

Documentation, Due Process, and Dismissal: Threading the Needle

March 27, 2015, Morrill Hall, University of New Hampshire
1:00 to 3:00

*Professional Development Seminar for Educators
Two Hours of Continuing Education Units offered by the Department of Education,
University of New Hampshire*

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AGENDA & BACKUP MATERIAL

1. *Introductions*

2. *The importance of evaluation in an era of accountability*

- Given the high-stakes environment, staffing classrooms with highly qualified teachers “is a critical national concern.”¹
- “Teacher quality matters. In fact, it is the most important school-related factor influencing student achievement.”²

3. *Due Process: Life, Liberty, and Property Protections*

- Procedural and Substantive Due Process

¹ Marco A. Munoz & Florence C. Chang, *The Elusive Relationship Between Teacher Characteristics and Student Academic Growth: A Longitudinal Multilevel Model for Change*, 20 J. PERS. EVAL. EDUC. 147 (2007).

² JENNIFER K. RICE, TEACHER QUALITY: UNDERSTANDING THE EFFECTIVENESS OF TEACHER ATTRIBUTES v (Aug. 2003), available at http://www.epi.org/publications/entry/books_teacher_quality_execsum_intro/#ExecSum.

- “It is important to remember that the due process rights of employees do not shield them from termination. Incapable or insubordinate employees can and should be terminated.”³

4. *Challenges and Guideposts for Documentation*

- The Supreme Court in 1952 asserted “that school authorities have the right and the duty to screen the officials, teachers, and employees as to their fitness to maintain the integrity of schools as a part of ordered society cannot be doubted.”⁴
- What are some of the challenges that you have faced in documenting behavior?
- The evaluation of teachers calls for transparent, rigorous, and fair systems. The Joint Committee on Standards for Educational Evaluation developed four standards (Propriety, Utility, Feasibility, and Accuracy) that should guide evaluations.⁵
- The Ten Commandments of Documentation

5. *Notes to File: From the Informal to the Formal*

- A teacher has occasionally been late or missed a duty assignment. The occasional lapse is becoming a recurring pattern. How to move from the informal to the formal will be explored.

6. *Single Incident Memorandum*

- Review Scenario and write a single incident memorandum

7. *Summary Incident Memorandum*

- Review scenario and write summary incident memorandum

8. *Moving Forward*

- “When principals establish trusting school spaces, serious school improvement and success can occur.”⁶

³ KELLY FRELS, JANET L. HORTON, LISA MCBRIDE, & ILYA FELDSHEROV, *A DOCUMENTATION SYSTEM FOR TEACHER IMPROVEMENT OR TERMINATION* (2nd ed.) 7 (2014).

⁴ *Adler v. Bd. of Educ.*, 342 U.S. 485, 493 (1952).

⁵ JOINT COMMITTEE ON STANDARDS FOR EDUCATIONAL EVALUATION, *THE PERSONNEL EVALUATION STANDARDS* (1988) available at <http://www.jcsee.org/personnel-evaluation-standards>.

⁶ Heather E. Price, *Principal—Teacher Interactions: How Affective Relationships Shape Principal and Teacher Attitudes*, 48 *EDUC. ADMIN. QRTLY* 39, 42 (2012).