

Memorandum of Understanding Between Columbia Education Association and Columbia School District

CERTIFICATED EMPLOYEE EVALUATION PROCESS

A. PURPOSE

The primary purpose of evaluation is to increase employee opportunities for improving instruction / professional performance through procedural rights of evaluation and probation. Evaluation is a positive, developmental, and continuous process under the guidance of appropriate administrative personnel. During this evaluation process, the employee shall exhibit a desire to change and grow in effectiveness as a professional.

The parties agree that the following evaluation system for all employees in the bargaining unit is to be implemented in a manner consistent with good faith and mutual respect, and, as defined in RCW 28A.405.110:

- 1) “An evaluation system must be meaningful, helpful, and objective;
- 2) An evaluation system must encourage improvements in teaching skill, techniques, and abilities by identifying areas needing improvement;
- 3) An evaluation system must provide a mechanism to make meaningful distinctions among teachers and to acknowledge, recognize, and encourage superior teaching performance; and
- 4) An evaluation system must encourage respect in the evaluation process by the persons conducting the evaluations and the persons subject to the evaluations through recognizing the importance of objective standards and minimizing subjectivity.”

Additionally, the parties agree that the evaluation process is one which will be implemented with collaboration between the evaluator and the bargaining unit member, as described in WAC 392-191-025:

To identify in consultation with classroom teachers and certificated support personnel observed, particular areas in which their professional performance is satisfactory or outstanding, and particular areas in which the classroom teacher or support person needs to improve his or her performance.”

EVALUATOR QUALIFICATIONS: RCW 28A.405.120

The school district shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers or principals to have training in evaluation procedures.

Before school district implementation of the revised evaluation systems required under RCW 28A.405.100, principals and administrators who have evaluation responsibilities must engage in professional development designed to implement the revised systems and maximize rater agreement.

**B. TRAINING IN EVALUATION PROCEDURES REQUIRED
RCW28A.405.130**

- 1) No administrator, principal, or other supervisory personnel may evaluate a teacher without having received training in evaluation procedures.
- 2) Before evaluating classroom teachers using the evaluation systems required under RCW 28A.405.100, principals and administrators must engage in professional development designed to implement the revised systems and maximize rater agreement.

C. APPLICABILITY FOR EVALUATION PROCESSES

The evaluation procedure and criteria shall be distributed (electronically or in hard copy) and explained to all certificated employees at that building level by October 1st of each year or within 30 working days of an employee being assigned to a building.

D. PROFESSIONAL DEVELOPMENT

Prior to being evaluated under this agreement, each teacher shall receive professional development from the District on the adopted framework and state criterion to ensure a clear understanding the evaluation process. Professional development shall be available to all employees annually in a manner mutually agreed to by the parties.

E. DEFINITIONS, STATE CRITERIA, FRAMEWORK, AND SCORING

Definitions

- 1) Component shall mean the sub-section of each criterion.
- 2) Evaluator shall mean a certificated administrator who has been trained in observation, evaluation, rater agreement and the use of the specific instructional framework and rubrics contained in this agreement and any relevant state or federal requirements. All evaluators shall demonstrate competence in observing teachers with inter-rater agreement. The evaluator shall assist the teacher by providing support and resources.

- 3) Artifacts shall mean any products generated, developed or used by a certificated teacher. Artifacts should not be created specifically for the evaluation system. Additionally, tools, forms, or notes of verbal evidence used in the evaluation process may be considered as artifacts.
- 4) Evidence shall mean examples or observable practices of the teacher's ability and skill in relation to the instructional framework rubric. All examples contained in the agreed upon list in [Appendix B](#) or other items including verbal descriptions or notes from observation conferences mutually agreed by the teacher and evaluator will be considered as evidence. The collection of evidence is not intended to mirror a Pro-Teach or National Boards portfolio but rather is a sampling of data to inform the decision about level of performance. It should be gathered from the normal course of employment. Input from students, parents or any source other than the teacher and evaluator shall not be used as evidence.
- 5) Not Satisfactory shall mean:
 - a. Level 1: Unsatisfactory – Receiving a summative score of 1 is not considered satisfactory performance for a teacher.
 - b. Level 2: Basic – If the classroom teacher is on a continuing contract with more than five years of teaching experience and if a summative score of 2 has been received two years in a row or two years within a consecutive three-year period, the teacher is not considered performing at a satisfactory level.
- 6) Growth Data shall mean the change in student achievement between two points in time within the current school year, as determined by the teacher. Assessments used to demonstrate growth must predominantly originate at the classroom level and be initiated by the classroom teacher, provided that agreed upon school or district tools may be also be used if they provide data relevant to the teacher and subject matter and are able to reliably measure growth between two points in the same school year. Assessments used to demonstrate growth must be appropriate, relevant, and may include both formative and summative measures. Assessments other than those identified in Appendix B will be used only when mutually agreed by the teacher and evaluator.
- 7) State Evaluation Criteria: Teacher evaluation criterion shall mean (WAC 28A.405.100(2)(b):
 - a. Centering instruction on high expectations for student achievement,
 - b. Demonstrating effective teaching practices,
 - c. Recognizing individual student learning needs and developing strategies to address those needs,
 - d. Providing clear and intentional focus on subject matter content and curriculum,
 - e. Fostering and managing a safe, positive learning environment,
 - f. Using multiple data elements to modify instruction and improve student learning,
 - g. Communicating and collaborating with parents and the school community, and
 - h. Exhibiting collaborative and collegial practices focused on improving instructional practices and student learning.

8) Instructional Framework:

- a. The parties have agreed to the evidence-based instructional framework developed by Charlotte Danielson.
- b. Upon mutual agreement the parties may negotiate a different OSPI approved instructional framework.

9) Criterion Performance Scoring:

The score for each for each of the eight state evaluation criteria is determined by combining the scores for each of the components to generate a raw score. The raw score will be used to determine the final score for each criteria based on agreed upon scoring bands and conditions.

Criterion-Scoring-Bands	1 - Unsatisfactory	2 - Basic	3 - Proficient	4 - Distinguished
1. Centering instruction on high expectations for student achievement	3 - 4	5 - 7	8 - 10	11 - 12
2. Demonstrating effective teaching practices	2	3 - 4	5 - 6	7 - 8
3. Recognizing individual student learning needs and developing strategies to address those needs	3 - 4	5 - 7	8 - 10	11 - 12
4. Providing clear and intentional focus on subject matter content and curriculum	4 - 6	7 - 9	10 - 13	14 - 16
5. Fostering and managing a safe, positive learning environment	4 - 6	7 - 9	10 - 13	14 - 16
6. Using multiple data elements to modify instruction and improve student learning	5 - 7	8 - 12	13 - 17	18 - 20
7. Communicating and collaborating with parents and the school community	1	2	3	4
8. Exhibiting collaborative and collegial practices focused on improving instructional practices and student learning	4 - 6	7 - 9	10 - 13	14 - 16

10) When there is more than one (1) component, if a 1 – Unsatisfactory is scored, the overall criterion score cannot be higher than 3 – Proficient.

- a. When there is more than one (1) component, if a 4 – Distinguished is scored, the overall criterion score cannot be lower than 2 – Basic.
- b. Rating will be assigned the following numeric values:
 - i. Unsatisfactory – 1
 - ii. Basic – 2
 - iii. Proficient – 3
 - iv. Distinguished – 4

11) Summative Performance Rating:

A classroom teacher shall receive a performance rating for each of the eight (8) state evaluation criteria. The overall summative score is determined by totaling the eight (8) criterion-level scores as follows:

- a. 8-14—Unsatisfactory
- b. 15-21—Basic
- c. 22-28—Proficient
- d. 29-32—Distinguished

12) Student Growth Criterion Score

Embedded in the instructional framework are five (5) components designated as student growth components. These components are embedded in criteria as SG 3.1, SG 3.2, SG 6.1, SG 6.2, and SG 8.1. Evaluators add up the raw score on these components and the employee is given a score of low, average or high based on the scores below:

- a. 5-12—Low
- b. 13-17—Average
- c. 18-20—High

Student growth data will be taken from multiple sources during the school year in which the evaluation is being conducted, and must be appropriate and relevant to the teacher's assignment. It will include teacher initiated formal and/or informal assessments of student progress. Student achievement that does not show growth between two points in time in the same school year shall not be used to calculate a teacher's student growth criterion score. Evaluators shall not consider school-wide or District-wide test scores when evaluating classroom teachers unless agreed upon and demonstrated to reliably measure growth between two points in the same school year. [Check WAC]

If a teacher receives a 4 – Distinguished summative score and a Low student growth score, they must be automatically moved to the 3 – Proficient level for their summative score. If a teacher receives a 1 – Unsatisfactory on any of the five student growth components, it will trigger the student growth inquiry plan. The teacher and evaluator will mutually agree to engage in one of the following:

- a. Triangulate student growth measure with other evidence (including observation, artifacts and student evidence) and additional levels of student growth based on classroom, school, District and state-based tools;18-20—High Check WAC (Add Performance Rating Descriptors from pg. 93 of AWSP)
- b. Examine extenuating circumstances possibly including: goal setting process/expectations, student attendance, and curriculum/assessment alignment;
- c. Create and implement a professional development plan to address student growth areas.

F. PROCEDURAL COMPONENTS OF EVALUATION

Philosophy: Evaluators will begin from the assumption that all teachers are at level 3 – proficient.

1) Notification

The teacher will be notified within fifteen (15) days of the beginning of the school year, whichever is later, of their evaluator and whether the teacher will be evaluated using a comprehensive or focused evaluation. The teacher may be moved from a focused to a comprehensive evaluation for probationary purposes

2) Student Growth Goal Setting

By the end of the first quarter the teacher shall determine a student growth goal for the appropriate component or components of SG-3.1, SG-6.1 and SG-8.1 on a Goal Setting form. The goal for SG-6.1 and SG-8.1 may be the same goal. Student growth goals shall not include specific numbers, percentages or scores.

3) Artifacts and Evidence

The following relates to artifacts and evidence:

- a. Employees may be asked to provide such evidence as is reasonable and sufficient to aid the evaluator in assessing criteria that are not easily observable. Evaluators may not mandate arbitrary numbers or types of evidence or artifacts.
- b. Verbal evidence that can be easily verified at any time will not require any physical evidence (copies, photos, etc.) to be collected.
- c. A single artifact/evidence item may be used for multiple criterion and/or components.
- d. Evaluators will inform the employee whenever possible or no later than April 1st of any area perceived to need additional evidence. No score below proficient will be given if this notification is not given.

- e. The teacher may provide additional artifacts and evidence to aid in the assessment of the teacher's professional performance against the instructional framework rubric. The evidence provided by the teacher shall be incorporated prior to the post-observation conference, and be used to determine the final evaluation score.
- f. A teacher may, but shall not be required to submit artifacts and evidence for completion of the evaluation.
- g. No score shall be based on evidence and/or artifacts that would require the employee to work outside of the contract day; however, course work or other professional activities directly related to their position and duties may be submitted and will be considered as evidence.

4) Record-Keeping: The District shall adhere to the following:

- a. The predominant method of data collection for evaluation will be the eVAL system, provided that employees may opt not to use eVAL. Those not using eVAL will collaborate with their evaluator to determine how data will be collected from the teacher.
- b. A copy of the final framework rubric, teacher's written comments, if applicable and agreed upon forms shall be included in the teacher's personnel file.
- c. "The principal or other evaluator shall promptly document the results of the observation in writing, and shall provide the employee with a copy thereof within three days after such report is prepared." RCW 28A.405.100
- d. Any and all data collected or entered into eVAL shall be considered confidential, and not be subject to public disclosure except as allowed by law.
- e. Equipment needed to use the eVAL system will be provided by the District.

5) Electronic Monitoring: All observations shall be conducted openly. Mechanical or electronic devices shall not be used to listen to or record the procedures of any class without the prior knowledge and consent of the teacher.

G. COMPREHENSIVE EVALUATION PROCESS

A Comprehensive Evaluation will include evaluation of all eight state criteria. A teacher eligible for focused evaluations must complete a comprehensive evaluation once every four years.

Pre-Observation Conference:

The pre-observation conference shall be held prior to all formal observations. The teacher and evaluator will mutually agree when to conference. The purpose of the pre-observation conference is to discuss the employee's goals, establish a date for the formal observation, and to discuss such matters as the professional activities to be observed, their content, objectives, strategies, and possible observable evidence to meet the scoring criteria.

Formal Observation:

- 1) Each employee shall have at least one prearranged formal observations conducted within the first ninety (90) days of the school year. The total annual observation time cannot be less than sixty (60) minutes. Any formal observation shall not be less than 30 minutes in length. The remainder of the required sixty (60) minutes may be comprised of drop in observations of not less than ten (10) minutes or an additional formal observation. An employee in the third year of provisional status as defined in RCW 28A.405.220 shall be observed at least three times in the performance of his or her duties and the total observation time for the school year shall not be less than ninety (90) minutes.
- 2) The observations will occur no later than three (3) days after the pre-observation meeting.
- 3) Observations will not take place the first week of the school year, the last day before or after a break or on the day following an absence of the employee unless otherwise agreed to by the employee.
- 4) The evaluator will document all formal observations and provide the information to the employee within three (3) days following the observation date and at least one (1) day prior to the post observation conference.
- 5) The teacher shall be provided the opportunity to submit additional evidence to aid in the assessment of the teacher's professional performance against the instructional framework rubric, especially for those criteria not observed in the classroom. The evidence provided by the teacher shall be included in the post observation conference, and be used to determine the final evaluation score.

Post-Observation Conference

- 1) A post-observation conference between the evaluator and teacher will be held no later than five (5) days after the formal observation unless otherwise agreed by the employee. Following any drop in observation, feedback will be provided within three (3) days and a post observation conference may be requested by the employee or supervisor.
- 2) The purpose of the post-observation conference is to review the evaluator's and any teacher provided evidence related to the scoring criteria during the observation, and to discuss the teacher's performance. The evaluator's notes from this conference may be included as a record of verbal evidence. The teacher shall be provided an additional opportunity to submit evidence of the teacher's professional performance that the teacher deemed was not observed in the classroom. The evidence provided by the teacher shall be used to determine the final evaluation score
- 3) If there is an area of concern, the evaluator will identify, in writing, the applicable criteria, specific concerns and help the employee identify solutions. Specific district support and resources will be agreed upon and provided to remedy the concern.
- 4) The teacher attached written comments to the observation report.

Informal Observations

No information from any observations not documented as prescribed here in shall be used in the evaluation process.

Final Summative Evaluation Conference

- 1) No later than May 15th the evaluator and teacher shall meet to discuss the teacher's final summative score. The final summative score, including the student growth score, must be determined by an analysis of evidence. This analysis will be a holistic assessment of the teacher's performance over the course of the year.
- 2) The teacher has the right to provide additional evidence for each criterion to be scored. This evidence will be considered before a summative score is given.
- 3) All evidence, measures and observations used in developing the final summative evaluation score must be a product of the school year in which the evaluation is conducted.
- 4) If the teacher is to be given a score below Proficient, adequate justification must be provided by the evaluator.
- 5) If the teacher reasonably believes the criterion score or final summative score did not consider certain teacher evidence and/or the criteria were not objectively scored, they shall be granted any of the following:
 - a. An alternative evaluator scoring of evidence whom is mutually agreed upon by the teacher and the Association;
 - b. Assignment of a new evaluator for the ensuing school year.
 - c. Assignment of a mentor.
- 6) All scores will be objectively based on evidence. No artificial quotas or limits shall be imposed on individual evaluators, buildings or the District as a whole regarding the number of Distinguished, Proficient, Basic or Unsatisfactory ratings given.
- 7) The teacher will sign two (2) copies of the Final Summative Evaluation Report. Each teacher shall sign the observation and evaluation forms to indicate receipt. The signature of the teacher does not, however, necessarily imply that the employee agrees with its contents. The teacher may attach any written comments to observations and to the final annual evaluation report as well.

H. FOCUSED EVALUATION

The Focused Evaluation is used when a teacher is not evaluated using the Comprehensive Evaluation process, and will include evaluation of one of the eight state criteria and at least one measure of student growth impact.

If a non-provisional teacher has scored at Proficient or higher the previous year, they may choose to be evaluated using the Focused Evaluation. The teacher may remain on the Focused Evaluation for three (3) years before returning to the Comprehensive Evaluation.

The teacher or the evaluator can initiate a move from the Focused to the Comprehensive Evaluation. "At any time after October 15th, an employee whose work is not judged satisfactory based on district evaluation criteria shall be notified in writing of the specific areas of deficiencies along with a reasonable program for improvement." 28A.405.100(4)(a)

- 1) The criterion area to be evaluated shall be proposed by the teacher prior to, or at the first pre-observation conference. Should evaluator have concerns regarding the selected criterion, he/she will work with employees to determine a mutually acceptable criterion. If the employee chooses criterion 1, 2, 4, 5, or 7, they must also complete the student growth components in criterion 3 or 6.
- 2) Observations and conferences for the focused evaluation shall follow the process set forth in the Comprehensive Evaluation Process, above.
- 3) The score received on the selected criterion is the score assigned as the final summative score.
- 4) A group of teachers may focus on the same evaluation criterion and share professional growth activities.

I. SUPPORT FOR BASIC AND UNSATISFACTORY PERFORMANCE

When any teacher is judged below proficient, the employee shall be entitled to include an Association Representative in the development and monitoring of a support plan.

When a teacher is judged below Proficient, the following conditions and provisions shall be offered to the employee to support their professional development:

- 1) Up to four (4) days of district funded release time to observe colleagues' instruction;
- 2) An additional/certificated employee evaluator;
- 3) Support for basic and unsatisfactory performance;
- 4) A structured support plan;
- 5) The District will provide for any required in-service training and any required mentor (RCW 28A.405.140).

In such cases that a teacher with more than five (5) years of experience receives a summative evaluation score below Proficient, the teacher must be formally observed before October 15th the following year. If the Formal Observation in that following year results in ongoing and specific performance concerns, a structured support plan will be mutually developed by the evaluator and teacher within five (5) days following the First Post-Observation Conference and will be completed prior to completion of the comprehensive evaluation.

J. PROVISIONAL EMPLOYEES

When there is concern about progress of a provisional employee as documented on an observation report form, the provisional employee and the evaluator shall schedule a meeting with an Association representative to occur within five (5) days after the post-observation conference, unless a longer time frame is mutually agreed to, to review the expectations for the employee's current position. At that time, there will be developed a plan whereby the employee will be assisted in improving his/her performance to an acceptable level. The course of action for provisional employees will follow the guidelines stated in RCW 28A.405.220.

K. PROBATION

At any time after October 15, a classroom teacher whose work is judged not satisfactory based on the scoring criteria shall be placed on probation and notified in writing of the specific areas of deficiencies and provided a written reasonable plan of improvement (RCW 28A.405(4)(ii)(b)).

- 1) **Evaluator of Probationer:** During the period of probation, the employee may not be transferred from the supervision of the original evaluator.
- 2) **Improvement or Non-renewal:** Improvement of performance or probable cause for non-renewal must occur and be documented by the original evaluator before any consideration of a request for transfer or reassignment as contemplated by either the individual or the school district.
- 3) **Period of Probation:** A probationary period of sixty school days shall be established. Days may be added if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probationary period is concluded before May 15th of the same school year. The probationary period may be extended into the following school year if the probationer has five or more years of teaching experience and has a comprehensive summative evaluation performance rating as of May 15th of less than level 2.
- 4) **Contract Status of Probationer:** The establishment of a probationary period does not adversely affect the contract status of an employee within the meaning of RCW [28A.405.300](#).
- 5) **Purpose of Probation:** The purpose of the probationary period is to give the employee opportunity to demonstrate improvements in his or her areas of deficiency.
- 6) **Notice of Probation:** The establishment of the probationary period and the giving of the notice to the employee of deficiency shall be by the school district superintendent and need not be submitted to the board of directors for approval
- 7) **Frequency for Meeting with Probationer:** During the probationary period the evaluator shall meet with the employee at least twice monthly to supervise and make a written evaluation of the progress, if any, made by the employee.
- 8) **Requesting an Additional Evaluator:** The evaluator may authorize one additional certificated employee to evaluate the probationer and to aid the employee in improving his or her areas of deficiency. Should the evaluator not authorize such additional evaluator, the probationer may request that an additional certificated employee evaluator become part of the probationary process and this request must be implemented by

including an additional experienced evaluator assigned by the educational service district in which the school district is located and selected from a list of evaluation specialists compiled by the educational service district. Such additional certificated employee shall be immune from any civil liability that might otherwise be incurred or imposed with regard to the good faith performance of such evaluation.

9) Plan of Improvement: If a procedural error occurs in the implementation of a program for improvement, the error does not invalidate the probationer's plan for improvement or evaluation activities unless the error materially affects the effectiveness of the plan or the ability to evaluate the probationer's performance. The probationer must be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in those areas specifically detailed in his or her initial notice of deficiency and subsequently detailed in his or her program for improvement. A classroom teacher who has been transitioned to the revised evaluation system pursuant to the district implementation schedule adopted under subsection (7)(c) of this section must be removed from probation if he or she has demonstrated improvement that results in a new comprehensive summative evaluation performance rating of level 2 or above for a provisional employee or a continuing contract employee with five or fewer years of experience, or of level 3 or above for a continuing contract employee with more than five years of experience.

10) Lack of Improvement: Lack of necessary improvement during the established probationary period, as specifically documented in writing with notification to the probationer constitutes grounds for a finding of probable cause under RCW28A.405.300 or 28A.405.210.

L. NON-RENEWAL (DISCHARGE)

When a continuing contract teacher with five (5) or more years of experience receives a comprehensive summative evaluation rating of 1 – Unsatisfactory for two (2) consecutive years, after completing probation the first year, the District shall, within ten (10) days of the completion of the Final Evaluation Conference or May 15th, whichever occurs first, implement the teacher notification of non-renewal (discharge) as provided in RCW.28A.405.300.

M. PROBABLE CAUSE

The teacher who is, at any time, issued a written notice of probable cause for non-renewal or discharge by the Superintendent pursuant to this Article shall have ten (10) calendar days following receipt of said notice to file any notice of appeal as provided by statute or by this Agreement.

N. EVALUATION RESULTS

Evaluation results shall be used:

- 1) To promote reflection on professional practice and facilitate continued professional growth.
- 2) To document the level of performance by a teacher of his/her assigned duties.
- 3) To identify specific areas, if any, in which the teacher may need improvement according to the criteria included on the evaluation instrument.
- 4) To document performance by a teacher judged unsatisfactory based on the District evaluation criteria.

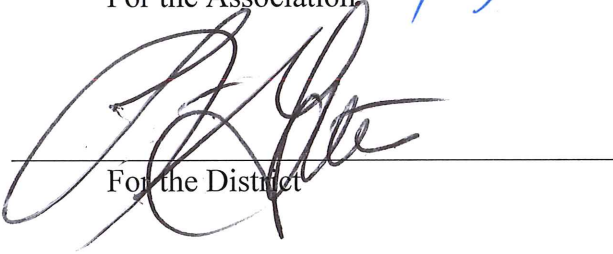
Evaluation results shall not be:

- 1) Shared or published with any teacher identifying information.
- 2) Shared or published without notification to the individual.
- 3) Used to determine any type of base or additional compensation.
- 4) Used as part of any disciplinary process.



For the Association

9-18-14
Date



For the District

9-18-14
Date