

# THRUN'S EVALUATION TRACKER: WHO GETS AN IDP?

## ARCHIVES

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With the growing importance of teacher performance evaluations, Thrun Law Firm will be dedicating one article per month to legal guidance regarding the performance evaluation process under Section 1249 of the Revised School Code. Welcome to "Thrun's Evaluation Tracker"! This month's article focuses on Individual Development Plans.

IDPs play a vital role in evaluating probationary teachers and certain tenured teachers. Teachers hired after July 19, 2011 must serve an initial five-year probationary period and must receive an "effective" or "highly effective" rating on their three most recent annual year-end performance evaluations to obtain tenure. A teacher may complete this period one year early by being rated "highly effective" on three consecutive annual year-end performance evaluations and teaching at least four school years. If the teacher obtained tenure in another Michigan public school district, a district may require the teacher to serve a two-year probationary period.

The Tenure Act requires that *all* probationary teachers receive an IDP that is developed by an "appropriate" administrator and in *consultation* with the teacher. The Revised School Code requires that all teachers in their first year of probation and all *tenured* teachers who received a "minimally effective" or "ineffective" rating on their most recent performance evaluation receive an IDP. The IDP must include specific performance goals that assist the teacher to improve effectiveness and must identify training to help the teacher meet those goals.

Developing an IDP does not relieve the school district of the obligation to conduct a year-end performance evaluation for probationary and tenured teachers. Neither the Tenure Act nor the Revised School Code requires a

particular method or form for developing an IDP. The IDP should, however, identify areas for teacher improvement and objective steps to follow to meet those goals. The administrator should track the teacher's progress towards meeting the IDP goals throughout the school year and document that progress, or lack thereof, in writing. The IDP must set a specific time period for goals to be met, not to exceed 180 days.

"Consultation" with the teacher requires that the teacher have a meaningful opportunity to provide input on the IDP's development. The school is not, however, required to incorporate the teacher's input into the IDP because the school has final discretion about the IDP's contents. Administrators should obtain the teacher's signature on the IDP to verify that it was developed in consultation with the teacher. If the teacher refuses to sign, the administrator should document on the IDP that the teacher was consulted about the plan's contents but refused to sign the document.

Each September, administrators should meet with probationary teachers and tenured teachers who received a "minimally effective" or "ineffective" rating on their most recent performance evaluation to develop an IDP. A "manageable" IDP contains 3-5 goals, corresponding steps or requirements to meet those goals, and outlines the teacher's responsibilities. The IDP goals should be the cornerstone of future observations, conversations, mid-year reviews, and the year-end evaluation.

We hope that this series, which will carry through the 2015-2016 school year, will provide guidance to administrators in building legally compliant, effective performance evaluation practices.