

A WORD FROM MSEA'S LEGAL TEAM

“Developing?” “Ineffective?” Now What?

You're a tenured teacher with an Advanced Professional Certificate and you've just been evaluated as less than effective—which means a designation of either developing or ineffective. It's time to make some choices.

What to do? You can:

1. **Participate in the development** of a Performance Improvement Plan to identify resources and support in the areas identified as needing improvement;
2. **Dig in** and continue to do the same thing because it is obvious to anyone but your administration that you are an effective teacher; or
3. **Seek additional support** and guidance from your colleagues to help you meet the expectations of the administration.

The correct answers are 1 and 3. If you've been rated less than effective, the administration will usually provide supports for another school year (but possibly less), before determining your status. A tenured teacher evaluated as less than effective must, by regulation, be evaluated every year thereafter until obtaining an effective evaluation or rating. If you receive three or more ratings of less than effective during the five years of your certification period, you will be ineligible for renewal.

Administrators are, in theory, trained to observe and evaluate teachers. If a recommendation of termination for incompetency does happen, it's very difficult to defend. Both the Board of Education and its designated hearing officer lack expertise in the evaluation system and neither is likely to overturn a recommendation for termination made by its trained administrators.

What if this happens to me? The minute an observation is not in line with your past performance evaluation, call your local association UniServ director. DO NOT wait for the ineffective rating to involve your association—you may miss out on critical assistance your district and local can provide in developing an appropriate Performance Improvement Plan.



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