

MARSHALL COUNTY SCHOOL SYSTEM

Administrative Procedures

5.9

Effective Date: June 28, 2012

Revised Date:

Section: Personnel

Subject: Teacher and Principal Evaluation Grievance

Related Policy:

I. DEFINITIONS:

As per Tenn. Code Ann. §49-1-302, teachers are entitled to file a grievance to challenge only the accuracy of the data used in the evaluation and the adherence to the evaluation policies adopted by the State Board of Education. Accuracy of the data means only that the data identified with a particular teacher is correct.

Minor procedural errors in implementing the evaluation model shall be resolved at the lowest possible step in the grievance procedure but shall not constitute grounds for challenging the final results of an evaluation. Minor procedural errors shall be defined as errors that do not materially affect or compromise the integrity of the evaluation results. The final results of an evaluation may only be challenged if the person being evaluated can demonstrate, no later than during step II (see below) of the grievance procedure, that the procedural errors made could materially affect or compromise the integrity of the evaluation results. The department of education shall provide guidance on which procedural errors may materially affect or compromise the results of the evaluation.

II. PROCEDURES

The Grievance must include the following information:

- Grievant's name, position, school and title
- Supervisor's name
- Name of Evaluator
- Date the challenged summative evaluation score received
- Evaluation period in question
- Basis of the grievance (data or procedural error)
- Corrective action desired
- Sufficient facts or other information to begin investigation

Grievances shall be processed by working through the three steps to finality as follows:

**STEP I (Evaluator):**

- Grievances may be filed at the end of each of the three components of the evaluation model or within 15 days of receiving summative evaluation score
- Written decision from evaluator within 15 days of receiving grievance

**STEP II (Director of Schools or Designee):**

- Filed within 15 days of receiving written decision from Step I
- Informal hearing of facts, allegations, and testimony by witnesses
- Representative or attorney may be present

**STEP III (Local Board of Education [BOE]):**

- File request for BoE hearing within 15 days of receipt of written decision from Step 2
- BoE can grant or deny request within 30 days
  - If granted, BoE provides notification of hearing. Attorney may be present. Written decision within 30 days after conclusion of the hearing.
  - If denied, BoE either affirms or denies the previous decisions from lower steps.

III. ATTACHMENTS

5.9 Addendum A: Evaluation Grievance Form – Step I (Evaluator)

5.9 Addendum B: Evaluation Grievance Form – Step II (Director of Schools)

5.9 Addendum C: Evaluation Grievance Form – Step III (Request for a Hearing [Local Board of Education])

Signature on File

*Jacob Sorrells, Director of Schools*