

**Rochester City School District/Rochester Teachers Association**

## **Career in Teaching Program**

### **Intervention and Professional Support Services**

**A Guide for Teachers, Administrators and Lead Teachers**

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## **Introduction**

The Rochester City School District (RCSD) and the Rochester Teachers Association (RTA) negotiated the Intervention program as part of the Career in Teaching (CIT) Plan to help promote professionalism among teachers and to increase the prospects for more effective learning by all of our students. Peer review and assistance is an effective way to improve accountability and to involve teachers in collegial relationships. Since 1988, approximately fifty teachers have been recommended for Intervention through this program.

In the 1990 teacher's contract, Professional Support – a less formal, voluntary peer assistance service – was added as a service to teachers and included in Section 52 along with Intervention. More than one hundred teachers per year have accessed this assistance since then.

It is in the interest of schools, teaching and especially, students when practitioners themselves are involved – in a meaningful way – in all decisions that affect student's outcomes. Teachers in Rochester have accepted the responsibility and professional privilege to monitor quality of performance from within the ranks of the profession. It is a matter of professional autonomy no less than a matter of professional accountability. The foremost objective of both Intervention and Professional Support is to promote improved practice and better student learning.

This handbook is designed to explain the Intervention and Professional Support processes and to provide the necessary forms for Intervention. The question and answer section was developed jointly by the City School District's Office of Counsel and the Rochester Teachers Association. This entire handbook serves as an extension and explanation of the contractual language set forth in Section 52 (see Appendix D) of the RTA contract with the City School District.

Questions or comments about this publication can be directed to the CIT Panel Co-Chairperson at the RTA.

# **INTERVENTION Questions & Answers**

## **WHAT IS INTERVENTION?**

Intervention is a component of the Career in Teaching Program designed to help improve the performance of tenured teachers that are having serious difficulties in performance of their professional responsibilities. The goal of Intervention services is to improve the performance of tenured teachers through peer assistance. Intervention provides teachers experiencing serious difficulties in the classroom or other professional settings with a constructive alternative to traditional disciplinary actions. Entry into Intervention is voluntary on the part of the teacher.

## **HOW DOES INTERVENTION FIT INTO THE CAREER IN TEACHING PROGRAM?**

One goal of the Career in Teaching Program, as negotiated by the Rochester City School District and the Rochester Teachers Association, is to develop and maintain the highest caliber teaching staff. A wide array of services and options is available to all teachers to help ensure that each individual succeeds and excels in the fulfillment of his or her professional responsibilities. These options include Professional Support as outlined in Section 52 (Appendix D) of the contract and Performance Appraisal Review for Teachers (Part) and Summative Appraisal (Section 52).

While many possibilities exist for arranging professional development activities under the CIT Program, Intervention is the service specifically structured for tenured teachers experiencing the greatest need for assistance.

## **HOW DOES INTERVENTION FIT INTO THE EXISTING EVALUATION PROCESS?**

Intervention has been incorporated into the revised “Due Process Guidelines for Supervisors to follow in Counseling, Supervising and Evaluating Teachers whose Performance does Not Meet District Standard” (See Appendix C). The Due Process Guidelines are extremely important. If a supervisor has concerns about a teacher’s performance, he/she must document those concerns and the attempts made by the supervisor to provide assistance and support for change. If a teacher has chosen PART/SUMMATIVE for his/her evaluation process, formal observations are appropriate when supervisors are aware that tenured teachers are experiencing difficulties. Supervisors must indicate concerns in Part *Year-End Report* comments and in the *Supervisor’s Response to the Summative Appraisal* determination. These comments should then indicate the supervisor’s assessment that the teacher involved is not meeting professional standards.

In the case of harmful practice, supervisors should not wait until the end of the year to express concern about a teacher’s performance

## **WHO ADMINISTERS THE INTERVENTION COMPONENT OF THE CAREER IN TEACHING PROGRAM?**

The Career in Teaching Program is directed by the twelve-member Joint Governing Panel, composed of six members appointed by the Superintendent of Schools and six appointed by the RTA. The CIT Panel is responsible for administering all aspects of teacher Intervention and Professional Support. The CIT Panel:

- Develops policies, procedures and standards with respect to Intervention consistent with the parameters established by contractual negotiations.
- Reviews and acts upon recommendations for Intervention.

- Assigns peer assistance and Professional Support.
- Determines the duration of such assistance.
- Reviews the administrator's recommendation for salary withholds during Intervention and either supports the recommendation or responds to it in some way.
- Reviews all Intervention status reports and other pertinent materials submitted to the CIT Panel.
- Determines whether Intervention was successful.
- Recommends the case disposition, in writing, to the Superintendent and RTA President.

## **WHO IS ELIGIBLE FOR INTERVENTION SERVICES?**

Tenured teachers in all certification areas are eligible and may be recommended for Intervention services. Eligible teachers must be experiencing serious difficulties in the performance of professional duties, and reasonable efforts to improve the teacher's performance must already have been made.

## **IS INTERVENTION ASSISTANCE AVAILABLE FOR NON-TENURED TEACHERS OR CONTRACT SUBSTITUTES?**

No, formal Intervention is not presently available at the intern or resident levels, although non-tenured teachers may request Professional Support services. Contract substitutes' requests for Professional Support will be reviewed and acted upon by the CIT Panel.

## **IS INTERVENTION AVAILABLE ONLY TO CLASSROOM TEACHERS?**

No. Intervention may be appropriate for any tenured teacher unit member whose performance is less than satisfactory and whose supervisor has followed the due process steps set forth in district policy and in the RTA contract.

## **WHO RECOMMENDS INTERVENTION SERVICES?**

The process of recommending and enrolling a teacher in Intervention begins whenever a school principal and/or other appropriate supervisor reports to the CIT Panel, in writing, that a teacher is experiencing serious difficulty with teaching performance and may benefit from Intervention. The administrator must complete the *Recommendation for Intervention* form (See Appendix B).

## **MAY A TEACHER BE RECOMMENDED FOR INTERVENTION FOR MINOR PROBLEMS?**

No. A teacher may be referred only for serious difficulties with teaching performance which, if continued, could lead to dismissal or severe disciplinary action. Minor problems should be addressed by existing administrative support and/or staff development, in service, etc.

Professional Support is available on a voluntary basis for teachers experiencing less serious difficulties. A supervisor may suggest Professional Support, but the individual teacher must seek that assistance.

## **AT WHAT POINT IS IT APPROPRIATE FOR AN ADMINISTRATOR TO RECOMMEND INTERVENTION SERVICES?**

Recommendations for Intervention shall be initiated after the administrator has made "reasonable efforts" to improve the teacher's instructional performance.

"Reasonable efforts" are defined in the "Due Process Guidelines for Administrators to follow in Counseling, Supervising and Evaluating Teachers Whose Performance Does Not Meet

District Standards.” This procedure includes the recommendation for Intervention as an important step (See Appendix C). An appropriately completed copy of the Due Process Guidelines form must be submitted to the CIT Panel with the *Recommendation for Intervention*.

### **WHEN MAY A TEACHER BE REFERRED FOR INTERVENTION?**

A teacher may be referred for Intervention at any time during the school year. Teachers identified as not performing at a satisfactory level on the mid-year report submitted to Human Resources should be considered for recommendation to the CIT Panel for Intervention services if appropriate due process steps have been followed.

### **MAY TEACHERS VOLUNTEER FOR INTERVENTION WITHOUT BEING REFERRED?**

No, Intervention is a step in the due process guidelines that administrators must follow for teachers whose performance does not meet professional standards. Appropriate due process steps must be followed prior to the teacher being recommended for Intervention by the administrator (see Appendix C).

Teachers who need assistance, however, may choose to access the Professional Support Services offered through the CIT Program.

### **WHAT HAPPENS IF THE TEACHER DOESN'T AGREE WITH THE RECOMMENDATION FOR INTERVENTION?**

The teacher is required to sign the *Recommendation for Intervention*. The teacher's signature indicates that he/she has been informed that his/her name is being submitted for consideration, but does not imply that the teacher has volunteered to participate in the program.

The teacher may respond in writing to the CIT Panel at the time he/she is recommended for Intervention. If the teacher wishes to meet with the CIT Panel to discuss his/her situation, the Panel will accommodate such a request.

### **WHAT HAPPENS AFTER THE CIT PANEL RECEIVES THE RECOMMENDATION FOR INTERVENTION?**

The CIT Panel will review the *Recommendation for Intervention* and may request an opportunity to observe the teacher's performance in the classroom. Any teacher who is recommended for Intervention will be afforded the opportunity to meet with the CIT Panel or a CIT Panel member to discuss the recommendation. A similar meeting will be held with the building Administrator.

Based on the appropriateness of the referral, the CIT Panel will accept or reject the Recommendation, in writing, on the *Response to Recommendation for Intervention* (Appendix B).

If accepted, the notice is sent to the teacher, appropriate administrator, and the Superintendent. If rejected, the notice and rationale will be sent to the teacher, appropriate administrator and the Superintendent.

### **CAN THE DECISION OF THE PANEL BE APPEALED?**

The CIT Panel will reconsider their decision based on the presentation of substantial new evidence or documentation. A teacher who wishes to appeal a Panel decision should contact the

Chairperson, in writing, indicating that he/she wishes to appeal and briefly stating the basis for the appeal.

### **MUST A TEACHER WHO IS ACCEPTED FOR INTERVENTION PARTICIPATE IN THE PROGRAM?**

No, a teacher accepted by the Panel for Intervention has the option of volunteering for the program or declining to participate. After receiving notice of acceptance into Intervention, the teacher must agree in writing to participate in the process; otherwise, Intervention services will not be provided.

### **WHAT HAPPENS IF A TEACHER DOES NOT VOLUNTEER FOR INTERVENTION?**

If a teacher rejects the CIT Panel's recommendation for Intervention, he/she must do so in writing on the *Response to Recommendation for Intervention Form*. The teacher's decision will be noted in the teacher's Personnel File. Appropriate procedure as set forth in the Due Process Guidelines (Appendix C) will continue.

### **HOW IS THE HUMAN CAPITAL INITIATIVES DEPARTMENT NOTIFIED ABOUT INTERVENTION CASES?**

The Panel will notify the Department of Human Capital Initiatives in writing: a) that the teacher was recommended for Intervention, b) what the Panel's decision was; and c) whether the teacher volunteered to participate in the program (see Appendix B). This written notice will be maintained in the teacher's personnel file.

### **HOW LONG WILL TEACHERS PARTICIPATING IN INTERVENTION RECEIVE ASSISTANCE?**

Teachers participating in Intervention will continue to receive assistance until the CIT Panel determines that no further assistance is needed or would be productive, or until the teacher in Intervention no longer wishes to participate. The duration of the Intervention program for any one teacher shall not extend beyond the start of the third full semester from the date of the initiation of the assistance program. Typically, Intervention services will be provided for at least two full semesters.

### **WHO WILL PROVIDE INTERVENTION ASSISTANCE?**

Mentor lead teachers selected by the CIT Panel will provide Intervention assistance.

### **WILL THE LEAD TEACHER ASSIGNED BE IN THE SAME CERTIFICATION AREA AS THE TEACHER IN INTERVENTION?**

Every effort will be made to match teachers in the same certification area. In some cases, the CIT Panel may assign a Lead Teacher from a different certification area. The CIT Panel will use whatever resources are available and deemed appropriate to ensure the success of Intervention.

### **WILL THE SAME LEAD TEACHER BE ASSIGNED FOR THE ENTIRE INTERVENTION PERIOD?**

The CIT Panel will make every effort to assign one Lead Teacher for the entire period of Intervention. There may be situations which call for reassignment of a Lead Teacher. That decision rests solely with the CIT Panel. If such a reassignment is made, the term of the Intervention will not be extended without separate CIT Panel action.

### **CAN A TEACHER IN INTERVENTION REQUEST A “NEW” MENTOR?**

Because the length of an Intervention is limited, changing the Lead Teacher assigned has rarely been done. However, a teacher in Intervention may bring concerns about his/her mentor to the CIT Panel at any time. The CIT Panel will investigate such requests and, if the conditions indicate that a new mentor will better serve the teacher in Intervention, then one will be appointed.

### **WHAT TYPES OF ASSISTANCE WILL LEAD TEACHERS PROVIDE?**

The type of Intervention assistance provided by Lead Teachers will vary based on the teacher’s needs for improvement. Lead Teachers will support the implementation of plans for assistance for teachers who choose to participate in Intervention. Lead Teachers will develop written performance goals, with the teacher—a “plan of action,” offer support and monitor the progress of the teachers. Other school personnel may assist in the Intervention program when needed and when invited to do so by the Lead Teacher.

### **WHAT IS EXPECTED OF TEACHERS IN INTERVENTION?**

A teacher who volunteers to participate in Intervention is expected to confer with the Lead Teacher assigned and to participate actively in efforts to improve his/her instructional performance. The teacher in Intervention has a responsibility to make every effort to implement suggestions and to use resources offered during this process. In addition, the teacher in Intervention must adhere to the procedures set forth in this handbook, in district practice, and in the contractual agreement.

### **HOW IS THE PROGRESS OF A TEACHER IN INTERVENTION MONITORED?**

The Lead Teacher submits Intervention Status Reports to the CIT Panel twice each semester--at mid semester and at the end of each semester--or upon request of the Panel. Intervention Status Reports should be in narrative form (See Appendix C for recommended format). The reports should include the following information:

- Dates and times of observation and conferences;
- A copy of the initial “plan of action” (This should accompany the first status report.);
- Issues and concerns being addressed (needs assessment);
- Methods, practices, etc., being employed to improve instruction;
- Reference to involvement of others in improving instruction (teachers, administrators, et al.);
- Staff development courses, in-services, etc. attended by the teacher;
- A clear statement of the Lead Teacher’s assessment of the Intervention case’s progress or lack of it with references to specific instructional areas;
- Other pertinent information.

Intervention Status Reports should be signed by both the Lead Teacher and the teacher in Intervention. If the teacher in Intervention wishes to comment in writing, he/she has the right.



Comments should be forwarded to the CIT Panel in a timely way or attached to the Lead Teacher's Status Report.

### **WILL TEACHERS IN INTERVENTION BE OBSERVED BY BUILDING ADMINISTRATORS?**

Observations by administrators may continue during Intervention. The teacher in Intervention may request that the Lead Teacher be present at evaluation conferences. No Disciplinary action for teaching performance may commence until Intervention is concluded and the CIT Panel's final report is issued.

### **MAY OTHERS CONDUCT OBSERVATIONS DURING INTERVENTION?**

Yes, copies of all observation forms should be sent to the Department of Human Capital Initiatives. No disciplinary action for teaching performance may commence until Intervention is concluded, and the CIT Panel's final report is issued. Upon request of the Lead Teacher, a CIT Panel member may conduct an observation during the period of Intervention.

### **WILL THE CIT PANEL BE MADE AWARE OF ADMINISTRATORS' OBSERVATIONS AND EVALUATIONS WHICH OCCUR DURING INTERVENTION?**

Yes, the Department of Human Capital Initiatives will forward copies of the observation and evaluation forms to the CIT Panel. Copies of these forms will be maintained in the teacher's CIT file.

### **CAN ANY DISCIPLINARY ACTION BE INITIATED DURING INTERVENTION?**

Nothing contained in the CIT Plan agreement prohibits the district, the Superintendent or the Board of Education from bringing disciplinary action against any participating teacher for cause, other than teaching performance, during the period of Intervention. Further, nothing prohibits action from being brought against a participating teacher at the conclusion of Intervention except as limited by the specific items of the CIT agreement.

### **WHAT SHOULD AN ADMINISTRATOR DO IF HE OR SHE FEELS THAT THE PERFORMANCE OF A TEACHER IN INTERVENTION HAS CONTINUED TO DECLINE?**

During the Intervention process, any of the parties of interest may request a meeting with the CIT Panel, Lead Teacher and teacher in Intervention. Administrators should also conduct reasonable classroom observation and submit a summative evaluation to Human Resources. If satisfactory progress is not reported during Intervention, the CIT Panel may recommend other action to the Superintendent.

### **DOES THE LEAD TEACHER COMPLETE A FINAL REPORT?**

Yes. The *Final Intervention Report* is due at the end of the second full semester after the Intervention process begins or when Intervention is terminated (see Appendix B). The Lead Teacher should confirm the termination date with the CIT Panel when the Intervention process begins. The *Final Intervention Report* should include the following:

- A statement describing the initial performance difficult or difficulties;

- A copy of the plan of action developed by the Lead Teacher and teacher in Intervention;
- Copies of all status reports’
- A summary of steps taken to remedy the problem(s);
- A summary by the Lead Teacher about the success/failure of the Intervention effort, Including a “prognosis” for the teacher involved once Intervention ends;
- Any recommendations for continued or additional support from the CIT Program and/or the RCSD.

The Final Intervention Report will be presented to the CIT Panel (or subcommittee) by the Lead Teacher. At that time, Panel members may ask for further information about the case. A Lead Teacher should have all written documentation on hand for a final report.

The teacher completing Intervention may at his/her request meet with the CIT Panel to discuss the Final Intervention Report. The teacher in Intervention has a right to attach a response to the Lead Teacher’s Final Report to the CIT Panel.

### **WHAT HAPPENS AT THE CONCLUSION OF INTERVENTION?**

At the conclusion of a teacher’s Intervention, the CIT Panel will review all status reports and other information, including observation and evaluations, submitted to the Panel. If the determination of the CIT Panel is that Intervention was successful, the CIT Panel will issue a written report to the Superintendent, the RTA President and the teacher in Intervention.

If the determination of the CIT Panel is that Intervention was not successful, the CIT Panel will issue a written report to the Superintendent, the RTA President and the teacher in Intervention. The teacher must sign the CIT Panel’s report and may attach comments. The Panel will inform the administrator that Intervention services have been terminated and that a report to the Superintendent has been issued. Evaluation and/or discipline procedures, as outlined in Section 36, 37, and 45 1a 3, of the current contractual agreement and procedure set forth in the Due Process Guidelines, should then be instituted.

The teacher in Intervention has a right to attach a response to the written report of the CIT Panel.

### **ON WHAT BASIS IS THE SUCCESS OR FAILURE OF INTERVENTION DETERMINED?**

It is expected that the teacher in Intervention will incorporate suggestions for improvement of practices and procedures so that professional standards are met. The CIT Panel determines the success of an Intervention based on the status reports filed by the Lead Teacher, on the observation and evaluations of district supervisory staff, and other pertinent information.

### **WHAT HAPPENS IF THE BUILDING ADMINISTRATOR AND THE LEAD TEACHER DISAGREE ABOUT THE SUCCESS OR FAILURE OF A TEACHER IN INTERVENTION?**

The CIT Panel has the responsibility to determine whether Intervention has been successful or not by considering all pertinent data. If there is a conflict in the assessment of the Lead Teacher and the evaluation of the administrator, the CIT Panel is responsible for considering the available data before making its final report to the Superintendent.

## **WHAT HAPPENS IF A TEACHER IN INTERVENTION NO LONGER WISHES TO PARTICIPATE IN THE PROGRAM?**

The teacher in Intervention must inform the CIT Panel in writing that he/she no longer wishes to receive Intervention services. The CIT Panel will inform the teacher's administrator about the teacher's decision. The CIT Panel will issue a final written report, which must be signed by the teacher. The final report will be sent to the Superintendent of Schools, the RTA President and the teacher in Intervention. A copy of the report will be filed in the teacher's personnel folder. The teacher in Intervention has a right to attach a response to the written report of the CIT Panel.

## **HOW MANY TIMES MAY A TEACHER RECEIVE INTERVENTION SERVICES?**

The Intervention services offered through the Career in Teaching Program are intended to resolve difficulties in the performance of professional duties. It is unlikely that the CIT Panel would approve a subsequent recommendation for Intervention services for instructional difficulties that had supposedly been "remediated." That decision, however, resides with the CIT Panel and is subject to the terms set forth in the CIT Plan agreement and the Due Process Guidelines.

## **WHERE ARE INTERVENTION RECORDS KEPT?**

Records concerning Intervention are maintained by the CIT Panel, and are not considered part of the teacher's Personnel File. Copies of the *Recommendation for Intervention* and the *Response to Recommendation for Intervention* will be sent to the building administrator. The Department of Human Capital Initiatives will be notified by the CIT Panel about the teacher's decision to participate in Intervention. This decision will be noted in the teacher's personnel file. A copy of the final report of the CIT Panel to the Superintendent will be included in the teacher's personnel file.

## **ARE RECORDS AND COMMUNICATIONS ABOUT INTERVENTION CASES CONFIDENTIAL?**

Yes.

## **WHO WILL HAVE ACCESS TO A TEACHER'S CIT FOLDER?**

The CIT Panel. A teacher in Intervention shall have the right upon request to the CIT Panel and by appointment to review the contents of his/her CIT folder. No one else will have access to the folder.

## **WILL LEAD TEACHERS, PANEL MEMBERS, OR OTHERS BE REQUESTED TO PARTICIPATE IN SUBSEQUENT DISCIPLINE PROCEDURES?**

Lead teachers, or teachers requested to render assistance in any aspect of the CIT Program, shall not testify, or be involved in any other way, in subsequent discipline proceedings. The Chairperson of the Panel may be required to present the Panel's final report as evidence in a disciplinary hearing. Other Panel members may be called to testify about the Panel's deliberation.

## **CAN CIT RECORDS BE USED AS EVIDENCE FOR ANY DISCIPLINARY HEARING?**

Only the CIT Panel's letter to the Coordinating Director of the Department of Human Capital Initiatives and final report that become part of the teacher's personnel file may be introduced in disciplinary hearings. Specifically this includes: 1) the initial *Recommendation for Intervention*; 2) the letter that informs the Department of Human Capital Initiatives of the recommendation for Intervention; 3) the Panel's decision and teacher's response; and 4) the CIT Panel's final report to the Superintendent of Schools.

## **WHERE MAY RECOMMENDATION FOR INTERVENTION FORMS TO BE OBTAINED?**

Each school will be provided copies of the *Recommendation for Intervention* form. Forms will also be available from the CIT Department and Department of Human Capital Initiatives or may be copied from this book.

## **WHAT IF SOMEONE HAS CONCERNS ABOUT INTERVENTION, A LEAD TEACHER OR THE CIT PROGRAM?**

The CIT Panel has established an appeals process to handle concerns about any aspect of the CIT Program. Questions about the CIT Program should be directed to the Chairperson. A telephone call is often all that is needed to handle any concern. In some instances, the Chairperson may suggest that an individual present concerns on an Appeals Form (see Appendix B). If one is appealing a specific decision or occurrence, the Panel requests that the *Appeals Form* be completed within ten days of the incident.

## **DO TEACHERS IN INTERVENTION HAVE ACCESS TO THE GREIVANCE PROCESS?**

Yes, teachers in Intervention retain all contractual rights. If there is procedural concern about the Intervention process, grievance is an available recourse.

## **IS THERE AN ESTABLISHED FORM FOR COMMENTING ABOUT THE CIT PROGRAM?**

Yes, the Panel welcomes all comments and suggestions about CIT Program. A General Comment Sheet (see Appendix B) is available for that purpose.

## **PROFESSIONAL SUPPORT Questions and Answers**

### **WHAT IS PROFESSIONAL SUPPORT AND HOW DOES A TEACHER ACCESS THIS SERVICE?**

Professional Support is outlined in Section 53 of the RTA contract. It is intended to provide “more accessible and more immediate peer assistance and support.” It is considerably less formal than the Intervention process and is totally voluntary. Access to the service is by self-referral only. A teacher should contact the Mentor Program Director at 262-8541 for more information or to request participation.

### **IS PROFESSIONAL SUPPORT PARTICIPATION NOTED IN A TEACHER PERSONEL FILE?**

No, not unless the teacher provides that information. No written records are available for Professional Support involvement.

### **WHO PROVIDES PROFESSIONAL SUPPORT SERVICES?**

Professional Support is provided by Lead Teacher/Mentors as appointed by the CIT Panel.

### **HOW LONG CAN A TEACHER BE IN PROFESSIONAL SUPPORT?**

Professional support can last for up to two (2) full semesters.

### **CAN A TEACHER BE RECOMMENDED FOR INTERVENTION WHILE IN PROFESSIONAL SUPPORT?**

Yes, however information derived from the Professional Support may not be used to validate the Intervention recommendation.

### **WHAT TYPES OF SERVICES ARE PROVIDED IN PROFESSIONAL SUPPORT?**

Support may include, but is not limited to, counseling, observations of others’ classes, demonstration lessons by lead teachers, in-service courses, workshops and conferences.

### **IS A SUPERVISOR INFORMED ABOUT PARTICIPATION?**

Not by the CIT Panel. Because of the presence of a Lead Teacher providing assistance, a supervisor may learn of the Professional Support, but specific notification is not made. A teacher who requests Professional Support may choose to inform his/her supervisor in the process.

### **IS PROFESSIONAL SUPPORT CONFIDENTIAL?**

Yes. The same confidentiality applies to Professional Support that affects the mentor-intern relationship and Intervention. All communications between the teacher and the Lead Teacher are strictly confidential.

### **ARE PART AND SUMMATIVE APPRAISAL REQUIREMENTS CHANGED BY PARTICIPATION IN PROFESSIONAL SUPPORT?**

No. All contractual rights and requirements continue.

### **HOW CAN I GET MORE INFORMATION ABOUT INTERVENTION, PROFESSIONAL SUPPORT OR ABOUT OTHER ASPECTS OF THE CIT PROGRAM?**

More information can be obtained by contacting the CIT Department (262-8541).

# **APPENDIX A**

## **Intervention Procedures Charts**

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# **APPENDIX B**

## **Intervention Forms**

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# APPENDIX C

## Due Process Guidelines

### **Due Process guideline for Counseling, Supervising, and Evaluating Teachers Whose Performance Does Not Meet District Standards**

The primary purpose of the attached checklist is to assure that fair, consistent, and appropriate due process steps are followed in the supervision and evaluation of teachers whose performance does not meet district standards. The checklist is designed to be used in conjunction with the *Teacher Evaluation Guide*.

The purpose of the appraisal system continues to be the positive goal of improving staff performance. Effective administration goes beyond mere compliance with the legal requirements of the due process. Good supervision must be based on concern for the feelings and self-esteem of the individual staff member, especially when dealing with the sensitive area of adequacy of performance. This concern should permeate each action described on the checklist. Variations in the application may be appropriate depending on individual circumstances.

The following are key to effective evaluation and staff improvement:

1. Impartiality
2. Consistency
3. Fairness
4. Follow Through
5. Careful Documentation
6. Contractual Compliance

Administrators must begin due process when a teacher receives a less than satisfactory evaluation. The date of completion for each step must be indicated by the administrator on the **Due Process Guidelines form**.

**The checklist will be required to substantiate any recommendation for intervention or disciplinary action.**

# DUE PROCESS GUIDELINES FORM

## **Due Process guidelines for Counseling Supervising, and Evaluating Teachers whose Performance Does Not Meet District Standards**

**Instruction to the administrator:** Document the completion of each due process step with the date and your initials. If a teacher transfers out of your building or to another supervisor, please transfer a copy of this record, **under seal**, to the new administrator.

**Name of Teacher:** \_\_\_\_\_

**Name of Administrator:** \_\_\_\_\_

*Date and  
Initial*

**I. PROVISION OF INFORMATION REGARDING ASSIGNMENT, COUNSELING AND ASSISTANCE**

- \_\_\_\_\_ A. Teacher has received, in writing and in conference, a job description (where appropriate), explanation of duties, and appropriate work rules.
- \_\_\_\_\_ B. The teacher's evaluator has been identified, and the teacher informed of method of evaluation.
- \_\_\_\_\_ C. Teacher has received a recent evaluation. Deficiencies were specified in writing, areas requiring improvement were explained, and sources of counseling and assistance were identified.

**II. INTERMEDIATE STEPS IN CASE OF "UNSATISFACTORY" OR "BELOW PROFESSIONAL STANDARD EVALUATION RATING".**

- \_\_\_\_\_ A. Resource help has been provided, specific areas needing improvement has been monitored and an objective record has been kept of these activities.
- \_\_\_\_\_ B. Appropriate time has been allowed for improvement; a follow-up written evaluation and conference has been completed informing the teachers that required improvement has not been achieved.
- \_\_\_\_\_ C. Formal conference has established standards, specified non-standard behavior, offered specific counseling and assistance, and set a time for correction and reevaluation. Record of conference signed by teacher and copy placed in Human Resources file.
- \_\_\_\_\_ D. Continued counseling and other assistance have been provided and documented in the continuing evaluation process.
- \_\_\_\_\_ E. Resources staff member(s) in field of teacher's work (instructional director or central office supervisor) have been consulted and their help utilized appropriately in the evaluation and supervisory assistance process.

**Date and**  
**Initial**

- \_\_\_\_\_ F. At this point, intervention services from the Career in Teaching Program may be considered for teachers who continue to experience serious difficulties in the performance of their professional classroom responsibilities. Administrators should refer to the *Handbook for Intervention and Professional Support* for appropriate procedures. Intervention is not a disciplinary action and such referral may not be grieved. (An appropriately completed **Due Process Guidelines Form** must be submitted to the CIT Panel with the Recommendation for Intervention.)
- \_\_\_\_\_ G. Change of duties within the same school, office or department and within the same classification has been considered and implemented, if appropriate, with explanation and written record.
- \_\_\_\_\_ H. Transfer has been considered, where appropriate and consistent with contract with suitable documentation and notice to new supervisor X. (Transfer consideration should not be for purpose of passing problems to someone else.)
- \_\_\_\_\_ I. Conference to plan future action has been convened by Human Resources at request of one of the below, all of whom are in attendance:
- ☐ 1. Principal or appropriate supervisor
  - ☐ 2. Appropriate central office administrator
  - ☐ 3. Counsel
  - ☐ 4. Human Resource representative
- \_\_\_\_\_ J. Consistent with the agreement and where appropriate, the teacher must be recommended for intervention services prior to the imposition of “withhold: or more severe disciplinary action”. Intervention is not a disciplinary action and such referral may not be grieved. An appropriately completed **Due Process Guidelines** must be submitted to the CIT Panel with the **Recommendation for Intervention**.

**III. FINAL STEPS IN CASE OF CONTINUING “UNSATISFACTORY” OR “BELOW PROFESSIONAL STANDARDS”**

**EVALUATION RATING**

**Date and**  
**Initial**

- \_\_\_\_\_ A. **For Teachers who did not participate in intervention:**
- \_\_\_\_\_ 1. Recommendation for disciplinary action has been prepared by the principal or appropriate supervisor and forwarded to Human Resources with a copy to the appropriate central office supervisor (Assistance in preparation from Human Resources, counsel and others as appropriate.)

All written observations, evaluations, and other documentation must be on file in Human Resources and comply with appropriate contract provision. Human Resources has forwarded recommendation and documentations to the Superintendent.

- \_\_\_\_\_ 2.
- ☐ a. Recommendation has been approved by the Superintendent
  - ☐ b. Recommendation has been approved by resolution of the Board of Education, where required by contract and/or Education Law.
- \_\_\_\_\_ 3. Notice requirements of the contract, after approval as to form by Counsel, have been met.

**B. For teachers who participated unsuccessfully in intervention:**

- \_\_\_\_\_ 1. Superintendent may request that a recommendation for disciplinary action be prepared by principal or appropriate supervisor, Human Resources, Counsel and others, as appropriate. All written Observations, evaluations and other documentation, including the CIT Panel's final report, must be on file in Human Resources and comply with applicable provisions.
- \_\_\_\_\_ 2. Human Resources has forwarded recommendation and documentation to the Superintendent.
- ☐ a. Recommendation has been approved by the Superintendent.
  - ☐ b. Recommendation has been approved to resolution of the Board of Education, where required by contract and/or Education Law.
- \_\_\_\_\_ 3. Notice requirements of the contract, after approval as to form by counsel, have been met.

**C. For teachers who participate successfully in intervention:**

- \_\_\_\_\_ 1. The Supervisor will observe and evaluate the performance of the teacher at least once each semester for the two year period following successful termination of intervention. Ongoing, appropriate instructional support will be provided.
- \_\_\_\_\_ 2. If during the two year period following the conclusion of intervention, the teacher receives a less than satisfactory evaluation, then the administrator may continue with Step IIIB of these guidelines or the Superintendent may recommend further intervention.

**IV. UPON RECOMMENDATION FOR DISCIPLINARY ACTION:**

**Date and**  
**Initial**

- \_\_\_\_\_ A. Counsel's Office coordinates district participation, including working with the principal and other supervisors who are to be witnesses. Human Resources assists as required.

Nothing contained in the CIT Plan agreement prohibits the district, the Superintendent or Board of Education from bringing disciplinary action against any participating teacher for cause other than teaching performance, during the period of intervention. Further, nothing prohibits action from being brought against a participating teacher at the conclusion of Intervention, except as limited by the specific terms of the CIT Plan Agreement.

## **APPENDIX D**

### **Selections from the Contractual Agreement between the Rochester City School District and the Rochester Teachers Association July 1, 2006**

## SECTION 36

### OBSERVATION AND EVALUATION

The following shall govern all teacher observation and evaluations:

1. a. Evaluation and observations shall be made by personnel assigned to a position which includes responsibilities for the evaluation and observation of staff.
- b. Final evaluation of a teacher must be based upon at least one or more observations conducted by one or more members of the City School District staff.
2. By the end of October, or within two (2) months of a teacher's beginning service, the administrator or his/her designee shall:
  - a. Inform the teacher of the purpose and procedures used in the evaluation of teachers prior to any evaluation.
  - b. Review the forms used in the evaluation process.
3. All observation of work performance of a teacher shall be conducted openly, with full knowledge of the teacher. The use of public address or audio systems and similar surveillance shall not be used for this purpose.
4. The formal observation by building level personnel will be a teaching segment of time no less than thirty (30) minutes.
  - a. Formal observations by building level personnel shall be reduced to writing and delivered to the teacher observed within five (5) days of the date of observation. In addition a conference will be provided upon request of either party. The formal observation may be amended by the building level personnel at the time of the conference.
  - b. Formal observation by building level personnel of non-tenured teachers unless waived by the teacher concerned shall be a minimum of three (3). The first observation shall be no later than November 15, the second to take place between November 16 and the end of the first semester; and the last to take place before March 30.
5. A teacher shall be given a copy of the final evaluations prepared by his/her supervisor upon request. No such report shall be submitted to central administration, placed in a teacher's file or otherwise acted upon without prior conference with the teacher. A teacher will be entitled to have a representative of the Association present with him/her at the conference.
6. Final evaluations will be submitted to and discussed with the teacher no later than April 30 (unless the April 30 deadline is waived by the teacher concerned) for those teachers who are rated less than "Accomplished." For those teachers rated "Accomplished" or "Distinguished," the final evaluations will be submitted to and discussed with the teacher

no later than May 15 (unless May 15 deadlines waived by the teacher concerned). Such final evaluation forms shall become part of the teacher's personnel file.

7. a. All observation and evaluation forms shall require the signature of the evaluator or observer and the teacher. These standard forms shall contain the statement "I have read and (do/do not) agree with the above," followed by space for the teacher's signature.
  - b. The teacher shall also have the right to submit a written reply to such material and attach it to the file copy.
8. No material derogatory to a teacher's conduct, service, character or personality shall be placed in his/her personnel file unless the teacher has signed such material indicating he/she has had the opportunity to review it. This clause shall not apply to:
- a. Reference information supplied by former employers.
  - b. Reference information supplied by colleges and universities.
  - c. Reference information as required by the local promotional procedure.

The teacher shall also have the right to submit a written reply to such material and attach it to the file copy.

9. No observation or evaluation form of any kind shall become part of a teacher's personnel file unless it has met the above conditions.

10. a. A teacher shall have the right upon request and by appointment to review the contents of his/her personnel file wherever maintained except information supplied by reference sources. A teacher will be entitled to have a representative of the Association accompany him/her during such review.

b. No agency or group or Association representatives shall have access to a teacher's personnel file (wherever maintained) without prior consent of the teacher.

c. The District shall maintain a list which shall become part of the personnel file or all personnel who review the teacher's personnel file, which list shall contain the name of the individual and the date reviewed. An individual not known to the custodian of the file shall be required to identify himself/herself prior to gaining access to the file. No access except as provided herein to the teacher's personnel file shall be permitted.

11. No individual or group (other than those designated in Section 36.1 of this Agreement) shall enter a classroom without prior consent of the principal.

12. A teacher may request an observation or evaluation be made by an appropriate Central Office staff member at any time during the school year.

13. Teachers who have selected PART/Summative Appraisal according to Section 52 of this Agreement shall not be subjected to formal observations by supervisors except for good cause which is to be explained to the teacher prior to the scheduling of such observations or unless the teacher requests that a formal observation be conducted.

## **SECTION 52**

### **CAREER IN TEACHING PLAN**

**(Pertinent Provisions Only)**

#### **3. Teacher Evaluation**

- a. The *Teacher Evaluation Guide (August 2005)* shall be revised to reflect all changes in the teacher evaluation procedures included in the Agreement.
- b. All teachers shall be evaluated according to expectations and standards in four areas; student learning, teaching, professional development, and home/community involvement. The four areas shall incorporate to the extent appropriate the existing professional expectations and accompanying standards for pedagogy, content, school quality, home involvement and professional development. Student performance indicators (e.g., achievement as measured by tests, authentic assessments, teacher observations, etc) shall be incorporated as part of “student learning” standards.
- c. Teacher evaluation shall yield one of the following four summary ratings: “Distinguished,” “Proficient,” “Meets Standards,” “Below Standards” and “Unsatisfactory.”
- d. By December 1, 2000, CIT Panel will develop success measures for performance on standards within each of the five areas of professional expectations, including but not limited to placing emphasis on student performance and achievement data to the extent practicable.
- e. Negotiated changes in teacher evaluation procedures shall be implemented as soon as possible. The parties agree that the CIT School District *Teacher Evaluation Guide (August 2005)*, revised to reflect these changes, shall be the basis for the NYS-required Annual Professional Performance review (APPR). Any modifications in the process for developing the APPR or the content of the APPR required by CR 100.2 (o) shall be the responsibility of the Career in Teaching Joint Governing Panel.

#### **4. Intern Teacher**

- a. Newly employed teachers shall be considered Intern Teachers. Every effort shall be made to assign Intern Teachers a CIT mentor for their first year with the District. Newly employed teachers who have had previous teaching experience may be excluded from Internship and assigned Resident status by the decision of the Joint Governing Panel.
- b. The Internship experience will include extended expectations and requirements designed to : (a) induct newly hired teachers into the District, the profession and the community; (b) assist interns to develop their pedagogical skills and to handle their other responsibilities; (c) help Interns to develop the skills necessary to work effectively in an environment; and (d) inspire teacher excellence. The extended expectations and requirements for Interns will be established by the Joint Governing Panel.
- c. Tenured, permanently certified teachers who change tenure area may be assigned a mentor by the Panel.



- d. Intern teachers shall be evaluated by their supervisors using the existing teacher evaluation forms and procedures as set forth in the “Process for the Supervision and Evaluation of District Personnel (Teacher).” Intern teachers shall also be evaluated according to procedures set forth in the Mentor Teacher-Intern Program’s ***“Intern Handbook.”*** Intern teachers will also be monitored and evaluated by their CIT Lead Teacher/Mentors.
- e. At the end of the internship period, the CIT Joint governing Panel is responsible for making recommendations as to the continued employment and advancement to Resident level of each Intern to the Superintendent and the RTA President. A copy of such recommendation will be given to the Intern. The Joint Governing Panel’s recommendation shall become part of the Intern Teacher’s personnel file. Upon reviewing supervisor’s evaluations and Lead Teacher status reports, the CIT Panel may recommend an extension of the Internship for a period not to exceed one year. At the successful completion of the second year of Internship, the Panel may recommend that the decision relating to tenure be postponed to the completion of a fourth year of employment in the City School District. In such case, the employment year after the intern period shall be treated as the second year of employment for the purposes of Section 37 and 38 of this agreement.
- f. If the Intern is rated “Unsatisfactory” by the supervisor and “Not recommended for continuation” by the lead teacher/mentor, he/she would be terminated.
- g. If either the lead teacher/mentor or the supervisor recommends termination or rates the Intern “Unsatisfactory,” the CIT Panel must review the intern’s performance reports and make a recommendation to the Superintendent of Schools regarding (1) the Intern’s continuation or termination and (2) if the Intern is recommended for continuation, his/her status for participation in the voluntary transfer process. A recommendation may include professional support services, mentor services for all or part of the second year, or other suggested support for Intern development.
- h. If the Intern is rated “Below Professional Standards” by the supervisor and receives the equivalent recommendation from his/her teacher/mentor, CIT Panel must review the Intern’s performance and make a recommendation to the Superintendent of Schools for the terms of the Intern’s extended continuation which may include professional support services, mentor services for all or part of the second year, or other suggested support for Intern development. The CIT Panel shall determine his/her status for participation in the voluntary transfer process.
- i. If the Intern is rated “Meets Professional Standards” or higher by the supervisor and receives the equivalent recommendation from his/her lead teacher/mentor, he/she shall advance to the Resident level.
- j. In the case of extended internships, if an intern is not recommended for advancement to the Resident level by the end of his/her second year, the CIT Panel shall review his/her performance reports and make a recommendation to the Superintendent of Schools regarding his/her termination.

- k. For purposes of salary advancement and career level progression, all new hires shall be considered interns. Prior teaching experience shall be reviewed by the Department of Human Resources and the CIT Panel in order to determine whether new hires with prior teaching experience qualify for the Mentor Teacher-Intern Program according to NYS and CSD guidelines.
5. **Resident Teacher**
- a. Resident level teachers shall be evaluated by their supervisors using the existing teacher evaluation forms and procedures as set forth in the **Teacher Evaluation Guide (August 2005)**.
  - b. Teachers who successfully complete the Intern Teacher level with the District will move to the Resident Teacher level.
  - c. Resident teachers are responsible for practices and behavior consistent with the professional expectations for teachers and for effective practice that is evidenced by progress in student performance. Resident teachers are responsible for creating increased opportunities for students, knowing their subject matter, knowing how to engage students in active learning, making every effort to involve parents and community in supporting their students' education, contributing to the overall improvement of the school environment, and doing all they can possibly do to ensure that all students progress.
  - d. Resident teachers will be evaluated by their direct supervisor. Only if the evaluation reflects a rating of "Distinguished" or "Proficient," or "Meets Professional Standards" will movement on the salary schedule and/or to the next level of the Career in Teaching Plan be granted.
  - e. A teacher may remain at the Resident level for up to four years, assuming he/she continues to meet professional standards. If after five years in the District (one year of Internship and up to four years of Residency), a teacher has not completed requirements for permanent certification, the District may direct that the teacher be placed on unpaid leave until certification requirements are met or take such other action as is provided by State Education Law.
  - f. At the end of each school year, the Joint Governing Panel is responsible for reviewing progress of Resident level teachers and for making recommendation to the Superintendent of Schools and the RTA President as to their continued employment and career level advancement.
  - g. If a Resident level teacher is rated "Unsatisfactory." The CIT Panel must review the teacher's performance reports and determine his/her status for participation in the voluntary transfer process.
  - h. If a Resident level teacher is rated "Below Professional Standards," the CIT Panel must review the teacher's performance to ensure that an individual professional development or Teacher Improvement Plan is in place to address areas where growth is needed.

- i. If a Resident level teacher is rated “Meets Professional Standards or higher, he/she will be eligible for advancement to the Professional level if tenure and permanent certification requirements had been met.

6. **Professional Teacher**

- a. Teachers who are tenured in the Rochester City School District and have earned permanent NYS certification in their tenure area shall be considered Professional Teachers. Professional Teacher status shall be a prerequisite for eligibility for selection and appointment as Lead Teacher.
- b. Professional teachers may choose either Summative Appraisal or annual evaluation and observations by their supervisor as set forth in the ***Teacher Evaluation Guide (August, 2005)***.
- c. A teacher’s supervising administrator shall be part of the Summative appraisal review team. A Summative Appraisal review team may be made up of the principal or supervising administrator and up to two teachers selected by the teacher being reviewed. At least one teacher member of the summative Appraisal review team must be from the same certification area as the teacher being reviewed. No teacher member of the Summative Appraisal review team may be from the Part group of the teacher being reviewed.
- d. Professional teachers who choose Summative Appraisal and whose evaluations have a summary rating of “Distinguished” or “Proficient,” or “Meets Professional Standards,” will be evaluated every three years. All procedures for Summative Appraisal of professional level teachers are contained in the ***Teacher Evaluation Guide (August 2005)***.
- e. Teachers who are rated “Below Professional Standards” *may* be, and teachers rated as “Unsatisfactory” *shall be* referred for Intervention as set forth in Section 53 and explained in the “Handbook for Intervention and Professional support.” A supervisor or administrator may observe and evaluate a teacher and intervene at any time to avoid harmful practice by a teacher and provide the appropriate support. He or she may recommend Professional Support and, if necessary, Intervention.
- f. The CIT Joint Governing Panel shall make any necessary adjustments in the guidelines for the Teacher Evaluation system, including revisions in the teacher evaluation instruments reference in this section of the Agreement. The CIT Joint Governing Panel shall make every reasonable effort to adjust teacher evaluation procedures consistent with the recommendations from RTA President and the Superintendent of Schools contained in the joint letter to the CIT panel dated April 30, 1997.
- g. If a teacher participating in the Summative appraisal process is rated as “Below Professional Standards” or “Unsatisfactory,” he/she shall return to evaluation by his/her supervisor in the following school year according to procedures set forth in the ***Teacher Evaluation Guide (August 2005)***.

- h. For teachers rated “Below Professional Standards” or “Unsatisfactory,” evaluations and support for improvement shall continue on a semi-annual basis.
- i. The exclusive forum for a teacher of the results of the Summative Appraisal process shall be a three-member panel consisting of the Superintendent of Schools and the RTA President, or their designees, and a third party mutually agreed to by them. The decision of this panel shall be final and binding.
- j. Teachers at the professional level and above will be evaluated more frequently if the summative evaluation reflects a rating of “Below Professional Standards” or lower and shall be subject to the salary withhold provision of Section 46 of this agreement.
- k. Advancement to the Professional level requires tenure and permanent NYS certification as well as an evaluation rating of “Meets Standards” or higher.