

Oak Ridge Schools

Evaluations of Teachers and Principals

- I. Oak Ridge Schools (ORS) shall use the Model Plan for Teachers and Principal Evaluations that has been adopted by the Tennessee State Board of Education.
- II. Anyone conducting a Teacher or Principal Evaluation and/or observation must complete a training process approved by the Tennessee Department of Education. The approved training process must be conducted by a trainer certified by the Tennessee Department of Education.
- III. Evaluations shall be a factor in employment decisions, including, but not limited to, promotion, retention, termination, compensation and attainment of tenure status.
- IV. Pursuant to Tennessee State Board Rule 0520-02-01-.01, ORS adopts the following grievance procedure which shall provide a means:
 - (a) To resolve grievances as expeditiously as possible, grievances may be filed at the end of each of the three components of the evaluation model – 1) qualitative appraisal; 2) student growth measures; and 3) other measures of student achievement. A grievance must be filed no later than 15 days from the date teachers and principals receive the results for each component, otherwise the grievance will be considered untimely and invalid.
 - (b) To efficiently and fairly resolve grievances regarding procedural errors in the evaluation process, not to address disputes regarding employment actions taken based on the results of an evaluation. More significant due process rights are provided pursuant to state law to teachers when actual employment actions are taken;
 - (c) To ensure evaluations are fundamentally fair because correct procedures have been followed;
 - (d) To address grievances objectively, fairly, and expeditiously by resolving them at the lowest possible step in the procedure; and
 - (e) To provide teachers and principals a process for resolving grievances without fear, discrimination, or reprisal.

Further, also in accordance with the State Board Policy 0520-02-01-.01, evaluated Teachers and Principals may challenge **only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the Tennessee State Board of Education.**

(1) Definitions

- A. "Accuracy of the data" means only that the data identified with a particular teacher is correct.
- B. "Minor procedural errors" shall be defined as errors that do not materially affect or compromise the integrity of the evaluation results.
- C. "Grievance issues" means the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the Tennessee State Board of Education. No other issues stated in the grievance shall be considered "grievances" under this Policy.

(2) Each grievance must contain the following information:

- a. the teacher or principal's name, position, school, and additional title if any;
- b. the name of the teacher or principal's immediate supervisor;
- c. the name of the evaluator/reviewer;
- d. the date the challenged evaluation component was received;
- e. the evaluation period in question;
- f. the basis for the grievance;
- g. the corrective action desired by the grievant; and
- h. sufficient facts or other information to begin an investigation.

(3) Grievance forms will be available on the school system website and in the Executive Director of School Leadership's Office; however, grievances may be submitted in other formats as long as all required components are included.

(4) Procedures

Grievances shall be processed by working through the three steps to finality as follows:

STEP I – Evaluator

- A. To allow disputes to be resolved at the lowest level possible, within fifteen (15) days of receiving each of the three components (qualitative, growth, achievement) of evaluation that is being challenged, a Teacher or Principal must complete and submit an ORS Grievance Form and all written evidence supporting the "grievance issues" to: (i) his/her evaluator of the evaluation which is being challenged and (ii) a copy to his/her Principal if the grievant is a Teacher and the Executive Director of School Leadership if the grievant is a Principal.
 - (a) Failure to provide specific reasons for the grievance shall invalidate the grievance and constitute a waiver of the right to file a grievance.
 - (b) Failure to submit the grievance within fifteen (15) days of receipt of the evaluation which is being challenged shall invalidate the grievance and constitute a waiver of right to file a grievance.
- B. Within fifteen (15) days of receiving the grievance: (i) if the grievant is a Teacher, the Principal shall meet with the grievant, review and investigate the issues stated on the

grievance form and shall provide to the grievant written findings of his/her review; (ii) if the grievant is a Principal, the Executive Director of School Leadership shall meet with the grievant, review the issues stated on the grievance form and shall provide to the grievant written findings of his/her review.

- C. In the event that the findings reflect that procedural errors have been made in the evaluation process or that the accuracy of the data used in the evaluation are inaccurate, those issues in need of correction shall be made and the evaluation shall be corrected in a timely manner.

STEP II – Superintendent

- A. If after receiving the findings, the grievant does not believe that the “grievance issues” have been resolved, within fifteen (15) days of receiving the Step I findings, the grievant may submit the original grievance to the Executive Director of School Leadership or the Superintendent along with a copy of the Step I findings. The Executive Director of School Leadership or Superintendent shall have had no input or involvement in the evaluation for which the grievance has been filed. Failure to submit the original grievance and the Step I findings to the Superintendent within fifteen (15) days of receipt of the Step I findings shall invalidate the grievance and constitute a waiver of the right to file a grievance.
- B. As soon as practicable, after receiving the submission of the original grievance and Step I findings, if the grievant is a Teacher, the Executive Director of School Leadership shall informally meet with the grievant and/or his/her representative or attorney, and hear facts and testimony by witnesses having information pertaining to the “grievance issues” only. If the grievant is a Principal the informal meeting shall be conducted by the Superintendent. The Superintendent or the Executive Director of School Leadership may also have an attorney present during the informal meeting and the attorney may participate in the meeting.
- C. Within fifteen (15) days after the conclusion of the informal meeting with the grievant and/or his representative or attorney, and hearing facts and testimony as provided above, the Executive Director of School Leadership, if the grievant is a Teacher, or the Superintendent if the grievant is a Principal, shall provide the grievant with a final written decision concerning the grievance.
- D. In the event that the Executive Director of School Leadership’s decision, if the grievant is a Teacher, or the Superintendent’s decision, if the grievant is a Principal, reflects that procedural errors have been made in the evaluation process or that the accuracy of the data used in the evolution are inaccurate, those issues in need of correction shall be made and the evaluation shall be corrected in a timely manner.

STEP III – Board of Education

- A. If after receiving the Step II findings, the grievant does not believe the “grievance issues” have been resolved, within fifteen (15) days of receiving the Step II decision, the grievant may submit the original grievance to the ORS Board of Education (Board) along with a copy of the Step I findings, all written materials presented during the Step II informal meeting in support of the “grievance issues”, the Step II decision and a request for a Board hearing. Failure to submit the original grievance to the Board along with a copy of the Step I findings, all written materials presented during the Step II informal meeting in support of the “grievance issues”, the Step II decision and a request for a Board hearing, within fifteen (15) days of receipt of the Step II decision shall invalidate the grievance and constitute a waiver of the right to file a grievance.
- B. Based upon a review of the “record”, which shall be defined as the original grievance, a copy of the Step I findings, all written materials presented during the Step II informal meeting, the Step II decision and a request for a Board hearing, the Board may grant or deny a request for a full Board hearing.
- C. Based upon a review of the “record”, as defined above, the Board with or without a hearing may affirm or overturn the Superintendent’s decision (if the grievant is a Principal), or Executive Director of School Leadership’s decision (if grievant is a Teacher).
- D. If the Board determines that a hearing is necessary, said hearing shall be held no later than thirty (30) days after receipt of the “record” as defined above; the Board Chairman shall provide written notice to the grievant of the time and place of the hearing. The grievant may represent himself/herself at the hearing or may have an attorney represent the grievant at the hearing. The Board may also have an attorney present at the hearing and said attorney may also present evidence at the hearing.
- E. The Board Chairman shall provide all parties to the hearing with a written decision of the Board within thirty (30) days after the conclusion of the hearing.
- F. The action of the Board shall be final.

T.C.A. 49-5-5205

Tennessee State Board of Education Rule 0520-02-01-.01

Tennessee State Board of Education Policy No. 5.201