

Shelby County Board of Education

TEACHER EVALUATION

4046

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I. PURPOSE

To outline guidelines for evaluating Shelby County Schools (SCS) teachers in order (1) to improve instruction; (2) to provide ongoing feedback for teacher professional growth; (3) to facilitate communication between the professional employee and his/her immediate supervisor; (4) to promote high standards of excellence for teachers; (5) to identify areas to strengthen and identify supports available through the District and other resources; and (6) to establish an evaluation grievance procedure for evaluated teachers to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted in accordance with state law.

II. SCOPE

This policy applies to all Shelby County Schools classroom teachers and the following non-classroom teachers: Library Media Specialists; Guidance Counselors; Caseload Educators - Social Workers, Psychologists, SPED Supervisors; and Academic Interventionists/Coaches (Instructional Facilitators, Math, Literacy, etc.). Principals and assistant principals are not included under this policy.

III. DEFINITIONS

Accuracy of the data - means only that the data identified with a particular teacher is correct.

Evaluation component - one of multiple factors used in evaluations to identify the level of performance and effectiveness of staff (e.g., teacher evaluation components - Student Growth and Achievement, Observation of Teaching/Classroom Instruction, Teacher Professionalism, and Stakeholder Perceptions).

Minor procedural errors - errors that do not materially affect or compromise the integrity of the evaluation results.

IV. POLICY STATEMENT

Shelby County Schools (SCS) believes that a teacher evaluation process that promotes high and sustained levels of quality instruction is essential for student academic success, growth, and achievement. Accordingly, evaluation of teachers should be conducted regularly and should reflect a fair, meaningful, and accurate depiction of a teacher's development, growth, and performance in the teaching profession. Shelby County Schools is also committed to

supporting teachers in their professional practices and believes that meaningful teacher evaluations allow the District 1) to identify teachers' instructional areas that are superior and prescribe support, rewards/recognition, and leadership opportunities that enhance the strength of the teacher and 2) to identify teachers' instructional areas that need strengthening and prescribe appropriate available support and professional development. Therefore, teachers may seek available District support to improve their professional practices.

Additionally, teacher evaluation provides the District with a useful tool to inform personnel decisions. In accordance with state law, evaluations shall be a factor in employment decisions, including, but not necessarily limited to, promotion, retention, termination, compensation, and the attainment of tenure status. Moreover, the evaluation may also have implications in areas such as movement, rewards/recognitions, leadership opportunities, and support.

From a District-wide perspective, the results of regular and accurate evaluations are useful in informing systemic decisions designed to (1) improve and optimize student achievement; (2) improve overall teacher performance within the District; and (3) improve efficiency in the educational service delivery of the school system (e.g., align District professional development and teacher support programs with District-wide teacher needs identified through aggregate evaluation results).

Evaluation Model and Process

SCS believes that in order for evaluation results to accurately reflect the performance level of a teacher, the model of evaluation should be multidimensional and include components that are valid indicators of performance. Additionally, the evaluation process should be conducted with fidelity by competent evaluators and those certified in observation, in accordance with state law and regulations.

To that end, SCS shall evaluate all teachers in accordance with standards established in applicable state laws and regulatory guidelines. The evaluation process shall be defined and implemented uniformly throughout the District. The teacher evaluation measure for Shelby County Schools shall include the following components: (1) Student Growth and Achievement Data; (2) Observation of Teaching/Classroom Instruction; (3) Teacher Professionalism; and (4) Stakeholder Perceptions.

The inputs for each evaluation component for an individual teacher shall be confidential. Inputs may include items such as a teacher's TVAAS scores, an evaluator's observation notes, video captures used for observations associated with evaluation, and individual responses to stakeholder perception surveys. The inputs for each evaluation component for an individual teacher shall be available to the teacher (or his/her designee); those allowed access by SCS policy; and those required access by court order or state and/or federal law.

Pursuant to state law, all records containing the results of an individual teacher evaluation shall be treated as confidential and shall not be open to the public.

In accordance with state law and the Tennessee State Board of Education policy, a District grievance process (see below) is available to teachers to provide a means for evaluated

teachers to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted in accordance with state law.

Policy Monitoring

The Superintendent (or designee) shall monitor implementation of this policy and shall review the methods and definitions for measuring teacher effectiveness with appropriate stakeholders. The Superintendent (or designee) shall also review for appropriateness the components of the Teacher Effectiveness Measure (TEM). Moreover, the Superintendent (or designee) shall provide to the Board every two (2) years a report on the District's aggregate teacher evaluation results and teachers' impact on student achievement.

V. RESPONSIBILITY

A. The department charged with facilitating teacher evaluation is responsible for implementing this policy.

Legal References:

1. TCA 49-5-401, 409, 501-504, 511, and 710- as amended by Public Chapter 7
2. Tennessee State Board of Education Teacher and Principal Evaluation Policy 5.201
3. TCA 10-7-504(a)

Administrative Rules and Regulations

TEACHER EVALUATION

Local-Level Grievance Procedure

(1) Purpose.

(a) To comply with Tenn. Code Ann. §49-1-302 which requires, “the development of a local-level evaluation grievance procedure to provide a means for evaluated teachers and principals to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the State Board of Education.”

1. “Accuracy of the data” means only that the data identified with a particular teacher is correct.

2. Minor procedural errors in implementing the evaluation model shall be resolved at the lowest possible step in the grievance procedure but shall not constitute grounds for challenging the final results of an evaluation. Minor procedural errors shall be defined as errors that do not materially affect or compromise the integrity of the evaluation results. The final results of an evaluation may only be challenged if the person being evaluated can demonstrate, no later than during step II of the grievance procedure, that the procedural errors made could materially affect or compromise the integrity of the evaluation results. The department of education shall provide guidance on which procedural errors may materially affect or compromise the results of the evaluation.

(b) To efficiently and fairly resolve grievances regarding procedural errors in the evaluation process, not to address disputes regarding employment actions taken based on the results of an evaluation. More significant due process rights are provided pursuant to State law to teachers when actual employment actions are taken.

(c) To ensure evaluations are fundamentally fair because correct procedures have been followed.

(d) To address grievances objectively, fairly, and expeditiously by resolving them at the lowest possible step in the procedure.

(e) To provide teachers a process for resolving grievances without fear, discrimination, or reprisal.

(2) Responsibility.

(a) LEAs (Shelby County Schools Board of Education (the Board)) shall be

responsible for the proper effectuation of this policy at the local level.

(b) Local Boards of Education (the Board) shall charge Directors (the Superintendent of the Shelby County Schools (the Superintendent)) with the responsibility for ensuring that all teachers, principals, and administrators are aware of the provisions of this policy, including the identification of the administrator designated to conduct Step I of this procedure.

(3) Basic Standards.

(a) To resolve grievances as expeditiously as possible pursuant to section (1)(d) above, grievances may be filed at the end of each of the three components of the evaluation model: 1) qualitative appraisal; 2) student growth measures; and 3) other measures of student achievement. A grievance must be filed no more than 15 days from the date teachers receive the results for each component, otherwise the grievance will be considered untimely and invalid.

(b) The State Department of Education or LEAs may develop and make available to teachers standard grievance forms. No grievance may be denied because a standard form adopted by a LEA has not been used as long as the components required by this policy are included.

(c) At the informal hearing before the Director of Schools (the Superintendent), an attorney or a representative of an employee may speak on behalf of the employee.

(d) An attorney may represent a grievant before the local board of education, which is the final step of this procedure. The grievant and the local board of education may have counsel present at discussions prior to the final step.

(e) Each grievance submitted at every step of the process provided below shall contain:

1. the teacher's name, position, school, and additional title if any;
2. the name of the teacher's immediate supervisor;
3. the name of the evaluator/reviewer;
4. the date the challenged evaluation was received;
5. the evaluation period in question;
6. the basis for the grievance;
7. the corrective action desired by grievant; and
8. sufficient facts or other information to begin an investigation.

(f) A failure to state specific reasons shall result in the grievance being considered improperly filed and invalid.

(g) All student achievement data used in evaluations must be made available to individual educators prior to the completion of their evaluations.

(4) Procedures. Grievances shall be processed by working through the three (3) steps to finality as follows:

(a) Step I—Evaluator

1. Written grievance submitted to evaluator pursuant to timeline listed in Section (3)(a), with copy submitted to the teacher's principal (if different from the evaluator).
2. Administrative investigation and fact finding.
3. Decision clearly communicated in writing to grievant within fifteen (15) days of receipt of the complaint.
4. To allow disputes to be resolved at the lowest level possible, the Evaluator may take any action necessary, based on the circumstances, to immediately correct any procedural errors made in the evaluation process.

(b) Step II—The Director of Schools (the Superintendent) or his/her designee (Office of Labor and Employee Relations) who shall have had no input or involvement in the evaluation for which the grievance has been filed.

1. Written grievance and prior step decision submitted to the Director of Schools (the Superintendent) or his/her designee (Office of Labor and Employee Relations) within fifteen (15) days of receipt of decision from Step I.
2. Informal discussion or hearing of facts, allegations, and testimony by appropriate witnesses as soon as practical.
3. Investigation, fact finding, and written final decision communicated to grievant in writing within fifteen (15) days of discussion.
4. To allow disputes to be resolved at the lowest level possible, the Director of Schools (the Superintendent) may take any action necessary, based on the circumstances, to immediately correct any procedural errors made in the evaluation process.

(c) Step III—Local Board of Education

1. Teachers may request a hearing before the local board of education by submitting a written grievance and all relevant documentation to the local board of education within fifteen (15) days of receipt of decision from Step II.
2. The board of education, based upon a review of the record, may grant or deny a request for a full board hearing and may affirm or overturn the decision of the Director of Schools (the Superintendent) with or without a hearing before the board;
3. Any hearing granted by the board of education shall be held no later than thirty (30) days after receipt of a request for a hearing.
4. The local board of education shall give written notice of the time and place of the hearing to the grievant, Director of Schools (the Superintendent) and all administrators involved.
5. The local board of education's decision shall be communicated in writing to all parties, no later than thirty (30) days after conclusion of the hearing.
6. The local board of education shall serve as the final step for all grievances.