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ARTICLE XI

Evaluation Procedure

- A. **FREQUENCY.** Evaluation and assessment of the performance of employees shall be made on a continuing basis at least once each school year for temporary and probationary personnel and at least once every other year for employees with permanent status.

CDC Teachers

Effective with the 2008-09 school year, CDC unit members with permanent status shall be evaluated at least every five (5) years if they have been employed by the district for ten (10) years or more as a CDC teacher and if the evaluator and the unit member consent to such time line. In order to be eligible for the five year cycle a unit member's most recent evaluation must contain an overall rating of at least Effective.

Either the evaluator or the unit member may withdraw from this cycle at any time and such withdrawal shall not be subject to the grievance procedure. Upon request the evaluator will meet with the unit member to explain the reasons for withdrawal.

Head Start Special Contract Teachers. Teachers will be formally evaluated annually.

- B. **EVALUATOR.** The evaluator shall be the employee's immediate manager and/or another administrator designated by the manager, by the Superintendent, or by his designee.
- C. **DEADLINES.** It is agreed that deadlines specified in this Article, except for the date of the final evaluation, may be extended by the number of days the evaluatee or the evaluator is absent from the work site during the identified time periods. Any change in specified deadlines will be noted in writing by the evaluator along with reasons for the change in deadline.
- D. **NOTIFICATION OF EMPLOYEES.** Employees to be evaluated shall receive a copy of the evaluation procedures within four (4) weeks after the beginning of the ten (10) month traditional or year-round school session work year, as appropriate. Those employees will be advised of the evaluation policy, procedures, standards, and expectations by their evaluator no later than the end of the fifth school week.

Standardized test norms shall not be used for teacher evaluation. Personnel shall be judged on the District-adopted evaluation objectives and performance standards. Such objectives and standards shall be in writing and made available to the evaluatee prior to any period in which he/she is evaluated.

- E. **SETTING OF OBJECTIVES/ACTION PLAN.** By the end of the sixth school week each evaluatee shall be responsible for proposing in writing to the evaluator specific action plans and standards to be achieved within areas of performance. The evaluator may propose and/or require additional components in the action plan and standards for each evaluatee in accordance with the position and assignment. Employees will be advised if there is to be a specific area(s) of concentration.

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2 Within the maximum of seven (7) weeks of the first working day of an assignment all
3 objectives and performance standards shall be finalized, reduced to writing, and
4 signed by the evaluator and evaluatee.

5
6 F. **CONSTRAINTS.** When the total length of teaching experience, the length of duty at one
7 site, the length of time in the assignment, or other factor is considered to be a constraint by
8 the evaluator or the evaluatee, it may be so noted on the appropriate form.

9
10 G. **OBSERVATIONS.** Observations shall be both formal and informal. The number of formal
11 observations shall routinely be three (3). With agreement of both evaluatee and evaluator
12 the number may be reduced to two (2) or one (1) in cases of obviously effective performance
13 by tenured employees. Additional observations shall be conducted when deemed necessary
14 by either the evaluatee or evaluator.

15
16 1. An observation shall be based upon one (1) or more of the following components:
17 District goals and objectives, individual school/office goals and action plans,
18 individual employee goals and action plans and performance assessment criteria.

19
20 2. Each formal observation will be followed by a conference which will take place
21 within five (5) working days.

22
23 3. Formal observations will be summarized on an observation form with a copy given
24 to the evaluatee within ten (10) working days after the observation.

25
26 4. Except by mutual agreement, formal observations shall not begin until after goals
27 and action plans have been agreed upon. In the event that goals and action plans have
28 not been agreed to, formal observations may begin following the seventh week of the
29 school year.

30
31 H. **EVALUATION.** An evaluation shall be reduced to writing and transmitted to the employee
32 no later than thirty (30) calendar days prior to the last school day for K-12 students scheduled
33 on the adopted school calendar or thirty (30) calendar days prior to the last day for children
34 on the year-round track calendar, as appropriate. The evaluator will hold a conference to
35 review the written evaluation with the employee at the time of the transmittal of the written
36 evaluation. The evaluatee shall sign the evaluation form signifying that he/she has read the
37 form and shall be provided the opportunity to prepare a written response which shall become
38 a part of the employee's permanent record. There shall be only one (1) final evaluation form
39 per year which shall become part of an employee's permanent file. This form may be
40 supported by documentation deemed appropriate by the site manager.

41
42 I. **IMPROVEMENT OF LESS THAN EFFECTIVE PERFORMANCE.** No assessment of
43 "unsatisfactory" or "developing" performance shall be introduced on an evaluatee's
44 evaluation form which has not been first formally called to his/her attention in a written
45 report. Time shall be allowed, when practicable, from the date of the written report in which
46 the deficiency is first noted and the date of the next evaluation when the deficiency is

1 formally cited to allow for correction of said deficiency (ies). Upon formally citing a
2 condition(s) of less-than effective performance, the evaluator shall thereafter confer with the
3 evaluatee and during the conference make specific recommendations as to areas of
4 improvement in the evaluatee's performance. In the case of instructional deficiencies, the
5 evaluator will offer direct assistance and/or additional resources as the evaluator deems
6 appropriate to implement the specific recommendations.
7

8 Nothing in this section shall be interpreted as limiting the ability of the District to take
9 immediate action in the case of an extremely serious or egregious circumstance as identified
10 in Education Code, Section 44932.
11

- 12 **J. PERSONNEL FILE.** Each employee shall have the right, by appointment, to review the
13 contents of his/her personnel file. Such appointment will normally be scheduled within ten
14 (10) working days of the request, except that during unusually concentrated work periods, it
15 may be postponed with the approval of the Assistant Superintendent, Human Resource
16 Services. A representative of the Association at the teacher's request may accompany the
17 teacher in this review. Such review by the employee shall be permitted twice per year before
18 or at the end of the duty day when instructional duties have been completed.
19

20 Negative or derogatory materials will be processed in accordance with Education Code,
21 Section 44031, which states that information of a derogatory nature shall not be entered or
22 filed unless and until the employee is given notice and an opportunity to review and comment
23 thereon. An employee shall have the right to enter, and have attached to any such derogatory
24 statement, his own comments thereon.
25

- 26 **K. GRIEVABILITY.** Any grievance arising out of the foregoing procedures shall be limited
27 to a claim that the procedure has been violated.
28

- 29 **L. PARENT/GUARDIAN COMPLAINT.** When a parent or guardian complaint regarding
30 an employee filed pursuant to Education Code, Section 35160.5, is terminated at any level
31 or is not sustained by the Board of Education, the Board shall direct that all written
32 documentation relating to the complaint be destroyed pursuant to procedures provided for in
33 Title V of the California Administrative Code.
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35 B.O.E. 1.5.16 CDC/HS
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