



PERSONNEL: Professional Staff

Termination of Ineffective Tenured Teachers

I. Purpose

To outline guidelines for terminating certificated teachers with tenure whose work has been evaluated as ineffective.

II. Definitions

- A. *Consulting Teacher (CT)* – An expert teacher in a content field who provides coaching and support to classroom teachers.
- B. *Effective Evaluation* – An evaluation with an overall rating of “effective” or “highly effective.”
- C. *Peer Assistance and Review (PAR)* – A program to improve teacher quality by having expert teachers mentor and provide guidance to peers.
- D. *Qualified Observer* – Member of a school’s evaluative team as defined in the Teacher Association of Baltimore County (TABCO) Master Agreement.

III. Guidelines

- A. Frequency of Observations and Evaluations
  - 1. The process and timelines for the observation and evaluation of tenured teachers will be conducted in accordance with the terms of the Master Agreement between the Board of Education of Baltimore County (Board) and TABCO and as outlined in Maryland State Board of Education regulation.

IV. Ineffective Performance, Year One

- A. Observations
  - 1. Following issuance of an ineffective rating on an observation, the principal and/or other qualified observers will provide additional support and assistance.

2. The principal will hold a post-observation conference with the teacher to discuss suggestions for improvement.
3. The principal or other qualified observers will provide the teacher with a written observation report.
  - a. The post-observation report shall provide specific guidance in areas needing improvement and recommendations for improvement.
  - b. A copy of the post-observation report shall be provided to the teacher and the appropriate assistant superintendent.

B. Assistance Plan

1. Following issuance of two consecutive ineffective observations, the principal and appraisal team will create an assistance plan.
  - a. The assistance plan will be created using the Baltimore County Public Schools' (BCPS) *Individualized Teacher Assistance Plan Form*.
  - b. The assistance plan shall include teacher supports which may include assignment of a peer-mentor, assistance visits by subject area specialists, or other help deemed necessary and appropriate by the appraisal team.
  - c. As part of the assistance plan, the principal and/or other members of the appraisal team will schedule follow-up conferences to review a teacher's progress and provide feedback relative to the shortcomings identified in the teacher's assistance plan.
    - (1) A written summary of each follow-up conference shall be included on the *Individualized Teacher Assistance Plan Form*.
    - (2) The written summary shall assess the teacher's progress or lack thereof relative to the shortcomings that made the teacher's work less than effective.
    - (3) A copy of the written summary shall be provided to the teacher and forwarded to the assistant superintendent.

C. Mid-Year Assessment

1. Peer Assistance Review (PAR)
  - a. If improvement is not demonstrated in the areas identified in the individualized teacher assistance plan and the teacher receives an ineffective mid-year assessment, the principal will

submit a written request for a PAR consulting teacher (CT) consultation prior to the first duty day in February.

2. Second Class Warning
  - a. If the mid-year assessment is rated ineffective, the assistant superintendent will provide written notice to the teacher prior to the last day of March that, unless his/her work improves, Second Class status may be recommended, resulting in the teacher's salary being frozen at the current step.
  - b. The Second Class warning letter should:
    - (1) Identify the teacher's major shortcomings
    - (2) Encourage the teacher to seek assistance from the teacher's principal and appraisal team and to seek clarification and/or suggestions on those domains/competencies that need improvement.
3. A copy of the mid-year assessment shall be provided to the teacher and forwarded to the assistant superintendent and to the Department of Human Resources.

D. End-of-Year Evaluation

1. During the second semester, the principal will continue the evaluation process in accordance with the TABCO Master Agreement.
2. PAR
  - a. Prior to the last duty day in April, the PAR CT will complete an unannounced observation and an announced observation with a pre- and post-observation conference.
    - (1) The principal and the PAR CT will submit all observation, assessment, and evaluation documentation to the PAR panel.
    - (2) The teacher will be given an opportunity to submit written documentation and/or appear before the PAR panel.
  - b. By mid-May, the PAR panel determines whether the teacher's performance has been ineffective; if so, it may recommend to the assistant superintendent that the teacher be rated ineffective for the current school year and that the subsequent year become a summative year for the teacher.
3. Second Class Status
  - a. If the teacher's end of year evaluation is rated "ineffective," the assistant superintendent will recommend to the

Superintendent that the teacher's certificate be rated Second Class.

- b. The assistant superintendent will confer with the Superintendent to determine whether the teacher's certificate will be rated Second Class and his/her salary will be frozen at the current step for the ensuing school year.
  - (1) The notice of Second Class status letter will be hand delivered to the teacher or mailed to the teacher's home address via certified mail prior to June 1.
- 4. A copy of the end-of-year evaluation shall be provided to the teacher and forwarded to the assistant superintendent and to the Department of Human Resources.

V. Ineffective Performance, Year Two

- A. During the year in which the teacher's certificate is rated second class:
  - 1. The principal and/or appropriate qualified observers will continue to provide support and assistance to the teacher as follows:
    - a. The assistance plan will be reviewed, revised as needed, and implemented following the process outlined in Paragraph IV.B above;
    - b. A PAR CT will be assigned to provide support to the teacher for the school year;
    - c. A minimum of two observations per semester will be conducted following the process outlined in paragraph IV.A above;
    - d. A mid-year evaluation and an end-of-year evaluation will be conducted, with appropriate pre- and post-observation/evaluation conferences.
- B. Mid-Year Evaluation
  - 1. If the teacher receives a rating of "ineffective" on mid-year evaluation, the assistant superintendent will, during the month of February, provide written notice to the teacher that unless his/her performance significantly improves, a recommendation to terminate his/her contract at the end of the school year will be made to the Superintendent.
- C. End-of-Year Evaluation
  - 1. If the teacher's end-of-year evaluation is rated ineffective, the assistant superintendent will meet with the teacher to advise that a

recommendation will be made to the Superintendent to terminate his/her employment at the end of the current school year and to discuss the possibilities of retirement or resignation.

D. Recommendation

1. The assistant superintendent will prepare a recommendation to the Superintendent that the teacher be dismissed for incompetency. The recommendation shall include a summary of the teacher's performance.
2. The Superintendent will review the summary of the teacher's performance, and if the Superintendent agrees with the assistant superintendent's recommendation, will recommend to the Board that the teacher be terminated at the end of the current school year for incompetency.
3. Prior to May 1, the Superintendent shall provide written notice to the teacher of his/her recommendation and advise the teacher of his/her right to request a hearing before the Board if such request is made, in writing, within 10 calendar days of the date of the Superintendent's letter.

VI. Subsequent Ineffective Evaluation

- A. If a teacher receives an ineffective evaluation rating within three (3) years of having his/her certificate rated as Second Class, the procedures outlined in Paragraph V shall be followed.

VII. Compliance

- A. While every attempt will be made to follow the time schedule outlined above, this may not be possible in a case where major deterioration of a teacher's work develops late in the school year or a teacher is out of school due to an extended illness or other valid reason.
- B. This Rule relates only to teaching performance and does not in any manner limit the power of the Superintendent to recommend the dismissal of a teacher for immorality; misconduct in office, including knowingly failing to report suspected child abuse in violation of §5-704 of the Family Law Article; insubordination; or willful neglect of duty.

RULE 4303

Legal References: *Annotated Code of Maryland, Education Article §6-102, Classes of teachers' certificates*  
*Annotated Code of Maryland, Education Article §6-202, Suspension or dismissal of teachers, principals, and other professional personnel*  
COMAR 13A.07.02.01, *Contracts*  
COMAR 13A.07.04, *Evaluation of Professionally Certificated Personnel*  
COMAR 13A.07.09, *Evaluation of Teachers and Principals*

Related Policies: Board of Education Policy 4004, *Evaluations*  
Board of Education Policy 8340, *Appeal Before the Board of Education*

Rule	Superintendent of Schools
Approved: 05/11/72	
Revised: 03/16/81	
Revised: 03/25/93	
Revised: 03/26/02	
Edited: 07/01/11	
Revised: 07/10/12	
Revised: 03/04/15	