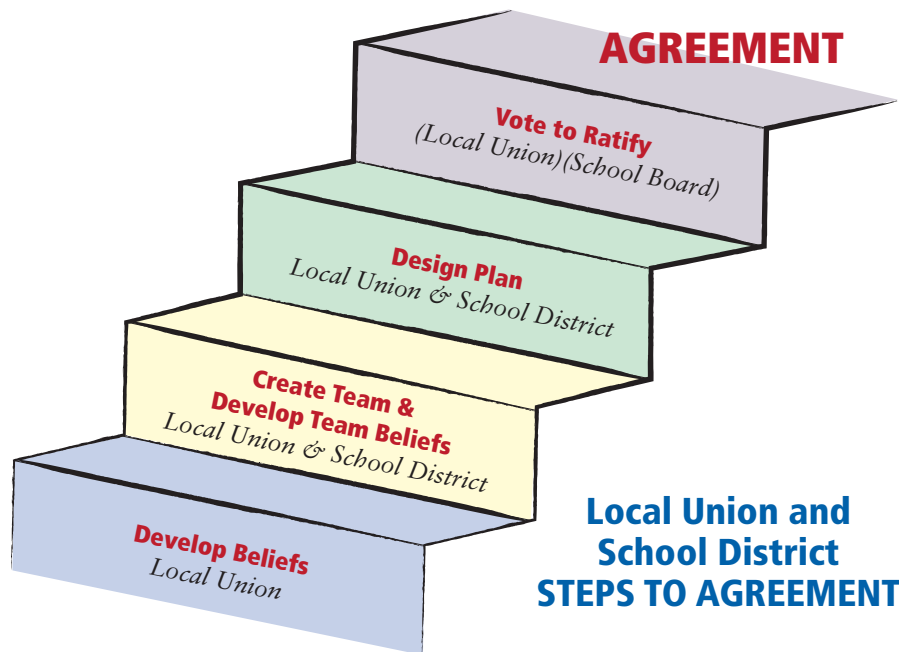




Successfully Agreeing on a Local Plan



The union of 70,000 educators



Develop Beliefs

1. Draft a statement of beliefs for your union and work with the district to draft a joint statement of beliefs about teacher development and evaluation.
2. Determine the attributes of teacher leaders who should be involved in creating your evaluation and development system.

Create Team & Develop Team Beliefs

3. Determine the process for selecting union members to serve on the joint committee.
4. Establish expectations for roles and responsibilities of joint committee members as advocates and representatives of the teachers and union.

Design Plan

5. Work with the joint committee to ensure the establishment of norms, processes and shared accountability based on collaboration and problem-solving.
6. Work with the joint committee to establish training needs and a training plan for team members and union members.
7. Create the teacher development and evaluation plan and keep members informed.

Vote to Ratify

8. Hold final informational sessions once the plan draft is complete.
9. Hold a vote of the membership on the final teacher development and evaluation plan.
10. Ratify a joint agreement or contract language implementing the teacher development and evaluation plan.

Overview of the Steps to Agreement

- State law allows a school board and an exclusive representative of the teachers to develop a teacher evaluation and peer-review process for probationary and continuing contract teachers through joint agreement. (122A.40 Subd. 8 and 122A.41 Subd. 5)
- A successful local ratification vote in compliance with the local union's constitution and bylaws is required before an exclusive representative can agree to a locally bargained teacher evaluation plan.
- What is required in the Minnesota statute?
 - ♦ Peer review process
 - ♦ Professional learning communities
 - ♦ Three-year review cycle
 - ♦ Individual growth and development plan
 - ♦ Summative evaluation by a qualified and trained evaluator
 - ♦ Staff development with coordinated evaluation
 - ♦ Portfolio option
 - ♦ Value-added assessment model
 - ♦ Growth model when value-added data are not available
 - ♦ Longitudinal data on student engagement and connection
 - ♦ Teacher improvement process
 - ♦ Discipline for teachers not making adequate progress in the teacher improvement process
- A components guide with additional information about each of the preceding items will be available in January 2013 at the Education Minnesota Collective Bargaining Conference.
- Timeline:
 - ♦ January 2013 is the expected release date of the state teacher development and evaluation plan.
 - ♦ 2013-14: selected school districts will pilot the state teacher development and evaluation plan.
 - ♦ 2014-15: every district must use the state teacher development and evaluation plan unless the exclusive representative and the school district have agreed to a local plan.
- Additional information can be found on the Education Minnesota website, www.educationminnesota.org. In the Issues & Advocacy section, select Development and Evaluation.

STEP 1: Draft a statement of beliefs about teacher development and evaluation for your local union and then join with the district to draft a joint statement of beliefs about teacher development and evaluation.

Underlying Principles:

Provide the foundation for building a teacher-led local evaluation plan.

Focus on the role of educators in quality teaching and learning.

Use beliefs to assist in explaining the plan to members.

Create an evaluation system that teachers believe in and support.

Beliefs may include these:

- Minnesota law requires all school districts to implement the state teacher development and evaluation plan or agree to a locally developed plan by the 2014-15 school year. We must be part of the process to ensure our voices are heard. As experts in our field, we should all take charge of our professional practice.
- We believe in continuous growth and improvement for all educators.
- We know effective teacher evaluation must foster both professional growth for teachers and student learning.*
- Taking responsibility for our profession and the delivery of professional development is central to unionism. Our union recognizes we have a responsibility to help teachers, both veteran and new, become the best educators they can be. High-quality professional development must be the linchpin of any effort to support and improve practice.*
- A successful evaluation system starts with a real partnership between our local union and the school district.
- We know that strong, effective teacher development and evaluation systems recognize the importance of our teaching careers and learning environment.*
- Creating a teacher-led evaluation system provides us with opportunities to invite more members to engage in the work of our union as advocates for our students, schools and profession.
- Designing a comprehensive teacher development and evaluation system allows us to ensure consideration of outcomes that parents, teachers and other community members care about—in addition to student test scores.*
- A comprehensive teacher development and evaluation system can improve the overall quality in the teacher workforce by identifying and building upon our individual and collective strengths and by improving instruction and other practices to improve student learning.*

TIP: After creating a statement of beliefs, the union and district can jointly create a statement that reflects the union and district's commitment to educational excellence. The joint statement of beliefs should echo the union's ideals and the district's mission and vision. Such a joint statement may serve as the opening preamble of the locally developed evaluation plan.

**Items marked with a * are taken from the 2010 AFT Resolution on Teacher Development and Evaluation*

STEP 2: Determine the attributes of teacher leaders who will be involved in creating your teacher development and evaluation system.

Underlying Principles:

Recognize that the team's makeup may influence membership acceptance of the plan.

Select members who possess key characteristics, knowledge or experience.

Select members who can represent the interests of all the teachers in the local union.

Responsibility for the delivery of professional development and high-quality teacher development and evaluation is central to teacher unionism. A local union should appoint a team with these characteristics in mind:

- A willingness to study teacher development and evaluation
- Relevant experience and expertise, such as:
 - ♦ Bargaining experience
 - ♦ Familiarity with effective professional development and teacher evaluation
 - ♦ Education issues chair, TALL activists
 - ♦ ATPPS coordinators, coaches and observers
 - ♦ Professional Learning Community leaders
 - ♦ Mentors for new teachers
 - ♦ Acknowledged professional practices experts
 - ♦ Response to Intervention or literacy coaches
 - ♦ Effective family outreach
 - ♦ Positive behavior intervention
 - ♦ Drop-out prevention programs
 - ♦ Data collection expertise
 - ♦ Subject matter leaders or experts
 - ♦ Member rights experience
 - ♦ Building representatives
- People who are credible and respected and who represent all members
 - ♦ Reliable
 - ♦ Thoughtful
 - ♦ Honest with authority figures
 - ♦ Have earned the trust and respect of colleagues
 - ♦ Command respect in the district and community

TIP: Representation from various groups can strengthen buy-in from teachers who identify with a given group. Consider:

- Generations
- Grade levels
- Content areas and specialties
- Level of union experience
- Licensure areas
- Buildings

STEP 3: Determine the process for selecting local union members to serve on the joint committee.

Underlying Principles:

It is the duty of the exclusive representative to appoint all teacher members of the team.

Evaluation is not a traditional subject of collective bargaining; nonetheless, this is a negotiation.

1. The local union should review its constitution and bylaws to determine local requirements for appointing team members to serve on the union and school district joint committee.
2. The size of the team can vary greatly, but four or five members from each group is common. A quality team should be your focus. Here are questions to consider:
 - Historically, what is the size of your negotiations team? Will more expertise be needed for teacher development and evaluation?
 - If the team is large, will it be difficult to reach a consensus or will a large team help the future teacher development and evaluation plan gain more buy-in from the local's members?
 - Will you need to create a subcommittee of advisers for the team?
 - The local union should have at least equal representation on the joint union-district committee. Since teacher development and evaluation is the focus, should teachers make up a majority of the local union and school district joint committee?

STEP 4: Establish expectations for roles and responsibilities of joint committee members as advocates and representatives of the teachers and union.

Underlying Principles:

Secure verifiable support of local members to begin the discussion.

Gain a clear set of expectations from the local union to guide the work.

Keep the local union leaders and membership informed throughout the process.

1. The local union leadership or the general membership should pass a formal resolution authorizing the local union members of the joint committee to negotiate a teacher development and evaluation plan. The local union's team must have full authority to develop and implement the local teacher development and evaluation plan and to negotiate a letter of agreement with the school district. This authority must be clearly outlined and understood by the team, the executive committee or board and the general membership. The resolution authorizing the local union's team may look like this:

The joint committee members appointed by the union are given the authority to bargain in good faith over the content of the local teacher development and evaluation plan, subject to ratification of the entire plan by the members.

2. Communication plan: One of the team's vital responsibilities is to keep union leaders and the general membership informed during the teacher development and evaluation negotiation and implementation process. Regular communication helps members understand each piece of the plan and the reasons for including it, while providing opportunities for the team to correct any confusion or misinformation. It also facilitates timely, informed decision-making.

Local leaders and team members are encouraged to develop a communication plan before the joint union and school district committee begins meeting. (Step 7 discusses the elements that may be included in a communication plan.)

3. Local team members should understand the preparation necessary for negotiating a teacher development and evaluation plan. Because the process is one of collaboration and compromise, team members should be versed in problem-solving skills and negotiation styles. The team should also be knowledgeable about:
 - The current districtwide evaluation system
 - Components of the state teacher development and evaluation plan
 - Requirements of the teacher development and evaluation law
 - The collective bargaining agreement
 - Relevant bargaining history
 - Concerns the district has already shared with the local union
 - Education Minnesota guidance and advice
 - Teacher development and evaluation guidance from the AFT and NEA

STEP 5: Work with the joint committee to establish norms, processes and shared accountability based on collaboration and problem-solving.

Underlying Principles:

Plan for effective and timely processes so the plan is done on time.

Intentionally promote consensus building and teamwork.

Collaborate and build consensus using an agreed-upon standard.

At its first meeting, the joint local union and school district teacher development and evaluation committee should discuss the processes that will be used in negotiating the plan.

1. Establish norms of behavior:

- Behaviors that will help
- Behaviors that should be avoided
- Standards from the joint committee's beliefs
- Behaviors that will establish faith, trust and credibility among all teams
- The need for consensus on final norms of behavior

2. Establish a process agreement:

- Who will be at the table for each party?
- What is a quorum?
- Meeting logistics: when, where, length, breaks, room setup, cost, agenda, homework
- Will communications from the committee be issued jointly?
- How will a rationale be developed for each proposed component of the plan?
- What information can be shared outside of joint committee meetings?
- Will meetings be facilitated alternately by co-chairs?
- Recording process: flip chart, laptop, projector, etc. Is personal note-taking OK?
- May a caucus be called for when needed?
- May outside resources be used by consensus?
- What do the local union's constitution and bylaws require for ratification?
- Will changes to the process agreement and norms of behavior be made by consensus or some other method?
- What is the timeline for each element of the plan?

TIP: Consensus is reached when, after all perspectives have been heard and understood, there is a mutual understanding that results in support of a decision because it was reached fairly and openly and because it satisfies both parties' interests using agreed-upon standards, even though it is not every member's preference.

- **Set standards.**
- **Avoid arguing.**
- **Treat differences as strengths.**
- **Don't vote.**
- **Seek a solution that satisfies both parties' interests.**

3. Establish standards (defined as “agreed-upon qualities of an acceptable solution based on criteria or norms, independent of either party’s will or power”) that will be used to reach consensus. For example:
 - Parties should not individually gather data to support their own interests.
 - Parties should jointly research data that ultimately support their agreement.
 - Standards should be reviewed and analyzed for relevance while options are being evaluated.
 - Standards must be adopted by consensus.
 - Compliance with the state statute must be one of the standards.
4. Establish how you will come to closure. For example:
 - Rank options to narrow the list.
 - Use what-ifs.
 - Use subcommittees.
5. Generate ideas for breaking deadlocks. For example:
 - Consult with the other party.
 - Stand in each other’s shoes.
 - Break the flow of unproductive communication.
 - Change the game. For example, add new participants (attorneys, experts).
 - Examine the options for the best alternative and the worst alternative.
 - Bring in a neutral third party.

TIP: Brainstorming is a valuable tool. Record each idea. Use freewheeling imagination. Build on others’ ideas. Aim for quantity.

Don’t critique ideas. If there is a lull in the action, be patient. Write down and save ideas.

STEP 6: Work with the joint committee to establish training needs and a training plan for team members and union members.

Underlying Principles:

The joint committee will need additional information and training.

Understand the state default plan.

Understand the state statute.

The local union and school district joint committee members are the teacher development and evaluation leaders for the school district. They should make ongoing training and information-gathering part of the plan development process, using the expertise of local union members and other school district employees as well as outside experts when needed.

STEP 7: Create the teacher development and evaluation plan and keep members informed.

Underlying Principles:

Creating a teacher development and evaluation plan takes time.

Communicate using a plan.

1. The local union's team members and the local union's leaders are responsible for keeping the general membership informed during the process. Issues that are likely to be contentious within a local can be addressed early through planned, purposeful and open communication. The communication plan discussed in Step 4 should be shared with the general membership.

2. Two-way communication with members will help in creating a teacher development and evaluation plan that teachers will support. Elements of a communication plan could include:

- Email updates sent to leaders or members when decisions are made
- Regular 10-minute meetings with the union president and joint committee
- Regular updates from the local union team or the full joint committee at union executive board meetings
- Weekly releases from the joint local union and school district committee
- Updates when components of concern or heightened interest are being developed or agreed to (e.g., employee discipline, compensation, peer observations or review)
- Ways for the team to get input from leaders and members as the process moves along
- A member survey about evaluation
- Email news blasts or newsletters on scheduled dates
- A dedicated Web page
- Scheduled opportunities for members to react to draft components and to ask questions

3. While it is not possible to include a representative from every constituency group on the team, a communication committee can help broaden member involvement. The committee coordinates all communication called for in the communication plan and assists the team in crafting effective messages and communication strategies. Like a contract settlement committee or LCAT committee, this group works closely with the teacher development and evaluation team and local union leaders. Appropriate tasks for the communication committee might include:

- Arranging constituent/site meetings
- Facilitating or conducting building, program or grade-level conversations
- Setting up a communication calendar
- Creating a Web page and keeping it updated
- Talking to members one-on-one

TIP: Member feedback can come from membership or building meetings, issue forums, issue-by-issue presentations (e.g., peer coaching), surveys, committees charged with providing updates to the general membership (e.g., LCAT, department-level conversations), or group meetings (e.g., specialists).

STEP 8: Hold final informational sessions once the plan draft is complete.

Underlying Principles:

Follow the local union constitution and bylaws.

Provide clear information and answers so members can cast an informed vote.

Good communication is the key to successful votes on the teacher development and evaluation plan and the letter of agreement initiating the plan. It is important to keep teachers and board members in the loop throughout the design process, provide the information and answers they need, and present the final plan in an open and transparent manner.

The local union constitution and bylaws should be closely adhered to when informational meetings are set up before a ratification vote. Here are options for final membership informational meetings:

- General membership meeting with the joint committee available for Q and A
- Building/site-level meetings with representation from the union and joint committee
- Informal sessions where members can stop by to talk to joint committee members and share snacks
- Formal presentations by joint committee members at school board or staff meetings
- Community forums to present plan outlines and answer questions from members of the public

TIP: Information sessions

- How will they be publicized?
- Who will present, facilitate and encourage questions and feedback?
- Will they be for union members only, or will a combined meeting be held with the board?
- Handouts may include the complete plan, outline documents and frequently asked questions.
- Will meetings be held before, during or after work?
- How will the two-part voting process be explained?

STEP 9: Hold a vote of the membership on the final teacher development and evaluation plan.

Underlying Principles:

Follow the local's constitution and bylaws.
Start the local teacher development and evaluation plan with the required letter of agreement.

When the plan is complete, agreeing to a local teacher development and evaluation plan should be a two-part process.

1. Distribute the final teacher development and evaluation plan and put it to a vote of the union and school board.
2. If the plan is approved by both sides, a ratification vote should then be held as described in Step 10 to approve the contract language or memorandum of agreement.

STEP 10: Ratify a joint letter of agreement or contract language implementing the teacher development and evaluation plan.

Underlying Principles:

Follow the local's constitution and bylaws.
Start the local teacher development and evaluation plan with the required letter of agreement.

The plan is initiated and becomes binding on both parties after both parts of the approval process are complete: the local teacher development and evaluation plan has been approved by the general membership, and contract language or a letter of agreement has been ratified and signed by both parties. The letter of agreement should include the following:

- Explicit reference to the evaluation plan document and its exact title
- The joint committee that is responsible for overseeing implementation of the evaluation plan, including:
 - ♦ The number of people serving on the committee at the appointment of the union and the school district
 - ♦ The responsibilities of the joint committee
 - ♦ The process by which changes to the plan are made and agreed to by the parties
 - ♦ Committee processes, including frequency of meetings and what constitutes a quorum

TIP: If the plan is rejected, objections should be shared with the district. The joint committee can attempt to amend the plan and resubmit it to both parties for a ratification, or if the plan cannot be ratified, the state plan becomes the teacher development and evaluation plan for the school district.



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*Education Minnesota is an affiliate of the American Federation of Teachers,
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