



Frequently Asked Questions

On Building a Teacher Development and Evaluation Plan

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This resource is intended to help joint teacher development and evaluation (TDE) teams design local plans that meet statutory requirements. The questions addressed here are frequently raised in trainings and with Education Minnesota staff. Each question and answer is labeled by topic, with references to Education Minnesota documents included. This resource and all referenced documents are posted at Education Minnesota’s website and will be updated regularly (<http://www.educationminnesota.org/en/issues/eval.aspx>). Be sure to check frequently for the most recent version.

Topic	Q & A	Reference Documents
Joint Agreement	What does it mean to come to a joint agreement on teacher development and evaluation?	
	<p>A locally-developed TDE system must be agreed upon by both the school board and the exclusive representative of the teachers in the district through joint agreement. If no joint agreement is reached, the district must use the state model. Common sense dictates that a serious joint agreement calls for two things: a meeting of minds between the two parties and a way to document the agreement (a piece of paper with signatures).</p>	<ul style="list-style-type: none"> • Sample Teacher Development and Evaluation Joint Agreement • Sample Joint Agreement Guidance Document
Joint Team	Who should be involved in creating my district’s plan?	
	<p>A joint district-union team designs and agrees to the local plan. When the union selects members for the team, choose people who can represent the interests of all the teachers in the local union. Consider including members who:</p> <ul style="list-style-type: none"> • are subject matter leaders or experts, • are familiar with professional development, • have mentored beginning teachers, • are familiar with member rights issues, and • have served in union leadership roles, including bargaining. <p>Team members should be reliable and thoughtful, have earned the trust and respect of colleagues and</p>	<ul style="list-style-type: none"> • Successfully Agreeing on a Local Plan, p. 4 • Target Date Companion • Sample Teacher Development and Evaluation Joint Agreement • Sample Joint Agreement Guidance Document

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	<p>should be people who can command respect in the district and community. Consider ensuring representation from various groups such as grade levels, content areas and specialties, generations, buildings and union experience.</p>	
Timeline	What is the timeline for developing a local TDE plan?	
	<p>TDE plans must be in place at the start of the 2014-15 school year. We strongly recommend that members of the local union and the school board approve the joint agreement before the end of the current school year because scheduling meetings becomes more difficult during the summer and so that adequate time can be devoted to planning for implementation of the new system.</p>	<ul style="list-style-type: none"> • Target Date Companion • Letter of Collaboration
Teachers to be Evaluated	Which employees in the district must be evaluated under the TDE requirements?	
	<p>The requirements for TDE are found in Minn. Stat. §122A.40 (§122A.41 for cities of the first class). This statute includes some, but not all, of the positions included in the bargaining unit as defined by Minnesota’s Public Employment Labor Relations Act (PELRA), which can be found in Minn. Stat. §179A. All positions included in the TDE requirements under Minn. Stat. §122A.40 must be included in a local TDE plan. It is up to local district and union teams to decide which, if any, of the other bargaining unit positions should be included in the local plan. Education Minnesota’s Sample Joint Agreement Guidance document includes a list of positions that must be included and those that are optional.</p>	<ul style="list-style-type: none"> • Sample Joint Agreement Guidance Document
Weighting TDE Components	How much weight must be assigned to each element of the TDE system?	
	<p>Aside from the 35 percent weight assigned to student growth data, the statute does not require allocating weights to the other elements of the evaluation system. It is up to the local team to determine whether to weight the other components and, if so, how much weight to assign to each part. A local team might choose to view the system as having two parts - the 35 percent devoted to student growth data and the 65 percent devoted to all the other parts of the system. Some teams might prefer to move away from weights and create a holistic evaluation system.</p>	<ul style="list-style-type: none"> • Local Plan Guidance Overview, p. 2

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Summative Evaluators	Can a teacher be a summative evaluator?	
	<p>Yes. The statute requires that a summative evaluation be performed by a qualified and trained evaluator. In a locally designed plan, this may include an administrator or a teacher peer. Who will perform the summative evaluation is a decision to be made by the joint team designing the local plan, subject to union ratification. Education Minnesota recommends that if a district and its teaching staff are ready to pursue the option of having peers serve as summative evaluators, specific language must outline the responsibilities of peer summative evaluators, how the data from such evaluations are kept and shared and details about who is involved in decisions that affect employment.</p>	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 8 • Local Plan Guidance Overview, p. 3
Peer Review	What is required for peer review?	
	<p>A peer review process must be part of the three-year TDE cycle. But Minnesota statute doesn't specify how to design it. It is up to your local district and teachers to design a peer review system that will work effectively in your district. Keep these important concepts in mind:</p> <ul style="list-style-type: none"> • In Minnesota statute, the peer review process refers broadly to peer assistance, coaching and observation. • Peer coaching and observation are most often used as tools for providing constructive feedback to teachers, allowing educators to observe and learn from each other. • Peer review is a method of formative development; it is not high-stakes evaluation. • Research and best practice suggest that peer review has these characteristics: it is developmental, reflective, relevant, safe, job-embedded and non-judgmental. 	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 8
Peer Review and Personnel Data	What happens to the information from my peer review?	
	<p>Under Minnesota statute, all data generated by the TDE system are considered “personnel data.” That includes peer review data generated by TDE. The Legislature put this language in place to protect the data from becoming public. This is a strength of our evaluation law because it protects individual teacher evaluation data from being shared publicly. However, because personnel data belong to the school district,</p>	<ul style="list-style-type: none"> • Local Plan Guidance Overview, p. 8

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	<p>peer review data generated under the TDE system must be made available to the school district on request. This is a change from current practice for many districts. We recommend that your local team consider carefully how to document peer review activities, keeping in mind the potential unintended consequences. Local teams should consider how to balance the need to document and share peer work, while providing an atmosphere that encourages open and trusting peer review and coaching experiences.</p>	
Peer Review and Personnel Data	<p>Is it possible to include language in a local joint agreement protecting peer review data? Or, would it be reasonable to create multiple, separate forms for documenting peer review activities so that only specific forms would be considered personnel data?</p>	
	<p>No local agreement or protocol can trump statute. All data generated by the TDE system are considered personnel data no matter what local policies or procedures are put in place. A local and district can agree to a report summarizing the peer review information/notes, allow the teacher or evaluator to hold onto the information or something else that might clarify and strengthen the peer review process. However, where it is held or how/if it is gathered by the district administration does not change the classification of the data – it will remain personnel data and, thus, be the property of the school district.</p>	<ul style="list-style-type: none"> • Local Plan Guidance Overview, p. 8
Training for Summative Evaluators and Peer Reviewers	<p>What is required of summative evaluators and peer reviewers under the system?</p>	
	<p>The statute specifies that summative evaluators must be qualified and trained and that peer reviewers must be trained as well. The Minnesota Department of Education will provide training for summative evaluators and peer reviewers for districts using the state model or a similar model. A 2013 report from Education Minnesota’s Professional Advocacy Committee is an excellent source for recommendations on the qualifications and training of those who serve as evaluators and peer reviewers.</p>	<ul style="list-style-type: none"> • 2013 Report of Education Minnesota’s Professional Advocacy Committee

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Performance Level Ratings	Does a local plan need to include performance level ratings?	
	No. Despite the fact that the state model includes performance level ratings (exemplary, effective, development needed and unsatisfactory), it is not required in statute. Your local union and school district can decide if you are comfortable with performance level ratings being included in your local plan. If your local plan includes performance level ratings, be aware that your district could receive a public data request asking for the number of teachers at each performance level.	<ul style="list-style-type: none"> • Local Plan Guidance Overview, p. 7
Student Engagement	Does the law require the use of student surveys to meet the student engagement requirement?	
	No, the use of student surveys is not required in statute. Student surveys are used in the state model to fulfill the requirement that a TDE plan include longitudinal data on student engagement and connection, along with evidence gathered from observations, self-assessment and peer review. A local plan may use a similar combination or other type of data to fulfill this requirement.	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 16 • Local Plan Guidance Overview, p. 4
Legislative Change	What change did the Legislature make to the evaluation plan requirements during the 2013 session?	
	The Legislature removed the requirement that value-added data be used for evaluating teachers when such data are available. Now, all teachers must have 35 percent of their evaluation based on growth data from assessments that are valid, reliable and aligned to standards.	<ul style="list-style-type: none"> • 2013 Legislative Changes to Teacher Development and Evaluation

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Removal of Value-Added Requirement	What does the removal of the value-added requirement mean to my local and me?	
	The removal of the value-added requirement provides more flexibility to joint union-district teams in designing TDE plans, allowing multiple approaches to addressing the requirement that 35 percent of a teacher’s evaluation be based on student growth data. Data demonstrating student growth can be obtained from a wide range of student performance measures – from state standardized tests, to district-wide measures, from PLC-based assessments to teacher-designed rubrics, and so on.	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 14
The 35 percent	Is the use of MCA scores required?	
	Because the statute requires that state measures be included in a local plan, some have assumed that MCA data must be used in meeting the requirement that 35 percent of a teacher’s evaluation be based on student growth data. This is incorrect. The statute does not specify which measures to use. One way of looking at the requirement to use state measures is to use the student learning goal (SLG) approach described in the state model.	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 14
The 35 percent	Is it allowable to break the 35 percent into various types of measures?	
	Yes. An example of this approach can be found in the state model, where a teacher’s 35 percent is based on “class goals,” “targeted need goals” and “shared goals.” Local teams have the discretion to determine a method of meeting the 35 percent requirement in a way that works best in their districts. Note that there is no requirement that a model that breaks the 35 percent into various types of measures must be consistent across a district. What works at different grade levels or in various content areas may cause a team to adopt varying approaches across a district. Remember, all decisions made by the joint team are subject to ratification or agreement by union membership.	<ul style="list-style-type: none"> • Local Plan Guidance Overview, p. 5

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Student Data Requirements	What is the best way to meet the data requirements – measures of student growth and student engagement – for teachers who do not have a direct instructional role?	
	<p>For teachers who do not work directly with students in an instructional setting, it is not easy to design an evaluation that meets Minnesota’s requirements for the use of student data. These positions include school counselors, licensed school nurses, school psychologists and others. Local teams are encouraged to design solutions that address the spirit of the statute – to include meaningful data on the teacher’s work with students in a way that is fair to the individual being evaluated.</p> <ul style="list-style-type: none"> • For the 35 percent, this means looking for indicators of student growth in areas impacted by the teacher’s work role. Consider other sources of data beyond classroom assessments. Attendance rates, information on tardiness, data on frequency of certain behaviors among the students the employee works with and other indicators that may provide data that meets the spirit of the statute. • For engagement, consider using data on the teacher’s relationships with students, efforts to improve school climate, reflections on student interactions, and other sources of data that might demonstrate how the employee positively impacts student engagement. <p>In all cases, the team is advised to consult with those teachers who do not work directly with students in an instructional setting. Find out what seems fair and workable to them. And remember, all decisions made by the local team are subject to ratification or agreement by the local union.</p>	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, pp. 14-16 • Sample Joint Agreement Guidance Document
PLC’s	Are Professional Learning Communities (PLC’s) required?	
	<p>Although the statutory language on PLC’s is confusing, the fact is that TDE plans must provide teachers the opportunity to participate in a PLC. However, the law doesn’t mandate participation. It is up to the local team to design a way to provide PLC’s as an opportunity for teachers. Many districts already have functioning PLC’s. Some districts are considering combining the required peer review process with PLC’s. The local team must design a PLC approach that ethically and honestly meets the statutory requirement.</p>	<ul style="list-style-type: none"> • Building a Teacher Development and Evaluation Plan: Components of the Minnesota Law, p. 5

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Alignment with QComp/ATPPS	In a local district that has a QComp/ATPPS plan in place, what needs to be considered in aligning the plan with TDE?	
	<p>Many of the requirements of QComp/ATPPS and TDE overlap. We recommend finding an efficient, meaningful way to address the new TDE requirements in QComp/ATPPS districts. It is important to note that nothing in law compels local unions to agree to changes to QComp/ATPPS compensation levels, change their existing QComp/ATPPS plan to comply with the TDE statute, or resubmit a plan to the Minnesota Department of Education. Only local districts that choose to make changes to their QComp/ATPPS plans need to submit a plan change form.</p>	<ul style="list-style-type: none"> • QComp/ATPPS Local Team Guidance