



How to Fire a DCPS Teacher

What it takes to get rid of a teacher who doesn't teach.

You're the new principal at a D.C. public school. Everyone on your staff knows at least one of your teachers teaches nothing. He sleeps while class is in session, reads the newspaper in

class, refuses to follow the curriculum. If you're lucky, his students teach one another card games during class time. Something's got to be done! Time to play *Fire That Teacher!* —Chris Peterson

START! Has the Teacher Been With DCPS for at Least Three Years?

GO THIS WAY IF NO

If the teacher is in his first, second, or third year, he is already subject to twice-annual formal classroom observations and evaluations.

GO THIS WAY IF YES

Too bad—the teacher has “standard certification,” which means he can't be entered into the firing process until he's judged to be in need of improvement.

It's too early to initiate dismissal procedures. “[D]iscipline shall be corrective in nature rather than punitive. No employee may be disciplined or discharged except for just cause,” says the current contract between DCPS and the Washington Teachers Union Local 6. What everyone knows about your teacher isn't good enough—teaching nothing violates no policy.

Time to develop your iron butt. You've got to have the teacher officially rated “Unsatisfactory.”

Rate the Teacher in Action

Time to arrange a “structured observation.” Together, you and the teacher will figure out a day to observe one of his classes—the teacher picks which class—and grade him in the PPEP's subcategories.

No structured observations can be scheduled before late October, so the teacher's students will have almost two months in the classroom before you can officially evaluate him. And before the structured observation can happen, you need to arrange for the formal “pre-observation conference” with the teacher. At this meeting, you'll explain to the teacher all the things that will be evaluated.

Make sure you don't have to cancel the structured observation for any reason—it will need to be rearranged with the teacher's schedule, and you'll need to do another pre-observation conference before that. You can't say, “I can't make it on Thursday, so I'll be there Friday.”

TEACHER “MEETS” OR “EXCEEDS EXPECTATIONS”

TEACHER “NEEDS IMPROVEMENT”

TEACHER IS “UNSATISFACTORY”

WHAT DOES IT MEAN IF A TEACHER “NEEDS IMPROVEMENT?”

The distinction between unsatisfactory and needs improvement can be fine. Take the professional development subcategory, for example. A teacher is rated “unsatisfactory” if he or she “does not describe his/her professional learning goal.” However, if the teacher turns in or tells a supervisor some sort of goal, even one that isn't “in relation to professional development, nor... student performance,” that teacher rates “needs improvement.” Further, any teacher who merely shows up at work on time is rated “needs improvement” in the “fulfills professional duties and responsibilities” category. A teacher has to skip class to be “unsatisfactory.”

WHAT DOES IT MEAN IF A TEACHER IS RATED “UNSATISFACTORY?”

Congratulations! The system can take action. But now time is your enemy. Within 10 school days of the structured observation, you need to have a post-observation conference and give the teacher your comments in writing. If you want to fire the teacher before the end of the school year, you'll have to have that done by mid-January.

Help the Teacher Improve

“Needs improvement”—rated teachers receive less intensive plans of improvement than “unsatisfactory” teachers. At the end of the year, there's a final evaluation and conference. The teacher's ratings on each of the PPEP's five categories are combined into one single rating for the year, but the teacher's performance isn't the only thing computed into the final rating. Through no actions of his own, your teacher's rating may improve—for example, if school test scores rise thanks to the work of the rest of your staff.

WHEN THE SCHOOL YEAR ENDS: If the teacher finishes the year with a “needs improvement” rating, then the teacher would be subject to two more structured observations and a mid-year conference all over again next year. (A “needs improvement”—rated teacher also is held at the same pay grade upon entering a second year at that rating.)

With all the planning, teaching, and pre-conferencing, your teacher can elevate his or her rating to “needs improvement.” Now you've got a teacher who only needs improvement!

THEY'VE “NEEDED IMPROVEMENT” TWICE BEFORE

If for two years running the teacher is rated “needs improvement” at the end of the school year and there's no hope of further progress, then the rules state that termination “may be recommended.”

TEACHER SHOWS “GROWTH”

Make a 90-Day Plan of Improvement

After you send the unsatisfactory rating to DCPS' Office of Workforce and Professional Development, a “helping teacher” will assist your teacher in developing an “Intervention Plan.” In other words, DCPS will send a teacher to teach your teacher how to teach—the job.

By the way, that's 90 school days. If your teacher can make it through half of January before you initiate the 90-day plan, you'll need to fight the good fight again next fall. At least three times in those 90 school days, you must set up structured observations, pre-observation conferences, and post-conferences with written comments and check whether progress has been made.

WHEN THE SCHOOL YEAR ENDS: If the teacher is still rated “unsatisfactory,” don't forget: Next September, you can submit the teacher's name to your higher-ups. Then, with a whole new set of students, the “unsatisfactory”—rated teacher can be put on a 90-Day Plan of Improvement and could conceivably be terminated by winter break.

TEACHER SHOWS NO “GROWTH”

Termination comes at the end of the 90-day period.

TEACHER REFORMED!

Apparently the rah-rah PPEP review got through to this guy, at least during the structured review. You and your staff live happily ever after.

GO BACK TO START!

FIRED!

Advance written notice of termination needs to come no later than 10 school days before the effective date of termination. That comes in a letter from DCPS' labor-relations department.

Within five days of receiving that notice, the teacher has the right to review all the documents and write a reply. But if you're having second thoughts after your months-or-years-long struggle, the system's got you covered—the teacher can turn to you and say “please don't,” and you are empowered to grant him clemency.

But you don't want to do that. And it probably won't come to this. You'd be rid of the teacher faster if you simply have him transferred to another school. Better still if the teacher requests a transfer himself. Then he's another principal's problem.

TEACHER FILES GRIEVANCE!

THIS SYMBOL MEANS THE TEACHER CAN FILE A GRIEVANCE AT THIS POINT

Any time the teacher picks up negative paperwork—during an evaluation or goal-setting, for instance—he can file a grievance alleging “a deviation from, misinterpretation of, or misapplication of a practice or policy; or a complaint that there has been a violation.” The teacher writes a request for mediation, and it must happen within 10 school days after the negative paperwork is filed. But

look sharp! If he doesn't follow the time frame, you have to lodge a complaint about it, or the grievance stands.

The request goes to a School Chapter Advisory Committee, a body consisting of up to seven union members in your school. The committee assigns a mediator, who meets with the parties involved within five school days of the receipt of the request. The mediator then writes

up the agreement you and the teacher made—or more likely, your failure to agree—within three days of the meeting. Copies go to the union and the superintendent's office, which has 10 days to schedule a hearing. There, all parties present evidence, witnesses, and arguments before a neutral hearing officer. Within 10 days, the hearing officer submits a binding decision to both parties.

IF YOU LOSE: Prepare for the next structured observation.

IF YOU WIN: Back to the next step—unless the union rejects the binding decision and takes the dispute to arbitration. But that probably won't happen. Probably.

Welcome to the Professional Performance Evaluation Process (PPEP)

No matter how incompetent everyone knows your teacher is, the annual PPEP review isn't meant to get him away from kids. Instead, it “Encourages growth,” “Provides training to administrators, teachers, and observers annually,” “Identifies areas which need improvement and provides assistance,” “Encourages self evaluation,” “Provides for feedback,” and “Reinforces positive performance.” Go team!

This year's PPEP has five categories: how well the teacher (1) plans with fellow staff; (2) makes personal professional progress; (3) works with students; (4) contributes to the “total school program”; and (5) takes care of school property and follows operating procedures. In each category, teachers are graded “exceeds expectations,” “meets expectations,” “needs improvement,” or “unsatisfactory.”

At the beginning of the year, the year's PPEP—a nearly 100-page document detailing the review—is distributed to all teachers. Meetings ensue. At these meetings the system-wide school performance goals are set—say, moving 10 percent of students from basic comprehension of a subject to proficient. What's discussed in an individual meeting with the problem teacher will form the basis of his evaluation.