



Bargaining Professional Issues and Salaries

Saturday, April 27, 2013

Agenda

- Introduction
 - Who, Where, Position and Most Important Question You want Answered Today?
- Summarize Morning PED Session and How You See its Impact on your District/Local?
- Opportunities and Pitfalls
- Salaries
- Organizing for Success
- Close

Multiple Measures Recommendation

- 25% of the new evaluation system will be based on principal observations of teachers' performance in Domain 2 (Creating an environment for Learning) and Domain 3 (Teaching for Learning)
- 15% of the new evaluation system will be based on teachers' performance in Domain 1(Planning & Preparation) & Domain 4 (Professionalism) as demonstrated by teachers meetings protocols and providing evidence of accomplishments in these areas (It will be very important to TOOT your own horn!)
- 10% of the new evaluation system MAY be based on district-selected measures (either one measure for the full 10% or two measures for 5% each)
- Locals can work with their district to develop a local option:
 - Link to Professional Development Plans
 - Ensure that options are stream-lined to work teachers already do (i.e. don't make extra work!)
- PED options include:
 - student surveys
 - college and career readiness
 - teacher attendance
 - middle/high school student attendance
 - teacher attendance
 - district-developed/PED-approved

AN OPTION FOR A DISTRICT-DEVELOPED MEASURE

Charlotte Danielson's Model of Teachers' Professional Evidence for Evaluation Purposes

May include individually or as a part of a portfolio:

- Three-week unit plan
- Instructional plan for at least one lesson
- Samples of assessment procedures
- Evidence of knowledge of students and resources
- Videotape of a class
- Artifacts of in-class assignments and homework
- Samples of student work
- Teacher reflections
- Notes or other documentation of parent-teacher conferences
- Logs of family contact, participation in school and district projects, professional contributions, and professional development
- A research log that demonstrates a teacher's structured approach to asking and answering questions

Multiple Measures Cautions

- State regulation says that Districts “may” provide for the supervisor to consider input from other trained evaluators & observers. NEA-NM recommends we avoid this option.
- If Districts insist, there must be clear negotiated or policy language establishing the “fire wall” between input from these sources and the content of teachers’ final, formal evaluations.
- Just say “NO” to teacher attendance as a multiple measure option.
- If administration has concerns about a teacher’s attendance, this is an issue that can and should be addressed separately from evaluation.

Multiple Student Achievement Measures Recommendation

- End of Course Exams
- Advanced Placement Exam
- ACCESS
- District Developed/PED Approved Measures
 - include both pre- and post- assessment
 - linked to curriculum and text books
 - teacher-driven
- 15% of the 50% Student Achievement Measures can be Multiple measures

Student Achievement Measures

Cautions

- School Grade
- 50% SBA
- Grade Level VAM - 50%
- Content Level VAM - 50%

Your Individual Rights Under the Governor's New Evaluation System

Remember, for everyone ...

- *Due Process has not changed. Your rights under the NM School Personnel Act remain in full force & effect.*
- *PED agrees that 2013-14 is a “Hold Harmless Year” as the new system is implemented.*
- *The new evaluation system actually makes it MORE difficult for Districts to fire teachers because it requires a longer period of time for teachers to address concerns raised in an evaluation before they can be fired.*
- *NEA-NM did not support the new evaluation system. HOWEVER, once we knew it was inevitable, we made a conscious choice to participate in its development & implementation because we knew it was the only way we could ensure that the rights of our members would be best protected.*
- *NEA-NM disagrees strongly with the student achievement growth measures being forced on us by Governor Martinez. TOGETHER we must organize, activate, & recruit to build the POWER we need to fix this evaluation system!*
- *Some say we should file a lawsuit. If appropriate, we will. HOWEVER, this won't change the way politicians & the public are attacking teachers. ONLY WE CAN GET THEM ON OUR SIDE WITH REAL STORIES OF THE EXCELLENT WORK WE DO!*

Your Bargaining Rights Under the Governor's New Evaluation System

School Districts Without a CBA:

- The law does NOT require the Districts to bargain evaluation.
- Create a group of Teacher Quality Advocates to survey and activate teachers & develop an organizing plan to address the new evaluation system and provide support to our members.
- Develop your message & open a dialogue with the Superintendent and School Board to clarify why it makes sense to involve the Association in this issue.
- Ask to participate in the adoption of district-selected multiple measures.
- Then, work with the District to develop policies & procedures regarding the evaluation process. Use the regulation language to support this effort.
- Talk to community groups about how the new evaluation system holds teachers accountable & how it does NOT!
- Use this issue to grow the Association & increase your power to address this and all workplace concerns.

Your Bargaining Rights Under the Governor's New Evaluation System

School Districts With a CBA:

- The law REQUIRES the Districts to bargain evaluation because the IMPACT of professional and instructional decisions is a mandatory subject of bargaining.
- Make an immediate request to bargain the impact of the District's implementation of the new evaluation system.
- Obtain a copy of anything the District has decided and/or submitted on the multiple measures. If necessary, submit an IPRA request.
- Bargaining teams should review their CBA & build upon current language (existing evaluation provisions, labor-management structures, etc.) and develop new language to address issues & needs specific to the new evaluation system.
- Follow steps outlined in the slide above to organize & activate your members and potential members on this issue.
- If your CBA does not re-open this year, ask to bargain evaluation anyway. Organize in your local to pressure the District to collaborate & negotiate with the teachers on the new evaluation system.

Critical Points in Bargaining Evaluation Language

- Use your right under PEBA to bargain the “impact of professional and instructional decisions.”
- The adoption of the new evaluation system is the “decision” and now we will bargain the “impacts.”
- The multiple measures that school district uses in its EES are subject to the collective bargaining procedure.
- Establish a joint labor-management committee (Evaluation Task Force) to bargain evaluation language and monitor & support the implementation of the new evaluation system. The committee will meet regularly to discuss relevant issues and concerns. Expect the bargaining & follow-up on the new evaluation system to be an ON-GOING process.
- Ensure teacher evaluations of principals are kept ANONYMOUS.
- SEE HANDOUT and negotiate very specific language on Professional Growth Plans (PGPs).
- Clarify that a teacher will not be evaluated ineffective or minimally effective before they have been observed formally by their principal at least four times.
- Principals shall not have access to or in any way review or consider VAM/student achievement growth data for teachers before completing the observation and teacher performance components of the evaluation process.

And More Bargaining Language ...

- Teachers will have at least 3 days' notice prior to any principal or other evaluator entering the classroom for formal observations. Observations will be scheduled at mutually-agreeable times.
- Formal observations will be conducted at different times of days and/or while the teacher is teaching different classes (groups of students).
- After each observation, the principal shall meet with the teacher and review the findings of the observation. The findings shall be reduced to writing. These meetings will take place within 5 days of the evaluation. The teacher shall be able to have a witness of their choosing present at that meeting.
- All teachers will be offered professional development opportunities. Professional development opportunities will be offered during the duty day. They may be offered at additional times so long as the teacher is compensated additional pay equal to their hourly/daily rate. The teachers' effectiveness evaluation shall be in writing and shall be presented and discussed at a conference between the employee's supervisor and the employee no later than five (5) working days after the evaluation.
- The employee shall be provided the opportunity to submit a written response to the evaluation that shall be made a permanent part of the evaluation regardless of what overall rating the employee has received on his or her evaluation.
- The evaluation procedure and process shall be subject to the grievance procedure.
- Upon request, teachers will be given a second evaluation by an evaluator of their choice.

Salary 2013-2014

- Merit pay stopped.
- Extra pay for teaching AP classes and teachers moving to D&F schools from A&B schools. Must be Level 2 or 3.
- 1% pays increase; however, threatened with veto unless a tax package was passed. Tax package decreased corporate tax rate.
- Some districts are moving to bargain more. Look at district fund balance etc.

Making this work FOR us ...

- The new evaluation system gives us an AWESOME opportunity to organize & activate the teachers of New Mexico. Folks are paying attention. Let's get them involved.
- Talk to three people about what you learned here today and ask each them to talk to three others. And so forth!
- Schedule local & building meetings. Share information. Form a group of Teacher Quality Advocates to develop & carry-out an organizing plan.
- Bargain. Collaborate. Stir things up. Make things happen!
- NEA-NM ... all of us together ... we are the stewards of our profession. Through our work on teacher evaluation we are re-claiming our profession!