

BOARD COUNTERPROPOSAL #4

August 6, 2015

MEMORANDUM OF UNDERSTANDING

Implementation of the Student Success Act for the ~~2014-2015~~ 2015-2016 and 2016-2017 School Years

The Board and the Union have agreed to the following in an effort to comply with the Student Success Act passed by the Florida Legislature during the 2011 legislative session. This memorandum will supersede sections of the current collective bargaining agreement, where indicated, to comply with the Student Success Act.

A. Definitions

1. The term state assessment shall refer to any standardized state approved assessment for a given course or subject.
2. The term district assessment shall refer to any standardized district created and/or adopted assessment for a given course or subject.
3. The term alternative assessment shall refer to assessments other than state assessments or district assessments described above. The Board and the Union agree that they will continue discussions throughout the ~~2014-2015~~ 2015-2016 and 2016-2017 school year regarding the use of such alternative assessments.
4. The term value added model shall refer to any formulae adopted by the state for the purpose of measuring student learning growth for summative evaluation purposes.
5. The term student performance measure (or metric) shall refer to the percentage of students-meeting or exceeding the expectations established by a state approved value added model formula(e), state assessment standards, or district approved assessment/instrument unless otherwise specified.
6. The term three years of data shall refer to the current year plus the two immediately preceding school years of student growth measures.
7. The term teacher observation instruments shall refer to the forms and rubrics developed by Dr. Robert Marzano and adopted and/or modified by the District for teacher evaluation purposes. These Marzano forms are:
 - a. Rubrics – Lesson Segments Involving Routine Events (5 components)
 - b. Rubrics – Lesson Segments Addressing Content (18 components)
 - c. Rubrics – Lesson Segments Enacted on the Spot (18 components)
 - d. Rubrics – Planning and Preparing (8 components)
 - e. Rubrics – Reflecting on Teaching (5 components)
 - f. Rubrics – Collegiality and Professionalism (6 components)
 - g. Planning Conference – Structured Interview form (Pre-Conference)
 - h. Reflection Conference – Structured Interview form (Post-Conference)
8. The term nonclassroom teacher observation instruments shall refer to the forms and rubrics developed by the District and the Florida Department of Education and adopted and/or modified by the District for teacher evaluation purposes or to the Marzano Causal Evaluation Model.
9. The term formal/announced observation shall refer to extended classroom visits by administrators to document a teacher's use of the classroom behaviors and strategies identified on the classroom and nonclassroom teacher observation instruments, as well as to assess a teacher's progress towards

his/her Deliberate Practice goal(s). For the purpose of conducting a pre-conference, teachers will be given a one-week window during which the formal/announced observation will be held.

10. The term formal/announced observation cycle shall refer to the pre-observation conference, the formal observation and the post-observation conference. The pre and post observation conferences are an integral part of the formal observation cycle, however and only completion of the post-observation conference shall be required in the electronic observation platform.
11. The term informal/unannounced observation shall refer to ~~short~~ unannounced classroom visits by administrators are to document a teacher's use of the classroom behaviors and strategies identified on the teacher and nonclassroom observation instruments, as well as to monitor a teacher's progress towards his/her Deliberate Practice goal(s). Such visits will generally be for the length of a lesson, not to exceed 50 minutes. ~~last between fifteen (15) and twenty (20) minutes and f~~Feedback will be provided to the teacher through the electronic observation platform and may will be additional data points in the observation cycle.
12. The term scorable element shall refer to a classroom behavior or strategy that was used, or should have been used, by a teacher during an observed lesson.
13. The term electronic observation platform shall refer to the online instructional and leadership improvement system that the district has acquired to provide a technological platform for the ~~new~~ teacher evaluation system.

B. Summative Evaluation Components

The teacher evaluation system shall consist of three (3) components:

1. Status Score – ~~This component represents fifty-sixty five percent (50-65%) of a teacher's summative evaluation.~~ The Status Score is generated through administrative observation using the teacher and nonclassroom observation instruments. Domains One (70%60%), Two (4530%), Three (10%) and Four (5%10%) shall ~~comprise this fifty sixty five percent (5065%)~~ be weighted within this component. Deliberate Practice will be included in Domain Three. The Deliberate Practice score is generated through administrative observation and evidence provided by the teacher. The level at which a teacher attains his or her goal will be calculated within Domain Three.
2. Student Performance Measure Score – ~~This component represents fifty-thirty five percent (50-35%) of a teacher's summative evaluation.~~ The Student Performance Measure Score for the State's Value Added Model (VAM) represents the percentage of students who meet or exceed the learning goal established by the appropriate assessment/instrument unless otherwise specified in Florida Statutes or State Board of Education rules.
3. Deliberate Practice Score – This component will be additive and represents additional points that will be added to a teacher's Status Score. ~~The additive amount will be added prior to being averaged with the Student Performance Measure Score for the final summative evaluation score.~~ Deliberate Practice score is generated through administrative observation of one (1) Domain 1 element that the teacher and observing administrator select as a targeted element of instructional practice focus. Deliberate Practice will be scored in Domain Three with five-5 ten-10% twenty percent (20%) fifteen percent (15%) of the total score earned for this Domain being the additive points. Teachers design a Deliberate Practice Plan for continuous improvement and analyze progress on professional development activities, including those related to the Deliberate Practice Plan.

C. Instructional Practices Score

1. The District has selected the state approved Marzano Causal Teacher Evaluation Model, including Domains One, Two, ~~Three~~ and Four, for the purposes of evaluating the quality of teachers' instructional practices and the Florida Department of Education model for some nonclassroom teachers. The District shall utilize the teacher observation instruments provided as part of these models. The Instructional Practices Score will be comprised of the Status Score plus the Deliberate Practice Score.

D. Administrative Observations

- 4 ~~All teachers shall be observed according to the Observation Schedule in Addendum A. The observation schedule is a multi-year growth cycle that provides opportunity for continuous~~

improvement through reflection and collaboration. This cycle is designed to provide differentiated levels of support to teachers as they grow in the profession.

- 2 1. Observations will include informal/~~unannounced~~ and formal/~~announced~~ observations. Regardless of the type of observation, it will be entered into the electronic observation platform within three (3) as close to the observation date as possible, but no later than ten (10) work days, to providing current and reliable feedback to teachers. Teachers will receive at least one ~~unannounced/formal/announced~~ informal observation in each of the first three quarters the first semester of the year in his/her Observation year and at least two and at least one unannounced/informal informal/unannounced observations in his/her Deliberate Practice the second semester of the year. An informal observation will not be required during the quarter that a teacher receives a formal evaluation. There may be variation in the timing and number of informal observations, including those for nonclassroom teachers, due to this being the first year of the implementation of this series of informal observations that could potentially replace the formal observation as described in D(3). Should an Administrator attempt an unannounced, informal observation on a day or class period that the teacher believes will result in a less than Effective rating, the Administrator and teacher will agree to conduct the observation at another time for one occasion only unless a scheduling conflict precludes this option.
- 3 2. Should a teacher beyond their first year of employment in Pasco earn a either an Effective or Highly Effective ratings on each of the informal/announced observation in each of the first three quarters semester of the school year, a post-conference will be held for the purposes of feedback and growth and this cumulative score will represent the Status Score for the School year it will serve as their Domain 1 score and the informal/unannounced observation will be used to monitor Deliberate Practice and for feedback purposes as the teacher continues to grow in their profession. Teachers requiring both a formal/announced and an informal/unannounced observation For the purposes of evaluating Domain 1 teachers will have their observations individually rated and then averaged to determine the final Domain 1 score. If Deliberate Practice has not been sufficiently observed during the informal and/or walkthroughs, observations, the teacher will provide to the administrator a window of time (i.e. a week) during which an ~~unannounced/informal informal/unannounced~~ observation will take place for the purposes of capturing data for the teacher in this element. Those teachers who have not earned either Effective or Highly Effective ratings on each of their informal observations will receive a formal observation. For teachers who are required to have a formal observation, their rating from this informal observation will serve as their Status Score and the informal observations will be used for feedback purposes as the teacher continues to grow in their profession.
3. Teachers hired after the beginning of the fourth quarter working less than half the year plus one day, either due to late hire or approved leave, will receive an informal/~~unannounced~~ observation solely for the purpose of providing exposure to the observation system and formative feedback. Teachers who work the majority of days in two (2) quarters will be formally observed prior to the end of the current school year. Should a teacher be informally observed at least two (2) times and is not able to be formally observed due to an approved leave, the informal observations will count as the observation for that teacher for that school year.
5. Teachers in their first year of employment in Pasco, those who have not earned either Effective or Highly Effective ratings on each of his/her informal observations, or those who have not earned a Status Score of Effective or Highly Effective for the previous school year will receive a formal observation which shall serve as their Status Score. Should a teacher receive a less than Effective rating on the one formal observation, the teacher shall receive one additional formal observation, if requested. If such teacher's overall rating improves during this additional observation, the initial formal observation shall be considered non-evaluative and will not be utilized to calculate the teacher's Instructional Practices score.
- 6 4. For the purpose of conducting a pre-conference, Teachers will be given a two-one week window during which the formal/~~announced~~ observation will be held, at which time a teacher may request

a pre-conference. Formal observations for teachers in his/her first year of employment in Paseo will be completed by no later than two weeks prior to the state of Spring Break. All summative teacher observations and feedback meetings for Domain 1 will be completed by no later than three weeks prior to the end of the school year April 15th May 1st the last school day of April. The administrator will enter into the electronic observation platform a mid-year status for Domains 2, 3, and 4 no later than the end of first week of Semester Two in order to provide feedback to teachers. This will be a progress monitoring tool only. All observations and feedback meetings for the Instructional Practices Score will be completed no later than three weeks prior to the end of the school year. Should the administrator responsible for providing the assessment not meet the date designated by the Office for Human Resources and Educator Quality Professional Development and School Supports for the completion of the assessment, the administrator will inform the teacher of the reason for the delay.

- ~~7. During Deliberate Practice years, tTeachers design a Deliberate Practice Plan for continuous improvement and analyze progress on professional development activities, including those related to the Deliberate Practice Plan. During Deliberate Practice years, formal observations are not required unless the teacher did not earn a Status Score of Effective or Highly Effective for his/her Status Score for the previous school year or as described below. Administrators are expected to conduct a minimum of two informal observations each Deliberate Practice year to provide relevant feedback to the teacher and to remain familiar with the teachers' classroom practices. Informal observations will last fifteen (15) to twenty (20) minutes and will be entered into the electronic observation platform. Should each of the informal observations not result in an Effective or Highly Effective rating, a formal observation, as defined in A(9), shall be done. For the purpose of conducting a pre-conference, teachers will be given a one-week window during which the formal observation will be held.~~

E. Notification of the Evaluation Process and Performance Deficiencies

1. The timelines for explaining and discussing the evaluation process specified in Article VII, Section H-1, shall be held in abeyance.
2. All teachers will receive continued development in the Marzano Causal Teachers Evaluation model including embedded professional development. Information regarding the Marzano Causal Teacher Evaluation model will also be available on the Office for Human Resources Professional Development and School Supports Website.
3. The observation cycle has been designed to incorporate the elements of the NEAT process into the post-observation conference and reflection process. In the event that a principal determines that a teacher is performing at an "Unsatisfactory" or "Developing/Needs Improvement" level, the procedures outlined in Article VII, Section H-6 shall be implemented to the extent they are not included or already covered by the formal observation cycle. Teachers are entitled to union representation in meetings scheduled outside of the formal evaluation/observation cycle to discuss the teacher's performance.

F. Student Performance Measure Score

- ~~1. The District will measure student learning using the percentage of students meeting or exceeding the expectations established by the state approved assessment/instrument unless otherwise specified.~~
- ~~1.2. Where less than three (3) years of data are available for teachers new to the District, the data that are available will be used.~~

G. Scoring of the Summative Evaluation

The District will use the state identified rating labels of "Highly Effective," "Effective," "Developing/Needs Improvement," and "Unsatisfactory." The District's adoption of the Marzano Causal Teacher Evaluation Model incorporates rubrics, weighting scales, and a scoring system to define and decide a teacher's summative evaluation rating. The following scoring system will be utilized for all teachers:

1. Status Score Component (~~50-65~~ % of the overall summative score)

Teachers will receive a numeric score ranging from 1 to 4, with 4 representing “Highly Effective” and 1 representing “Unsatisfactory” for each Domain. An average of the weighted scores for Domains 1, 2, and 4 will serve as the Status Score.

For Domain 1 (60% of the Status Score):

- a. “Highly Effective” – All requirements for Effective rating and at least 60 ~~5-25~~ 10 15% of scorable elements in Domain One at Level 3 ~~4 (Applying)~~ Innovating in 2015-2016, and 40 ~~35-15~~ 25% in 2016-2017, or higher and no scorable elements at Levels 0 and/or 1 (Beginning and/or Not Using.) with at least one scorable element at Level 4 (Innovating).
- b. “Effective” – At least 60 ~~65~~% of scorable elements at Level 3 (Applying) or higher.
- c. “Developing/Needs Improvement” – Less than 60 ~~65~~% of scorable elements at Level 3 (Applying) or higher and less than 50% of scorable elements at Levels 0 and/or 1 (Beginning and/or Not Using).
- d. “Unsatisfactory” – At least 50% of scorable elements at Levels 0 and/or 1 (Beginning and/or Not Using).

For Domain 2 (30% of the Status Score) and Domain 4 (10% of the Status Score):

- a. “Highly Effective” – At least 65% of scorable elements at Level 3 (Applying) and no scorable elements at Levels 0 and/or 1 (Not Using and/or Beginning).
- b. “Effective” – At least 60% of scorable elements at Level 3 (Applying) or higher.
- c. “Developing/Needs Improvement” – Less than 60% of scorable elements at Level 3 (Applying) or higher and less than 50% of scorable elements at Levels 0 and/or 1 (Beginning and/or Not Using).
- d. “Unsatisfactory” – At least 50% of scorable elements at Levels 0 and/or 1 (Beginning and/or Not Using).

2. Student Performance Component (~~50-35~~ % of the overall summative score)

- a. The following will be used where a value added model is available and as appropriate, unless state statute or state board rule specifies otherwise. For other instruments an appropriate classification will be determined to best reflect student performance measure attributed to the teacher.
- b. “Highly Effective” – At least 75% of applicable students meet or exceed the expectations established by the state approved value added model(s) for a rolling three (3) year period.
- c. “Effective” – At least 40% but less than 75% of applicable students meet or exceed the expectations established by the state approved value added model(s) for a rolling three (3) year period.
- d. “Developing/Needs Improvement” - At least 20% but less than 40% of applicable students meet or exceed the expectations established by the state approved value added model(s) for a rolling three (3) year period.
- e. “Unsatisfactory” - Less than 20% of applicable students meet or exceed the expectations established by the state approved value added model(s) for a rolling three (3) year period.

3. Deliberate Practice Score (Additional points added to the Status Score)

The level at which a teacher attains his or her goal on the Domain 1 element will be given a numeric score ranging from 1 to 4, with 4 representing “Highly Effective” and 1 representing “Unsatisfactory.” This number will be calculated as part of the average for Domain Three which will serve as the Deliberate Practice Score.

- a. “Highly Effective” – When a teacher improves three (3) levels on his/her target Deliberate Practice element(s), or when a teacher improves from “Applying” to “Innovating” on his/her target Deliberate Practice element(s).
- b. “Effective” – When a teacher improves two (2) levels on his/her target Deliberate Practice element(s), or when a teacher improves from “Developing” to “Applying” on his/her target Deliberate Practice element(s).

- c. "Developing/Needs Improvement" – When a teacher improves one (1) level on his/her target Deliberate Practice element(s).
 - d. "Unsatisfactory" – When a teacher does not improve on his/her target Deliberate Practice element(s).
4. Final Score Calculation
- a. Teachers will receive a numeric score ranging from 1 to 4, with 4 representing "Highly Effective" and 1 representing "Unsatisfactory" for the Status Score, Student Performance Measure, and Deliberate Practice components.
 - b. A teacher's Deliberate Practice Score will be multiplied by ~~twenty five ten fifteen percent (20-5%+015%)~~ and added to the teacher's Status Score to form the Teacher's Instructional Practices Score.
 - c. The Instructional Practices Score and Student Performance Measure Score will be averaged together to provide the final summative evaluation score. For the 2015-2016 school year only, the Instructional Practices Score and Student Performance Measure Score will be weighted either 50/50 or 65/35 (65% Instructional Practice and 35% Student Performance Measure), whichever results in higher summative scores for the majority of teachers.
 - d. Final scores between 3.5 and 4.0 will represent "Highly Effective;" final scores between 2.5 and 3.4 will represent "Effective;" final scores between 1.5 and 2.4 will represent "Developing/Needs Improvement;" and a final score of less than 1.5 will represent "Unsatisfactory."
5. Once the final summative score and ratings are calculated, an administrator will arrange to meet with the teacher to discuss the teacher's overall summative evaluation score for the school year. Any teacher receiving a summative evaluation rating of "Unsatisfactory," or any teacher receiving his/her second consecutive summative evaluation rating of "Unsatisfactory" or "Developing/Needs Improvement" will be entitled to union representation during this summative evaluation conference, and will also be provided the opportunity to participate in the Instructional Support Program Teacher Assistance Team.

H. Teacher Contracts and Impact of the Summative Evaluation on Teachers' Contractual Status

- 1. Effective July 1, 2011, the procedure for awarding employment contracts to teachers was amended as defined by Florida Statutes. Should any language in the Instructional Master Contract regarding employment contracts be contrary to Florida Statutes, Florida Statutes shall prevail.

I. Reduction in Force

- 1. Should the District need to reduce the number of teachers in the District prior to the completion of the summative evaluations for the previous school year, the provisions of Article VII, Section G shall apply with the following modifications:
 - a. Any required reductions will first be based upon teacher's previous school year's evaluations.
 - b. Those teachers with an unsatisfactory rating or who are on performance probation in accordance with Florida Statute 1012.34 shall be reduced first.
 - c. If additional reductions are required, the provisions of Article VII, Section G shall apply.
- 2. After the completion of the summative evaluations for the previous school year, any required reductions will first be based upon teachers' most recent final summative evaluation rating. Teachers rated as "Unsatisfactory" shall be reduced first, teachers rated as "Developing/Needs Improvement" within the area of assignment being reduced shall be reduced next, teachers rated as "Effective" within the area of assignment being reduced shall be reduced third, and teachers rated as "Highly Effective" within the area of assignment being reduced shall be reduced last. The order of reduction within a given performance level shall be determined in accordance with Article VII, Section G.

J. Evaluation Review and Monitoring

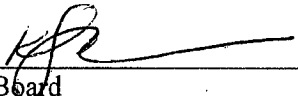
- 1. The Board and the Union agree to establish a Teacher Evaluation System Sub-Committee to be comprised of members mutually agreed upon by the Superintendent and President of USEP. This committee will be convened as needed to review the implementation of the new teacher

evaluation system, to monitor the results of the evaluation process, the electronic observation platform, and to make recommendations for ways to modify the teacher evaluation system for compliance with applicable laws, grant requirements, and best practices.

2. The Board and the Union have reserved the right with the Florida Department of Education to amend the teacher evaluation process within the guidelines established by applicable laws, grant requirements, and the applicable collective bargaining agreement.

K. Conformity to Law and the Instructional Master Contract

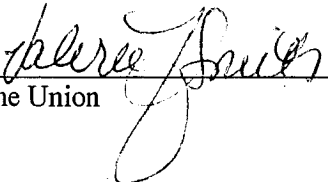
Nothing contained herein shall be construed to deny teachers of any rights conferred by the Instructional Master Contract with the exception of the provisions contained within this Memorandum of Understanding and/or the state approved Teacher Evaluation Plan submitted to the Florida Department of Education as agreed to by both parties. Should any provision of this Memorandum of Understanding or the statutes serving as its foundation be found to be contrary to law, the provisions of Article XII, Section A shall apply.



For the Board

8/10/15

Date



For the Union

8/10/15

Date

ADDENDUM A

Observation Schedule

Continuous Years of Service		
1	2	3
0	0	0

4	5	6
DP	DP	0

7	8	9
DP	DP	0

10	11	12
DP	DP	0

13	14	15
DP	DP	0

16	17	18
DP	DP	0

19	20	21
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ਰਾਜ	ਪਿੰਡ	ਭਾਗ
34	35	36

ਰਾਜ	ਪਿੰਡ	ਭਾਗ
31	32	33

ਰਾਜ	ਪਿੰਡ	ਭਾਗ
28	29	30

ਰਾਜ	ਪਿੰਡ	ਭਾਗ
25	26	27

ਰਾਜ	ਪਿੰਡ	ਭਾਗ
22	23	24

ਰਾਜ	ਪਿੰਡ	ਭਾਗ
		ਭਾਗ