

**MEMORANDUM OF UNDERSTANDING BETWEEN
OAKLAND EDUCATION ASSOCIATION AND OAKLAND UNIFIED SCHOOL DISTRICT
Joint Study Committee – Performance Evaluation Pilot
Teacher Growth and Development System (TGDS)**

Preamble

The Oakland Education Association (OEA or Association) and the Oakland Unified School District (OUSD or District) share the goal of quality education in our schools. We are committed, both as organizations and as individuals within those organizations, to strive for a working partnership focused on providing the best possible learning environment for students. We believe such a partnership is strongest when based upon mutual trust and respect, shared beliefs, and a commitment to making that partnership work. We acknowledge that the many challenges facing public education in general and Oakland Unified in particular must be met by our partnership's sustained collective effort. We also believe that risks will need to be taken and that some degree of experimentation, based on research, best practice and knowledge of our students will need to occur. The parties agree that educators must be part of the decision-making process to promote innovative solutions.

The purpose of performance evaluations is to provide feedback to, and improve the teaching practices of, educators in order to increase student achievement.

For two years, the parties have engaged in Performance Evaluation Pilots at a subset of schools in an effort to learn together how to better support the growth and development of teachers. The parties agree that the results to date have been positive, and that significantly expanded piloting is needed to continue to refine the Teacher Growth and Development System (TGDS) system and to build the capacity of the District to support effective implementation before replacing the existing contractual system. The parties therefore agree to the following:

Our Goals

- 1) To expose all OEA bargaining unit members and site leaders to the evolving Teacher Growth and Development System (TGDS) and provide professional development and support for the components of the TGDS.
- 2) To provide a penalty-free environment in which to experience and provide feedback on the strengths and weaknesses of the TGDS as well as the resources needed to implement such a system.
- 3) To provide OEA and OUSD with the information needed to implement a new, more effective evaluation system in future years.

Engagement and Training

- 1) During the first semester of the 2015-16 school year, all unit members shall receive professional development in the Oakland Effective Teaching Framework and the establishment of SMARTe goals.

- 2) All unit members shall be observed by peer observers focused on their SMARTe goals during the winter or spring of the 2015-16 school year. The feedback from this shall not be recorded or reported to administration.
- 3) During the second semester of the 2015-2016 school year, all unit members shall receive professional development which shall focus on participants' experiences with the development and use of SMARTe goals and the peer observation model.

2015-16 Evaluation Procedures

1. Permanent unit members may choose to volunteer to participate in the TGDS provided they do so no later than September 18, 2015.
2. Probationary unit members, shall participate in the TGDS system as their sole evaluation system.
3. Evaluations of unit members who participate in the TGDS system shall not be included in personnel files unless the unit member notifies their evaluator in writing that they wish it to be included prior to June 15, 2016.
4. No adverse employment action shall result due to sections 1 through 3 above.
5. Unit members in PAR shall be evaluated under the current Article 13 procedures in the Collective Bargaining Agreement (CBA) between the parties.
6. All unit members shall submit Stull Bill goals in line with the SMARTe goal framework.
7. All unit members shall participate in professional development around the TGDS.
8. Probationary unit members without a clear credential shall be assigned a coach through the Teacher Induction Program of Oakland (TIPO) program. A list of all probationary unit members and the TIPO coaches assigned to them shall be provided to OEA no later than October 31, 2015.

For all teachers participating in TGDS:

- A timeline of required meetings and documents must be provided.
- Evaluators and evaluatees must follow required timelines.
- The TGDS support team and/or evaluator must document for all staff:
 - Performance standards to be used
 - Process by which performance standards will be evaluated and documented
 - Process of communication between teachers and evaluator(s)
 - Any adjustments in staff time required by the Pilot
 - Any site financial resources required by the Pilot
 - Guidelines for implementation and any site-specific training on the Pilot, including any required timelines for meetings or steps in the implementation process

System Growth

Both parties agree, based on recommendations from the Joint Study Committee, to a proposed timeline to position TGDS to become the evaluation system of record through our collective bargaining process. To that end, we have established conceptual agreement on a timeline for system growth.

- 2015-2016: Engagement and Practice--the focus for this year is broad engagement across all school communities focused on the Oakland Effective Teaching Framework with a limited implementation of TGDS.
- 2016-2017: System Refinement--the focus for this year would be to make final system revision and build capacity of full system to support effective implementation of TGDS. It is anticipated that the parties will reach agreement on contractual language for the TGDS evaluation model during this negotiations cycle.
- 2017-2018: System Adoption—Assuming an agreement on the TGDS model is reached and ratified by the parties during 2016-17, this would be the first year of official implementation of new contract evaluation language that reflects TGDS.

Pilot Joint Study Committee

- Pursuant to Article 16, the parties agree to maintain a Joint Study Committee (JSC) to study the Pilot during the 2015-16 and 2016-17 school years.
- The JSC's purpose is to document and share learnings to inform future improvements to the Performance Evaluation process, but may make recommendations by consensus of JSC members.
- Joint Study Committee members attending or doing the work directed by the committee shall be provided with release time for any time during the duty day and/or compensated at their per diem rate for any work directed by the committee outside of the duty day.
- By February 15 of each year, the JSC will develop a midterm report and by May 15, 2015 the JSC will develop a preliminary report both regarding:
 - What is working, what is not working and what should be studied further
 - Impact of school-specific factors on the usefulness of particular performance evaluation practices
- The parties agree to consider the learnings from the JSC Report and discussion with JSC members in future negotiations regarding Performance Evaluation or Peer Assistance (i.e. Articles 13 and 25)

This memorandum shall not be construed as a waiver of the rights of either party regarding the negotiation of the evaluation process.

This agreement shall expire June 30, 2016 and shall only be extended by mutual written consent of the parties.

In witness whereof, the parties hereto have executed this agreement effective as of the ____ of July 2015.

OAKLAND EDUCATION ASSOCIATION

OAKLAND UNIFIED SCHOOL DISTRICT

By: _____
Kei Swensen, Bargaining Chairperson

By: _____
Brigitte Marshall, Chief Talent Officer

By: _____
Trish Gorham, President

By: _____
Antwan Wilson, Superintendent

DRAFT