

Book	Policy Manual
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### 3220 - PROFESSIONAL STAFF EVALUATION

The Board of Education, through the powers derived from the School Code and other relevant statutes, is responsible for the employment and discharge of all personnel. To carry out this responsibility, with involvement of professional staff, the Board delegates to the Superintendent the function of establishing and implementing a rigorous, transparent, and fair performance evaluation system that does at least all of the following:

- A. evaluates the employee's job performance in a year-end evaluation, while providing timely and constructive feedback

Teachers rated highly effective or, as of July 1, 2024, effective on the three (3) most recent consecutive year-end evaluations may be evaluated every other year or, as of July 1, 2024, every third year, at the District's discretion.

- B. establishes clear approaches to measuring student growth and provides professional staff with relevant data on student growth
- C. evaluates an employee's job performance, using rating categories of highly effective, effective, minimally effective, and ineffective prior to July 1, 2024 and using rating categories of effective, developing, and needing support as of July 1, 2024, which take into account student growth and assessment data or student learning objectives

Before the 2024-2025 school year, forty percent (40%) of the annual year-end evaluation shall be based on student growth and assessment data. Beginning in the 2024-2025 school year, twenty percent (20%) of the year-end evaluation must be based on student growth and assessment data or student learning objectives metrics.

Evaluations must also comply with the following:

1. The portion of a teacher's year-end evaluation that is not based on student growth and assessment data or student learning objective metrics shall be based primarily on a teacher's performance as measured by the District.
2. Prior to July 1, 2024, for core content areas in grades and subjects in which state assessments are administered, fifty percent (50%) of student growth must be measured using the state assessments, and the portion of student growth not measured using state assessments must be measured using multiple research-based growth measures or alternative assessments that are rigorous and comparable across schools within the District. Student growth also may be measured by student learning objectives or nationally normed or locally adopted assessments that are aligned to state standards, or based on achievement of individualized education program goals.
3. Prior to July 1, 2024, the portion of a teacher's evaluation that is not measured using student growth and assessment data or using the evaluation tool developed or adopted by the District shall incorporate criteria enumerated in section M.C.L. 380.1248(1)(b)(i) to (iii) that are not otherwise evaluated under the tool. (See Policy 3131) After July 1, 2024, the portion of a teacher's evaluation that is not measured using student growth and assessment data or student learning objectives metrics, or using the evaluation tool developed or adopted by the District, must be based on objective criteria.

4. Prior to July 1, 2024, if there are student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on the student growth and assessment data for the most recent three (3) consecutive-school-year period. If there are no student growth and assessment data available for a teacher for at least three (3) school years, the annual year-end evaluation shall be based on all student growth and assessment data that are available for the teacher.
5. As of July 1, 2024, the following apply: Evaluations and feedback concerning the evaluation must be provided in writing to the teacher; if a written evaluation is not provided, the teacher is deemed effective; if required by circumstances described in M.C.L. 380.1249, a teacher must be designated as unevaluated; and if a teacher receives an unevaluated designation, the teacher's rating from the immediately prior school year must be used.

D. uses the evaluations, at a minimum, to inform decisions regarding all of the following:

1. the effectiveness of employees, so that they are given ample opportunities for improvement
2. prior to July 1, 2024, promotion, retention, and development of employees, including providing relevant coaching, instruction support, or professional development, and after July 1, 2024, development of employees, including providing relevant coaching, instruction support, or professional development
3. prior to July 1, 2024, whether to grant tenure or full certification, or both, to employees, using rigorous standards and streamlined, transparent, and fair procedures
4. prior to July 1, 2024, removing ineffective tenured and untenured employees after they have had ample opportunities to improve, and providing that these decisions are made using rigorous standards and streamlined, transparent, and fair procedures

E. provides a mid-year progress report for every teacher who is in the first year of probation or has received a rating of minimally effective or ineffective or, after July 1, 2024, needing support or developing on the most recent year-end evaluation

This mid-year report shall supplement and not replace the year-end evaluation. The mid-year report shall:

1. prior to July 1, 2024, be based, at least in part, on student achievement;
2. be aligned with the teacher's individualized development plan;
3. include specific performance goals and any recommended training for the remainder of the school year, as well as written improvement plan developed in consultation with the teacher that incorporates the goals and training.

F. includes classroom observations in accordance with the following:

1. must include review of the lesson plan, State curriculum standards being taught, and student engagement in the lesson and, as of July 1, 2024, the items described in this paragraph must be discussed during a post-observation meeting between the observer and the teacher
2. must include multiple observations unless the teacher has received an effective or higher rating on the last two (2) year-end evaluations
3. observations need not be for an entire class period but, as of July 1, 2024 must not be less than fifteen (15) minutes
4. one (1) observation may be unscheduled
5. the school administrator responsible for the teacher's performance evaluation shall conduct at least one (1) of the observations

Other observations may be conducted by other observers who are trained in the use of the evaluation tool as described below. These other observers may be teacher leaders.

6. the District shall ensure that, within thirty (30) calendar days after each observation, the teacher is provided with written feedback from the observation

G. for the purposes of conducting annual year-end evaluations under the performance evaluation system, the District will adopt and implement one (1) or more of the evaluation tools for teachers that are included on the list established and maintained by the Michigan Department of Education ("MDE")

The evaluation tool(s) shall be used consistently among the schools operated by the District so that all similarly situated teachers are evaluated using the same evaluation tool.

H. the District will post on its public website all of the following information about the measures it uses for its performance evaluation system for teachers:

1. The research base for the evaluation framework, instrument, and process or, if the District adapts or modifies an evaluation tool from the MDE list, the research base for the listed evaluation tool and an assurance that the adaptations or modifications do not compromise the validity of that research base.
2. The identity and qualifications of the author or authors or, if the District adapts or modifies an evaluation tool from the MDE list, the identity and qualifications of a person with expertise in teacher evaluations who has reviewed the adapted or modified evaluation tool.
3. Either evidence of reliability, validity, and efficacy or a plan for developing that evidence or, if the District adapts or modifies an evaluation tool from the MDE list, an assurance that the adaptations or modifications do not compromise the reliability, validity, or efficacy of the evaluation tool or the evaluation process.
4. The evaluation frameworks and rubrics with detailed descriptors for each performance level on key summative indicators.
5. A description of the processes for conducting classroom observations, collecting evidence, conducting evaluation conferences, developing performance ratings, and developing performance improvement plans.
6. A description of the plan for providing evaluators and observers with training.

I. the District shall also:

1. provide training to teachers on the evaluation tool(s) used by the District in its performance evaluation system and how each evaluation tool is used

This training may be provided by a district or consortium consisting of the District, the intermediate school district, or a public school academy.

2. ensure that training is provided to all evaluators and observers

The training shall be provided by an individual who has expertise in the evaluation tool or tools used by the District, which may include either a consultant on that evaluation tool or framework or an individual who has been trained to train others in the use of the evaluation tool or tools. The District may provide training in the use of the evaluation tool or tools if the trainer has expertise in the evaluation tool or tools.

3. by not later than September 1, 2024, and every three (3) years thereafter, each individual who conducts an evaluation shall complete rater reliability training provided by the District that complies with M.C.L. 380.1249

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform assigned responsibilities in a satisfactory manner, dismissal or non-renewal procedures may be invoked. A teacher rated as ineffective or, as of July 1, 2024, needing support on three (3) consecutive year-end evaluations must be dismissed from employment as a teacher with the District. In such an instance, all relevant evaluation documents may be used in the proceedings.

Prior to July 1, 2024, if a non-probationary teacher is rated as ineffective on an annual year-end evaluation, the teacher may request a review of the evaluation and the rating by the Superintendent. The request for a review must be submitted in writing within twenty (20) days after the teacher is informed of the rating. Upon receipt of the request, the Superintendent shall review the evaluation and rating and may make any modifications as appropriate based on review. However, the performance evaluation system shall not allow for a review as described in this subdivision more than twice in a three (3) school-year period.

After July 1, 2024, if a teacher is rated as needing support, the teacher must be provided with the options related to review of the evaluation, including a written response, the ability to request mediation, and when appropriate, utilization of the grievance process or binding arbitration as set out in M.C.L. 380.1248.

The District shall not assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective or, after July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations. If the District is unable to comply with this and plans to assign a student to be taught in the same subject area for two (2) consecutive years by a teacher who has been rated as ineffective or, after July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations, the Board will notify the student's parent or legal guardian in writing not later than July 15 immediately preceding the beginning of the school year for which the student is assigned to the teacher, that the District is unable to comply and that the student has been assigned to be taught in the same subject area for a second consecutive year by a teacher who has been rated as ineffective or, as of July 1, 2024, as needing support on the teacher's two (2) most recent annual year-end evaluations. The notification shall include an explanation of why the Board is unable to comply. After July 1, 2024, if a teacher requests a review of the teacher's evaluation under the amendments to the statute, the Board must not issue the notification until the review process is complete.

Evaluations shall be conducted of each professional staff member as stipulated in the Teacher Tenure Act, the revised School Code, a negotiated agreement or contract, the Superintendent's administrative guidelines, and as directed by the Michigan Department of Education. A professional staff member shall be given a copy of any documents relating to the staff member's performance which are to be placed in the personnel file.

This policy shall not deprive a professional staff member of any rights provided by State law or contractual rights consistent with State law.

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M.C.L. 380.1249 (as amended)

## **APPENDIX E PERFORMANCE EVALUATION**

Classroom teachers will be evaluated pursuant to a performance evaluation system consistent with the Revised School Code Section 1249 and the Teachers' Tenure Act. This performance evaluation system will include, as appropriate, the following:

- a. A year-end evaluation process that meets statutory standards
- b. An evaluation tool that incorporates components required by law, including:
  - i. Locally agreed-on student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;
  - ii. The teacher's performance
- c. An individualized development plan (IDP) with measurable performance goals developed by the evaluator in consultation with the teacher and recommended training, coaching, professional development or resources designed to improve the teachers' effectiveness for:
  - i. All probationary teachers
  - ii. Teachers rated developing, needs support
  - iii. To the extent allowable by law, the District will notify a classroom teacher of complaints that might lead to discipline
  - iv. At the evaluators discretion when performance deficiencies are noted.
- d. Classroom observations of at least 15 minutes each which include, at a minimum, a review of the classroom teacher's lesson plan, the state or national curriculum standard used in the lesson, and pupil engagement, with appropriate written feedback and a post-observation meeting between the teacher and the school administrator conducting the observation to discuss those items
- e. A mid-year progress report, if required by law, which aligns with the classroom teacher's IDP, and includes specific performance goals developed by the evaluator and any recommended training, coaching, professional development or resources identified by the evaluator.
- f. A year-end performance evaluation effectiveness rating of: effective, developing, or needing support
- g. Tenured teachers rated as highly effective or effective on the 3 most recent consecutive year-end evaluations may be evaluated triennially but if the classroom teacher is not rated as effective on one of the triennial year-end evaluations, the classroom teacher must receive annual year-end evaluations. If the teacher on the triennial track is placed on an IDP or transfers to a new position, the Superintendent may choose to move the teacher to annual evaluations; all observations shall be completed fifteen (15) business days prior to the end of the school year; year-end evaluations shall be completed at least five (5) business days before the end of the school year.
- h. A mentor for classroom teachers rated developing or needing support or for classroom teachers as required by law;
- i. Opportunity for a tenured classroom teacher rated needing support on a year-end evaluation to request a review consistent with Revised School Code Section 1249;
- j. Use of the Charlotte Danielson model evaluation tool which has been approved by MDE and is in compliance with Revised School Code Section 1249 and corresponding regulations
- k. Website posting of required information for the Danielson evaluation model
- l. Training on the Danielson model for teachers and evaluators as required by law

m. If a tenured classroom teacher is rated ineffective or needing support on 3 consecutive year-end evaluations, that teacher shall be discharged consistent with due process. The District is not precluded from discharging a classroom teacher at other times as provided by the Teachers' Tenure Act

n. If a classroom teacher receives an unevaluated rating, the teacher's rating from the school year immediately before the designation must be used

o. The parties will, by September 30, 2024, negotiate and reach consensus concerning how to measure student growth and assessment data or student learning objective metrics to be considered for 20% of the evaluation. At least 10% of the 20% student growth data shall be agreed upon benchmark data. If a consensus is not reached by September 30, 2024, the District will use the assessment data currently utilized.

p. Grievance Procedure. An alleged violation of this Article may be grieved up to the Board level. However, an Arbitrator has jurisdiction to consider a grievance filed under the grievance procedure by a tenured Classroom Teacher with two (2) consecutive ratings of "needing support."

q. Each teacher shall have the right upon request to review the contents of his/her own personnel file, except the original placement file. A representative of the Association may be requested to accompany the teacher in such review. In the event that the teacher feels that material placed or to be placed in his/her file is inappropriate or in error, he/she may receive adjustment through the grievance process.

An Association member's signature upon material in the file will be interpreted to mean the teacher knows of its presence, but is not necessarily in agreement with the material. The teacher may or may not, upon exercise of personal option, attach a statement of agreement or disagreement of any adverse evaluation placed in his/her file.

r. Bargaining unit members shall be provided a copy of any non-confidential material (as determined by the courts and/or laws) placed in or to be placed in a personnel file. Each file shall contain a cover sheet to be signed and dated by any person reviewing the file.

Material placed in the personnel file, including evaluations, shall not be released to any person without written permission from the employee or valid court order, excepting that materials requested subject to Michigan's Freedom of Information Act may be released in accordance with the following:

1. The District shall notify the teacher(s) who is subject to the request and provide the teacher with a copy of the request.