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## REQUIRED ACTION PLANS FOR CERTAIN GROWTH AND IMPROVEMENT OF LICENSED EMPLOYEES

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Policy Code: 7811

The Board expects all professionally licensed employees to maintain high levels of performance. If an employee does not meet these standards, the Superintendent and administrative staff shall work to address any identified performance or other deficiencies through appropriate means, including placing the employee on monitored growth, directed growth or mandatory improvement plan when required by state law, State Board policy, this policy, or when otherwise deemed necessary.

### **ACTION PLANS REQUIRED**

Unless the Superintendent recommends dismissal, demotion, or nonrenewal of a poorly performing employee, the Superintendent or designee will develop and implement an action plan for each licensed employee who receives a “below standard” or “unsatisfactory” rating on a performance evaluation.

#### Action Plan Components

An action plan must include the following components:

1. ~~Identification of Deficiencies.~~ All performance deficiencies identified in the employee’s evaluation must be identified and addressed in the action plan.
2. ~~Performance Expectations.~~ For each problem identified, the action plan must include a statement of expected level of performance.
3. ~~Strategies.~~ The action plan must set forth a strategy or strategies designed to correct each identified deficiency. Strategies should be specific and clearly stated. They also should identify all individuals responsible for implementing the plan.
4. ~~Dates for Monitoring and Completion.~~ The action plan must include dates upon which the employee’s progress under the plan will be reviewed and the date by which performance is to be improved to the expected level. Action plans required by this policy must be completed within 90 instructional days or before the beginning of the next school year.

#### Reevaluation Required

Once an employee completes an action plan required by this policy, the Superintendent or designee must reevaluate the employee and determine whether the employee’s performance has improved to “at standard” levels in all areas. If the employee’s performance is not “at standard,” the Superintendent will either:

- Recommend that the Board dismiss, demote, or transfer the employee to a position in which the employee can be successful; or

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- Retain the employee in the current position, if the Superintendent:
  - determines that the employee’s continuing performance problems are not adversely impacting student learning or the school environment, or
  - determines that the employee is making good progress toward improvement in deficient areas and is likely to improve to an acceptable level within a reasonable period of time.

An employee who is retained in his or her position after two poor evaluations must be given a new action plan and reevaluated in accordance with this policy.

**SPECIAL PROVISIONS FOR ACTION PLANS FOR LICENSED EMPLOYEES IN LOW PERFORMING SCHOOLS**

Professionally licensed employees assigned to a low performing school who receive a “below standard” or “unsatisfactory” rating on any function of his or her evaluation that is related to the employee’s instructional duties, the employee will be placed on action plans as described in this policy, and the following additional provisions apply:

Person(s) drafting the action plan

The person who directly supervises the employee, or the person or group who completed the employee’s evaluation, will draft the required action plan for the employee. Assistance or assessment teams must collaborate with the employee’s supervisor in developing an action plan.

Reevaluation and dismissal

Upon completion of the action plan, the Superintendent, the Superintendent’s designee, or the assessment team will evaluate the employee again. The Superintendent must recommend dismissal or demotion if the employee receives one “unsatisfactory” rating or more than one “below standard” rating on any function that is related to the employee’s instructional duties.

The superintendent will develop any other procedure necessary to carry out the Board’s directives.

Growth and mandatory improvement plans as defined by law and this policy are valuable tools to promote the professional development of licensed employees. The board recognizes, however, that not all conduct and performance issues require the development of a plan. Administrators and supervisory personnel are authorized to address inappropriate conduct and/or inadequate performance using such other lawful means as they may deem appropriate. This policy shall not be interpreted to limit in any way the authority of administrators or other supervisory personnel to direct and reprimand licensed employees for inappropriate conduct or inadequate performance.

The superintendent shall develop procedures in accordance with state law, State Board guidelines and this policy as necessary to carry out the board’s directives.

**A. DEFINITIONS**

1. As used in this policy, “teacher” means an individual defined as a teacher in G.S. 115C-

325(a)(6).

2. As used in this policy, “licensed employee(s)” includes school administrators as defined in G.S. 115C-325(a)(5b) and teachers.

**B. INDIVIDUAL, MONITORED AND DIRECTED GROWTH PLANS**

**1. Use of Growth Plans**

**a. Teachers**

Teachers who receive an overall rating of at least “proficient” on all standards on the North Carolina Teacher Evaluation Rubric as indicated on the Teacher Summary Rating Form shall develop an individual growth plan designed to improve performance on specifically identified standards and elements.

A teacher who is performing below a proficient level on the Teacher Summary Rating Form shall be placed on a monitored growth plan or a directed growth plan unless dismissal, demotion, nonrenewal or placement on a mandatory improvement plan (see Section C, below) is warranted. A monitored growth plan developed in accordance with State Board policy is required for a teacher who is rated “developing” on one or more standards of the North Carolina Teacher Evaluation Rubric. State Board policy also requires that a teacher who is rated “not demonstrated” on any standard or who is rated “developing” on any standard for two sequential years be placed on a directed growth plan. The superintendent may establish other criteria that will be deemed evidence that performance is below a proficient level or otherwise represents unsatisfactory or below standard performance and warrants placement on either a monitored growth plan or a directed growth plan.

Unless otherwise limited by state law or State Board policy, the principal is authorized to place a teacher on a monitored or directed growth plan or other plan of improvement at any point during the school year if the principal determines that the teacher is performing below the expected level.

**b. School Administrators**

Professional growth plans will be developed for school administrators as provided in State Board policy. A professional growth plan will include mutually agreed upon performance goals and recommendations based upon the school administrator’s self-assessment, the consolidated assessment and the summary evaluation using the *North Carolina School Executive; Principal and Assistant Principal Evaluation Process*. Development of the professional growth plan will be discussed at a meeting between the school administrator and the

superintendent or designee when completing the annual evaluation process.

The superintendent may move to dismiss or demote a licensed employee whether or not the employee has been first placed on a growth or other improvement plan. See policy 7930, Professional Employees: Demotion and Dismissal.

## 2. Components of Growth Plans

Individual growth plans may contain, but are not limited to, any of the components listed below. However, monitored or directed growth plans must include at least the following components.

### a. Identification of Deficiencies

All performance deficiencies, including all specific standards and elements of the Teacher Evaluation Rubric identified for improvement during the teacher's evaluation, must be identified and addressed in the growth plan.

### b. Performance Expectations and Goals

For each problem identified, the growth plan must include a statement of the expected level of performance and/or other goals to be accomplished.

### c. Strategies

The growth plan must set forth a strategy or strategies designed to correct each identified deficiency. The strategies should be specific and clearly state the activities the teacher should undertake to achieve the expected level of performance. The strategies also should identify all individuals responsible for implementing the plan.

### d. Dates for Monitoring and Completion

The growth plan must include dates upon which the teacher's progress under the plan will be reviewed and the date by which performance is to be improved to the expected level. Under a monitored growth plan, the teacher must achieve proficiency within one school year. A directed growth plan may provide for a shorter period to achieve proficiency, not to exceed one school year.

## 3. Review of Growth Plans

Individual and professional growth plans should be reviewed at least annually with the licensed employee's supervisor and/or the principal, the superintendent, or their designees, as applicable.

In the case of a teacher's monitored or directed growth plan, once the designated time period for completion of a plan has elapsed, the principal or supervisor shall review the teacher's performance, including the results of any subsequent evaluation and determine whether the teacher continues to perform below the expected level in any area or whether the teacher's performance has improved sufficiently. If the teacher's performance remains below proficient, the principal or supervisor shall recommend to the superintendent one of the following:

- a. the board dismiss the teacher or demote or transfer the teacher to a position in which the teacher can be successful;
- b. the teacher be placed on a mandatory improvement plan in accordance with the provisions of Section C below; or
- c. the teacher be moved to a new monitored or directed growth plan or continue on a previous growth plan that has been revised as necessary, provided the principal or supervisor determines that:
  - 1) the teacher's continuing performance problems are not having an adverse impact on student learning or the school environment, or
  - 2) the teacher is making good progress toward improvement in deficient areas and is likely to improve to an acceptable level within a reasonable, additional time period.

**C. MANDATORY IMPROVEMENT PLANS**

A mandatory improvement plan is an instrument designed to improve a licensed employee's performance by providing the employee with notice of specific performance areas that have substantial deficiencies and a set of strategies, including the specific support to be provided to the employee, so that he or she may satisfactorily resolve such deficiencies within a reasonable timeframe.

The use of mandatory improvement plans as provided in this policy is discretionary and will be determined on a case-by-case basis. Nothing in this policy will be interpreted so as to require the use of mandatory improvement plans in addition to, or in lieu of, growth plans or other disciplinary action, including dismissal from employment as provided by law.

**1. Initiating a Mandatory Improvement Plan**

- a. Licensed Employees in Low-Performing Schools

If a licensed employee in a low-performing school receives a rating on any standard on an evaluation that is below proficient or otherwise represents unsatisfactory or below standard performance in an area that the licensed employee was expected to demonstrate, the individual or team that conducted the evaluation shall recommend to the superintendent that (i) the employee receive a mandatory improvement plan designed to improve the employee's performance or (ii) the superintendent recommend to the board that the employee be dismissed or demoted. If the individual or team that conducted the evaluation elects not to make either of the above recommendations, the said individual or team shall notify the superintendent of this decision. The superintendent shall determine whether to develop a mandatory improvement plan or to recommend a dismissal proceeding.

**b. Teachers in Schools Not Identified as Low-Performing**

If, in an observation report or year-end evaluation, a teacher in a school not identified as low-performing receives a rating that is below proficient or otherwise represents unsatisfactory or below standard performance on any standard that the teacher was expected to demonstrate, the principal may place the employee on a mandatory improvement plan. The mandatory improvement plan will be utilized only if the superintendent or designee determines that an individual, monitored or directed growth plan would not satisfactorily address the deficiencies.

**c. Any Licensed Employees Engaging in Inappropriate Conduct or Performance**

A principal may recommend to the superintendent or designee that a licensed employee be placed immediately on a mandatory improvement plan if the employee engages in inappropriate conduct or performs inadequately to such a degree that the conduct or performance causes substantial harm to the educational environment, but immediate dismissal or demotion of the employee is not appropriate. The principal must document the exigent reason for immediately instituting such a plan.

**2. Components of the Plan**

A mandatory improvement plan for any licensed employee must include the following components.

**a. Identification of Deficiencies**

The performance areas in which the employee is deficient must be identified and addressed in the mandatory improvement plan.

**b. Performance Expectations**

For each problem identified, the plan must include a statement of the expected level of performance.

**c. Strategies**

The plan must establish a strategy or strategies designed to correct each identified deficiency. The strategies should be specific and clearly state the activities the employee should undertake to achieve the expected level of performance and the specific support to be provided to the employee. The strategies also should identify all individuals responsible for implementing the plan.

**d. Dates for Monitoring and Completion**

The plan must include dates upon which the employee's progress under the plan will be reviewed and the date by which performance is to be improved to the expected level.

**3. Development and Implementation of the Plan**

**a. Licensed Employees in Low-Performing Schools**

When directed by the superintendent, a mandatory improvement plan to improve the performance of a licensed employee will be developed by the person who evaluated the licensed employee or the employee's supervisor, unless the evaluation was conducted by an assistance team. If the evaluation was conducted by an assistance team, that team shall develop the mandatory improvement plan in collaboration with the employee's supervisor. Mandatory improvement plans will be designed to be completed within 90 instructional days or before the beginning of the next school year.

**b. Teachers in Schools Not Identified As Low-Performing**

When a principal decides to put a teacher on a mandatory improvement plan, the principal shall develop the plan in consultation with the teacher. The teacher shall have five instructional days after receiving the plan to request a modification to the plan before it is implemented. The principal must consider the requested modification before finalizing the plan. The teacher shall have at least 60 instructional days to complete the mandatory improvement plan.

A teacher has twenty workdays after finalization of the mandatory improvement plan within which to submit a request to the principal for a qualified observer, as defined in G.S. 115C-333.1(c)(1), to observe the teacher in the area or areas of

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concern identified in the plan. In accordance with G.S. 115C-333.1(c)(2), the board will create and maintain a list of qualified observers who are employed by the board and available to conduct observations. The board will strive to limit the list to administrators and teachers who have excellent reputations for competence and fairness. Selection of the qualified observer and submission of the qualified observer's report to the principal will be in accordance with G.S. 115C-333.1(c)(3).

**4. Reassessment**

**a. Licensed Employees in Low-Performing Schools**

After the expiration of the time period for the mandatory improvement plan, the superintendent or designee or the assistance team shall assess the employee's performance. If the assessor determines that the employee has failed to become proficient in any of the performance standards articulated in the mandatory improvement plan or to demonstrate sufficient improvement toward such standards, the superintendent shall recommend that the employee be dismissed or demoted under G.S. 115C-325.

**b. Teachers in Schools Not Identified As Low-Performing**

Upon completion of a mandatory improvement plan, the principal or supervisor shall assess the performance of the employee. For teachers, the principal shall also review and consider any report provided by the qualified observer if one has been submitted before the end of the mandatory improvement plan period. If, after the assessment of the employee and consideration of any report from the qualified observer, the superintendent or designee determines that the teacher has failed to become proficient in any of the performance standards identified as deficient in the mandatory improvement plan or demonstrate sufficient improvement toward such standards, the superintendent may recommend that the employee be dismissed or demoted under G.S. 115C-325.

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**Legal References:** G.S. 115C-325, -333, -333.1; State Board of Education Policy TCP-C-004, TCP-C-005

**Cross References:** Professional and Staff Development (policy 7800), Evaluation of Licensed Employees (policy 7810), Professional Employees: Demotion/Dismissal (policy 7930)

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