunities for the continuing professional development of teachers, etc. are some of the critical areas for further concern and research.

## Notes

1. In 1992, In-Service Education and Training of teachers (INSET) became institutionalised and compulsory for all teachers for teacher career progress (1 credit per year = 25 hours of training). The new Decree-Law, issued in 2007, also stipulates new regulations for INSET in order to 'guarantee that not only does not INSET hinder teaching activities, but it also effectively contributes to the acquisition and development of scientific and pedagogical competencies relevant to teachers' work and particularly to their teaching' (see preamble of Decree-Law number 15/2007).
2. One of the major criticisms from the part of the teachers and teachers' unions relates to the existence of two categories of teachers. This was one of the critical issues for the teachers in so far as the first recruitment process to apply for the category of senior teacher (which was understood as a transition phase into the new structure of the teaching career) was based upon criteria in which, in general, the roles and tasks performed by the teacher out of the classroom – such as, head of department, president of the Executive Council, member of the Executive Council, etc. – outweigh the dimensions related to teaching itself. One of the criteria was the level of attendance. Also, only the work done between 1999/2000 and 2005/2006 (7 years in total) was to be taken into account in terms of assessment for this first recruitment phase to apply for a senior teacher position (Decree-Law number 200/2007), even if teachers had many years of experience in teaching.
3. The Decree-Law number 241/2001 refers to the specific profiles of professional performance of pre-school and primary school teachers.
4. The Pedagogical Council is responsible for the educational coordination and guidance of the school in pedagogical and didactical terms, monitoring and accompanying of students and also as far as teaching and non-teaching staff is concerned. In this governing body, there are representatives of the educational orientation structures at the school (departments, coordinators of the year, cycle or course), of the educational support services, of the parents' association, of students (in secondary schools), and of the non-teaching staff.
5. According to the legal document (Despacho number 20131/2008), the maximum percentage for 'excellent' and 'very good' are 5% and 20%, respectively. However, these may be higher. This is dependent upon external evaluation of the schools. For instance, if a school gets 'very good' (the highest rating scale) in the five domains under evaluation for external evaluation purposes – that is: (i) outcomes; (ii) quality of the education service; (iii) school organisation and management; (iv) leadership; and (v) capacity for self-regulation and school improvement – the percentages become 10% for 'excellent' and 25% for 'very good'. For the schools which had not yet gone through an external evaluation, the 5% and 20% for 'excellent' and 'very good' are applicable respectively.
6. Despite these legal changes, teacher recruitment remains a centralised and bureaucratic system (at the Ministry of Education) which does not promote the development of a sense of belonging and commitment within the school as a workplace. However, in order to avoid the high rate of teacher mobility, and consequent turnover and instability, the Ministry of Education has decided to recruit teachers for a 3-year period, from 2006/2007 onward, instead of the annual national search for



teaching posts which was in place before. From 2009 onward, the recruitment of teachers will be done every four years.

7. This was also a critical issue identified by the Scientific Council for Teacher Appraisal (2008a) which was associated with the adoption or imposition of appraisal instruments without relevant information and a participatory process.

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