
ARTICLE 13

TEACHER EVALUATION

Section 1. Teacher Development & Evaluation System (TDES)

A. The purpose of evaluation is to improve and/or recognize effective instruction.

B. One result of the 2010 negotiations was an MOU (see former Appendix M, now incorporated into the “Legacy” document) that outlined the formation of a Steering Committee to design a new system of Teacher Development and Evaluation for CMSD. “The District, (CMSD) and the Union (CTU) agree that an effective Teacher Development and Evaluation System (TDES) must encompass teacher performance, growth and development and enhance student learning. This can only occur in an atmosphere of trust that promotes collaborative dialogue and enhanced professional practice of all educators in our schools and district.” With the support of The American Federation of Teachers (AFT), CMSD and CTU partnered with the Charlotte Danielson Group of Consultants to develop a new system of development and evaluation for all CTU bargaining unit members; that was grounded in the research-based, Framework for Teaching. Danielson states, *“An effective system of teacher evaluation accomplishes two things: it ensures quality teaching and it promotes professional learning.”* The MOU delineated that, *“this new model of teacher development and evaluation will include multiple measures of teacher performance and student learning.”*

C. The TDES Decision Cluster document guides the implementation of the TDES system. The TDES Steering Committee may mutually adapt this document as needed.

D. According to ORC 3311.80 and 3319.112, all teachers will receive an Effectiveness Rating each year. 50% of the Effectiveness Rating shall be comprised of multiple measures of student achievement as described in D(1) below and 50% shall reflect the performance as in the observation/evaluation process (i.e. the Teacher Performance Calculation, outlined below). The Effectiveness Rating will be determined at the end of the school year and will be reported to the Ohio Department of Education.

1. Pursuant to ORC 3319.112, three forms of data (teacher-level value-added data, state approved vendor assessment data, and district developed measures which may include student learning objectives) may inform the teacher measure of student achievement. Determining the teacher’s 50% measure of student achievement for evaluation purpose shall be calculated in the following manner:
 - a. Where teacher-level value-added data is available, the teacher’s 50% measure of student growth will be 35% value-added and 15% student learning objectives (SLOs).
 - b. Where teacher-level value-added data is unavailable, the teacher’s 50% measure of student growth shall be 35% vendor assessment data and 15% student learning objectives (SLOs).
 - c. Where no teacher-level value-added data or vendor assessment data is available, the teacher’s 50% measure of student growth shall be student learning objectives (SLOs).
 - d. Certified/licensed bargaining unit members without directly attributable teacher-level data shall be exempt from the 50% measure of student growth, until such time as the related service provider (“RSP”)

evaluation system is implemented pursuant to Paragraph K of this Section.

Beginning with the 2014-15 school year, the percentages attributed to measures of student growth will be revisited annually and may be jointly revised to reflect the lessons learned, data collected, and changes in the ODE assessment tools and practices with a commitment to making adjustments to the percentages of multiple student growth measures which are most validly and reliably attributable to teacher performance and are based upon the most valid and reliable multiple student growth measures.

E. Effectiveness ratings are reported to the Ohio Department of Education according to ORC 3319.112. The other documentation of observation events are kept in the employee's file and are used to determine areas of strengths, weaknesses, and areas in need of improvement. Observation events will drive the development of a teacher's professional growth plan (PGP) or professional improvement plan (PIP).

A teacher receiving an effectiveness rating of "Accomplished" will be evaluated every two years. The biennial evaluation will be completed in accordance with the above timelines during the evaluation year.

F. All TDES processes and documentation will be completed through the Great Teachers Great Leaders electronic system. No other forms for evaluations shall be used.

G. Pursuant to ORC 3311.80 and Board Resolution 2013-3030(B), all evaluators must be credentialed. A list of credentialed evaluators will be forwarded to the CTU President and updated as made available.

H. Appeals process – Following the first formal announced observation event and any subsequent event, a teacher may request the intervention and/or support of the Academic Superintendent within ten (10) working days. The Academic Superintendent will review the evidence regarding the events to date, and may take one or more of the following actions:

1. Co-evaluate the next event or events;
2. Assign a new evaluator to conduct a new evaluation to replace the prior event(s);
3. Uphold the evidence of the event;
4. Provide intervention, including more training, for the evaluator.

The Academic Superintendent shall submit an electronic record of the request, his/her response, and the outcome of the appeal within ten (10) working days.

The teacher may appeal the Academic Superintendent's response to the TDES Steering Committee co-chairs within ten (10) working days. The TDES Steering Committee co-chairs will respond within ten (10) working days.

I. The evaluator and teacher have a shared responsibility to ensure the teacher is evaluated consistent with this Article. The academic superintendents will review evaluation data for their assigned schools and will report incomplete evaluations to the CEO, the CTU President and to the building principals on a monthly basis. In addition, any teacher who is concerned about the timely completion of the evaluation procedure may, at any time, notify the TDES Committee co-chairs in writing. Any incomplete evaluations will be referred to the TDES Steering Committee co-chairs for

resolution which could include a compressed evaluation schedule. If a compressed evaluation schedule is not possible, the teacher will be assigned the higher of his/her rolling average of the last three (3) years composite evaluations rankings for the Teacher Performance Data (rounded to nearest whole) or the last year's evaluation ranking for the Teacher Performance Data. If that data is not available, a default ranking of "Developing" shall be assigned for the year where data does not exist for the Teacher Performance Data and where there is no documented communication initiated by the teacher with the TDES Steering Committee co-chairs to timely remedy the lack of any evaluation under this Article. Where the teacher has initiated, in writing, communications with the their evaluator, and if the concern persists, in writing with the TDES Steering Committee co-chairs advising that an event has not been completed in a timely manner in accordance with this Article, and where there is no Teacher Performance Data available, a default performance ranking of "Skilled" shall be assigned for that year. This ranking will be combined with the student growth measures for the year to establish the Effectiveness Rating. If no student growth measures are available for a non-classroom teacher (i.e. psychologist, guidance counselor, related service provider) the Effectiveness Rating will be based on the 50% of the observational component combined with 50% of student growth measures based upon a "meets expected" rating.

The timelines and/or procedures in this Article may be modified with the agreement of the TDES Steering Committee co-chairs for resolution to accommodate the evaluation of a teacher with missing evaluation data.

Where the teacher does not have student growth data (i.e. returning from a leave of absence), the default will be the higher of his/her rolling average of the last three (3) years of student growth data (rounded to nearest whole) or the last year's student growth data. In the event the student growth measures do not exist, the TDES Steering Committee will address the situation.

J. Beginning with the 2013-2014 school year, the TDES Steering Committee (see Appendix U) will convene monthly to monitor the implementation of TDES, including data collection and outcomes, communications, appeals, training, and any other aspect requiring review. The Steering Committee will regularly report to the CEO and the President of the CTU.

K. The TDES Steering Committee will establish an ad hoc committee to implement a related service provider development and evaluation system composed of an equal number of CTU members and administrators appointed by the TDES Steering Committee Co-Chairs. The TDES Steering Committee will set a timeline for this committee to develop an evaluation system for related service providers commensurate to the TDES system that will include both announced and unannounced observations, walkthroughs and multiple measures of student growth that reflect the professional work of the related service providers. The development of this system will be completed and implemented by the 2014-2015 school year with the understanding this timeline coincides with Article 19, Lay-offs and Recalls, and Article 30, Wages and Benefits. The CEO and CTU President have the authority to mutually agree to extend the timeline for implementation and transition.

L. The TDES Steering Committee will establish procedures for evaluating "teachers on assignment".

Section 2. TDES Timelines/Procedures.

A. Prior to their first evaluation event, teachers new to CMSD will receive a minimum of six (6) hours of training (Introduction to Framework for Teaching). A minimum of six (6) additional professional development hours will be provided at the building and/or District level, which may include an Introduction to the TDES Process.

B. No evaluation or conference will be scheduled on the last day of the semester unless unusual conditions exist.

C. Beginning with the 2013-2014 school year, each teacher (without regard to continuing or limited contract status), will undergo five (5) formal observation 'events' consisting of three classroom walk-throughs and two formal classroom observations. One formal observation will be announced and one formal observation will be unannounced. A fourth walk-through may be requested by either the teacher or the evaluator. However, the fourth walk-through is optional and must be agreed upon by both the teacher and the evaluator. The process concludes with a final composite evaluation that reflects the final effectiveness rating.

1. One walk-through and the formal announced observation will occur during the first semester. Two walk-throughs and the formal unannounced observation will occur during the second semester. (See Appendix U).
2. A walk-through is a short classroom visit of five (5) to fifteen (15) minutes. Following the walk-through, written feedback will be provided. The teacher may add additional evidence. The teacher may request a follow-up conversation if he/she feels it is necessary. However, the teacher is not required to respond to a walkthrough and a follow-up conversation is not mandatory.
3. A formal announced observation includes a pre-conference, formal observation, and post-conference. The formal, announced observation will occur within a ten (10) day cycle. Throughout the process, the evaluator will collaborate with the teacher to establish the time for the pre-conference, observation, and post-conference.
 - The ten (10) day window begins when the evaluator and the teacher meet for the pre-conference.
 - Once the pre-conference has been scheduled, the teacher will create and upload the lesson plan.
 - The evaluator will review the lesson plan prior to the pre-conference. The evaluator can also request further details or make suggestions prior to or during the pre-conference.
 - The observation will be a minimum of thirty (30) minutes.
 - The evaluator will document evidence during the observation.
 - At the conclusion of the observation, the teacher will receive electronic notification that the evidence is complete and has been submitted.
 - The teacher will review the evidence and may add additional evidence to create a richer and fuller record of the lesson.
 - The teacher will submit a self-evaluation of the lesson. The evaluator will then mark areas of agreement with the self-evaluation.
 - The teacher and evaluator will meet for a post-conference to discuss any discrepancies in the self-evaluation and the observation evidence. The post-conference will also capture evidence of the off-stage elements.
4. A formal unannounced observation does not include notification of the

observation, the TDES lesson plan, nor a pre-conference. The formal unannounced observation will occur within a ten (10) day cycle.

- The evaluator conducts an unannounced observation.
 - The observation will be a minimum of thirty (30) minutes.
 - The evaluator will document evidence during the observation.
 - At the conclusion of the observation, the teacher will receive electronic notification that the evidence is complete and has been submitted.
 - The teacher will review the evidence and may add additional evidence to create a richer and fuller record of the lesson.
 - The teacher will submit a self-evaluation of the lesson. The evaluator will then mark areas of agreement with the self-evaluation.
 - The teacher and evaluator will meet for a post-conference to discuss any discrepancies in the self-evaluation and the observation evidence. The post-conference will also capture evidence of the off-stage elements.
5. Each year, teachers will receive a Teacher Performance Calculation based on the preponderance of the evidence presented from the five (5) formal observation ‘events’ reflecting a level of attainment and sustainment of teacher performance. If a person has a “tie” between skilled and distinguished, the related power components will be a “tie-breaker”. “Power Components” are the foundational skills listed as components in Domains I, II, III and IV that are considered to be fundamental to teaching. The overall “Accomplished” rating is reserved for those teachers who do not have any (a) “Ineffective” component ratings within the composite or (b) “Developing” component ratings within the composite.
6. A final Effectiveness Rating (of Accomplished, Skilled, Developing or Ineffective) will be completed no later than June 1st. Fifty percent (50%) of the Effectiveness Rating shall be comprised of multiple measures of student achievement as described above, where such measures exist, and fifty percent (50%) shall reflect Teacher Performance Calculation outlined above. Where no measures of student growth are available, 100% of the Effectiveness Rating will be comprised to reflect the Teacher Performance Calculation outlined above.

D. Beginning with the 2013-2014 school year, all other bargaining unit members (e.g. guidance counselors, school psychologists, paraprofessionals, and related service providers) (without regard to contract status), will undergo two (2) formal observation ‘events.’

1. During the first semester, the professional will collect evidence of Domains 1 and 4, which report and describe his/her regular practice.
 - The evaluator will notify the professional of the date evidence must be submitted and the date of the evaluation conference.
 - Following the evidence submission, the professional self-evaluates on the appropriate rubric and submits the self-evaluation.
 - The evaluator reviews the evidence and the self-evaluation and marks the areas of agreement. The evaluator may add additional evidence or request additional information.
 - The evaluator will meet with the professional for a conference. At the conference, the evaluator and the professional shall discuss any discrepancies in the self-evaluation and the evidence submitted.
2. During the second semester, the professional will collect evidence of

- Domains 2 and 3, and the above process will be followed.
3. At the end of each year, following the second observation event, the evaluator will schedule a composite conference.
 - The professional will submit a summative self-evaluation rating document.
 - The evaluator will review the summative rating document and mark areas of agreement.
 - During the composite conference, the evaluator and the professional will discuss discrepancies. The professional may bring additional evidence to the composite conference.
 - The evaluator will create a Professional Development Plan to facilitate growth or improvement for the following school year.
 4. The evaluator will create a final composite evaluation no later than June 1st.

Section 3. Professional Growth and Improvement Plans.

Beginning with the 2014-2015 school year, pursuant to ODE's evaluation framework under ORC 3319.112, all teachers and other professionals will either be on a Professional Growth Plan (PGP) or a Professional Improvement Plan (PIP). A rating of Ineffective in one or more of the power components may trigger interventions to assist teacher development of improved practice. For classroom teachers, the nine (9) power components have been identified as: 1c,e, 2b,c,d, 3c,d, and 4b,c (See Appendix U, Decision Cluster 6.)

Section 4. Mentoring.

With the agreement of the CEO and the CTU President, implementation of this section will be phased in beginning as early as possible in the 2013-2014 school year.

A. Teachers will be selected by the PAR Governing Board (in consultation with the Principal and the UCC) with written mutual agreement to work with their new colleagues in a mentoring capacity during the course of the school year. These mentors will receive Resident Educator or Mentoring Training.

B. Those teachers will be provided with an opportunity to take part in the new teacher orientation as set out in Article 2, Section 6(B) of the Agreement. Mentor teachers who agree to attend the two days of new teacher orientation conducted in the assigned building shall be paid at the Professional Development (In-Service Instructor) rate for their hours of attendance.

C. The District shall offer thirty (30) hours of programs for teachers new to the District over the course of the school year, to be scheduled by the Academic Superintendent. Twenty (20) hours of these programs (half Educational Research and Dissemination Programs [ER&D]), half District scheduled) shall be mandatory. The remaining ten (10) hours shall be voluntary and may include Resident Educator requirements. Those teachers who serve as mentors shall be involved in sessions as well. These sessions shall be devoted to small group meetings to review how the year is going to that point and to discuss common problems and to look for common solutions. One-half of the programs shall be used to implement the ER&D Programs. Attendance at the ER&D Programs is encouraged but voluntary for mentor teachers. The rest of the sessions are mandatory. The CTU will develop and implement this portion of these programs. Mentor teachers and ER&D trainers shall be paid at the

Professional Development (In-Service Instructor) rate and the mentee teachers shall be paid at the Professional Development (In-Service) rate for each hour of such attendance. Bargaining unit members serving as mentors shall have the option of earning Continuing Education Units (CEUs) instead of receiving monetary compensation.

D. New teachers will be released two (2) days during their first semester in the District and one (1) day during their second semester in the District. These released days will be used to observe and collaborate with experienced teachers. If the Principal determines that released time is necessary for the mentoring teachers as part of their mentoring efforts, such released time may be granted. Teachers new to the District may be assigned extra time to observe and collaborate with experienced teachers with class coverage provided.

E. The Race to the Top CTU / CMSD Induction Committee may make recommendations to change the Mentoring / Induction program to the CTU President and CEO. Recommended changes may incorporate the ODE's Resident Educator requirements.

Section 5. Peer Assistance and Review Program.

A Peer Assistance and Review Program ("PAR") will support teacher development and evaluate teacher effectiveness. Any modifications made to the current PAR system in order to align and support the current TDES system, will be developed through the TDES Steering Committee and recommended to the CTU President and CEO for approval.

Section 6. Grievances

A teacher may challenge any violation of the evaluation procedures in accordance with the grievance procedure in Article 6. The grievance will be limited to the determination of procedural errors that have resulted in substantive harm to the teacher and to ordering the correction of procedural errors. The failure of the board or evaluator to strictly comply with any deadline or evaluation forms under this Article shall not be cause for an arbitrator to determine that a procedural error occurred, unless the arbitrator finds that the failure resulted in substantive harm to the teacher. The arbitrator shall have no jurisdiction to modify the evaluation results, but the arbitrator may stay any decision taken as a result of the evaluation pending the board's correction of any procedural error. The board shall correct any procedural error within fifteen business days after receipt of the arbitrator's determination that a procedural error occurred.