



THE NEW YORK CITY DEPARTMENT OF EDUCATION

JOEL I. KLEIN, *Chancellor*

Office of the General Counsel – Teacher Performance Unit
51 Chambers Street - New York, NY 10007

This letter and the accompanying materials are to familiarize you with the New York City Department of Education's new Teacher Performance and Labor Support Units.

The Teacher Performance Unit ("TPU") is a new unit comprised of experienced attorneys who will litigate incompetence cases against ineffective tenured pedagogues. This unit will provide counsel to principals and other school officials in connection with the preparation and litigation of 3020-a disciplinary charges involving allegations of incompetence. TPU's goal is to help principals improve teacher quality in their schools by bringing and litigating these cases in a thorough, expeditious and effective manner.

The Labor Support Unit ("LSU") is comprised of education consultants who will work in partnership with TPU to provide direct support to principals who are confronted with ineffective tenured pedagogues. The goal of LSU is to work with the principal to help them design support plans for ineffective tenured pedagogues, to provide guidance and general assistance to the principal; to assist the principal in organizing the documentation; to conduct additional observations upon request of the principal; and to coordinate with the Peer Intervention-Plus (PIP+) Program and Teacher Performance Unit.

To greater assist your understanding of the process I have included a brief summary of TPU's procedures and policies:

First, if you wish to discuss the case either formally or informally with a representative of TPU, please contact the Teacher Performance Unit at the Office of the General Counsel. To schedule a Technical Assistance Conference ("TAC" or "case conference") please submit, by fax or email a completed TAC request form. (The TAC Request Form is included in this packet of supporting documents.)

Once a TAC has been scheduled, the principal or another school official should submit to TPU a completed TPU principal checklist (also included in the packet) along with the requested supporting documentation. To expedite the process, please ensure all the documentation has been forwarded to TPU prior to the date of the case conference. The pedagogue's entire personnel file, all rating sheets (including any which document satisfactory ratings), along with the accompanying letters to the file, and the observation reports to support the unsatisfactory rating are key pieces of evidence. In addition, all the materials demonstrating the Department's efforts at remediation and offers of professional development should be included in the packet (a sample is included in the packet).

OFFICE OF THE GENERAL COUNSEL – TEACHER PERFORMANCE UNIT
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During the case conference, the TPU Director and staff attorneys will meet with the principal to discuss the relevant documentation, and provide advice and guidance. After the case has been carefully reviewed a determination will be made by TPU in consultation with the principal whether to commence the 3020-a process at that time. If TPU decides to accept the case a letter will be sent to the principal indicating that the tenured pedagogue will be charged. At such time, TPU will recommend that the teacher be removed from the classroom and assigned to administrative duties. If a principal requests that a pedagogue be removed for incompetence prior to a TAC with TPU, that request must be approved by the TPU Director, and such requests will be reviewed on an expedited basis.

Alternatively, if a determination is made that the case should not proceed forward, a letter will be sent to the principal indicating the reasons and advising the principal on what action should be taken next. In such instances, TPU and LSU will continue to offer high quality and responsive support to the principal, which will include providing ineffective tenured teachers with quality professional development.

On behalf of TPU, I look forward to working with each of you in the future. Should you have any questions about the materials provided in this packet, the TAC process, or if you have other questions, please feel free to contact me.

Sincerely,

Florrie Chapin
Director, Teacher Performance Unit

TEACHER PERFORMANCE UNIT COVERSHEET/CHECKLIST

***To be provided with case packet to TPU prior to Technical Assistance Conference*

I. BACKGROUND INFORMATION

PRINCIPAL: _____
TELEPHONE #: _____ FAX#: _____ EMAIL: _____

NAME OF SCHOOL: _____

ADDRESS OF SCHOOL: _____

NAME OF PEDAGOGUE: _____

FILE #: _____ SOCIAL SECURITY #: _____

TITLE/LICENSE: _____

PRIOR DISCIPLINARY CHARGES: YES NO

If so, explain: _____

II. RATING HISTORY:

YEAR(S)	RATING
<i>Ex. 1990-1995</i>	<i>S</i>
<i>Ex. 1995-1996</i>	<i>U</i>

III. OBSERVATION REPORTS (If Necessary Attach a Sheet For Additional Observations):

YEAR	DATE	INFORMAL/ FORMAL	OBSERVER	RATING
<i>Ex. 2002-2003</i>	<i>1/1/2003</i>	<i>Formal</i>	<i>Principal</i>	<i>U</i>

**ATTORNEY WORK PRODUCT
ATTORNEY CLIENT PRIVILEGE**

IV. ARE YOU PROVIDING RECORDS FROM PREVIOUSLY ASSIGNED SCHOOLS?

YES NO

V. PLEASE ATTACH ALL LETTERS TO THE FILE. (Please include the date for each and list in chronological order.) INDICATE THE NUMBER OF LETTERS BELOW:

** If the Pedagogue has written a response to any letters to the file or a response to any observation reports, please include as an attachment along with the original correspondence.*

Number of Letters: _____

VI. PLEASE IDENTIFY BELOW AND ATTACH ANY MATERIALS THAT REFLECT ATTEMPTS AT REMEDIATION AND PROFESSIONAL DEVELOPMENT:

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

VII. ATTENDANCE RECORDS:

- a) 20__ School year: Absent _____
- b) 20__ School year: Absent _____
- c) 20__ School year: Absent _____

VIII. ANY ADDITIONAL INFORMATION AND COMMENTS:

ATTORNEY CLIENT PRIVILEGE

**REQUEST FOR TECHNICAL ASSISTANCE CONFERENCE (TAC) FOR
UNDERPERFORMING PEDAGOGUES**

PRELIMINARY INFORMATION:

TAC REQUESTED BY: _____

NAME OF SCHOOL: _____

SCHOOL ADDRESS: _____

TELEPHONE #: _____ FAX #: _____ EMAIL: _____

PEDAGOGUE:

NAME OF EMPLOYEE: _____

FILE #: _____ SOCIAL SECURITY#: _____

TITLE/LICENSE: _____

TENURED: YES NO DATE COMPLETED PROBATION: _____

CURRENT SCHOOL/ASSIGNMENT: _____

PRINCIPAL: _____

NATURE OF THE CURRENT ALLEGATION(S): _____

NUMBER OF U-RATINGS: _____

LIST ALL U-RATINGS/YEARS/SCHOOLS: _____

LIST ALL S-RATINGS/YEARS/SCHOOLS: _____

ANY PRIOR DISCIPLINARY ACTION: YES NO

DID THE SCHOOL OFFER THE TEACHER PROFESSIONAL DEVELOPMENT: YES NO

DID THE TEACHER COMPLETE THE PEER OBSERVATION PROGRAM: YES NO

DID A CONSULTANT WORK ON THIS CASE: YES NO NAME: _____

DO YOU HAVE A LOG OF ASSISTANCE FOR THIS CASE: YES NO

*HAS THE TEACHER BEEN REASSIGNED? YES NO

REASSIGNED TO: _____ DATE

REASSIGNED: _____

ATTORNEY CLIENT PRIVILEGE

INVESTIGATION:

ARREST YES NO OSI YES NO SCI YES NO A-420 YES NO

ADDITIONAL CONTACT INFORMATION:

DISTRICT CONTACT: _____

TELEPHONE #: _____ FAX #: _____

NETWORK LEADER: _____

TELEPHONE #: _____ FAX #: _____

SUPERINTENDENT: _____

TELEPHONE #: _____ FAX #: _____

SCHOOL SUPPORT ORGANIZATION (SSO): (NAME OF CEO OF LSO, PSO, ESO) _____

TELEPHONE #: _____ FAX #: _____

HUMAN RESOURCES DIRECTOR / DEPUTY DIRECTOR/HR PARTNER: _____

TELEPHONE #: _____ FAX #: _____

ISC COUNSEL: _____

TELEPHONE #: _____ FAX #: _____

PLEASE PROVIDE ANY ADDITIONAL COMMENTS:

(*TPU Please date stamp this page once received).