

**SAINT PAUL FEDERATION OF EDUCATORS  
PROPOSAL #43  
NOVEMBER 16, 2023**

**Improvement Plans  
SCSP Contract**

**[NEW ARTICLE] IMPROVEMENT PLAN PROCESS**

The Federation and District jointly affirm that individual improvement plans are an appropriate method through which to identify job-related performance areas of concern for SCSPs and a way to provide help for area(s) in which a SCSP needs improvement.

SCSPs who are identified as needing assistance will be notified by their principal/program administrator/supervisor that they are being considered for placement on an improvement plan. This notification will provide the principal/program administrator/supervisor and SCSP an informal opportunity to discuss performance issues so corrections may be made on an informal basis. The SCSP has the right to Union representation at this meeting if they so choose. If, at a date no earlier than six weeks after notification, an improvement plan is necessary, the SCSP and principal/program administrator/supervisor will meet to discuss and develop the components of the plan. The SCSP has the right to Union representation at this meeting if they so choose.

- 1) When a supervisor identifies job-related performance areas of concern, they shall complete a formal performance evaluation of the employee. A meeting shall be scheduled with the employee and their union representative (if desired by the employee) and a Human Resources representative, at which time the performance evaluation shall be discussed. The employee must be given written notice of the meeting at least two (2) working day advance notice of the meeting in order to have time to contact a union representative. The notice shall inform the employee of their right to have a union representative present.
- 2) The supervisor, employee, union representative (if desired by the employee) and Human Resources representative shall jointly develop a written performance improvement plan that addresses the identified areas of concern with the understanding that the supervisor may implement a plan if no consensus can be reached.
- 3) Elements of a written improvement plan must include:
  - a) A statement of the required performance standards and each identified

performance concern

- b) A statement of the actions the employee must take to meet expected performance for each identified performance concern;
  - c) The length of the improvement plan and the schedule of review meetings (at least monthly) between the supervisor and employee along with any other timelines related to specific concerns;
  - d) Identification of specific resources available to the employee to assist in meeting the improvement plan goals including, but not limited to, mentors, classes, feedback, modeling and employee assistance;
  - e) Identification of the next level supervisor; and
  - f) Signatures of the supervisor and employee indicating the plan has been discussed and reviewed along with the date of such discussion (but not necessarily indicating agreement).
- 4) If consensus is not reached on the written performance improvement plan, the employee may appeal components of and/or timelines related to the plan to the next level supervisor identified as part of the plan. If appealed, any timelines identified as part of the plan are held in abeyance until the completion of the appeal meeting.
- a) Notice of the appeal must be sent in writing (including e-mail) within five (5) working days of the discussion meeting.
  - b) An appeal meeting shall be scheduled within ten (10) working days or as soon as administratively possible of receipt of the written appeal notice. The employee must be given written notice at least one (1) working day advance notice of the meeting in order to have time to contact a union representative. The notice shall inform the employee of their right to have a union representative present.
  - c) The appeal meeting shall be in the form of a “meet and confer” between the employee, the employee’s union representative (if desired by the employee), the employee’s supervisor, the next level supervisor, and a Human Resources representative.
  - d) Within ten (10) working days following the “meet and confer” the next level supervisor shall review the plan and make any appropriate adjustments. A final version of the written performance improvement plan shall be given to the employee. At a minimum, the final plan should include appropriate adjustments to timelines in the original plan to reflect the appeal process.
- 5) At the end of the improvement plan, the supervisor shall formally evaluate the employee’s performance and make a determination of whether or not the

elements of the plan have been met.

- a) If the employee has not met the improvement plan expectations, a meeting will be held between the supervisor, the employee, the employee's union representative (if desired by the employee), the next level supervisor and a Human Resources representative to discuss further options with the appropriate notices as described above. Options that shall be considered during the meeting include, but are not limited to, extension of the improvement plan and alternative work assignments.

An employee determined not to have met the improvement plan goals may be subject to progressive discipline pursuant to Article 14 Discipline and Discharge of the Labor Agreement.

## ON TRACK

An employee is considered to be "on track" if they are making adequate progress, as determined by the District, toward meeting the goals of the performance improvement plan. It does not mean that an employee has to have met all of those goals. Ten-month employees will not be placed on an improvement plan after April 15. This does not apply to 12-month employees.

An SCSP must be "on track" with their improvement plan as of June 1 or risk losing a step advancement. The principal/program administrator must also be "on track" in providing support and monitoring the improvement plan. "On track" means following the actions and adhering to the timelines outlined in the improvement plan. An SCSP who is not on track by the end of the school year will not receive step advancement. If the principal/program administrator is not on track, a step increment cannot be withheld.

If an SCSP is on track by the end of the school year or by October 15 of the next school year, they will receive the step increase retroactively to July 1 of that contract year. If the SCSP continues to note on track after October 15, the step increase would be implemented proactively from the date the SCSP is on track.

Placement on an improvement plan is not grievable; however, an SCSP may appeal the components or timelines of an improvement plan to the next level supervisor.

Throughout the duration of the improvement plan, the supervisor shall meet with the employee on a regular basis as outlined in the plan itself. The goal of these interim meetings is to identify the progress made by the employee and to identify any additional

resources that may be available. A supervisor is considered to be “on track” if they have held regularly scheduled meetings with the employee to assess progress towards meeting the expectations of the employee’s performance improvement plan and if they have offered the necessary support to the employee (i.e., access to training, mentors, etc.) to assist the employee in meeting the performance expectations.

#### OTHER PROVISIONS

Although placement on an improvement plan is not grievable, an employee may grieve a disciplinary action or failure to reinstate a step increase.

## Improvement Plans EA Contract

### ARTICLE 25. IMPROVEMENT PLAN PROCESS

The Federation and District jointly affirm that individual improvement plans are an appropriate method through which to identify job-related performance areas of concern for educational assistants and a way to provide help for area(s) in which an educational assistant needs improvement.

Educational assistants who are identified as needing assistance will be notified by their principal/program administrator that they are being considered for placement on an improvement plan. This notification will provide the principal/program administrator and educational assistant an informal opportunity to discuss performance issues so corrections may be made on an informal basis. If, at a date no earlier than six weeks after notification, an improvement plan is necessary, the educational assistant and principal/program administrator will meet to discuss and develop the components of the plan. The educational assistant has the right to Union representation at this meeting if he/she so chooses.

1. When a supervisor identifies job-related performance areas of concern, he/she shall complete a formal performance evaluation of the employee. A meeting shall be scheduled with the employee and his/her union representative (if desired by the employee) and a Human Resources representative, at which time the performance evaluation shall be discussed. The employee must be given written notice of the meeting at least ~~one (1)~~ **two (2)** working day advance notice of the meeting in order to have time to contact a union representative. The notice shall inform the employee of their right to have a union representative present.
2. The supervisor, employee, union representative (if desired by the employee) and Human Resources representative shall jointly develop a written performance improvement plan that addresses the identified areas of concern with the understanding that the supervisor may implement a plan if no consensus can be reached.
3. Elements of a written improvement plan must include:
  - a) A statement of the required performance standards and each identified performance concern;
  - b) A statement of the actions the employee must take to meet expected performance for each identified performance concern;

- c) The length of the improvement plan and the schedule of review meetings (at least monthly) between the supervisor and employee along with any other timelines related to specific concerns;
- d) Identification of specific resources available to the employee to assist in meeting the improvement plan goals including, but not limited to, mentors, classes, feedback, modeling and employee assistance;
- e) Identification of the next level supervisor; and
- f) Signatures of the supervisor and employee indicating the plan has been discussed and reviewed along with the date of such discussion (but not necessarily indicating agreement).

4. If consensus is not reached on the written performance improvement plan, the employee may appeal components of and/or timelines related to the plan to the next level supervisor identified as part of the plan. If appealed, any timelines identified as part of the plan are held in abeyance until the completion of the appeal meeting.

a) Notice of the appeal must be sent in writing (including e-mail) within five (5) working days of the discussion meeting.

b) An appeal meeting shall be scheduled within ten (10) working days or as soon as administratively possible of receipt of the written appeal notice. The employee must be given written notice at least one (1) working day advance notice of the meeting in order to have time to contact a union representative. The notice shall inform the employee of their right to have a union representative present.

c) The appeal meeting shall be in the form of a “meet and confer” between the employee, the employee’s union representative (if desired by the employee), the employee’s supervisor, the next level supervisor, and a Human Resources representative.

d) Within ten (10) working days following the “meet and confer” the next level supervisor shall review the plan and make any appropriate adjustments. A final version of the written performance improvement plan shall be given to the employee. At a minimum the final plan should include appropriate adjustments to timelines in the original plan to reflect the appeal process.

5. At the end of the improvement plan, the supervisor shall formally evaluate the employee’s performance and make a determination of whether or not the elements of the plan have been met.

a) If the employee has not met the improvement plan expectations, a meeting will be held between the supervisor, the employee, the employee’s union representative (if desired by the employee), the next level supervisor and a Human Resources representative to discuss further options with the

appropriate notices as described above. Options that shall be considered during the meeting include, but are not limited to, extension of the improvement plan and alternative work assignments.

An employee determined not to have met the improvement plan goals may be subject to progressive discipline pursuant to Article 17 Discipline and Discharge of the Labor Agreement.

## ON TRACK

An employee is considered to be “on track” if they are making adequate progress, as determined by the District, toward meeting the goals of the performance improvement plan. It does not mean that an employee has to have met all of those goals. Ten-month employees will not be placed on an improvement plan after April 15. This does not apply to 12-month employees.

An educational assistant must be “on track” with his/her improvement plan as of June 1 or risk losing a step advancement. The principal/program administrator must also be “on track” in providing support and monitoring the improvement plan. “On track” means following the actions and adhering to the timelines outlined in the improvement plan. An educational assistant who is not on track by the end of the school year will not receive step advancement. If the principal/program administrator is not on track, a step increment cannot be withheld.

If an educational assistant is on track by the end of the school year or by October 15 of the next school year, he/she will receive the step increase retroactively to July 1 of that contract year. If the educational assistant continues to note on track after October 15, the step increase would be implemented proactively from the date the EA is on track.

Placement on an improvement plan is not grievable; however, an educational assistant may appeal the components or timelines of an improvement plan to the next level supervisor.

Throughout the duration of the improvement plan, the supervisor shall meet with the employee on a regular basis as outlined in the plan itself. The goal of these interim meetings is to identify the progress made by the employee and to identify any additional resources that may be available. A supervisor is considered to be “on track” if they have held regularly scheduled meetings with the employee to assess progress towards meeting the expectations of the employee’s performance improvement plan and if they

have offered the necessary support to the employee (i.e., access to training, mentors, etc.) to assist the employee in meeting the performance expectations.

#### OTHER PROVISIONS

Although placement on an improvement plan is not grievable, an employee may grieve a disciplinary action or failure to reinstate a step increase.