

AFT MICHIGAN ISSUE BRIEF

TEACHER EVALUATION AND DUE PROCESS

February 2011

Our Shared Goal: High Quality Teachers in Every Classroom

AFT Michigan has always promoted fair and transparent efforts to enhance the effectiveness of the teaching workforce. We encourage policymakers concerned with teacher quality to focus on the lack of consistent and thorough teacher evaluation in our schools. Many teachers have seldom--or never--been evaluated by administrators, who are often too overworked to do more than drop into their classroom for a few minutes. Effective evaluations are crucial to ensuring high quality teachers in every classroom by helping teachers identify areas for improvement, determining which teachers are granted the due process protections of tenure, and providing an objective record if administrators initiate discharge procedures against a tenured teacher.

Teacher tenure does not guarantee a "job for life," only the opportunity to defend oneself before being fired. When a teacher is accused of serious misconduct or incompetence, a swift and fair process for determining whether they should be dismissed is good for them, their students, and administrators. We believe it is possible to expedite Michigan's due process procedure to shorten the dismissal timeline by as much as 40% and reduce costs while preserving teacher rights.

Fair and Effective Evaluations

Our commitment to regular and rigorous evaluations based on professional teaching standards and student achievement underlies the *AFT Michigan Local Guide to Developing an Effective Teacher Evaluation System*. This document incorporates the components of Professional Growth Plans outlined in the Michigan Department of Education's "Framework for Michigan Educator

Evaluations" and provides districts a master rubric based on the widely-used Charlotte Danielson model.

In order to have meaningful impact on student learning, teacher evaluations must help develop and cultivate great teaching, not just label teachers. Our *Local Guide* reflects AFT Michigan's commitment to helping school districts and unions develop evaluations that help promising teachers improve, enable good teachers to become great teachers, and identify those teachers who shouldn't be in the classroom at all. We believe that effective evaluations:

- **Measure professional teaching standards** by identifying best practices and assessing how teachers meet these standards through multiple measures of effectiveness.
- **Measure student growth** through multiple measures by tracking student progression through established student learning objectives.
- **Are linked to professional development** to create a cycle of continuous improvement strategies and a culture of learning.
- **Are developed by teachers and administrators at the local level** in order to tailor the system to local conditions and secure buy-in from all stakeholders.



**Fighting for
Michigan's Future.**
IT'S DOLLARS AND SENSE

The *Local Guide* walks leaders through four main steps in designing such a system:

1. Developing a fair evaluation tool that conforms to Michigan law and improves teaching and learning. Our *Guide* provides evaluation teams with a master rubric that measures 5 domains of teaching through more than 70 teaching standards and student growth measures that can be adapted to fit the needs of each district.
2. Deciding how to score the evaluation tool to accurately reflect teacher performance and avoid perverse incentives.
3. Designing implementation policies and procedures that are manageable, efficient, and support a culture of collaboration and continuous learning by clearly assigning roles and responsibilities.
4. Linking the evaluation system to professional development by using teacher evaluation data to provide feedback and target training to teacher and school needs.

Efficient Due Process Systems

While effective evaluation and support systems will help most teachers meet professional standards, AFT Michigan recognizes the importance of efficient due process procedures for dismissing teachers who have demonstrated that they are not a good fit for the profession.¹ Teachers may be discharged for two tenure reasons: *misconduct* (e.g. criminal activity, sexual contact with students, failure to obey directions, tardiness, drug or alcohol abuse) or *incompetence* (e.g. failure to control classes, follow curriculum, or educate students).

The due process procedures established by the Michigan State Tenure Commission provide clear standards for dismissing tenured teachers. Most misconduct cases are relatively straightforward; however, the process can take too long. In the more complicated arena of professional incompetence, we believe that comprehensive teacher evaluation systems will facilitate the hearing and decision process by providing administrators a much more complete record than has been the norm in the past.

AFT Michigan proposes two substantial changes to our current discharge procedure:

1. **Expediting the Due Process Dismissal Timeline:** After examining records of the past decade's tenure cases, we believe Michigan could reduce the time from charges being filed by a School Board to the Tenure Commission decision by up to forty percent (40%) without impairing due process.²
2. **Creating a Pool of Neutral Factfinders to Conduct Hearings:** We concur with Governor Snyder's Education Roundtable that we should not put every tenure case before a single Administrative Law Judge. In addition, we suggest analyzing the case load to figure out how we might expedite the process in a cost-efficient manner.

¹For their first four years of service, teachers are "probationary" and can generally be dismissed at the discretion of the administration. Most observers agree that four years provides plenty of time to determine whether a teacher is competent, particularly if a quality evaluation system is in place.

²These recommendations are intended for both misconduct and incompetence cases; however, Michigan could also consider the recent recommendation of arbitration expert Kenneth Feinberg to provide a separate 100-day process for misconduct cases (<http://www.aft.org/pdfs/press/finalfeinbergsummary.pdf>).

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AFT Michigan is a union of 35,000 members working in K-12 and intermediate school districts, community colleges, universities, and local government. Our 97 locals extend as far south as Monroe and north to Whitefish Township in the Upper Peninsula.

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