

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (the “MOA”) between Oak Park and River Forest High School District 200 (the “District”) and the Faculty Senate, IEA/NEA (the “Union”) (collectively, “the Parties”) serves to memorialize the appeals process for teachers who receive unsatisfactory summative evaluation ratings.

WITNESSETH

WHEREAS, on August 27, 2020, Governor JB Pritzker signed into law Public Act 101-0591, which added Section 24A-5.5 to the School Code. Section 24A-5.5 requires school districts to create an appeals process for teachers who receive unsatisfactory summative evaluation ratings. It further requires school districts to work with their PERA Joint Committee and teachers’ union to develop the process, which must be in place beginning with the 2020-2021 school year.

WHEREAS, the District PERA committee met to collaboratively establish an appeals process for teachers who receive unsatisfactory summative evaluation ratings.

NOW, THEREFORE, the Parties agree to the following appeals process for teachers who receive unsatisfactory summative evaluation ratings:

Oak Park and River Forest High School District 200

Appeal Process for “Unsatisfactory” Summative Ratings

In the event that a faculty member receives an overall summative evaluation rating of “Unsatisfactory”, he/she has the option of appealing said rating. Before submitting a formal appeal, it is recommended that the faculty member meets with the primary evaluator issuing the rating to discuss his/her concerns.

Submission of the Appeal

The faculty member submitting an appeal shall follow these requirements. The appeal shall:

1. Be submitted in writing within seven (7) school days of receipt of the “Unsatisfactory” summative evaluation rating to the Assistant Superintendent for Human Resources on behalf of the Panel of Qualified Evaluators. The Assistant Superintendent shall record receipt of the Appeal and redact all personally identifiable information for both the faculty member and the evaluator before forwarding the appeal to the panel for review.

2. Include specific indicators that the faculty member is submitting for review and specific evidence from the observation or specific errors on the primary evaluator's part which the faculty member believes warrant a different rating.

Panel

The Panel of Qualified Evaluators shall consist of six (6) Qualified Evaluators: three (3) administrators and three (3) Faculty Senate representatives. In addition, the Assistant Superintendent for Human Resources shall be a non-voting member of the panel; it is his/her responsibility to review the procedural aspects of the process and provide this information to the voting members of the Panel for consideration in their decision-making. In the event that one or more of the voting members of the Panel is unable to serve at the time of the appeal, the PERA Joint Committee shall appoint a replacement. The replacement shall be a Qualified Evaluator, having successfully completed the teacher evaluation training by ISBE and is up-to-date on the credential, and be currently employed in an administrative role at OPRFHS. In no case shall the evaluator who issued the rating in question serve on the Panel.

Process

The Panel shall review the Summative Evaluation Document, Observation Reports, the written appeal, procedural deadlines, and other relevant information (if applicable) in making a determination. The primary evaluator shall be given an opportunity to respond in writing to the appeal and deliver it to the Panel for consideration.

The primary evaluator's original rating shall stand unless there is a specific, clear mistake or a lack of evidence to support the original rating. The determination that the original summative rating is erroneous requires a majority vote of the Panel.

In the event that the Panel determines that the original rating is erroneous, the Panel shall change the faculty member's summative rating to a "Needs Improvement" rating yielding a Professional Development Plan (PDP) following Illinois statutory guidelines.

The Panel shall issue a written response to the faculty member's Appeal no more than ten (10) school days from receipt of the appeal.

The decision of the Panel is final and is not subject to grievance, arbitration, or further review.

Entire Agreement

This MOA sets forth all the promises agreements, conditions, and understandings between the parties relative to the subject matter hereof and there are not promises, agreements, or undertakings, either oral or written, expressed or implied between them other than as herein set forth.

Effective Date

This MOA is effective immediately upon execution.

Counterparts

This MOA may be executed in two or more counterparts, in hard-copy or electronic format, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Union and The District have caused this Agreement to be executed by the signatures of their authorized representatives as set forth below.

Faculty Senate, IEA/NEA

**Oak Park and River Forest High School
District 200**

By: 
Sheila Hardin, Faculty Senate Chairperson


D. JoyAnn Pruitt-Adams, Superintendent

Date: 7/17/2020

Date: 11/12/2020