

TENTATIVE AGREEMENT

between the

Manhattan Beach Unified Teachers Association

and

Manhattan Beach Unified School District

Article 9: Evaluation Procedures

Replaces previous Article 9

9.1 Evaluation Categories

Unit members in temporary or probationary status shall be evaluated through the Tier 1 Evaluation Process. All other bargaining unit members with permanent, continuing status shall be evaluated through the Tier 2 Evaluation Process unless the unit member chooses the Tier 1 Process. Evaluation documents are incorporated into Appendix “A,” which includes job-specific forms for Counselors and School Psychologists as well as global forms for all other unit members. Permanent unit members who have been employed by the District for at least ten (10) years and whose evaluations meet the District’s expectations shall, by mutual agreement of the administrator and unit member, be evaluated up to every five (5) years (pursuant to terms of Education Code Section 44664). (Per section 9.4.1)

9.2 Tier 1 Evaluation Process

The Tier 1 Evaluation Process is based on the Manhattan Beach Unified School District’s Expectations for Practice, which derive from the California Standards for the Teaching Profession. [Reference forms EV-100T for teachers, EV-100C for counselors, EV-100P for psychologists].

9.2.1. Initial Planning

Not later than fifteen (15) work days after the first school day of the year in which the evaluation is to take place, all unit members scheduled for evaluation shall be notified by the principal of their participation in the evaluation process. The notification shall include the name of the evaluator as well as copies of the MBUSD Expectations for Practice, the Tier 1 Initial Reflection document, the Tier 1 Final Reflection document and a blank Tier 1 Final Evaluation form.

9.2.2 Not later than thirty (30) work days after the first school day of the year in which the evaluation is to take place, the unit member shall complete the Tier 1 Initial

Reflection document. The evaluator and the unit member shall then meet to discuss the Initial Reflection and the MBUSD Expectations for Practice. During the meeting, areas requiring heightened attention may be identified with the understanding that the unit member is nevertheless responsible for developing competency in all areas.

9.2.3 Observations

Unit members under Tier 1 shall be observed both formally and informally during the school year.

9.2.3.1 Formal Observation

The evaluator shall schedule and conduct at least one formal observation during the school year. The non-permanent unit member shall submit a lesson plan based on the MBUSD Lesson Plan Design Template prior to any scheduled formal observation. Permanent unit members shall submit a lesson plan of his or her choosing. Formal observations shall last no less than thirty (30) minutes. Within ten (10) working days of a formal observation, the evaluator shall provide both feedback on the lesson as well as an opportunity to engage in dialogue about the feedback.

9.2.3.2 Informal Observation

The evaluator may conduct informal observations of the unit member at any time and need not limit such observations to lesson delivery. All areas of the MBUSD Expectations for Practice may provide the basis for informal observation. Within ten (10) working days of any informal observation incorporated into the evaluation, the evaluator shall provide both feedback as well as an opportunity to engage in dialogue about the feedback.

9.2.4 Recommendations

The unit member shall take affirmative action to correct any cited deficiencies based upon the evaluator's specific recommendations for improvement and assistance in implementing such recommendations.

9.2.5 Final Reflection

Not later than the sixty (60) days before the last school day of the school year in which the evaluation takes place, the unit member shall complete and submit the Tier 1 Final Reflection document to the evaluator.

9.2.6 Rating

Unit members under Tier 1 shall be evaluated according to their demonstration of

sufficient growth toward competency in all areas of the MBUSD Expectations for Practice.

Sufficient Growth

Performance demonstrates either acquired competency or sufficient progress toward competency such as would be achieved through continued professional growth and practice.

Insufficient Growth

Performance demonstrates either continued deficiency despite assistance and guidance or a pace of development such as would not progress toward competency prior to the completion of the probationary period.

9.2.7 Final Evaluation

Evaluation and assessment made pursuant to this procedure shall be reduced to writing and a copy thereof shall be transmitted to the employee not later than thirty (30) days before the last school day of the school year in which the evaluation takes place. A conference between the evaluator and the employee to discuss the evaluation shall be scheduled. The employee shall have the right to initiate a written reaction or response to the evaluation. Such response shall be attached to the employee's evaluation. Said employee shall not be evaluated again within the same school year. Copies of the District's Evaluation Forms are attached to this Agreement as Appendix "A".

9.3 Tier 2 Evaluation Process

The Tier 2 Evaluation is a formative, growth-oriented process that focuses on the improvement of teaching practice through guided reflective writing, dialogue with evaluators and colleagues, and self-directed inquiry. [Reference forms EV-200T for teachers, EV-200C for counselors, EV-200P for psychologists].

9.3.1 Initial Planning

Not later than fifteen (15) work days after the first school day of the year in which the evaluation is to take place, all unit members scheduled for evaluation shall be notified by the principal of their participation in the evaluation process. The notification shall include the name of the evaluator as well as copies of the MBUSD Tier 2 Introduction to Reflection and Reflective Practice and the Tier 2 Evaluation Process documents.

9.3.2 Phase 1 – Introduction to Reflection and Reflective Process:

Not later than thirty (30) work days after the first school day of the year in which the evaluation is to take place, the unit member shall complete and submit the Tier 2 Introduction to Reflection document.

9.3.3 Phase 2 – Selection of Focus Area:

Not later than thirty (30) work days after the first school day of the year in which the evaluation is to take place, the unit member shall select a Focus Area for the year. The evaluator and the unit member shall then meet to discuss the Tier 2 Introduction to Reflection and the Focus Area that has been selected. During the meeting, the evaluator and unit member will discuss the selection and the reasons for the choice. After this discussion, the Tier 2 Introduction to Reflection and/or the focus area may be collaboratively modified.

9.3.4 Phase 3 – Initial Reflection on Focus Area:

Not later than fifty (50) work days after the first school day of the year in which the evaluation is to take place, the unit member shall complete the Tier 2 Initial Reflection on Focus Area and submit it to the evaluator for feedback.

The unit member may also elect to share this reflection with colleagues either of their own choosing, or through the facilitation of the evaluator.

After receiving feedback, the Tier 2 Initial Reflection on Focus Area may be collaboratively modified.

9.3.5 Phase 4 – Experimental Trial:

Not later than sixty (60) work days after the first school day of the year in which the evaluation is to take place, the unit member shall develop an Experimental Trial based on their Tier 2 Initial Reflection on Focus Area which will serve as the basis for the evaluation process. During the Experimental Trial phase of the evaluation, the unit member will seek to develop innovative approaches to the issues they have identified and examined during the first three phases of the evaluation.

9.3.5.1 Observations

Unit members and their evaluators should meet periodically throughout the year to discuss progress on the Experimental Trial and arrange informal visits during the Experimental Trial.

9.3.5.2 Dialogue and Feedback

During the Experimental Trial, the evaluator shall meet with the unit member to offer feedback, engage in open dialogue regarding the outcomes of the Experimental Trial and suggest additional resources and/or opportunities for additional dialogue with colleagues.

9.3.6 Phase 5 – Final Reflection:

The unit member shall submit the Tier 2 Final Reflection document to the evaluator not earlier than ninety (90) calendar days nor later than sixty (60)

calendar days before the last school day of the school year in which the evaluation takes place.

9.3.7 Final Meeting

The unit member and evaluator shall meet not later than eighteen (18) calendar days following receipt of the Tier 2 Evaluation Final Reflection document. During the meeting, the evaluator shall discuss with the unit member the growth and development experienced and observed throughout the evaluation process. At this meeting, the evaluator may make recommendations for further growth and development based on the experiences and observations of the evaluation process. After this meeting, the Tier 2 Final Reflection document may be collaboratively modified.

9.3.8 Unsatisfactory Performance

If the evaluator determines that the unit member is not performing his or her duties in a satisfactory manner, the evaluator shall notify the unit member in writing of that fact no later than not later than eighteen (18) calendar days following receipt of the Tier 2 Evaluation Final Reflection document. The evaluator shall describe the unsatisfactory performance and shall make specific recommendations as to areas of improvement in the unit member's performance and endeavor to assist the unit member in his or her performance

9.4 General Information

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once a year for temporary or probationary personnel, and at least once every other year for personnel with permanent status except as provided for in 9.4.1. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee.

In the event a permanent employee is not performing his/her duties in a satisfactory manner, the District shall separately utilize pre-disciplinary or disciplinary processes and shall annually evaluate the employee until the evaluator determines that the employee's annual performance is satisfactory or the employee is separated from the District under Education Code section 44944.

9.4.1 Permanent unit members who have been employed by the District for at least ten (10) years and whose evaluations meet the District's expectations shall, by mutual agreement of the administrator and unit member, be evaluated up to every five (5) years (pursuant to terms of Education Code Section 44664). Documentation that a deferral has been approved will be given to the unit member and a copy will be placed in their Human Resources file.

9.4.1.1 Teachers requesting a deferral of the evaluation process shall submit a plan for autonomous self assessment, reflection, experimentation and risk-taking for a deferral period of five years. The principal will review the plan, make suggestions, additions and outline expected outcomes. In the

years that follow, the principal/evaluator will continue to observe, meet with and discuss the progress of the teacher on his/her self-determined plan. No documentation or written reflections will be required during the deferral years

9.4.1.2 This article does not supersede Education Code Section 44664, which states that the certificated employee or the evaluator may withdraw consent to the deferral at any time.

9.4.2 Members of the unit shall not be required to evaluate other members of the unit.

9.4.3 Only the procedures to be used for the evaluation of employees, and not the judgment and/or assessment of the evaluator, shall be subject to the grievance procedure described in Article 4.

9.4.4 The District shall not inquire into, nor predicate any adverse action upon, a unit member's lawful personal, political and/or organizational activities or preferences, consistent with this Agreement.

9.5 Assistance Plan

The District may offer or a permanent employee may request, placement on an assistance plan (incorporated into Appendix A) at any time during the school year, or for the following school year

ARTICLE 16: SALARY

Effective July 1, ~~2015~~ **2017**, the certificated salary schedule shall be increased by ~~4%~~ **1%**.