

# TPEP and HR: What Now?

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# Welcome and Introductions

- Who is with us today?
  - Name
  - District
  - Position
  - Way in which role with TPEP has changed since 2010

# Outcomes for the Day

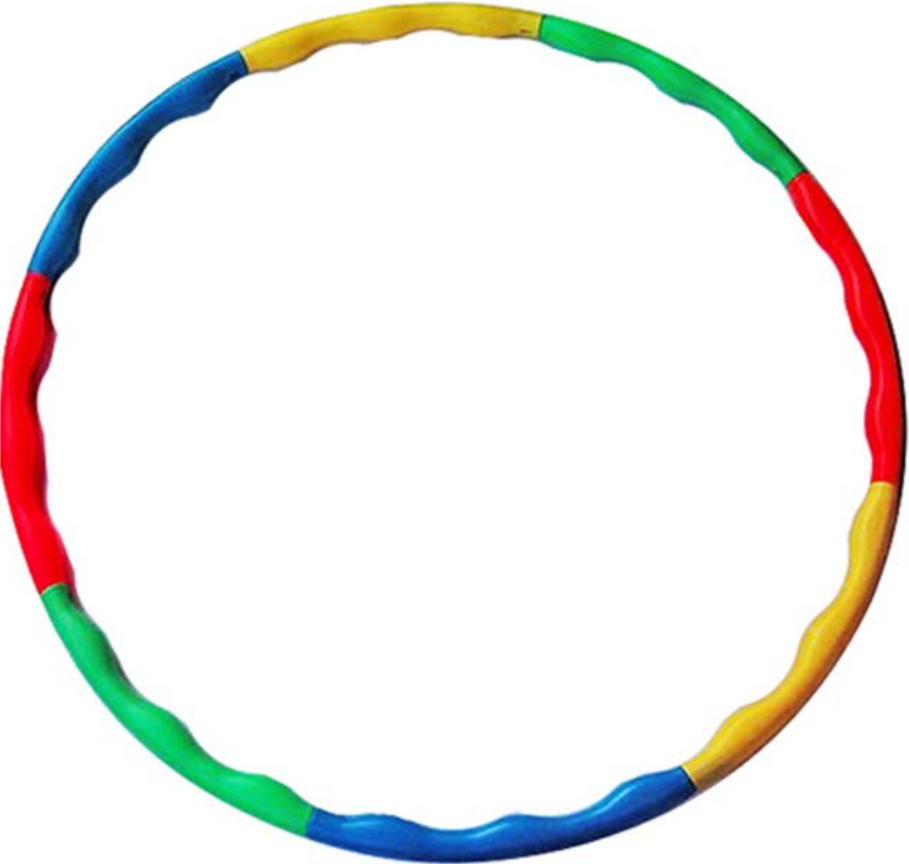
- Discuss emerging bargaining issues.
- Discuss emerging legal issues.
- Review recent WAC changes.
- Plan for enhanced processes and practices based on new learnings.
- Plan for an effective evaluation tracking system for certificated staff.
- Plan for an effective evaluation tracking system for documenting the training of evaluators.

What Do You Want to Know?

# Find Someone Who

- Find RCW or WAC citation as appropriate or possible.
- BONUS QUESTION:
  - Is student growth required for a focused evaluation?

# TPEP: Hoop or Tool?



# TPEP Update: WAC Revisions

- What discussions and/or changes regarding your CBA(s) should be considered as a result of the WAC revisions?

# TPEP Update: WAC Revisions

- Developed by the TPEP Steering Committee
- Final decisions made by past Superintendent Dorn after formal hearing process
- Finalized for start of 2016-17 school year
  - Districts may implement the changes to the Focused Evaluation (WAC 392-191A-120 and 190)
  - Implement in either 2016-17 or in 2017-18
- Applies to both teachers and principals



# TPEP Steering Committee



**WEA**  
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ASSOCIATION OF  
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**WSSDA**  
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School Directors' Association

# Purpose of the Changes to the Focused Evaluation

TPEP Steering Committee members were hearing from the field that teachers and principals, concerned about receiving a “2” on the Focused Evaluation, were choosing a criterion that was not necessarily one that needed attention.

# 1st change: Conduct of the focused evaluation - scoring

(5) A summative score is determined ~~through the scoring of the instructional and student growth rubrics for the criterion selected~~ using the most recent comprehensive summative evaluation score. This score becomes the focused summative evaluation score for any of the subsequent years following the comprehensive summative evaluation in which the certificated classroom teacher is placed on a focused evaluation. Should a teacher provide evidence of exemplary practice on the chosen focused criterion, a level 4 (Distinguished) score may be awarded by the evaluator.

# Purpose of the Changes to the Focused Evaluation

TPEP Steering Committee members were hearing from the field that teachers and principals were being taken off the Focused Evaluation process for that school year and put on a Comprehensive Evaluation as late as May.

## 2nd Change: Conduct of the Focused Evaluation – Return to Comprehensive

(6) Should an evaluator determine that a teacher on a focused evaluation should be moved to a comprehensive evaluation for that school year, the teacher must be informed of this decision in writing at any time on or before December 15.

# Purpose of the Changes to the Focused Evaluation

TPEP Steering Committee members were hearing from the field that principals were doing observations that didn't match a teacher's chosen criterion simply (especially for Criteria 7 and 8) to meet the observation time requirements or weren't observing at all.

## 3rd Change: Expansion of the Definition of “Observation”

"Observe" or "observation" means the gathering of evidence made through classroom or worksite visits, or other visits, work samples, or conversations that allow for the gathering of evidence of the performance of assigned duties for the purpose of examining evidence over time against the instructional or leadership framework rubrics pursuant to this section.

# And...

School districts must ~~observe~~ ensure that all classroom teachers are observed for the purposes of focused evaluation at least twice each school year in the performance of their assigned duties. As appropriate, the evaluation of the certificated classroom teacher may include the observation of duties that occur outside of the classroom setting.



1. Selects focused evaluation
2. Selects criteria for focused
3. Selects student growth goal (if not 3, 6 or 8 must designate)
4. If using new rule, check box 'Apply WAC 392....'
5. Pick year for Carry forward score (if we have it, they are done), if we don't then they need to manually enter the scores
6. Click save...see final dashboard...all setup

Teacher	Last Year Evaluation Type	Suggested Evaluation Type	Evaluation Type	Evaluator
Teacher A	N/A	N/A	Comprehensive	Principal A
Teacher B	N/A	N/A	Comprehensive	Principal A
Teacher C	N/A	N/A	Comprehensive	Principal A
Teacher D	N/A	N/A	Comprehensive	Principal A
Teacher E	N/A	N/A	Comprehensive	Principal A

## Setup Focused Evaluation

Select Focus Criteria:

Select a Focus Criteria

- Apply WAC 392-191A Focused evaluation (392-191A-120) change and use most recent Comprehensive score.

Cancel

Save

# Timeline for Implementation

- ▶ Observation changes: **Effective now**
- ▶ Focused evaluation changes: Districts may choose to implement 2016-17 or 2017-18
- ▶ Full text and FAQs on TPEP website:  
<http://ki2.wa.us/TPEP/default.aspx>

Non-renewal ala TPEP

# Pathway to Non-renewal

- Pathway to non-renewal under TPEP
  - Evaluation
  - Probation
  - Nonrenewal

# Looking at Your Certificated CBA

As you walk through the following information:

- Review your district's CBA to see what language is included in yours
- Compare with other districts
- Note what changes (if any) you might like to consider for future negotiations

# Probable Cause to Non-renew

- Legal framework – RCW 28A.405.210
- Probable cause determination is made by superintendent
- Issue written notice
- Specify the causes for non-renewal
- Notify of appeal rights

# Process for Non-renewal

- May 15 deadline (June 15 if appropriations act has not passed by the end of the regular session)
- Can be delivered:
  - In person
  - By certified or registered mail
  - By leaving with resident over age of 18 at home

# Hearing

- Employee has a right to a hearing pursuant to RCW 28A.405.300
- Must be requested within 10 days of receipt of notice of probable cause
- Hearing to determine whether sufficient cause for nonrenewal
- NO NOTICE? Contract is extended for another year, would need to try again



# Evaluations

- How many observations are required
  - All teachers: Minimum of two
  - Third-Year Provisionals: Minimum of three
  - New Employees: One for minimum of 30 minutes within first 90 calendar days
- Total minimum observation time
  - All teachers: 60 minutes
  - Third-Year Provisionals: 90 minutes

# Common Attacks – Evaluation

- Inconsistency between evaluations
- General statements without any support
- Mixed messages
- Hearsay

# Probation

- Follow all CBA language (plan of assistance, if applicable)
- Completion of full (comprehensive) evaluation
- Required observations performed (including any pre and post-conference observation conferences required by the CBA)

# Probation

Allowed anytime after October 15:

- Employee whose work is judged not satisfactory
- Based on evaluation criteria
- Notified in writing
- Specific areas of deficiency
- Provide a plan of improvement

# Probation

- Required if teacher has summative ratings of:
  - Level 1; or
  - Level 2, if
    - Continuing contract status;
    - More than five years' teaching experience; and
    - Received Level 2 for two consecutive years or two years within a consecutive three-year period

# Probation – Notification

- Superintendent must issue written notice of deficiency
- Provides basis for the superintendent's recommendation
- Include the plan of improvement

# Probation – Length

- Minimum of 60 school days
- Days may be added, but end by May 15
- For teachers with five+ years experience and rating of Level 1, probation may be extended into following school year
- Beware of additional CBA language

# Probation – Procedures

- Evaluator must:
  - Meet with employee at least twice monthly
  - Make a written evaluation of progress, if any
- May not be transferred from supervision of original evaluator
- Do not transfer until addressing improvement or nonrenewal



# Additional Evaluator

- If additional evaluator is not assigned by District, teacher may request one
- Assigned by ESD from list of evaluation specialists compiled by ESD
- CBA – might have additional items related to additional evaluator

# Probation – Removal

- Must be removed if shows satisfactory improvement
  - Level 2 or above for provisional, or for continuing teacher at or below five years' experience
  - Level 3 or above for continuing teacher over five years' experience

# Probation – Lack of Improvement

- Grounds for issuing notice of probable cause for nonrenewal
- Allows for removal and reassignment
- When any continuing teacher with five+ years of experience receives a rating of Level 1 for two consecutive years, District must initiate discharge proceedings

# Plan of Improvement

- Address each area of deficiency
  - Those that are marked as unsatisfactory; possibly those marked basic
- For each area of deficiency
  - Paraphrase the problem
  - Copy from the standard for proficient performance
  - List assistance to be offered

# Examples of Assistance

- Regular observation and feedback
- Lesson plan template
- Lesson plan example
- Lesson plan review and feedback
- Data review and feedback
- Videotaping of instruction and feedback
- Peer mentoring
- Written resources
- Classes/continuing education
- Other?

# Hearing

- Employee remains on paid administrative leave through the hearing
- District pays the cost of the hearing
- No appeal rights for the district
- If employee wins, district must restore to position and pay attorney fees

# Bargaining Considerations for 2017

- “The Cs”
  - Confusion - clarity
  - Conditions - compliance
  - Conflict - collaboration
  - Control - control
  - Compensation --- cost effective

# Planning and Tracking

- Planning
  - Required professional learning
  - Stage 3 professional learning
- Tracking
  - Certificated staff
  - Evaluators