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Enactment Date	6/28/17



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

LABOR MANAGEMENT & EMPLOYEE RELATIONS

Memo

To Board of Education

From Marion McWilliams, General Counsel
Jenine Lindsey, Director of Labor Strategy

Board Meeting Date June 28, 2017

Subject **Approval of Side Letter of Agreement, as Agreement between Oakland Unified School District (“District”) and the United Administrators of Oakland Schools (“UAOS”) regarding the Collective Bargaining Agreement**

Action Requested Approval by the Board of Education of the Side Letter of Agreement, as Agreement, between the District and UAOS concerning the Collective Bargaining Agreement (“CBA”), effective July 1, 2014 through June 30, 2017.

Summary On June 8, 2016, the District conducted a Public Hearing (“sunshining”) on the District’s Initial Proposals for Re-Opener Negotiations with the UAOS (under Legislative File ID Number 16-1164).

On May 31, 2017, the parties representing the District and UAOS reached an agreement concerning the following Articles of the Collective Bargaining Agreement (“CBA”): Article 6 (Evaluation/Leadership Growth and Development System); Article 17 (duration of the CBA); and a reopener on Article 6.2 (Classified Administrator Evaluations).

Fiscal Impact No financial impact to the District.

Recommendation Approval by the Board of Education of the Side Letter of Agreement, as Agreement, between the District and UAOS concerning the Collective Bargaining Agreement (“CBA”), effective July 1, 2014 through June 30, 2017.

Attachments

- Side Letter of Agreement

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**Side Letter Agreement
Between the United Administrators of Oakland Schools
and the Oakland Unified School District**

This side letter agreement ("Agreement") is entered into between the United Administrators of Oakland Schools ("Union") and the Oakland Unified School District (the "District") concerning the collective bargaining agreement ("CBA") effective July 1, 2014- June 30, 2017.

Article 6: Evaluation

The parties agree to incorporate the Leadership Growth and Development System ("LGDS") as the evaluation tool for certificated unit members effective July 1, 2017. Appendix 6.1 of the CBA shall be replaced by the LGDS tool (*see Attachment 1*).

Article 17: Duration

The parties hereby agree to a one year extension of the CBA effective July 1, 2017 – June 30, 2018.


Re-Openers


The parties agree to a reopener on Article 6.2, classified administrator evaluations. Additionally, either party may reopen any article upon written notice of its desire to amend and/or modify the article.

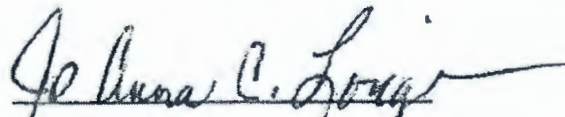
In witness whereof, the parties hereto have executed this Agreement this 31 day of May 2017.

UAOS

DISTRICT


Laurah Cherry, President


Devin Dillon, Interim Superintendent


JoAnna C. Lougin, Executive Director


Jenine Lindsey, Director Labor Relations

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**Leadership Growth and Development System:
Principals and Assistant Principals**

The goal of the Leadership Growth and Development System (LGDS) is to support site leaders' growth to provide a high quality school for each student by:

1. Using clear guidelines and expectations that are aligned to the leadership dimensions, elements, and Indicators of practice in the OUSD Leadership Framework.
2. Providing evidence-based feedback to improve performance, give recognition for work, and promote accountability for growth and development.
3. Engaging leaders in setting their own growth targets and guided self-reflection.

Principals and Assistant Principals will be evaluated using this system in terms of their overall performance-based progress towards two Professional Growth Goals using the Oakland Leadership Framework and in terms of completion of a standard set of deliverables that are based on state, federal and district mandates. This document outlines the details and requirements of the Leadership Growth and Development System. In this document, the Principals or Assistant Principals being evaluated is referred to as the "evaluatee". The individual conducting the evaluation (Principal or Principal Supervisor for Assistant Principals or Principal Supervisors for Principals) is referred to as the "evaluator".

FORMAL EVALUATION REQUIRED The review period is July 1st through June 30th.

Evaluation Cycle	Description
First year evaluation	<ul style="list-style-type: none"> • Evaluatee who are new to a position, site • First year UAOS employees
Continued evaluation (two years or more in a row)	<ul style="list-style-type: none"> • Any 1st or 2nd year • Evaluatee who, in the previous year, did not move at least 2 levels on one or more steps within their determined Professional Growth Goals • Evaluatee who received, in the previous year, a rating of 69 % or below in deliverable completion needing many reminders
Every 2 years	<ul style="list-style-type: none"> • Evaluatee who in evaluation year scored proficient and 75% or above completion in deliverables needing few reminders
Every 3 years	<ul style="list-style-type: none"> • Evaluatee who in evaluation year scored exemplary on both goals at step 3 and above 90 % completion in deliverables
Mid Year Start of Evaluation Cycle	<ul style="list-style-type: none"> • An evaluatee who is not in his/her evaluation cycle and is not completing basic duties and/or performs an egregious

	or illegal act will be put on evaluation cycle mid-year and performance improvement plan.
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TIMELINE AND DESCRIPTION OF EVALUATION STEPS:

Due Date	Evaluation Step	Description
2nd Friday in September	Evaluation Notification	The Evaluatee will be notified in writing by the Human Resources Department and/ or the evaluator.
3rd Friday in October	Goal Setting	<ol style="list-style-type: none"> 1. Goal setting consists of a pre-goal setting meeting and a goal setting 2. Determine 2 Professional Growth Goals: <ol style="list-style-type: none"> a. Goal 1: Determined by evaluatee in collaboration with evaluator based on any element in the OUSD Leadership Framework. b. Goal 2: Recommended by evaluator in collaboration with evaluatee based on LGDS Focus Elements. 3. Both goals must be currently rated as "basic" or "developing" within a step. 4. An evaluatee can remain on the same step within the same element for a maximum of two years.
2nd Friday in December	Fall Observations	<ol style="list-style-type: none"> 1. Two observation must be completed prior to mid-year. These can include direct observations of principals, walk-throughs, progress monitoring of goals. 2. Extra support Observations are determined by evaluator if more evidence is needed to assess growth and/or provide feedback and support.
4th Friday in January	Mid Year Review	<ol style="list-style-type: none"> 1. Evaluatee provides reflection and self-ratings based on evidence on the established Professional Growth Goals. 2. Evaluator provides feedback and formative ratings based on evidence on the established Professional Growth Goals and deliverables.
3rd Friday in May	Spring Observations	Same as Fall
Final work day for site leader	Summative Review	<ol style="list-style-type: none"> 1. Evaluatee provides reflection and self-ratings based on evidence on the established Professional Growth Goals.

		<ol style="list-style-type: none"> 2. Evaluator provides feedback and final ratings based on evidence on the established Professional Growth Goals and deliverables. 3. Summative Review is completed at conference and signed by both evaluatee and evaluator.
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GOAL DEVELOPMENT

An evaluatee and evaluator collaborate to determine two Professional Growth Goals currently rated basic or developing from two different elements to focus on throughout the evaluation year.

- Professional Growth Goal 1 is based on an element within the full OUSD Leadership Framework. Evaluatee develops goal 1 and an action plan collaboratively with evaluator. If they cannot agree, the evaluatee can determine goal number one.
- Professional Growth Goal 2 is based on an element from the OUSD Focus Elements. Focus elements are determined by district leadership in partnership with UAOS. Goal number two will be recommended by the evaluator in collaboration with evaluatee after the Pre-Goal setting meeting. If they cannot agree, the evaluator determines goal number two.

DELIVERABLES

Evaluatees will receive a rating for on time completion of deliverables. These deliverables are a standard set that are based on state, federal and district mandates. This standard set of deliverables are focused on effective use of budget, a healthy climate and culture, and adherence to guidelines for federal and state requirements. The district will make every effort to provide a standard set of deliverables to principals by the 3rd Friday in October.

Completion of deliverables will be noted as follows:

- Completes 90-100% of deliverables on time.
- Completes 75-89% of deliverables on time, with few reminders.
- Completes 60-74% of deliverables on time, and needs reminders.
- Completes under 59% of deliverables on time, and needs many reminders.

EVIDENCE AND OBSERVATIONS

1. An evaluator will conduct at least 4 Observations of an evaluatee throughout the year. These can include direct observations of principals, walk-throughs, progress monitoring of goals. After each Observation, the evaluatee and evaluator will debrief the Observation to determine next steps and support needed..
2. Observation deadlines are spread out in order to ensure feedback and support throughout the year. Evaluators and evaluatees can opt for additional Observations.
3. Evidence will include Observations and will also include documents, data, and videos that show evaluatees’ qualitative and quantitative work in his/her goal area.

DESCRIPTION OF RATINGS AND REVIEWS

The Summative rating is:

- Final rating on the two Professional Growth Goals: 80%
- Final rating on deliverables: 20%
- Scores are named the following
 - Exemplary = 90% or above
 - Proficient = 75%- 89% or above
 - Developing = 60% - 74% or above
 - Basic = 59% and below

Ratings on Professional Growth Goals

- Leaders develop along a continuum with three steps:
 - **Step 1:** Developing Evaluatee Capacity
 - **Step 2:** Cultivating School Level Capacity
 - **Step 3:** Ensuring Collective Responsibility and Accountability
- To assess an evaluatee's progress towards a goal, an evaluator will use three scales, one for each step in the OUSD Leadership Framework. (Scales are attached at the end of this document.)
- For each goal, an evaluatee receives one of the following ratings (1) Basic, (2) Developing, (3) Proficient, or (4) Exemplary
- The goal for an evaluatee is to move at least 2 rating levels within each step over the course of a year.

Mid-Year Review: At the Mid-Year Review, an Evaluatee is given *formative* ratings on each goal to inform a winter and spring action plan and support. The process requires the use of evidence for both the evaluatee and evaluator and includes an evaluatee's self-reflection and self-rating, as well as evaluator feedback. The parties use the evidence to assess current progress up to that point in time, enable calibration of evidence and ratings, and support winter and spring action planning to promote growth and development.

- If a leader progresses at least one level within a step, the evaluatee and evaluator collaborate to determine a Winter/Spring action plan.
- If a leader progresses to an exemplary rating within the step named by mid-year, the evaluatee and evaluator collaborate to create a new goal to foster growth and development or move up to the next step. Exemplary rating counts toward final summative rating. New goal does not get added into final rating.
- If an evaluatee is not making progress by at least one rating by mid-year, the Evaluator will write a performance improvement plan* that includes specific action steps, due dates, and a support plan.
- If an evaluatee and evaluator agree that the evaluatee's current rating and evidence correlates to a different step within the established element, the goal can be revised under the correct step. The goal must remain in the same element. Please note: An evaluatee can remain on the same step for a maximum of two years ONLY.
- As part of the Mid-Year Review, the deliverables rating will identify where an evaluatee needs support to complete deliverables. Evaluators will identify and provide supports and the evaluatee

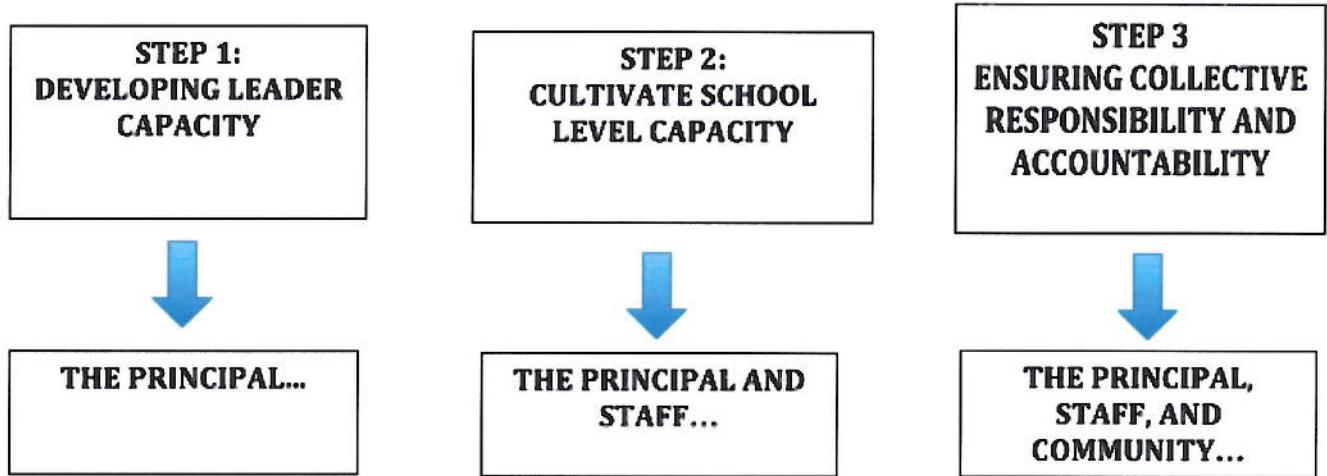
will use the supports to complete deliverables. If an evaluatee receives a rating below 59% in deliverable completion, the evaluator will provide a performance improvement plan for deliverables that includes specific action steps, due dates, and a support plan.

Summative Review: By the final working day of the evaluatee, an evaluatee should move up at least two rating levels within a step of each goal. Each goal will have a 40% weighting in the determination of a final summative score on the Professional Growth Goals. The Evaluatee will also receive a deliverables rating, with a weight of 20%.

- If an evaluatee progresses at least two levels within a step, the evaluatee and evaluator collaborate to determine possible goals for the following year, professional learning and/or support needed over the summer to continue growth and development.
- Mid-Year Review and Observations are included as evidence of growth and progress.
- If an evaluatee is not making progress by at least two levels within a step by the 3rd Friday in June, the evaluatee will be put on continued evaluation. the evaluator will write a performance improvement plan that includes specific action steps, due dates, and a support plan. This plan will be in place for the following fall.
- Deliverables are again rated. If an evaluatee receives a rating below 59% completion and supports have been provided, then an evaluatee would be put on continued evaluation and receive a performance improvement plan.
- If an evaluatee receives exemplary in both goals and a deliverable rating of 90% or above, the evaluatee would be evaluated again in three years.

***Please note:** The inclusion of the Performance Improvement Plans are in accordance with the state education code requirement.

PRINCIPAL SCALE



1: BASIC	2: DEVELOPING	3: PROFICIENT	4: EXEMPLARY
Demonstrate(s) the element by setting goal based on current assessment of element.	Demonstrate(s) the element by having completing some action steps towards goal.	Demonstrate(s) the element by collecting and analyzing evidence around work towards goal to improve element.	Demonstrate(s) the element by regularly collecting evidence around work towards goal and ensuring collective responsibility/ownership.

**The one exception is in the Leadership for Instruction and Learning dimension. For that dimension, we will use the scale in Step 2 for both Steps 2 and 3.*

California Education Code 44663. (a) Evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee not later than 30 days before the last school day scheduled on the school calendar adopted by the governing board for the school year in which the evaluation takes place. The certificated employee shall have the right to initiate a written reaction or response to the evaluation. This response shall become a permanent attachment to the employee’s personnel file. Before the last school day scheduled on the school calendar adopted by the governing board for the school year, a meeting shall be held between these certificated employee and the evaluator to discuss the evaluation.

(b) In the case of a certificated non-instructional employee, who is employed on a 12-month basis, the evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee no later than June 30 of the year in which the evaluation

and assessment is made. A certificated non-instructional employee, who is employed on a 12-month basis shall have the right to initiate a written reaction or response to the evaluation. This response shall become a permanent attachment to the employee's personnel file. Before July 30 of the year in which the evaluation and assessment takes place, a meeting shall be held between the certificated employee and the evaluator to discuss the evaluation and assessment.