

Appendix I – Unit A Teachers Educator Evaluation

Fitchburg Public Schools System for Educator Evaluation

Preface

The parties agree to establish a joint labor-management evaluation team which shall review the evaluation processes and procedures annually and recommend adjustments to the parties.

The parties agree that there will be a continuous need to review and revise this Evaluation Procedure. To that end, the parties agree to the following:

- To jointly review and finalize the Evaluation Procedure and timeline no later than June 30th of each school year.
- Said review shall include, but not be limited to, the parties amending by mutual consent, collectively bargaining issues, and adding any other aspects needed to implement and utilize the Evaluation Procedure.
- To open the Evaluation Procedure to collective bargain whenever DESE makes regulatory changes so that said changes can be implemented in a timely manner.
- It is understood that other areas of the Collective Bargaining Agreement may be impacted by these discussions and/or regulatory changes and either party is free to open said areas for the purpose of collective bargaining.

FPS Educator Evaluation Timeline

Superintendent, Principal, or District designee driven	Evaluator driven
Educator driven	BOTH Evaluator & Educator driven

Activity/Educator	Non-PTS Year 1,2,3 PTS on a 1 yr. plan	3 rd Year Non-PTS w/NI or U	PTS Year 1 of 2 yr. plan	PTS Year 2 of 2 yr. plan
1. Superintendent, Principal, or designee informs Evaluators and Educators of the evaluation process and of their assigned evaluator.	September 30			
2. Evaluator meets with first-year educators to review proposed goals . In all other cases, <i>Evaluators or Educators may request to meet to review proposed goals.</i>	October 30			
3. Educator submits finalized goals and Educator Plan in district evaluation software.	October 30			N/A
4. Evaluator should complete the first observation of each Educator. Lesson plans are required for announced observations only. Teachers will provide evidence for Standards III & IV at this time.	December 15		May 30	April 30
5. Evaluator should complete second observation of each Educator and discuss elements of the overall performance rating for those on 1-year educator plan.	April 1		N/A	
6. Educator submits evidence on any Standards or Indicators not observed or marked NI or U for Summative Evaluation.	May 15			
7. Evaluator completes Summative Evaluation Report.	June 1		N/A	
8. Evaluator meets with Educators whose overall Summative/Formative Evaluation ratings are Needs Improvement or Unsatisfactory. Educators may respond within 5 school days in district evaluation software.	June 5			June 15
9. Evaluator meets with Educators whose ratings are proficient or exemplary <i>at the request of Evaluator or Educator.</i>	June 10			
10. Evaluator submits Summative Evaluation Report to district evaluation software.	June 15th			
11. The statutory deadline for non-renewal of NPTS educators.	June 15th			

1) Purpose of Educator Evaluation

- a) This contract language is locally negotiated and based on M.G.L., c.71, § 38; M.G.L. c.150E; the Educator Evaluation regulations, 603 CMR 35.00 et seq.; and the Model System for Educator Evaluation developed and which may be updated from time to time by the Department of Elementary and Secondary Education. See 603 CMR 35.02 (definition of model system). In the event of a conflict between this collective bargaining agreement and the governing laws and regulations, the laws and regulations will prevail.
- b) The regulatory purposes of evaluation are:
 - i) To promote student learning, growth, and achievement by providing Educators with feedback for improvement, enhanced opportunities for professional growth, and clear structures for accountability, 603 CMR 35.01(2)(a);
 - ii) To provide a record of facts and assessments for personnel decisions, 35.01(2)(b);
 - iii) To ensure that every school committee has a system to enhance the professionalism and accountability of teachers and administrators that will enable them to assist all students to perform at high levels, 35.01(3); and
 - iv) To ensure effective teaching and administrative leadership, 35.01(3).

2) Definitions (*indicates definition is generally based on 603 CMR 35.02)

- a) ***Artifacts of Professional Practice:** Products of an Educator's work and student work samples that demonstrate the Educator's knowledge and skills with respect to specific performance standards.
- b) **Caseload Educator:** Educators who teach or counsel individual or small groups of students through consultation with the regular classroom teacher, for example, school nurses, guidance counselors, speech and language pathologists, and some reading specialists and special education teachers.
- c) **Classroom teacher:** Educators who teach preK-12 whole classes, and teachers of special subjects such as art, music, library, and physical education. May also include special education teachers and reading specialists who teach whole classes.
- d) **Categories of Evidence:** Multiple measures of student learning, growth, and achievement, judgments based on observations and artifacts of professional practice, including unannounced observations of practice of any duration; and additional evidence relevant to one or more Standards of Effective Teaching Practice (603 CMR 35.03).
- e) ***Common Assessments:** Identical or comparable assessments of student learning, growth, and achievement related to the Massachusetts Curriculum Frameworks, Massachusetts Vocational Technical Education Frameworks, or other relevant frameworks used by educators in the same role across the district. These assessments may be commercial assessments or district developed, and may include, but are not limited to: portfolios, pre- and post tests, unit and course assessments, performance assessments, and capstone projects.
- f) ***Educator(s):** Inclusive term that applies to all teachers covered by this article, unless otherwise noted.
- g) ***Educator Plan:** The growth or improvement actions identified as part of each Educator's evaluation. The type of plan is determined by the Educator's career stage and/or overall performance rating. There shall be four types of Educator Plans:

- i) **Developing Educator Plan** shall mean a plan developed by the Educator and the Evaluator for one school year or less for an Educator without Professional Teacher Status (PTS); or, at the discretion of an Evaluator, for an Educator with PTS in a new assignment.
 - ii) **Self-Directed Growth Plan** shall mean a plan developed by the Educator for one or two school years for Educators with PTS who are rated proficient or exemplary.
 - iii) **Directed Growth Plan** shall mean a plan developed by the Educator and the Evaluator of one school year or less for Educators with PTS who are rated needs improvement.
 - iv) **Improvement Plan** shall mean a plan developed by the Evaluator of at least 30 calendar days and no more than one school year for Educators with PTS who are rated unsatisfactory with goals specific to improving the Educator's unsatisfactory performance. In those cases where an Educator is rated unsatisfactory near the close of a school year, the plan may include activities during the summer preceding the next school year.
- h) *DESE:** The Massachusetts Department of Elementary and Secondary Education.
- i) *Evaluation:** The ongoing process of defining goals and identifying, gathering, and using information as part of a process to improve professional performance (the "formative evaluation" and "formative assessment") and to assess total job effectiveness and make personnel decisions (the "summative evaluation").
- j) *Evaluator:** Any person designated by a superintendent who has primary or supervisory responsibility for observation and evaluation. The superintendent is responsible for ensuring that all Evaluators have training in the principles of supervision and evaluation. Each Educator will have one primary Evaluator at any one time responsible for determining performance ratings.
- i) **Primary Evaluator** shall be the person who determines the Educator's performance ratings and evaluation.
 - ii) **Supervising Evaluator** shall be the person responsible for developing the Educator Plan, supervising the Educator's progress through formative assessments, evaluating the Educator's progress toward attaining the Educator Plan goals, and making recommendations about the evaluation ratings to the primary Evaluator at the end of the Educator Plan. The Supervising Evaluator may be the primary Evaluator or his/her designee.
 - iii) **Teaching Staff Assigned to More Than One Building:** Each Educator who is assigned to more than one building will be evaluated by the appropriate administrator where the individual is assigned most of the time. The principal of each building in which the Educator serves must review and sign the evaluation, and may add written comments. In cases where there is no predominate assignment, the superintendent will determine who the primary evaluator will be.
 - iv) **Notification:** The Educator shall be notified in writing of his/her primary Evaluator and supervising Evaluator, if any, at the outset of each new evaluation cycle. The Evaluator(s) may be changed upon notification in writing to the Educator.
- k) Evaluation Cycle:** The process that all Educators follow consists of 1) Goal-setting and Educator Plan development; 2) Implementation of the Plan; 3) Formative Assessment/Evaluation; and 4) Summative Evaluation.
- l) *Expected Impact:** the educator meets or exceeds anticipated student learning gains on multiple measures of student learning, growth, and achievement. The evaluator shall use professional judgment to determine whether the educator is having expected impact on student learning, based on student

learning gains on common assessments and, where available, statewide student growth measures. The evaluator's professional judgment may include, but is not limited to, consideration of the educator's student population and specific learning context.

- m) *Experienced Educator:** An educator with Professional Teacher Status (PTS).
- n) *Family:** Includes students' parents, legal guardians, foster parents, or primary caregivers.
- o) *Formative Evaluation:** An evaluation conducted at the end of Year 1 for an Educator on a 2-year Self-Directed Growth plan which is used to arrive at a rating on progress towards attaining the goals set forth in the Educator Plan and performance on Standards and Indicators of Effective Teaching Practice.
- p) *Goal:** A specific, actionable, and measurable area of improvement as set forth in an Educator's plan. A goal may pertain to any or all of the following: Educator practice in relation to Performance Standards, Educator practice in relation to indicators, or specified improvement in student learning, growth and achievement. Goals may be developed by individual Educators, by the Evaluator, or by teams, departments, or groups of Educators who have the same role.
- q) *Measurable:** That which can be classified or estimated in relation to a scale, rubric, or standards.
- r) *Multiple Measures of Student Learning:** Measures must include a combination of classroom, school and district assessments, student growth percentiles on state assessments where available, and student ACCESS for ELLs gain scores.
- s) *Observation:** A data gathering process that includes notes and judgments made during one or more classroom or worksite visits(s) of any duration by the Evaluator and may include examination of artifacts of practice including student work. An observation may occur in person or through video. Video observations will be done openly and with knowledge of the Educator. The parties agree to bargain the protocols of video observations should either party wish to adopt such practice. Classroom or worksite observations conducted pursuant to this article must result in feedback to the Educator. Normal supervisory responsibilities of department, building and district administrators will also cause administrators to drop in on classes and other activities in the worksite at various times as deemed necessary by the administrator. Carrying out these supervisory responsibilities, when they do not result in targeted and constructive feedback to the Educator, are not observations as defined in this Article.
- t) Parties:** The parties to this agreement are the local school committee and the employee organization that represents the Educators covered by this agreement for purposes of collective bargaining ("Employee Organization/Association").
- u) *Performance Rating:** Describes the Educator's performance on each performance standard and overall. There shall be four performance ratings:
 - § Exemplary: the Educator's performance consistently and significantly exceeds the requirements of a standard or overall. The rating of exemplary on a standard indicates that practice significantly exceeds proficient and could serve as a model of practice on that standard district-wide.
 - § Proficient: the Educator's performance fully and consistently meets the requirements of a standard or overall. Proficient practice is understood to be fully satisfactory.
 - § Needs Improvement: the Educator's performance on a standard or overall is below the requirements of a standard or overall, but is not considered to be unsatisfactory at this time. Improvement is necessary and expected.

§ Unsatisfactory: the Educator's performance on a standard or overall has not significantly improved following a rating of needs improvement, or the Educator's performance is consistently below the requirements of a standard or overall and is considered inadequate, or both.

- V) *Performance Standards:** Locally developed standards and indicators pursuant to M.G.L. c. 71, § 38 and consistent with, and supplemental to 603 CMR 35.00. The parties may agree to limit standards and indicators to those set forth in 603 CMR 35.03.
- W) *Professional Teacher Status:** PTS is the status granted to an Educator pursuant to M.G.L. c. 71, § 41.
- X) *Rating of Overall Educator Performance:** The Educator's overall performance rating is based on the Evaluator's professional judgment and examination of evidence of the Educator's performance against the four Performance Standards and the Educator's attainment of goals set forth in the Educator Plan, as follows:
 - i)** Standard 1: Curriculum, Planning and Assessment
 - ii)** Standard 2: Teaching All Students
 - iii)** Standard 3: Family and Community Engagement
 - iv)** Standard 4: Professional Culture
 - v)** Attainment of Professional Practice Goal(s)
 - vi)** Attainment of Student Learning Goal(s)
- y) *Rubric:** A scoring tool that describes characteristics of practice or artifacts at different levels of performance. The rubrics for Standards and Indicators of Effective Teaching Practice are used to rate Educators on Performance Standards, these rubrics consists of:
 - i)** Standards: Describes broad categories of professional practice, including those required in 603 CMR 35.03
 - ii)** Indicators: Describes aspects of each standard, including those required in 603 CMR 35.03
 - iii)** Elements: Defines the individual components under each indicator
 - iv)** Descriptors: Describes practice at four levels of performance for each element
- z) *Summative Evaluation:** An evaluation used to arrive at a rating on each standard, an overall rating, and as a basis to make personnel decisions. The summative evaluation includes the Evaluator's judgments of the Educator's performance against Performance Standards and the Educator's attainment of goals set forth in the Educator's Plan.
- aa) *Superintendent:** The person employed by the school committee pursuant to M.G.L. c. 71 §59 and §59A. The superintendent is responsible for the implementation of 603 CMR 35.00.
- bb) *Teacher:** An Educator employed in a position requiring a certificate or license as described in 603 CMR 7.04(3)(a, b, and d), in the area of vocational education as provided in 603 CMR 4.00 or who is employed in a comparable position in a collaborative. Teachers may include, for example, classroom teachers, librarians, guidance counselors, or school nurses.

3) Evidence Used In Evaluation

The following categories of evidence shall be used in evaluating each Educator:

- a)** Multiple measures of student learning, growth, and achievement, which shall include:
 - i)** Measures of student progress on classroom assessments that are aligned with the Massachusetts Curriculum Frameworks or other relevant frameworks and are comparable within grades or subjects in a school;
 - ii)** Common assessments of student learning, growth, and achievement related to the Massachusetts Curriculum Frameworks or the Massachusetts Vocational Technical Education Frameworks or other relevant frameworks that are comparable across grades and/or subjects district-wide. These measures may include: portfolios, approved commercial assessments and district-developed pre and post unit and course assessments, and capstone projects. One such measure shall be the MCAS Student Growth Percentile (SGP) or ACCESS for ELLs gain scores, if applicable.
 - iii)** Measures of student progress and/or achievement toward student learning goals set between the Educator and Evaluator for the school year or some other period of time established in the Educator Plan.
 - iv)** For Educators whose primary role is not as a classroom teacher, the appropriate measures of the Educator's contribution to student learning, growth, and achievement set by the district. The measures set by the district should be based on the Educator's role and responsibility.
- b)** Judgments based on observations and artifacts of practice including:
 - i)** Unannounced observations of practice of any duration.
 - ii)** Announced observation(s) for non-PTS Educators in their first year of practice in a school, Educators on Improvement Plans, and as determined by the Evaluator.
 - iii)** Examination of Educator work products.
 - iv)** Examination of student work samples.
- c)** Evidence relevant to one or more Performance Standards, including but not limited to:
 - i)** Evidence compiled and presented by the Educator, including :
 - ii)** Evidence of fulfillment of professional responsibilities and growth such as self-assessments, peer collaboration, professional development linked to goals in the Educator plans, contributions to the school community and professional culture;
 - iii)** Evidence of active outreach to and engagement with families;
 - iv)** Evidence of progress towards professional practice goal(s);
 - v)** Evidence of progress toward student learning outcomes goal(s).
 - vi)** Any other relevant evidence from any source that the Evaluator shares with the Educator. Other relevant evidence could include information provided by other administrators such as the superintendent.

4) Rubric

The rubrics are a scoring tool used for the Educator's formative assessment, the formative evaluation and the summative evaluation. The parties agree that all DESE rubrics attached will be used.

5) Evaluation Cycle: Training

- a)** Prior to the implementation of the evaluation process contained in this article, districts shall arrange training for all new Educators, principals, and other evaluators that outlines the components of the evaluation process and provides an explanation of the evaluation cycle. The district through the superintendent shall determine the type and quality of training based on guidance provided by DESE.
- b)** By the agreed upon date on the timeline, all new Educators shall complete a professional learning activity about the educator plan and goal-setting satisfactory to the superintendent or principal. Any Educator hired after the agreed upon date in the timeline, and who has not previously completed such an activity, shall complete such a professional learning activity about the educator plan and goal-setting within three months of the date of hire. The district through the superintendent shall determine the type and quality of the learning activity based on guidance provided by DESE.

6) Evaluation Cycle: Annual Orientation

- a)** At the start of each school year, the superintendent, principal or designee shall conduct a meeting for Educators and Evaluators focused substantially on educator evaluation. The superintendent, principal or designee shall:
 - i)** Provide an overview of the evaluation process, including goal setting and the educator plans.
 - ii)** Provide all Educators with directions for obtaining a copy of the forms used by the district. These may be electronically provided.
 - iii)** The faculty meeting may be digitally recorded to facilitate orientation of Educators hired after the beginning of the school year.

7) Evaluation Cycle: Goal Setting and Development of the Educator Plan

- a)** Every Educator has an Educator Plan that includes, but is not limited to, one goal related to the improvement of practice; one goal for the improvement of student learning. The Plan also outlines actions the Educator must take to attain the goals established in the Plan and benchmarks to assess progress. Goals may be developed by individual Educators, by the Evaluator, or by teams, departments, or groups of Educators who have similar roles and/or responsibilities. See Sections 15-19 for more on Educator Plans.
- b)** To determine the goals to be included in the Educator Plan, the Evaluator reviews the goals the Educator has proposed. During the development of the Educator Plan, the Evaluator shall communicate clear expectations for Educator impact, including but not limited to anticipated student learning gains for the multiple measures that will be used as evidence of Educator performance.
- c)** Educator Plan Development Meetings shall be conducted as follows:
 - i)** Educators in the same school may meet with the Evaluator in teams and/or individually at the end of the previous evaluation cycle or by the agreed upon date in the timeline of the next academic year to develop their Educator Plan. Educators shall not be expected to meet during the summer hiatus.
 - ii)** For those Educators new to the school, the meeting with the Evaluator to establish the Educator Plan must occur by the agreed upon date in the timeline or within six weeks of the start of their assignment in that school
 - iii)** The Evaluator shall meet individually with Educators with PTS and ratings of needs improvement or unsatisfactory to develop professional practice goal(s) that must address specific standards and indicators identified for improvement. In addition, the goals may address shared grade level or subject matter goals.
- d)** The Evaluator completes the Educator Plan by the agreed upon date in the timeline . The Educator shall sign the Educator Plan within 5 school days of its receipt and may include a written response. The Educator's signature indicates that the Educator received the plan in a timely fashion. The signature does not indicate agreement or disagreement with its contents. The Evaluator retains final authority over the content of the Educator's Plan.

8) *Evaluation Cycle: Observation of Practice and Examination of Artifacts Educators without PTS

All Non-PTS Educators shall have a minimum of one (1) announced and one (1) unannounced observations during the school year.

9) Evaluation Cycle: Observation of Practice and Examination of Artifacts – Educators with PTS

- a)** The Educator whose overall rating is proficient or exemplary must have 1 announced and 1 unannounced observations during the evaluation cycle.
- b)** The Educator whose overall rating is needs improvement must be observed according to the Directed Growth Plan during the period of Plan which must include 1 announced and 2 unannounced observations during the school year.
- c)** The Educator whose overall rating is unsatisfactory must be observed according to the Improvement Plan which must include both unannounced and announced observation. The number and frequency of the observations shall be determined by the Evaluator, but in no case, for improvement plans of one year, shall there be fewer than 1 announced and 2 unannounced. For Improvement Plans of six months or fewer, there must be 1 announced and 2 unannounced observations.

10) *Observations

The Evaluator is not required nor expected to review all the indicators in a rubric during an observation.

The Evaluator's first observation of the Educator should take place in accordance with the approved annual timeline. Observations required by the Educator Plan should be completed in accordance with the approved annual timeline.

The evaluator may conduct additional observations to review indicators not observed during a classroom observation.

Any observation or series of observations resulting in one or more standards judged to be unsatisfactory or needs improvement for the first time must be followed by at least one observation of at least 30 minutes in duration within 30 school days.

a) *Unannounced Observations

- i) Unannounced observations may be in the form of partial or full-period classroom visitations [but not less than 10 minutes]; Excluding Instructional Rounds, Walkthroughs, Learning Walks, which this district uses for purposes of professional growth and development.
- ii) *The Educator will be provided with at least brief written feedback from the Evaluator within 10 school days of the observation. The written feedback shall be delivered to the Educator in person, by email, placed in the Educator's mailbox or mailed to the Educator's home.

b) Announced Observations

- i) The Evaluator shall select the date and time of the lesson or activity to be observed and discuss in person or electronically with the Educator any specific goal(s) for the observation.
- ii) Within 5 school days of the scheduled observation, upon request of either the Evaluator or Educator, the Evaluator and Educator shall meet for a pre-observation conference. In lieu of a meeting, the Educator may inform the Evaluator in writing of the nature of the lesson, the student population served, and any other information that will assist the Evaluator to assess performance.
 - (1) The Educator shall provide the Evaluator a draft of the lesson, student conference, IEP plan or activity. If the actual plan is different, the Educator will provide the Evaluator with a copy prior to the observation.
 - (2) The Educator will be notified as soon as possible if the Evaluator will not be able to attend the scheduled observation. The observation will be rescheduled with the Educator as soon as reasonably practical.
- iii) Within 5 school days of the observation, the Evaluator and Educator shall meet for a post-observation conference. This timeframe may be extended due to unavailability on the part of either the Evaluator or the Educator, but shall be rescheduled within 24 hours if possible.
- iv) *The Evaluator shall provide the Educator with written feedback within 10 school days of the post-observation conference. For any standard where the Educator's practice was found to be unsatisfactory or needs improvement, the feedback must:
 - a. Describe the basis/evidence for the Evaluator's judgment.
 - b. Describe actions the Educator should take to improve their performance.
 - c. Identify support and/or resources the Educator may use in their improvement.
 - d. State that the Educator is responsible for addressing the need for improvement.

***Evaluation Cycle: Formative Evaluation for Two Year Self-Directed Plans Only**

- c)** *Educators on two year Self-Directed Growth Educator Plans receive a Formative Evaluation report near the end of the first year of the two year cycle. The Educator's performance rating for that year shall be assumed to be the same as the previous summative rating unless evidence demonstrates a significant change in performance in which case the rating on the performance standards may change, and the Evaluator may place the Educator on a different Educator plan, appropriate to the new rating.
- d)** *The Formative Evaluation report provides written feedback and ratings to the Educator about their progress towards attaining the goals set forth in the Educator Plan, performance on each performance standard and overall, or both.
- e)** No less than two weeks before the due date for the Formative Evaluation report, which due date shall be established by the Evaluator with written notice provided to the Educator, the Educator shall provide to the Evaluator evidence of family outreach and engagement, fulfillment of professional responsibility and growth, and progress on attaining professional practice and student learning goals. The educator may also provide to the evaluator additional evidence of the educator's performance against the four Performance Standards.
- f)** The Evaluator shall complete the Formative Evaluation report and provide a copy to the Educator. All Formative Evaluation reports must be signed by the Evaluator and delivered face-to-face, by email or to the Educator's school mailbox or home.
- g)** Upon the request of either the Evaluator or the Educator, the Evaluator and the Educator will meet either before or after completion of the Formative Evaluation Report.
- h)** The Educator may reply in writing or request a meeting regarding the Formative Evaluation report within 5 school days of receiving the report.
- i)** The Educator shall sign the Formative Evaluation report within 5 school days of receiving the report. The signature indicates that the Educator received the Formative Evaluation report in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
- j)** *As a result of the Formative Evaluation report, the Evaluator may change the activities in the Educator Plan.
- k)** *If the rating in the Formative Evaluation report differs from the last summative rating the Educator received, the Evaluator may place the Educator on a different Educator Plan, appropriate to the new rating.

11) *Evaluation Cycle: Summative Evaluation

- a)** *The evaluation cycle concludes with a summative evaluation report. For Educators on a one year plan or in year two of a two year Educator Plan, the summative report must be written and provided to the educator in accordance with the approved timeline.
- b)** *The Evaluator determines a rating on each standard and an overall rating based on the Evaluator's professional judgment, an examination of evidence against the Performance Standards and evidence of the attainment of the Educator Plan goals.

- c)** *The professional judgment of the primary evaluator shall determine the overall summative rating that the Educator receives.
- d)** *For an educator whose overall performance rating is exemplary or proficient and whose impact on student learning is low, the evaluator's supervisor shall discuss and review the rating with the evaluator and the supervisor shall confirm or revise the educator's rating. In cases where the superintendent serves as the primary evaluator, the superintendent's decision on the rating shall not be subject to review.
- e)** *The summative evaluation rating must be based on evidence from multiple categories of evidence. MCAS Growth scores shall not be the sole basis for a summative evaluation rating.
- f)** *To be rated proficient overall, the Educator shall, at a minimum, have been rated proficient on the Curriculum, Planning and Assessment and the Teaching All Students Standards of Effective Teaching Practice.
- g)** In accordance with the approved timeline. the due date for the Summative Evaluation report, which due date shall be established by the Evaluator with written notice provided to the Educator, the Educator will provide to the Evaluator evidence of family outreach and engagement, fulfillment of professional responsibility and growth, and progress on attaining professional practice and student learning goals. The educator may also provide to the evaluator additional evidence of the educator's performance against the four Performance Standards.
- h)** The Summative Evaluation report should recognize areas of strength as well as identify recommendations for professional growth.
- i)** The Evaluator shall deliver a signed copy of the Summative Evaluation report to the Educator face-to-face, by email or to the Educator's school mailbox or home in accordance with the approved timeline.
- j)** The Evaluator shall meet with the Educator rated needs improvement or unsatisfactory to discuss the summative evaluation. The meeting shall occur by the agreed upon date in the timeline
- k)** The Evaluator may meet with the Educator rated proficient or exemplary to discuss the summative evaluation, if either the Educator or the Evaluator requests such a meeting. The meeting shall occur by June 10th.
- l)** Upon mutual agreement, the Educator and the Evaluator may develop the Self-Directed Growth Plan for the following two years during the meeting on the Summative Evaluation report.
- m)** The Educator shall sign the final Summative Evaluation report by three days prior to the last day of school. The signature indicates that the Educator received the Summative Evaluation report in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
- n)** The Educator shall have the right to respond in writing to the summative evaluation which shall become part of the final Summative Evaluation report.
- o)** A copy of the signed final Summative Evaluation report shall be filed in the Educator's personnel file.

12) *Educator Plans – General

- a)** *Educator Plans shall be designed to provide Educators with feedback for improvement, professional growth, and leadership; and to ensure Educator effectiveness and overall system accountability. The Plan must be aligned to the standards and indicators and be consistent with district and school goals.
- b)** *The Educator Plan shall include, but is not limited to:
 - i)** *At least one goal related to improvement of practice tied to one or more Performance Standards;
 - ii)** *At least one goal for the improvement the learning, growth and achievement of the students under the Educator’s responsibility;
 - iii)** An outline of actions the Educator must take to attain the goals and benchmarks to assess progress. Actions must include specified professional development and learning activities that the Educator will participate in as a means of obtaining the goals, as well as other support that may be suggested by the Evaluator or provided by the school or district. Examples may include but are not limited to coursework, self-study, action research, curriculum development, study groups with peers, and implementing new programs.
- c)** It is the Educator’s responsibility to attain the goals in the Plan and to participate in any trainings and professional development provided through the state, district, or other providers in accordance with the Educator Plan.

13) *Educator Plans: Developing Educator Plan

- a)** *The Developing Educator Plan is for all Educators without PTS, and, at the discretion of the Evaluator, Educators with PTS in new assignments.
- b)** *The Educator shall be evaluated at least annually.

14) *Educator Plans: Self-Directed Growth Plan

- a)** *A Two-year Self-Directed Growth Plan is for those Educators with PTS who have an overall rating of proficient or exemplary. A formative evaluation report is completed at the end of year 1 and a summative evaluation report at the end of year 2.

15) *Educator Plans: Directed Growth Plan

- a)** *A Directed Growth Plan is for those Educators with PTS whose overall rating is needs improvement.
- b)** *The goals in the Plan must address areas identified as needing improvement as determined by the Evaluator.
- c)** *The Evaluator shall complete a summative evaluation for the Educator at the end of the period determined by the Plan, but at least annually, and in no case later than by the agreed upon date in the timeline.
- d)** *For an Educator on a Directed Growth Plan whose overall performance rating is at least proficient, the Evaluator will place the Educator on a Self-Directed Growth Plan for the next Evaluation Cycle.
- e)** *For an Educator on a Directed Growth Plan whose overall performance rating is not at least proficient, the Evaluator will rate the Educator as unsatisfactory and will place the Educator on an Improvement Plan for the next Evaluation Cycle.

16) *Educator Plans: Improvement Plan

- a) *An Improvement Plan is for those Educators with PTS whose overall rating is unsatisfactory.
- b) The parties agree that in order to provide students with the best instruction, it may be necessary from time to time to place an Educator whose practice has been rated as unsatisfactory on an Improvement Plan for a realistic time period sufficient to achieve the goals outlined in the Improvement Plan, but no fewer than 30 school days and no more than one school year. In the case of an Educator receiving a rating of unsatisfactory near the close of one school year, the Improvement Plan may include activities that occur during the summer before the next school year begins.
- c) *The Evaluator must complete a summative evaluation for the Educator at the end of the period determined by the Evaluator for the Plan.
- d) An Educator on an Improvement Plan shall be assigned a Supervising Evaluator (see definitions). The Supervising Evaluator is responsible for providing the Educator with guidance and assistance in accessing the resources and professional development outlined in the Improvement Plan. The primary evaluator may be the Supervising Evaluator.
- e) *The Improvement Plan shall define the problem(s) of practice identified through the observations and evaluation and detail the improvement goals to be met, the activities the Educator must take to improve and the assistance to be provided to the Educator by the district.
- f) The Improvement Plan process shall include:
 - i) Within ten school days of notification to the Educator that the Educator is being placed on an Improvement Plan, the Evaluator shall schedule a meeting with the Educator to discuss the Improvement Plan. The Evaluator will develop the Improvement Plan, which will include the provision of specific assistance to the Educator.
 - ii) Upon the educator's request a representative of the Association shall attend the meeting.
 - iii) If the Educator consents, the Fitchburg Education Association (Employee Organization/Association) will be informed that an Educator has been placed on an Improvement Plan.
- g) *The Improvement Plan shall:
 - i) Define the improvement goals directly related to the performance standard(s) and/or student learning outcomes that must be improved;
 - ii) Describe the activities and work products the Educator must complete as a means of improving performance;
 - iii) Describe the assistance that the district will make available to the Educator;
 - iv) Articulate the measurable outcomes that will be accepted as evidence of improvement;
 - v) Detail the timeline for completion of each component of the Plan, including at a minimum a mid-cycle formative assessment report of the relevant standard(s) and indicator(s);
 - vi) Identify the individuals assigned to assist the Educator which must include minimally the Supervising Evaluator; and,
 - vii) Include the signatures of the Educator and Supervising Evaluator.

- h)** A copy of the signed Plan shall be provided to the Educator. The Educator's signature indicates that the Educator received the Improvement Plan in a timely fashion. The signature does not indicate agreement or disagreement with its contents.
- i)** *Decision on the Educator's status at the conclusion of the Improvement Plan.

All determinations below must be made no later than by the agreed upon date in the timeline. One of three decisions must be made at the conclusion of the Improvement Plan:

- i)** If the Evaluator determines that the Educator has improved their practice to the level of proficiency, the Educator will be placed on a Self-Directed Growth Plan.
- ii)** In those cases where the Educator was placed on an Improvement Plan as a result of their summative rating at the end of their Directed Growth Plan, if the Evaluator determines that the Educator is making substantial progress toward proficiency, the Evaluator shall place the Educator on a Directed Growth Plan.
- iii)** *In those cases where the Educator was placed on an Improvement Plan as a result of their Summative rating at the end of their Directed Growth Plan, if the Evaluator determines that the Educator is not making substantial progress toward proficiency, the Evaluator shall recommend to the superintendent that the Educator be dismissed.
- iv)** *If the Evaluator determines that the Educator's practice remains at the level of unsatisfactory, the Evaluator shall recommend to the superintendent that the Educator be dismissed.

17) Career Advancement

- a)** *In order to attain Professional Teacher Status, the Educator should achieve ratings of proficient or exemplary on each Performance Standard and overall. A principal considering making an employment decision that would lead to PTS for any Educator who has not been rated proficient or exemplary on each performance standard and overall on the most recent evaluation shall confer with the superintendent by the agreed upon date in the timeline . The principal's decision is subject to review and approval by the superintendent.
- b)** *In order to qualify to apply for a teacher leader position, the Educator must have had a Summative Evaluation performance rating of proficient or exemplary for at least the previous two years.

18) General Provisions

- a)** Only Educators who are licensed may serve as primary evaluators of Educators.
- b)** Evaluators shall not make negative comments about the Educator's performance, or comments of a negative evaluative nature, in the presence of students, parents or other staff, except in the unusual circumstance where the Evaluator concludes that s/he must immediately and directly intervene. Nothing in this paragraph is intended to limit an administrator's ability to investigate a complaint, or secure assistance to support an Educator.
- c)** *The superintendent shall ensure that Evaluators have training in supervision and evaluation, including the regulations and standards and indicators of effective teaching practice promulgated by ESE (35.03), and the evaluation Standards and Procedures established in this Agreement.
- d)** Should there be a serious disagreement between the Educator and the Evaluator regarding an overall summative performance rating of unsatisfactory, the Educator may meet with the Evaluator's supervisor to discuss the disagreement. Should the Educator request such a meeting, the Evaluator's supervisor must meet with the Educator. The Evaluator may attend any such meeting at the discretion of the superintendent.
- e)** The parties agree to maintain a joint labor-management evaluation team which shall review the evaluation processes and procedures annually and recommend adjustments.
- f)** Violations of this article are subject to the grievance and arbitration procedures. The arbitrator shall determine whether there was substantial compliance with the totality of the evaluation process. Substantial compliance should relate to such areas as meeting timelines, following the Evaluation Cycle, providing timely notification of feedback, providing opportunities for Professional Learning specifically related to areas of improvement, and facilitating opportunities for the evaluatee to provide artifacts and evidence. When the evaluation process results in the termination or non-renewal of an Educator, then no financial remedy or reinstatement shall issue if there was substantial compliance.