

9.61 Other Leave Under Ten Days. Any teacher/ancillary staff desiring a leave for up to ten (10) working days for any reason not mentioned in this section shall apply in writing to the Board identifying the period of proposed leave and the necessity thereof. Approval shall be discretionary with the Board based upon the best interests of the school district and shall indicate whether or not the leave shall be with or without pay and/or with or without being charged to accrued leave.

9.62 Other Leave in Excess of Ten Days. Any teacher/ancillary staff desiring leave for longer than ten (10) working days for any reason not mentioned in this section shall apply in writing to the Board identifying the period of proposed leave and the necessity thereof. Approval shall be discretionary with the Board and shall indicate whether the leave shall be with or without pay, whether or not it shall be charged against accrued leave, whether or not time off shall result in loss of the year for salary step computation. Return to work following leave shall be dependent upon existence of an opening for which the teacher/ancillary staff is certified and qualified unless guarantee of a position is part of the conditions of the leave. The teacher/ancillary will communicate his/her intention to return to an existing opening for which the teacher/ancillary staff is certified by March 1st of the leave year.

9.63 Family Medical Leave Act (FMLA). In all respects, qualifying leaves of absence under 9.13 of this article shall be administered and provided for in a manner consistent with the FMLA of 1993 and its published regulations when an FMLA leave is requested by the employee. Employees on approved FMLA leave shall be charged any FMLA days and/or available paid leave days when the District is closed due to inclement weather. If the district is required to make up days due to inclement weather, the employee will not be charged for that accrued leave day. Please see Appendix A for employee's rights and procedures under the FMLA. The most current FMLA form is attached as of the ratification date of the contract.

9.64 Accumulated Leave Days. Leave days accumulated prior to a leave shall be held for said employee until completion of leave under this section at which time those days shall be re-credited to the employee, unless employee is on qualifying FMLA leave as the District will run concurrently the employee's accrued paid leave with the FMLA leave.

10.0 Teacher/Ancillary Staff Evaluation

Section 10.1 Work Performance. All observing of the work performance of teacher/ancillary staff shall be conducted openly and with full knowledge of the teacher/ancillary staff. Teacher/Ancillary staff work performance outside of the classroom during the work day or other times when carrying out professional responsibilities may also be subject to evaluation. The performance of teacher/ancillary staff shall be evaluated in writing by the principal or other educationally certificated administrator designated by the Superintendent. Teacher/Ancillary staff may request an evaluation from a different supervisor and/or an additional evaluation. The teacher/ancillary staff shall be given a copy of any evaluation report prepared by the immediate supervisor, and opportunity for discussion of such report shall be held within five (5) duty days after the report has been prepared. In the event the teacher/ancillary staff feels the evaluation was incomplete or inaccurate, he/she shall put objections in writing within ten (10) duty days following receipt of the copy and such objections shall be attached to the evaluation report to be placed in his/her personnel file.

10.11 Goals for Evaluation.

- a) Collaborative Teams determine their team goal and action steps. Collaborative Team goals will be housed in a shared folder by the principal. These goals may play a role in achievement and growth data scores.
- b) All teachers and ancillary staff determine a personal goal housed in their personal PIVOT growth plan. Principal determines a personal goal (s) for probationary, developing, or needing support teachers/ancillary. An action plan is developed together and reviewed mid-year.

10.12 If Probationary, on an IDP, and/or Rated “Developing” or “Needing Support”, then Summative Evaluation.

- a) Observed Minimally four (4) times a year documented in PIVOT (1st and 2nd semester)
- b) Half of the observations are unscheduled/unannounced.
- c) Administration must provide feedback to the teacher within ten (10) school days.
- d) Teacher must provide within three (3) school days after the lesson.
 - i. Standard addressed
 - ii. Learning target
 - iii. Brief description of the lesson (2-3 sentences or bullet points)
 - iv. Formative/summative assessment (how will the learning target be assessed)
- e) Observation should last 15-45 minutes, unless the teacher requests more time.

10.13 If Tenured and Rated Effective in Three Consecutive Evaluations, then Summative Evaluation.

- a) All teachers are evaluated every year on the Professional Collaboration and Communication Dimension.
- b) Evaluated using the entire 5D+ rubric every other year.
- c) Not to exceed more than two (2) observations per year and documented in PIVOT (1st and 2nd semester).
- d) Administration must provide feedback to the teacher within ten (10) school days.
- e) Teacher must provide within three (3) school days after the lesson.
 - v. Standard addressed
 - vi. Learning target
 - vii. Brief description of the lesson (2-3 sentences or bullet points)
 - viii. Formative/summative assessment (how will the learning target be assessed)
- f) Observation should last 15-45 minutes, unless the teacher requests more time.
- g) In the 25-26 school year (the first year of this agreement), principals will determine approximately half of the tenured teachers who received an Effective rating in the 24-25 school year to be evaluated, with the other half to be evaluated in 26-27. Any tenured teacher who was not evaluated in 24-25 will be evaluated in 25-26.

OR**10.14 Formative/Alternative Evaluation for Tenured Teachers/Ancillary Staff with 10+ Years of Experience at CAPS and Administration Approval.**

- a) Must have been rated “effective” in their previous evaluation to participate.
- b) Submit an action plan to evaluator by September 30th.
- c) Summary of completed plan or culminating conversation with evaluator must be completed by June 1st.
- d) Menu of ideas: book study, instructional course, participate in classroom learning lab, coaching cycles, project benefitting collaborative team, or another idea approved by evaluator.
- e) Proposal must align with (and evaluated on) the 5D+ rubric in order to be compliant with the law.

10.15 Achievement and Growth Data: 10% district aggregate on outside assessment and 10% local data.**10.16 Deadlines:** Evaluators must complete one (1) of two (2) evaluations in the 1st semester and summative evaluations by June 1 unless mutually agreed upon by the teacher/ancillary staff member and the evaluator.

The rubric/tools for evaluation of teacher/ancillary staff and academic coaches will be mutually agreed upon prior to August 15, 2025.

11.0 Protection of Teachers/Ancillary Staff

Section 11.1 Support by Board. The Board recognizes that it and its administrative staff must give needed support to its teachers/ancillary staff in order that they can maintain the classroom control and discipline, which is necessary for effective teaching and shall continue to do so.

Section 11.2 Legal Rights. Any case of assault instituted by a student against a teacher/ancillary staff or any case of a teacher/ancillary staff complained against or sued by reason of disciplinary action taken by a teacher/ancillary staff against a student shall be promptly reported to the Board. The Board shall provide legal counsel to advise the teacher/ancillary staff of his/her rights and obligations with respect to such case and the Board shall cooperate with the teacher/ancillary staff, law enforcement, and judicial authorities in taking steps to remedy the matter.

Section 11.3 Lost Time. Time necessarily lost by a teacher/ancillary staff in connection with any incident mentioned in Section 11.2, providing the teacher/ancillary staff has not violated this Agreement or state or federal laws, hereof shall not be charged against the teacher/ancillary staff. This shall not apply if the teacher/ancillary staff is incarcerated.

Section 11.4 Representation. Teachers/Ancillary staff shall be entitled to have present a representative of the Association during any disciplinary action. Teachers/Ancillary Staff shall be advised of this right before any action is taken.

Section 11.5 Personnel File and Review. Any complaint regarding teacher/ancillary staff made to the administration by a parent, student or other person which is considered directly in evaluating teacher/ancillary staff performance or which is to be placed in teacher/ancillary staff's personnel file, shall be promptly called to the teacher/ancillary staff member's attention. The Board shall investigate the complaint in an effort to determine its accuracy before placing it in a teacher/ancillary staff's file or taking any other action. A teacher/ancillary staff shall have the right to attach a written response to any complaint, and this written response will be attached to all copies of the complaint.

Each teacher/ancillary staff shall have the right upon request to review the contents of his/her own personnel file. A representative of the Association may, at the teacher's/ancillary staff request, accompany the teacher/ancillary staff in such a review. The review shall be made in the presence of an administrator responsible for the safekeeping of the file.

Section 11.6 Freedom of Information Act (FOIA) Requests. The following subsections pertain only to information contained solely in a teacher's/ancillary staff personnel file, not to information available under FOIA rules and regulations and available from other sources within the District.

11.61 Notification. In the event of a FOIA request for information contained in a teacher's/ancillary staff file, the Board will notify the affected teacher/ancillary staff that a FOIA request has been made.

11.62 Release of Information. In the event of a FOIA request for information contained in a teacher's/ancillary staff file, the Board agrees that it will release only information required by FOIA rules and regulations or as otherwise mandated by law.

Section 11.7 School Safety Legislation – Reportable Crimes

Pursuant to 2005 Public Acts 129-131 and 138, all employees shall self-report to the District and the Michigan Department of Education (MDE) when arraigned/charged with certain identified crimes. Within three (3) business days of arraignment, the employee must report the arraignment/charge to the Superintendent, or the employee