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ARTICLE XII

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. Employees will complete and sign their evaluation forms online. Annually the district and TALB will assess the online evaluation ease of use, security, adequacy and effectiveness.

Effective with the 2008-09 school year, 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 and if the evaluator and the unit member consent to such timeline. Upon completing the final evaluation, the administrator will indicate if the unit member is recommended for the 5-year cycle. In order to be eligible for the five year cycle a unit member must be deemed to be “highly qualified” as defined in the No Child Left Behind Act (20 U.S.C. 7801) and his/her most recent evaluation must contain an overall rating of at least Satisfactory or Effective. For eligible unit members who do not teach in “core academic” subjects, qualification requirements shall be the same as for teachers of “core academic” subjects. For eligible unit members who are not classroom teachers the District and Association shall review and agree on appropriate comparable criteria.

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.

- 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 their school session work year, traditional or year-round calendar. 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. Except in extenuating circumstances, District and site goals will be provided to teachers one week prior to the teacher’s goals deadline.

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 that are aligned with the California Standards for Teaching Profession (CSTPs) for teachers, and professional standards for other represented certificated staff including

1 counselors, psychologists, SLPs and nurses, shall be in writing and made available to the
 2 evaluatee prior to any period in which the employee is evaluated.

- 3
 4 **E. SETTING OF OBJECTIVES/ACTION PLAN.** By the end of the sixth school week each
 5 evaluatee shall be responsible for proposing in writing to the evaluator specific action plans
 6 and standards to be achieved within areas of performance. The evaluator may propose and/or
 7 require additional components in the action plan and standards for each evaluatee in
 8 accordance with the position and assignment. Employees will be advised if there is to be a
 9 specific area(s) of concentration.

10
 11 Within the maximum of seven (7) weeks of the first working day of an assignment all action
 12 plans and performance standards shall be finalized, reduced to writing, and signed by the
 13 evaluator and evaluatee.

- 14
 15 **F. CONSTRAINTS.** When the total length of teaching experience, the length of duty at one
 16 site, the length of time in the assignment, or other factor is considered to be a constraint by
 17 the evaluator or the evaluatee, it may be so noted on the appropriate form. Employees, who
 18 due to the room utilization patterns on a year-round school schedule are limited in their ability
 19 to prepare the classroom prior to the arrival of students, are deemed to be working within
 20 constraints related to room environment and classroom management for a brief period of
 21 time at the beginning of each on-track assignment.

- 22
 23 **G. OBSERVATIONS.** Observations shall be both formal and informal. The number of formal
 24 observations shall routinely be three (3). With agreement of both evaluatee and evaluator
 25 the number may be reduced to two (2) or one (1) in cases of obviously satisfactory
 26 performance by permanent employees. Additional observations shall be conducted when
 27 deemed necessary by either the evaluatee or evaluator.

- 28
 29 1. An observation shall be based upon one (1) or more of the following components:
 30 District goals and objectives, individual school/office goals and action plans,
 31 individual employee goals and action plans and performance assessment criteria.
 32
 33 2. Each formal observation will be followed by a conference which will take place
 34 within five (5) working days.
 35
 36 3. Formal observations will be summarized on an observation form with a copy given
 37 to the evaluatee within ten (10) working days after the observation.
 38
 39 4. Except by mutual agreement, formal observations shall not begin until after goals
 40 and action plans have been agreed upon. In the event that goals and action plans have
 41 not been agreed to, formal observations may begin following the seventh week of the
 42 school year.
 43
 44 5. In the event of an unsatisfactory observation lesson analysis, the evaluatee may
 45 request an additional formal observation conducted jointly by the evaluator and
 46 another manager selected by the evaluatee from a list of up to five (5) managers

1 selected by the District. The second manager will be credentialed/certified in the
 2 credential/subject/special services area of the evaluatee's assignment. In the event
 3 there are no managers with a similar credential available, the evaluatee shall select
 4 from a list of Long Beach Unified School District administrators who currently
 5 supervise teachers with the same credential or teaching assignment. The subsequent
 6 conference and lesson analysis shall be conducted/developed by both managers.
 7

- 8 **H. EVALUATION.** An evaluation shall be reduced to writing and transmitted to the employee
 9 no later than thirty (30) calendar days prior to the last school day for K-12 students as
 10 identified on the appropriate traditional or year-round school calendar. The evaluator will
 11 hold a conference to review the written evaluation with the employee at the time of the
 12 transmittal of the written evaluation. The evaluatee shall sign the evaluation form signifying
 13 that he/she has read the form and shall be provided the opportunity to prepare a written
 14 response which shall become a part of the employee's permanent record. There shall be only
 15 one (1) final evaluation form per year which shall become part of an employee's permanent
 16 file. This form may be supported by documentation deemed appropriate by the site manager.
 17

18 A joint committee consisting of five (5) unit members appointed by TALB and five (5)
 19 administrators shall be convened to develop revisions to evaluation forms for non-classroom
 20 based unit members (e.g. nurses, teacher librarians, teachers on Special Assignment), review
 21 and revise final evaluation forms to consider an overall rating, use of electronic
 22 forms/system, use of resource material, and develop an evaluation rating rubric. The forms,
 23 if amended, shall be submitted to the bargaining teams for final negotiation. If meetings are
 24 scheduled during the work day the unit members shall be provided released time; if the
 25 meetings are scheduled for times after the work day the unit members shall be paid their
 26 regular hourly rate.
 27

- 28 **I. IMPROVEMENT OF LESS THAN EFFECTIVE PERFORMANCE.** No assessment
 29 of "unsatisfactory" or "developing" shall be introduced on an evaluatee's evaluation form
 30 which has not been first formally called to his/her attention in a written report. Time shall
 31 be allowed, when practicable, from the date of the written report where the deficiency is first
 32 noted and the date of the next evaluation when the deficiency is formally cited to allow for
 33 correction of said deficiencies. Upon formally citing a condition(s) of less-than-effective
 34 performance, the evaluator shall thereafter confer with the evaluatee and during the
 35 conference make specific recommendations as to areas of improvement in the evaluatee's
 36 performance. In the case of instructional deficiencies, the evaluator will offer direct
 37 assistance and/or additional resources as the evaluator deems appropriate to implement the
 38 specific recommendations.
 39

40 Nothing in this Section shall be interpreted as limiting the ability of the District to take
 41 immediate action in the case of an extremely serious or egregious circumstance as identified
 42 in Education Code, Section 44932.
 43

- 44 **J. PERSONNEL FILE.** Each employee shall have the right, by appointment, to review the
 45 contents of his/her personnel file. Such appointment will normally be scheduled within five
 46 (5) working days of the request, except that during unusually concentrated work periods, it

1 may be postponed with the approval of the Assistant Superintendent, Human Resource
 2 Services. Unit members may obtain copies of materials in their personnel files and be
 3 charged the same rate per page as the District charges the general public.¹ Such materials
 4 shall not include those excluded from disclosure under Education Code Section 44031;
 5 normally such materials will be provided within ten (10) working days of the request. A
 6 representative of the Association at the teacher's request may accompany the teacher in this
 7 review. Such review by the employee shall be permitted twice per year before or at the end
 8 of the duty day when instructional duties have been completed.

9
 10 Negative or derogatory materials will be processed in accordance with Education Code,
 11 Section 44031, which states that information of a derogatory nature shall not be entered or
 12 filed unless and until the employee is given notice and an opportunity to review and comment
 13 thereon. An employee shall have the right to enter, and have attached to any such derogatory
 14 statement, his own comments thereon.

15
 16 **K. GRIEVABILITY.** Any grievance arising out of the foregoing procedures shall be limited
 17 to a claim that the procedure has been violated.

18
 19 **L. PARENT/GUARDIAN COMPLAINT.** When a parent or guardian complaint regarding
 20 an employee filed pursuant to Education Code, Section 35160.5 is terminated at any level or
 21 is not sustained by the Board of Education, the Board shall direct that all written
 22 documentation relating to the complaint be destroyed pursuant to procedures provided for in
 23 Title V of the California Administrative Code.

24
 25 **M. COUNSELOR EVALUATION**

26 The counselor evaluation process is tended to be a cycle of continuous improvement as
 27 represented in the figure below, counselors playing a more active engaged role in their own
 28 professional growth and development. The process begins with assessments through data
 29 analysis and self-reflection. A goal setting conference sets the stage for implementing a goal-
 30 driven plan for the year. Throughout the school year, the plan is implemented and evidence
 31 is collected. The cycle continues with a mid-year progress check and consultation, followed
 32 by continued implementation. The latter part of the process offers counselors the chance to
 33 review interim data and reflect on review the existing process and prepare for regular
 34 implementation in 2022-2023.

35
 36 **N. PSYCHOLOGIST EVALUATION**

37 The Evaluation Committee with review the current draft model to prepare for pilot
 38 implementation during 2022-2023 school-year. Full scale rollout will take place during the
 39 2023-2021 school year.