

**MTRSD-MDEA EDUCATOR EVALUATION TENTATIVE AGREEMENT (CURRENT AS OF AUGUST 8, 2013)**

**LANGUAGE UNDERLINED AND BOLD WAS NEGOTIATED**

**REMAINDER OF LANGUAGE DERIVED FROM STATE BOILERPLATE AND HAWLEMONT AGREEMENT**

- 1) Purpose of Educator Evaluation
  - A) This contract language is locally negotiated and based on M.G.L., c.71, § 38; M.G.L. c.150E; the Educator Evaluation regulations, 603 CMR 35.00 et seq.; and the Model System for Educator Evaluation developed and which may be updated from time to time by the Department of Elementary and Secondary Education. See 603 CMR 35.02 (definition of model system). In the event of a conflict between this collective bargaining agreement and the governing laws and regulations, the laws and regulations will prevail.
  - B) The regulatory purposes of evaluation are:
    - i) To promote student learning, growth, and achievement by providing Educators with feedback for improvement, enhanced opportunities for professional growth, and clear structures for accountability, 603 CMR 35.01(2)(a);
    - ii) To provide a record of facts and assessments for personnel decisions, 35.01(2)(b);
    - iii) To ensure that every school committee has a system to enhance the professionalism and accountability of teachers that will enable them to assist all students to perform at high levels, 35.01(3); and
    - iv) To assure effective teaching, 35.01(3).
  
- 2) Definitions (\* indicates definition is generally based on 603 CMR 35.02)
  - A) \*Artifacts of Professional Practice: Products of an Educator's work and student work samples that demonstrate the Educator's knowledge and skills with respect to specific performance standards.
  - B) Caseload Educator: Educators who teach or counsel individual or small groups of students through consultation with the regular classroom teacher, for example, school nurses, guidance counselors, speech and language pathologists, and some reading specialists and special education teachers.
  - C) Classroom teacher: Educators who teach preK-12 whole classes, and teachers of special subjects as such as art, music, library, and physical education. May also include special education teachers and reading specialists who teach whole classes.
  - D) Categories of Evidence: Multiple measures of student learning, growth, and achievement, judgments based on observations and artifacts of professional practice, including unannounced observations of practice; (which are required to be at least **ten** minutes in duration) and additional evidence relevant to one or more Standards of Effective Teaching Practice (603 CMR 35.03). **Educator may elect one additional unannounced observation per school year.**
  - E) \*District-determined Measures: Measures of student learning, growth and achievement related to the Massachusetts Curriculum Frameworks, or other relevant frameworks, that are comparable across grade or subject level district-wide. These measures may include, but shall not be limited to: portfolios, approved commercial assessments, and district-developed pre and post unit and course assessments, and capstone projects. The Association and the Committee reserve their right regarding bargaining to the extent allowed by law, upon DESE issuance of guidelines.

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- F) \*Educator(s): Inclusive term that applies to all classroom teachers and caseload educators, unless otherwise noted.
- G) \*Educator Plan: The growth or improvement actions identified as part of each Educator's evaluation. The type of plan is determined by the Educator's career stage, overall performance rating, and the rating of impact on student learning, growth and achievement. There shall be four types of Educator Plans:
- i) Developing Educator Plan shall mean a plan developed by the Educator and the Evaluator for one school year or less **for all Educators without PTS or new to the district.**
  - ii) Self-Directed Growth Plan shall mean a plan developed by the Educator for one or two school years for Educators with PTS who are rated proficient or exemplary.
  - iii) Directed Growth Plan shall mean a plan developed by the Educator and the Evaluator of one school year or less for Educators with PTS who are rated needs improvement.
  - iv) Improvement Plan shall mean a plan developed by the Evaluator of **at least 90 school days and no more than one school year** for Educators with PTS who are rated unsatisfactory with goals specific to improving the Educator's unsatisfactory performance. In those cases where an Educator is rated unsatisfactory near the close of a school year, the plan may include **recommended** activities during the summer preceding the next school year.
- H) \*DESE: The Massachusetts Department of Elementary and Secondary Education.
- I) \*Evaluation: The ongoing process of defining goals and identifying, gathering, and using information as part of a process to improve professional performance (the "formative evaluation" and "formative assessment") and to assess total job effectiveness and make personnel decisions (the "summative evaluation").
- J) \*Evaluator: Any person designated by a superintendent who has primary or supervisory responsibility for observation and evaluation. The superintendent is responsible for ensuring that all Evaluators have training in the principles of supervision and evaluation. Each Educator will have one primary Evaluator at any one time responsible for determining performance ratings.
- i) Primary Evaluator shall be the person who determines the Educator's performance ratings and evaluation and shall be the person responsible for developing the Educator Plan, supervising the Educator's progress through formative assessments, evaluating the Educator's progress toward attaining the Educator Plan goals. **The Primary Evaluator for educators on proficient status will be the building principal, assistant principal, Director of Pupil Personnel Services, and the Directors of Curriculum and Assessment. Any educator on an Improvement Plan or Developing Educator Plan will have the building Principal as the Primary Evaluator.**
  - ii) **Teaching Staff Assigned to More Than One Building: Each Educator who is assigned to more than one building will be evaluated by the appropriate administrator where the individual is assigned most of the time. The principal of each building in which the Educator serves must review and sign the evaluation, and may add written comments.**

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**In cases where there is no predominate assignment, the superintendent will determine who the primary evaluator will be.**

**iii) Notification: The Educator shall be notified in writing of his/her primary Evaluator at the outset of each new evaluation cycle. The Evaluator may be changed upon notification in writing to the Educator.**

- K) Evaluation Cycle: A five-component process that all Educators follow consisting of 1) Self-Assessment; 2) Goal-setting and Educator Plan development; 3) Implementation of the Plan; 4) Formative Assessment/Evaluation; and 5) Summative Evaluation.
- L) \*Experienced Educator: An educator with Professional Teacher Status (PTS).
- M) \*Family: Includes students' parents, legal guardians, foster parents, or primary caregivers.
- N) \*Formative Assessment: The process used to assess progress towards attaining goals set forth in Educator plans, performance on standards, or both. This process may take place at any time(s) during the cycle of evaluation, but typically takes place at mid-cycle.
- O) \*Formative Evaluation: An evaluation conducted at the end of Year 1 for an Educator on a 2-year Self-Directed Growth plan which is used to arrive at a rating on progress towards attaining the goals set forth in the Educator Plan, performance on Standards and Indicators of Effective Teaching Practice, or both.
- P) \*Goal: A specific, actionable, and measurable area of improvement as set forth in an Educator's plan. A goal may pertain to any or all of the following: Educator practice in relation to Performance Standards, Educator practice in relation to indicators, or specified improvement in student learning, growth and achievement. Goals may be developed by individual Educators, by the Evaluator, or by teams, departments, or groups of Educators who have the same role.
- Q) \*Measurable: That which can be classified or estimated in relation to a scale, rubric, or standards.
- R) Multiple Measures of Student Learning: Measures must include a combination of classroom, school and district assessments, student growth percentiles on state assessments, if state assessments are available, and student MEPA gain scores. This definition may be revised as required by regulations or agreement of the parties upon issuance of DESE guidance.
- S) \*Observation: A data gathering process that includes notes and judgments made during one or more classroom or worksite visits(s) of at least **ten** minutes by the Evaluator and may include examination of artifacts of practice including student work. Classroom or worksite observations conducted pursuant to this article must result in feedback to the Educator. Normal supervisory responsibilities of department, building and district administrators will also cause administrators to drop in on classes and other activities in the worksite at various times as deemed necessary by the administrator. Carrying out these supervisory responsibilities, when they do not result in targeted and constructive feedback to the Educator, are not observations as defined in this Article.
- T) Parties: The parties to this agreement are the **Mohawk Trail Regional School District and the Mohawk District Education Association.**

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- U) \*Performance Rating: Describes the Educator's performance on each performance standard and overall. There shall be four performance ratings:
- Exemplary: the Educator's performance consistently and significantly exceeds the requirements of a standard or overall. The rating of exemplary on a standard indicates that practice significantly exceeds proficient and could serve as a model of practice on that standard district-wide.
  - Proficient: the Educator's performance fully and consistently meets the requirements of a standard or overall. Proficient practice is understood to be fully satisfactory.
  - Needs Improvement: the Educator's performance on a standard or overall is below the requirements of a standard or overall, but is not considered to be unsatisfactory at this time. Improvement is necessary and expected.
  - Unsatisfactory: the Educator's performance on a standard or overall has not significantly improved following a rating of needs improvement, or the Educator's performance is consistently below the requirements of a standard or overall and is considered inadequate, or both.
- V) \*Performance Standards: Locally developed standards and indicators pursuant to M.G.L. c. 71, § 38 and consistent with, and supplemental to 603 CMR 35.00. The parties may agree to limit standards and indicators to those set forth in 603 CMR 35.03.
- W) \*Professional Teacher Status: PTS is the status granted to an Educator pursuant to M.G.L. c. 71, § 41.
- X) Rating of Educator Impact on Student Learning: A rating of high, moderate or low based on trends and patterns on state assessments and district-determined measures. The parties will negotiate the process for using state and district-determined measures to arrive at an Educator's rating of impact on student learning, growth and achievement, using guidance and model contract language from DESE. The parties agree to reopen.
- Y) Rating of Overall Educator Performance: The Educator's overall performance rating is based on the Evaluator's professional judgment and examination of evidence of the Educator's performance against the four Performance Standards and the Educator's attainment of goals set forth in the Educator Plan, as follows:
- i) Standard 1: Curriculum, Planning and Assessment
  - ii) Standard 2: Teaching All Students
  - iii) Standard 3: Family and Community Engagement
  - iv) Standard 4: Professional Culture
  - v) Attainment of Professional Practice Goal(s)
  - vi) Attainment of Student Learning Goal(s)
- Z) \*Rubric: A scoring tool that describes characteristics of practice or artifacts at different levels of performance. The rubrics for Standards and Indicators of Effective Teaching Practice are used to rate Educators on Performance Standards, these rubrics consist of:
- i) Standards: Describes broad categories of professional practice, including those required in 603 CMR 35.03

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- ii) Indicators: Describes aspects of each standard, including those required in 603 CMR 35.03
- iii) Elements: Defines the individual components under each indicator
- iv) Descriptors: Describes practice at four levels of performance for each element
- AA) \*Summative Evaluation: An evaluation used to arrive at a rating on each standard, an overall rating, and as a basis to make personnel decisions. The summative evaluation includes the Evaluator's judgments of the Educator's performance against Performance Standards and the Educator's attainment of goals set forth in the Educator's Plan.
- BB) \*Superintendent: The person employed by the school committee pursuant to M.G.L. c. 71 §59 and §59A. The superintendent is responsible for the implementation of 603 CMR 35.00.
- CC) \*Teacher: An Educator employed in a position requiring a certificate or license as described in 603 CMR 7.04(3)(a, b, and d) and in the area of vocational education as provided in 603 CMR 4.00. Teachers may include, for example, classroom teachers, librarians, guidance counselors, or school nurses.
- DD) \*Trends in student learning: **At least two years of data from the district-determined measures and state assessments used in determining the Educator's rating on impact on student learning as high, moderate or low.**

3) Evidence Used in Evaluation

The following categories of evidence shall be used in evaluating each Educator:

- A) Multiple measures of student learning, growth, and achievement, which shall include:
  - i) Measures of student progress on classroom assessments that are aligned with the Massachusetts Curriculum Frameworks or other relevant frameworks and are comparable within grades or subjects in a school;
  - ii) At least two district-determined measures of student learning related to the Massachusetts Curriculum Frameworks or the Massachusetts Vocational Technical Education Frameworks or other relevant frameworks that are comparable across grades and/or subjects district-wide. These measures may include: portfolios, approved commercial assessments and district-developed pre and post unit and course assessments, and capstone projects. One such measure shall be the MCAS Student Growth Percentile (SGP) or Massachusetts English Proficiency Assessment gain scores, if applicable, in which case at least two years of data is required.
  - iii) Measures of student progress and/or achievement toward student learning goals set between the Educator and Evaluator for the school year or some other period of time established in the Educator Plan.
  - iv) For Educators whose primary role is not as a classroom teacher, the appropriate measures of the Educator's contribution to student learning, growth, and achievement set by the district. The measures set by the district should be based on the Educator's role and responsibility.
- B) Judgments based on observations and artifacts of practice including:

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- i) Unannounced observations of practice of at least **ten** minutes.
  - ii) Announced observation(s) for non-PTS Educators in their first year of practice in a school, Educators on Improvement Plans, and as determined by the Evaluator.
  - iii) Examination of Educator work products.
  - iv) Examination of student work samples.
- C) Evidence relevant to one or more Performance Standards, including but not limited to:
- i) Evidence compiled and presented by the Educator, including :
    - (a) Evidence of fulfillment of professional responsibilities and growth such as self-assessments, peer collaboration, **peer observation feedback**, professional development linked to goals in the Educator plans, contributions to the school community and professional culture;
    - (b) Evidence of active outreach to and engagement with families;
  - ii) Evidence of progress towards professional practice goal(s);
  - iii) Evidence of progress toward student learning outcomes goal(s).
  - iv) Student Feedback – see # 23, below; and
  - v) Any other relevant evidence from any identified source that the Evaluator shares with the Educator. Other relevant evidence **could include information provided by other administrators as well as the Nurse Leader and the Early Childhood Coordinator, but cannot include non-evaluative administrative practices such as walkthroughs, coaching or mentoring.**
- 4) Rubric
- The rubrics are a scoring tool used for the Educator’s self-assessment, the formative assessment, the formative evaluation and the summative evaluation. The district will use the rubrics provided by DESE.
- 5) Evaluation Cycle: Training
- A) Prior to the implementation of the new evaluation process contained in this article, the district shall arrange training for all Educators, principals, and other evaluators that outlines the components of the new evaluation process and provides an explanation of the evaluation cycle. The district through the superintendent shall determine the type and quality of training based on guidance provided by DESE and feedback from District educators.
  - B) By November 1<sup>st</sup> of the first year of this agreement, all Educators shall complete a professional learning activity about self-assessment and goal-setting satisfactory to the superintendent or principal. Any Educator hired after the November 1<sup>st</sup> date, and who has not previously completed such an activity, shall complete such a professional learning activity about self-assessment and goal-setting within three months of the date of hire **during contractual hours.** The district through the superintendent shall determine the type and quality of the learning activity based on guidance provided by DESE and feedback from district educators.

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- 6) Evaluation Cycle: Annual Orientation
- At the start of each school year, the superintendent, or principal or designee who is trained in the evaluation process shall conduct a meeting for all Educators and Evaluators focused substantially on educator evaluation. The superintendent or principal shall:
- A) Provide an overview of the evaluation process, including goal setting and the educator plans.
  - B) Provide all Educators with directions for obtaining a copy of the forms used by the district. These may be electronically provided.
  - C) Provide the content of this meeting in digital format to facilitate orientation of Educators hired after the beginning of the school year.
- 7) Evaluation Cycle: Self-Assessment
- A) Completing the Self-Assessment
    - i) The evaluation cycle begins with the Educator completing and submitting to the Primary or Supervising Evaluator a self-assessment by October 1st or within four weeks of the start of his/her employment at the school.
    - ii) The self-assessment includes:
      - (a) An analysis of evidence of student learning, growth and achievement for students under the Educator's responsibility.
      - (b) An assessment of practice against each of the four Performance Standards of effective practice using the district's rubric.
      - (c) Proposed goals to pursue:
        - 1<sup>st</sup>: At least one goal directly related to improving the Educator's own professional practice.
        - 2<sup>nd</sup>: At least one goal directed related to improving student learning.
  - B) Proposing the goals
    - i) Educators must consider goals for grade-level, subject-area, department teams, or other groups of Educators who share responsibility for student learning and results, except as provided in (ii) below. Educators may meet with teams to consider establishing team goals. Evaluators may participate in such meetings.
    - ii) For Educators in their first year of practice, the Evaluator or his/her designee who is trained in the evaluation process will meet with each Educator by October 1<sup>st</sup> (or within four weeks of the Educator's first day of employment if the Educator begins employment after September 15<sup>th</sup>) to assist the Educator in completing the self-assessment and drafting the professional practice and student learning goals which must include induction and mentoring activities.
    - iii) Unless the Evaluator indicates that an Educator in his/her second or third years of practice should continue to address induction and mentoring goals pursuant to 603 CMR 7.12, the Educator may address shared grade level or subject area team goals.

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- iv) For Educators with PTS and ratings of proficient or exemplary, the goals may be team goals. In addition, these Educators may include individual professional practice goals that address enhancing skills that enable the Educator to share proficient practices with colleagues or develop leadership skills.
  - v) For Educators with PTS and ratings of needs improvement or unsatisfactory, the professional practice goal(s) must address specific standards and indicators identified for improvement. In addition, the goals may address shared grade level or subject area team goals.
- 8) Evaluation Cycle: Goal Setting and Development of the Educator Plan
- A) Every Educator has an Educator Plan that includes, but is not limited to, one goal related to the improvement of practice; one goal for the improvement of student learning. The Plan also outlines actions the Educator must take to attain the goals established in the Plan and benchmarks to assess progress. Goals may be developed by individual Educators, by the Evaluator, or by teams, departments, or groups of Educators who have the similar roles and/or responsibilities. See Sections 15-19 for more on Educator Plans.
  - B) To determine the goals to be included in the Educator Plan, the Evaluator reviews the goals the Educator has proposed in the Self-Assessment, using evidence of Educator performance and impact on student learning, growth and achievement based on the Educator's self-assessment and other sources that Evaluator shares with the Educator. The process for determining the Educator's impact on student learning, growth and achievement will be determined after DESE issues guidance on this matter. See #22, below.
  - C) Educator Plan Development Meetings shall be conducted as follows:
    - i) Educators in the same school may meet with the Evaluator in teams and/or individually at the end of the previous evaluation cycle or by October 15<sup>th</sup> of the next academic year to develop their Educator Plan. Educators shall not be expected to meet during the summer hiatus.
    - ii) For those Educators new to the school **district, the Evaluator will meet** with the **Educator** to establish the Educator Plan by October 15<sup>th</sup> or within six weeks of the start of **the Educator's** assignment.
    - iii) The Evaluator shall meet individually with Educators with PTS and ratings of needs improvement or unsatisfactory to develop professional practice goal(s) that must address specific standards and indicators identified for improvement. In addition, the goals may address shared grade level or subject matter goals.
  - D) The Evaluator completes the Educator Plan by November 1st. The Educator shall sign **and date electronically** the Educator Plan within 5 school days of its receipt and may include a written response. The Educator's signature indicates that the Educator received the plan in a timely fashion. The signature does not indicate agreement or disagreement with its contents. The Evaluator retains final authority over the content of the Educator's Plan.
- 9) Evaluation Cycle: Observation of Practice and Examination of Artifacts – Educators without PTS



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- A) In the first year of practice or first year assigned to a school:
    - i) The Educator shall have at least one announced observation during the school year using the protocol described in section 11B, below.
    - ii) The Educator shall have at least four unannounced observations during the school year.
  
  - B) In their second and third years of practice or second and third years as a non-PTS Educator in the school:
    - i) The Educator shall have at least one announced observation during the school year using the protocol described in section 11B, below.
    - ii) The Educator shall have at least three unannounced observations during the school year.
- 10) Evaluation Cycle: Observation of Practice and Examination of Artifacts – Educators with PTS –
- A) The Educator whose overall rating is proficient or exemplary must have at least one unannounced observation during the evaluation cycle. If requested by the Educator, one follow-up unannounced observation **per school year** will occur within **10 school days of the request**.
  - B) The Educator whose overall rating is needs improvement must be observed according to the Directed Growth Plan during the period of Plan which must include at least two unannounced observations. If requested by the Educator, one follow-up unannounced observation **per school year** will occur within **10 school days of the request**.
  - C) The Educator whose overall rating is unsatisfactory must be observed according to the Improvement Plan which must include both unannounced and announced observation. The number and frequency of the observations shall be determined by the Evaluator, but for Improvement Plans of one year, **there** shall be no fewer than one announced and four unannounced observations. For Improvement Plans of 90 days, there must be no fewer than one announced and two unannounced observations. If requested by the Educator, one follow-up unannounced observation **per school year** will occur within **10 school days of the request**.
- 11) Observations
- The Evaluator’s first observation of the Educator shall take place by November 15. Observations required by the Educator Plan shall be completed by May 15th. The Evaluator may conduct additional observations after this date.
- The Evaluator is not required nor expected to review all the indicators in a rubric during an observation. Barring any extenuating circumstances, observations will not occur on the day before **a vacation period of a week or more and the day before the Thanksgiving break**.
- A) Unannounced Observations
    - i) Unannounced observations may be in the form of partial (at least **ten** minutes) or full-period classroom visitations by the Evaluator.

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- ii) **The Educator will be provided with at least brief written feedback from the Evaluator within 5 school days of the observation. The written feedback shall be delivered to the Educator via secure electronic delivery. A follow-up face-to-face conversation will be held within ten school days at the request of the Educator or the Evaluator.**
  - iii) Any observation or series of observations resulting in one or more standards judged to be unsatisfactory or needs improvement for the first time must be followed by at least one observation of at least 30 minutes in duration within 30 school days.
- B) Announced Observations
- i) All non-PTS Educators, PTS Educators on Improvement Plans and other educators at the request of the Educator and/or the Evaluator shall have at least one Announced Observation.
    - (a) The Educator and Evaluator together shall select the date and time of the lesson or activity to be observed and discuss any specific goal(s) for the observation.
    - (b) Within 5 school days of the scheduled observation, upon request of either the Evaluator or Educator, the Evaluator and Educator shall meet for a pre-observation conference. In lieu of a meeting, the Educator may inform the Evaluator in writing of the nature of the lesson, the student population served, and any other information that will assist the Evaluator to assess performance
      - 1<sup>st</sup>: The Educator shall provide the Evaluator a draft of the lesson, student conference, IEP plan or activity. If the actual plan is different, the Educator will provide the Evaluator with a copy prior to the observation.
      - 2<sup>nd</sup>: The Educator will be notified as soon as possible if the Evaluator will not be able to attend the scheduled observation. The observation will be rescheduled with the Educator as soon as reasonably practical.
    - (c) Within 5 school days of the observation, the Evaluator and Educator shall meet for a post-observation conference. This timeframe may be extended due to unavailability on the part of either the Evaluator or the Educator, but shall be rescheduled within 24 hours if possible.
    - (d) The Evaluator shall provide the Educator with written feedback within 5 school days of the post-observation conference. For any standard where the Educator's practice was found to be unsatisfactory or needs improvement, the feedback must:
      - 1<sup>st</sup>: Describe the basis for the Evaluator's judgment.
      - 2<sup>nd</sup>: Describe actions the Educator should take to improve his/her performance.
      - 3<sup>rd</sup>: Identify support and/or resources the Educator may use in his/her improvement.
      - 4<sup>th</sup>: State that the Educator is responsible for addressing the need for improvement.
- 12) Evaluation Cycle: Formative Assessment
- A) A specific purpose for evaluation is to promote student learning, growth and achievement by providing Educators with feedback for improvement. Evaluators are expected to make frequent unannounced visits to classrooms. Evaluators are expected to give targeted

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constructive feedback to Educators based on their observations of practice, examination of artifacts, and analysis of multiple measures of student learning, growth and achievement in relation to the Standards and Indicators of Effective Teaching Practice.

- B) Formative assessment may be ongoing throughout the evaluation cycle but typically takes place mid-cycle when a Formative Assessment Report is completed. For an Educator on a two-year Self-Directed Growth Plan, the mid-cycle Formative Assessment Report is replaced by the Formative Evaluation Report at the end of year one. See section 13, below.
  - C) The Formative Assessment Report provides written feedback and ratings to the Educator about his/her progress towards attaining the goals set forth in the Educator Plan, performance on Performance Standards and overall.
  - D) No less than two weeks before the due date for the Formative Assessment Report, which due date shall be established by the Evaluator with written notice to the Educator, the Educator shall provide to the Evaluator evidence of family outreach and engagement, fulfillment of professional responsibility and growth, and progress on attaining professional practice and student learning goals. The educator may provide to the evaluator additional evidence of the educator's performances against the four Performance Standards.
  - E) Upon the request of either the Evaluator or the Educator, the Evaluator and the Educator will meet either before or after completion of the Formative Assessment Report.
  - F) The Evaluator shall complete the Formative Assessment Report and provide a copy to the Educator. All Formative Assessment Reports must be signed by the Evaluator and delivered **via secure electronic delivery.**
  - G) The Educator may reply in writing to the Formative Assessment Report within **10** school days of receiving the report.
  - H) The Educator shall sign the Formative Assessment Report within **10** school days of receiving the report. The signature indicates that the Educator received the Formative Assessment Report in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
  - I) As a result of the Formative Assessment Report, the Evaluator may change the activities in the Educator Plan.
  - J) If the rating in the Formative Assessment Report differs from the last summative rating the Educator received, the Evaluator may place the Educator on a different Educator Plan, appropriate to the new rating.
- 13) Evaluation Cycle: Formative Evaluation for Two Year Self-Directed Plans Only
- A) Educators on two year Self-Directed Growth Educator Plans receive a Formative Evaluation Report near the end of the first year of the two year cycle. The Educator's performance rating for that year shall be assumed to be the same as the previous summative rating unless evidence demonstrates a significant change in performance in which case the rating on the performance standards may change, and the Evaluator may place the Educator on a different Educator plan, appropriate to the new rating.

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- B) The Formative Evaluation Report provides written feedback and ratings to the Educator about his/her progress towards attaining the goals set forth in the Educator Plan, performance on each performance standard and overall, or both.
  - C) No less than two weeks before the due date for the Formative Evaluation Report, which due date shall be established by the Evaluator with written notice provided to the Educator, the Educator shall provide to the Evaluator evidence of family outreach and engagement, fulfillment of professional responsibility and growth, and progress on attaining professional practice and student learning goals. The educator may also provide to the evaluator additional evidence of the educator's performance against the four Performance Standards.
  - D) The Evaluator shall complete the Formative Evaluation Report and provide a copy to the Educator. All Formative Evaluation reports must be signed by the Evaluator and delivered **via secure electronic delivery.**
  
  - E) Upon the request of either the Evaluator or the Educator, the Evaluator and the Educator will meet either before or after completion of the Formative Evaluation Report.
  - F) The Educator may reply in writing to the Formative Evaluation Report within **10** school days of receiving the report.
  - G) The Educator shall sign the Formative Evaluation Report within **10** school days of receiving the report. The signature indicates that the Educator received the Formative Evaluation Report in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
  - H) As a result of the Formative Evaluation Report, the Evaluator may change the activities in the Educator Plan.
  - I) **If the rating in the Formative Evaluation Report differs from the last summative rating the Educator received, the Evaluator may place the Educator on a different Educator Plan appropriate to the new rating. In June of 2014, the rating in the Formative Evaluation Report may require the Evaluator to place the Educator on a different Educator Plan appropriate to the new rating.**
- 14) Evaluation Cycle: Summative Evaluation
- A) The evaluation cycle concludes with a Summative Evaluation Report. For Educators on a one or two year Educator Plan, the Summative Evaluation Report must be written and provided to the Educator by May 15th.
  - B) The Evaluator determines a rating on each standard and an overall rating based on the Evaluator's professional judgment, an examination of evidence against the Performance Standards and evidence of the attainment of the Educator Plan goals.
  - C) The professional judgment of the Primary Evaluator shall determine the overall summative rating that the Educator receives.
  - D) For an Educator whose overall performance rating is exemplary or proficient and whose impact on student learning is low, the **Evaluator's Supervisor** shall discuss and review the rating with the Evaluator and the Supervisor shall confirm or revise the Educator's rating.

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- E) The summative evaluation rating must be based on evidence from multiple categories of evidence. MCAS Growth scores shall not be the sole basis for a summative evaluation rating.
  - F) To be rated proficient overall, the Educator shall, at a minimum, have been rated proficient on the Curriculum, Planning and Assessment and the Teaching All Students Standards of Effective Teaching Practice.
  - G) No less than four weeks before the due date for the Summative Evaluation Report, which due date shall be established by the Evaluator with written notice provided to the Educator, the Educator will provide to the Evaluator evidence of family outreach and engagement, fulfillment of professional responsibility and growth, and progress on attaining professional practice and student learning goals. The educator may also provide to the evaluator additional evidence of the educator's performance against the four Performance Standards.
  - H) The Summative Evaluation Report should recognize areas of strength as well as identify recommendations for professional growth.
  - I) The Evaluator shall deliver a signed copy of the Summative Evaluation Report to the Educator **via secure electronic delivery** no later than May 15<sup>th</sup>.
  - J) The Evaluator shall meet with the Educator rated needs improvement or unsatisfactory to discuss the summative evaluation. The meeting shall occur by June 1st.
  - K) The Evaluator shall meet with the Educator rated proficient or exemplary to discuss the summative evaluation, if either the Educator or the Evaluator requests such a meeting. **The meeting shall occur by June 10<sup>th</sup>.**
  - L) Upon mutual agreement, the Educator and the Evaluator may develop the Self-Directed Growth Plan for the following two years during the meeting on the Summative Evaluation Report.
  - M) The Educator shall sign the final Summative Evaluation Report by June 15th. The signature indicates that the Educator received the Summative Evaluation Report in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
  - N) The Educator shall have the right to respond in writing to the summative evaluation which shall become part of the final Summative Evaluation Report.
  - O) A copy of the signed final Summative Evaluation Report shall be filed in the Educator's personnel file.
- 15) Educator Plans – General
- A) Educator Plans shall be designed to provide Educators with feedback for improvement, professional growth, and leadership; and to ensure Educator effectiveness and overall system accountability. The Plan must be aligned to the standards and indicators and be consistent with district and school goals.
  - B) The Educator Plan shall include, but is not limited to:
    - i) At least one goal related to improvement of practice tied to one or more Performance Standards;

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- ii) At least one goal for the improvement of the learning, growth and achievement of the students under the Educator's responsibility;
  - iii) An outline of actions the Educator must take to attain the goals and benchmarks to assess progress. Actions must include specified professional development and learning activities that the Educator will participate in as a means of obtaining the goals, as well as other support that may be suggested by the Evaluator or provided by the school or district. Examples may include but are not limited to coursework, self-study, action research, curriculum development, study groups with peers, and implementing new programs.
  - C) It is the Educator's responsibility to attain the goals in the Plan and to participate in any trainings and professional development provided through the state, district, or other providers in accordance with the Educator Plan.
- 16) Educator Plans: Developing Educator Plan
- A) **The Developing Educator Plan is for all Educators without PTS or new to the district.**
  - B) The Educator shall be evaluated at least annually.
- 17) Educator Plans: Self-Directed Growth Plan
- A) **A Two-year Self-Directed Growth Plan is for those Educators with PTS who have an overall rating of proficient or exemplary, and after 2014-2015 school year whose impact on student learning is moderate or high. It is likely that most educators will receive an Impact Rating in the spring of 2016. A formative evaluation report is completed at the end of year 1 and a summative evaluation report at the end of year 2.**
  - B) **A One-year Self-Directed Growth Plan is for those Educators with PTS who have an overall rating of proficient or exemplary, and after 2014-2015 school year whose impact on student learning is low. It is likely that most educators will receive an Impact Rating in the spring of 2016. In this case, the Evaluator and Educator shall analyze the discrepancy between the summative evaluation rating and the rating for impact on student learning to seek to determine the cause(s) of the discrepancy.**
- 18) Educator Plans: Directed Growth Plan
- A) A Directed Growth Plan is for those Educators with PTS whose overall rating is needs improvement.
  - B) The goals in the Plan must address areas identified as needing improvement as determined by the Evaluator.
  - C) The Evaluator shall complete a summative evaluation for the Educator at the end of the period determined by the Plan, but at least annually, and in no case later than June 10<sup>th</sup>.
  - D) For an Educator on a Directed Growth Plan whose overall performance rating is at least proficient, the Evaluator will place the Educator on a Self-Directed Growth Plan for the next Evaluation Cycle.

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- E) For an Educator on a Directed Growth Plan whose overall performance rating is not at least proficient, the Evaluator will rate the Educator as unsatisfactory and will place the Educator on an Improvement Plan for the next Evaluation Cycle.
- 19) Educator Plans: Improvement Plan
- A) An Improvement Plan is for those Educators with PTS whose overall rating is unsatisfactory.
- B) The parties agree that in order to provide students with the best instruction, it may be necessary from time to time to place an Educator whose practice has been rated as unsatisfactory on an Improvement Plan **of at least 90 school days and no more than one school year.** In the case of an Educator receiving a rating of unsatisfactory near the close of one school year, the Improvement Plan may include **recommended** activities that occur during the summer before the next school year begins.
- C) The Evaluator must complete a summative evaluation for the Educator at the end of the period determined by the Evaluator for the Plan.
- D) The Primary Evaluator is responsible for providing the Educator with guidance and assistance in accessing the resources and professional development outlined in the Improvement Plan.
- E) The Improvement Plan shall define the problem(s) of practice identified through the observations and evaluation and detail the improvement goals to be met, the activities the Educator must take to improve and the assistance to be provided to the Educator by the district.
- F) The Improvement Plan process shall include:
- i) Within ten school days of notification to the Educator that the Educator is being placed on an Improvement Plan, the Evaluator shall schedule a meeting with the Educator to discuss the Improvement Plan. The Evaluator will develop the Improvement Plan, which will include specific assistance to the Educator.
- ii) The Educator may request that a representative of **Mohawk District Education Association** attend the meeting(s).
- iii) If the Educator consents, **Mohawk District Education Association** will be informed that an Educator has been placed on an Improvement Plan.
- G) The Improvement Plan shall:
- i) Define the improvement goals directly related to the performance standard(s) and/or student learning outcomes that must be improved;
- ii) Describe the activities and work products the Educator must complete as a means of improving performance;
- iii) Describe the assistance that the district will make available to the Educator;
- iv) Articulate the measurable outcomes that will be accepted as evidence of improvement;
- v) Detail the timeline for completion of each component of the Plan, including at a minimum a mid-cycle formative assessment report of the relevant standard(s) and indicator(s);

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- vi) Identify the individuals assigned to assist the Educator which must include minimally the Primary Evaluator; and,
- vii) Include the signatures of the Educator and Primary Evaluator.
- H) A copy of the signed Plan shall be provided to the Educator **via secure electronic delivery**. The Educator’s signature indicates that the Educator received the Improvement Plan in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
- I) Decision on the Educator’s status at the conclusion of the Improvement Plan.
  - i) All determinations below must be made no later than June 1. One of three decisions must be made at the conclusion of the Improvement Plan:
    - (a) If the Evaluator determines that the Educator has improved his/her practice to the level of proficiency, the Educator will be placed on a Self-Directed Growth Plan.
    - (b) In those cases where the Educator was placed on an Improvement Plan as a result of his/her summative rating at the end of his/her Directed Growth Plan, if the Evaluator determines that the Educator is making substantial progress toward proficiency, the Evaluator shall place the Educator on a Directed Growth Plan.
    - (c) In those cases where the Educator was placed on an Improvement Plan as a result of his/her Summative rating at the end of his/her Directed Growth Plan, if the Evaluator determines that the Educator is not making substantial progress toward proficiency, the Evaluator shall recommend to the superintendent that the Educator be dismissed.
    - (d) If the Evaluator determines that the Educator’s practice remains at the level of unsatisfactory, the Evaluator shall recommend to the superintendent that the Educator be dismissed.

20) **Timelines**

<b><u>Activity:</u></b>	<b><u>Completed By:</u></b>
<b><u>Superintendent, principal or designee who is trained in the evaluation process meets with evaluators and educators to hold the Annual Orientation of the Evaluation Cycle: (see 6)</u></b>	<b><u>September 15</u></b>
<b><u>Evaluator meets with first-year educators to assist in self-assessment and goal setting process</u></b> <b><u>In the first year of implementation the Evaluator meets with all educators to assist in self-assessment and goal setting process</u></b> <b><u>Educator submits self-assessment and proposed goals</u></b>	<b><u>October 1</u></b>
<b><u>Evaluator meets with Educators in teams or individually to establish Educator Plans (Educator Plan may be established at Summative Evaluation Report meeting in prior school year)</u></b>	<b><u>October 15</u></b>
<b><u>Evaluator completes Educator Plans</u></b>	<b><u>November 1</u></b>
<b><u>Evaluator completes first observation of each Educator</u></b>	<b><u>November 15</u></b>



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<u>Educator submits evidence on parent outreach, professional growth, progress on goals (and other standards, if desired)</u> <u>* or four weeks before Formative Assessment Report date established by Evaluator</u>	<u><i>January 5*</i></u>
<u>Evaluator completes mid-cycle Formative Assessment Reports for Educators on one-year Educator Plans</u>	<u><i>February 2</i></u>
<u>Evaluator holds Formative Assessment Meetings if requested by either Evaluator or Educator</u>	<u><i>February 28</i></u>
<u>Educator submits evidence on parent outreach, professional growth, progress on goals (and other standards, if desired)</u> <u>*or 4 weeks prior to Summative Evaluation Report date established by evaluator</u>	<u><i>April 15*</i></u>
<u>Evaluator completes Summative Evaluation Report</u>	<u><i>May 15</i></u>
<u>Evaluator meets with Educators whose overall Summative Evaluation ratings are Needs Improvement or Unsatisfactory</u>	<u><i>June 1</i></u>
<u>Evaluator meets with Educators whose ratings are proficient or exemplary at request of Evaluator or Educator</u>	<u><i>June 10</i></u>
<u>Educator signs Summative Evaluation Report and adds response, if any</u>	<u><i>June 15</i></u>

**A) Educators with PTS on Two Year Plans**

<b>Activity:</b>	<b>Completed By:</b>
<u>Evaluator completes unannounced observation(s)</u>	<u><i>Any time during the 2-year evaluation cycle</i></u>
<u>Evaluator completes Formative Evaluation Report</u>	<u><i>June 1 of Year 1</i></u>
<u>Evaluator conducts Formative Evaluation Meeting, if any</u>	<u><i>June 1 of Year 1</i></u>
<u>Evaluator completes Summative Evaluation Report</u>	<u><i>May 15 of Year 2</i></u>
<u>Evaluator conducts Summative Evaluation Meeting, if any</u>	<u><i>June 10 of Year 2</i></u>
<u>Evaluator and Educator sign Summative Evaluation Report</u>	<u><i>June 15 of Year 2</i></u>

B) Educators on Plans of Less than One Year) The timeline for educators on Plans of less than one year will be established in the Educator Plan.

**21) Career Advancement**

A) In order to attain Professional Teacher Status, the Educator should achieve ratings of proficient or exemplary on each Performance Standard and overall. A principal considering making an employment decision that would lead to PTS for any Educator who has not been rated proficient or exemplary on each performance standard and overall on the most recent

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- evaluation shall confer with the superintendent by May 1. The principal's decision is subject to review and approval by the superintendent.
- B) Educators with PTS whose summative performance rating is exemplary and, after 2013-14, whose impact on student learning is rated moderate or high, shall be recognized and rewarded with leadership roles, promotions, additional compensation, public commendation or other acknowledgement as determined by the district through collective bargaining where applicable.
- 22) Rating Impact on Student Learning Growth  
DESE will provide model contract language and guidance on rating educator impact on student learning growth based on state and district-determined measures of student learning. Upon receiving this model contract language and guidance, the parties agree to bargain with respect to this matter.
- 23) Using Student feedback in Educator Evaluation  
DESE will provide model contract language, direction and guidance on using student feedback in Educator Evaluation. Upon receiving this model contract language, direction and guidance, the parties agree to bargain with respect to this matter.
- 24) Using Staff feedback in Administrator Evaluation  
ESE will provide model contract language, direction and guidance on using staff feedback in Administrator Evaluation by June 30, 2013. Upon receiving this model contract language, direction and guidance, the parties agree to bargain with respect to this matter.
- 25) Transition from Existing Evaluation System  
A **The parties agree that to address the workload issue of Evaluators, during the first evaluation cycle under this Agreement, a lottery system will be conducted by the Association and the Superintendent. By school, the first fifty (50) percent (rounded up) of PTS teachers drawn shall be on a 1-year Self-directed Growth Plan and the second fifty (50) percent shall be on a 2-year Self-directed Plan.**
- 26) General Provisions  
A) Only Educators who hold a valid DESE license, and serving as administrators may serve as evaluators of Educators.  
B) Evaluators shall not make negative comments about the Educator's performance, or comments of a negative evaluative nature, in the presence of students, parents or other staff, except in the unusual circumstance where the Evaluator concludes that s/he must immediately and directly intervene. Nothing in this paragraph is intended to limit an administrator's ability to investigate a complaint, or secure assistance to support an Educator.

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- C) The superintendent shall insure that Evaluators have training in supervision and evaluation, including the regulations and standards and indicators of effective teaching practice promulgated by DESE (35.03), and the evaluation Standards and Procedures established in this Agreement.
- D) Should there be a serious disagreement between the Educator and the Evaluator regarding an overall summative performance rating of needs improvement or unsatisfactory, the Educator may meet with the **Superintendent** to discuss the disagreement. Should the Educator request such a meeting, the **Superintendent** must meet with the Educator. The Evaluator may attend any such meeting at the discretion of the superintendent.
- E) **The parties agree to establish a joint labor-management evaluation team which shall review the evaluation processes and procedures between March 1 and March 15 in the first year of implementation and recommend adjustments to the parties. In the first three years of implementation, the evaluation bargaining teams will meet at a mutually agreed upon date in June of each year. The parties agree to reconvene to finalize any adjustments to the contract recommended by the joint labor-management evaluation team and/or evaluation bargaining teams.**
- F) Violations of this article are subject to the grievance and arbitration procedures. The arbitrator shall determine whether there was substantial compliance with the totality of the evaluation process. When the evaluation process results in the termination or non-renewal of an Educator, then no financial remedy or reinstatement shall issue if there was substantial compliance.