**ARTICLE IX**

**PEER ASSISTANCE AND REVIEW PROGRAM**

A. The PAR Program, as specifically cited by the Legislature, is intended to be a “critical feedback mechanism that allows exemplary teachers to assist veteran teachers in need of development in subject matter knowledge or teaching strategies, or both.” Effective July 1, 2000, the District and the MEA agree that the District may implement the California Peer Assistance And Review Program For Teachers (PAR Program) under California Education Code sections 44500 – 44508 consistent with the provisions in this Article in any school year. This Article does not apply to probationary or temporary classroom teachers.

1. The District and the MEA agree that the PAR Program in any school year may be contingent upon the actual receipt by the District of adequate funding from the State specifically designated for the PAR Program and may take action so that the District does not lose any funding under the PAR Program. Pursuant to Education Code section 44506(c), the District also may expend PAR Program funds from the State for any other allowable purpose.
2. Selection Procedures for Joint Teacher – Administrator Review Panel

For any school year which the District determines to implement the PAR Program, the Superintendent or designee shall establish a Joint Teacher – Administrator Review Panel. This Joint Teacher-Administrator Review Panel shall be composed of five members; three permanent classroom teachers and two administrators. Classroom teachers shall make up a majority of the Panel. Administrators on the Panel shall be selected by the Superintendent.

One of the permanent classroom teachers shall be selected by the Moorpark Educators Association. The remaining permanent classroom teachers shall be selected by all of the classroom teachers in a secret ballot election conducted by the MEA President or designee and the Superintendent. In order to be eligible to be on the ballot, a classroom teacher shall have at least five years of full-time classroom teaching experience in the District, not have been disciplined within the last four years, and not have received a less than satisfactory mark on any performance evaluation received as a permanent employee of the District within the last four years. In addition, prior to being placed on the ballot, a candidate must submit a written application to the Superintendent and MEA President at least three (3) calendar days prior to the election expressly indicating a desire to be on the ballot, and also expressly indicating a commitment to perform all the required duties of the Joint Teacher – Administrator Review Panel for the school year. The Superintendent or designee and the MEA President may seek applicants for the Joint Teacher-Administrator Review Panel. Candidates for the Panel will be encouraged to apply who are representative of elementary, middle and high school levels.

The teachers on the ballot receiving the most number of votes from the classroom teachers actually voting shall be appointed to the Joint Teacher – Administrator Review Panel. Each classroom teacher who votes in the election may cast two votes but no more than one vote per candidate. The ballots shall be counted by the Superintendent or designee and the MEA President or designee.

The elected classroom teachers shall serve as Panel members for a two-year term to expire on June 30 of the second year after elected. Such terms shall be staggered. The teacher appointed by the MEA shall serve a one-year term to expire on June 30.

If it becomes necessary to fill a vacancy of an elected member of the Panel during the member’s term of office, the Panel may determine to select a replacement or to hold an election to fill the position for the remainder of the term.

1. Duties of Joint Teacher – Administrator Review Panel

The duties of the Joint Teacher – Administrator Review Panel include the following:

1. Establish the annual PAR program and budget.
2. Select consulting teachers, as needed, by majority vote for the school year consistent with this Article and applicable law no later than October 15. As required by Education Code section 44502(c)(2), before a consulting teacher is selected, one or more appointed representatives of the Joint Teacher-Administrator Review Panel shall conduct at least one classroom observation of the candidate which shall be arranged and scheduled by the Superintendent or designee.
3. Assign each consulting teacher to a specific program participant(s) with the approval of the Superintendent or designee and Panel.
4. Review peer review reports of program participants prepared by consulting teachers.
5. Make confidential written recommendations to the Superintendent and Board of Education regarding teachers who are required participants in the PAR Program, including forwarding the names of any required participants in the PAR Program who, after sustained assistance for a school year, are not able to demonstrate satisfactory improvement. These written recommendations will be reviewed in closed session. Members of the Joint Teacher – Administrator Review Panel shall not disclose the confidential written recommendations except to the Superintendent or designee and the Board of Education.
6. Annually evaluated the impact of the PAR Program and submit recommendations for improvement to the Board of Education and the MEA no later than June 15. This annual evaluation may include, but is not limited to, interviews or surveys of program participants.
7. Forward to the Personnel Office at the end of the year all records regarding the Program that shall be filed separately from the individual personnel file.
8. Consulting Teachers-Selection Criteria

The consulting teachers selected by majority vote of the Joint Teacher-Administrator Review Panel shall meet the following criteria:

1. A full-time permanent classroom teacher who has experience as a full-time classroom teacher for at least five (5) out of the last seven (7) years and agrees to perform all duties of a Consulting Teacher as required by the Panel.
2. Demonstrated exemplary teaching ability, as indicated by, among other things, effective communication skills, subject matter knowledge, and mastery of a range of teaching strategies necessary to meet the needs of pupils in different contexts.
3. No disciplinary action by the Board of Education or any administrator within the last four (4) years including no Notice of Unprofessional Conduct under Education Code section 44938(a), no Notice of Unsatisfactory Performance under Education Code section 44938(b), and no evaluation document designating any needs improvement or unsatisfactory performance.
4. Not a member of the Joint Teacher – Administrator Review Panel.

In the event that there is not a sufficient number of volunteers, the MEA and the Superintendent or their designees shall recommend candidates to the Joint Teacher-Administrator Review Panel who meet all the other eligibility criteria.

1. Duties of Consulting Teachers

The duties of the consulting teachers shall include the following:

1. Serve for one school year and may be selected to serve again for additional one year terms.
2. Utilize standards, guidelines and timelines developed by the Panel.
3. Confer regularly with the Principal or designee regarding the implementation of the assistance and review. The consulting teacher and the evaluating principal are expected to establish a cooperative relationship and shall coordinate and align the assistance provided to the participating teacher.
4. Provide professional assistance and review to program participants to improve teaching skills and subject matter knowledge. The professional assistance and review should include, but not be limited to, meetings with the participant, assistance with lesson plans, selection and use of instructional materials, advice on available resources, modeling, observation, and written suggestions and ideas for improvement.
5. Recommend to the Principal or designee sufficient staff development activities to assist the participant to improve teaching skills and knowledge and to achieve approved performance goals. At the discretion of the Principal, a mandatory participant may be required to participate in recommended or other staff development activities. Participants shall not be entitled to compensation for staff development activities unless expressly provided for elsewhere in this Agreement. Costs of such inservice shall be provided through PAR or other funds.
6. Prepare written peer evaluation reports for mandatory program participants and submit them to the Joint Teacher-Administrator Review Panel no later than May 1. Consulting teachers will not prepare performance reviews for voluntary participants. The peer evaluation reports shall be based upon clear performance goals established at the beginning of the peer evaluation process which shall be in writing, aligned with pupil learning, consistent with Education Code section 44662 (a provision in the Stull Act), and shall be directly based upon the work performance that was determined to be unsatisfactory on the participant’s evaluation:
7. The progress of pupils toward the standards established for expected pupil achievement at each grade level in each area of study and, if applicable, the state adopted academic content standards as measured by the state adopted criterion referenced assessments.
8. The instructional techniques and strategies used by the teacher.
9. The teacher’s adherence to curricular objectives.
10. The establishment and maintenance of a suitable learning environment, within the scope of the teacher’s responsibility.

The report shall also include a description of the assistance and activities provided and engaged in by the participant, and an evaluation of the quality of the participant’s progress toward achieving the goals established.

Peer evaluation reports also shall be based on no less than four (4) classroom observations of at least thirty (30) minutes each for each program participant, and on no less than two (2) conferences with each program participant regarding classroom observations. Since the classroom observations require released time for the consulting teacher, such observations must be scheduled with the approval of the Principal or designee.

1. Program Participants

A permanent classroom teacher shall become a program participant under either of the following conditions:

1. Participation is mandatory for any teacher who has received one or more performance evaluations in the previous two year period which contain one or more summary ratings of “unsatisfactory” in any of the four evaluation areas listed in F.6. of this article.

2. The teacher volunteers to participate and the Panel and the Superintendent or designee agrees to the participation.

1. Peer Evaluation Reports

Peer evaluation reports completed by the consulting teacher shall be placed in the personnel file of the program participant at the request of the participant or upon the recommendation of the Joint Teacher-Administrator Review Panel, and the Superintendent. Peer evaluation reports are confidential documents which should be treated as such. Both the program participant and the Superintendent or designee may submit a written response which will be attached to the peer evaluation report in the personnel file prior to the end of the ten-day period. A written response by the program participant is the sole remedy to the peer evaluation report.

The reports are advisory only for the benefit of the participating teacher and the District. They shall in no way limit the District’s discretion, authority or obligation to independently evaluate the performance of participating teachers and to utilize the peer evaluation report as part of the District’s annual evaluation. Participation in PAR shall not in any manner limit or delay the exercise of the District’s authority to make any decision or take any action regarding the assignment, discipline or employment status of the unit member.

Compensation and Funding

1. Since the permanent classroom teachers on the Joint Teacher–Administrator Review Panel will be required to perform duties related to their assignment on the Joint Teacher-Administrator Review Panel outside of and during the regular work day, each shall receive an annual stipend of $1,000. This stipend shall be decreased by an amount proportional to any decrease in State funding designated for the PAR Program received during the school year, and in proportion to the number of months the member is in a duty status and available to serve on the Panel during the school year.
2. Since the consulting teachers will be required to perform duties related to their assignment as consulting teachers outside of and during the regular work day, each shall receive an annual stipend of up to $4,000 as determined by the Panel. This stipend shall be decreased by an amount proportional to any decrease in State funding designated for the PAR Program received during the school year, and in proportion to the number of months the consulting teacher is in a duty status and available to serve during the school year. If the consulting teacher is released from his/her classroom assignment, he/she shall receive no additional compensation beyond the regular salary and benefits and any stipend determined by the Panel.
3. Program participants shall receive no additional compensation because of the participation in the PAR Program.
4. The remaining funds actually received during the school year from the State specifically designated for the PAR Program shall be used for substitutes, training and development of new teachers including Beginning Teacher Support and Assessment (BTSA), Intern and Pre-Intern programs and professional development or other educational activities previously provided through the California Mentor Teacher Program. No more than 5% (five percent) may be expended for administrative expenses.

Other Provisions

1. The Superintendent and the panel may remove a member selected to the Joint Teacher-Administrator Review Panel, and may terminate the selection of a consulting teacher, whenever in the judgment of the Superintendent and the Panel any such member or consulting teacher fails or refuses to perform the required duties faithfully and competently. The Superintendent may remove an administrator from the Panel at his/her sole discretion. A replacement shall be selected as soon as possible consistent with the relevant provisions in this Article.
2. The classroom teachers selected to the Joint Teacher-Administrator Review Panel and the consulting teachers selected by the Joint Teacher-Administrator Review Panel are not considered to be either management or supervisory employees for purposes of the Educational Employment Relations Act.
3. The classroom teachers selected to the Joint Teacher-Administrator Review Panel and the consultant teachers selected by the Joint Teacher-Administrators Review Panel shall have the same protection from liability and access to appropriate defense as other employees acting within the scope of employment under relevant provisions of the Government Code.
4. The Panel’s selection procedures, activities, criteria, or selection and its judgements regarding the selection of consulting teachers shall not be subject to the grievance procedure. Any exercise of discretion by the Superintendent, or designee, permitted by this Article shall not be subject to the grievance procedure. Only provisions I. and J. are subject to the grievance procedure of the Agreement.
5. For the first two years of implementation of the PAR Program, this article shall be reviewed annually upon request by either party. Modifications to the article shall be made by mutual agreement of the parties.