

ARTICLE 14

EVALUATION

14.1 Purpose of Evaluation Procedures:

- A. The expressed purpose of the evaluation procedures outlined in this article is the improvement of instruction and the professional growth of the certificated unit members in District schools. Evaluation and assessment of each unit member shall be made on a continuing basis as follows:
1. At least once each school year for probationary unit members.
 2. At least every other year for unit members with permanent status.
 3. At least every five (5) years for unit members with permanent status who have been employed at least ten (10) years with the District, are highly qualified, if necessary, as defined in 20 U.S.C. Sec. 7801, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and the unit member being evaluated agree. The unit member or the evaluator may withdraw consent at any time. Consent may not be withdrawn for arbitrary or capricious reasons.
- B. The procedures detailing the evaluation of teachers are designed to operate in an atmosphere of mutual agreement and professional respect. Where it becomes necessary to resolve and remediate problems in classroom instruction, these procedures continue to operate in that same atmosphere of mutual agreement and professional respect. However, it is understood that some instructional problems may not be resolved within the guidelines of these procedures. In such cases, other articles of this contract will apply.
- C. The focus of the evaluation will be the evaluation plan, the teachers' job description, the requirements in the Education Code and the California Standards for the Teaching Profession. The standards to be used for classroom teachers are:
1. Engaging and Supporting All Students in Learning
 2. Creating and Maintaining Effective Environments for Student Learning
 3. Understanding and Organizing Subject Matter for Student Learning
 4. Planning Instruction and Designing Learning Experiences for All Students
 5. Assessing Student Learning
 6. Developing as a Professional Educator

7. Progress of Students toward District or State Standards

- D. Unit members who are not classroom teachers will use standards that will be developed collaboratively by the District and Association. These standards will be mutually agreed upon by both parties. As they are developed, they will be added to the contract by side letter.

14.2 Personal and Academic Freedom:

- A. The personal life of a unit member shall not be a subject of this formal evaluation procedure.
- B. The right to study any controversial issue in the classroom, related to the objectives of that class, which has political, economic, or social significance and is not in conflict with Board policy, shall not be a subject of this evaluation procedure.

14.3 Overview of the Evaluation Procedures:

- A. This article establishes a dual-track evaluation procedure, each with specific evaluation criteria designed to improve instruction and professional growth.
1. The PROFESSIONAL GROWTH TRACK is designed to allow certificated unit members to define a program of professional growth for the period of evaluation and to be evaluated in terms of that program.
 2. The program will be discussed with the evaluator and a statement of achievement or progress will be completed at the end of the evaluation period. Unit members in the PROFESSIONAL GROWTH TRACK will be evaluated biennially.
 3. The SUPPORT TRACK is designed to assist unit members in specific areas of improvement of instruction. In the 7-12 program all temporary and probationary unit members will be placed in this track as well as other unit members who have received an "unsatisfactory" or "requires improvement" in the composite evaluation section of the evaluation form. Unit members serving in the first two (2) years of an hourly assignment will be placed in this track. Unit members in the SUPPORT TRACK will be evaluated annually.
 4. A meeting to discuss the evaluation process will be held within thirty (30) duty days of the beginning of the school year. This meeting may include all unit members to be evaluated in a single group. Individual meetings may also be scheduled by evaluators.

B. Summer School/Intersession

Unit members employed for Summer School or Intersession shall be evaluated according to the following categories:

1. Those unit members who request an evaluation be performed;
2. Those unit members who are teaching in Sweetwater Union High School District for the first time.

C. Handling Disputes

When a dispute arises during the evaluation process, a meeting with a member of Human Resources, the Association, the site evaluator and the unit member may be scheduled by either the evaluator or the unit member. Disputes concerning the development of the growth plan are not subject to this section. However, disputes over changes to the established growth plan will be subject to this section.

14.4 The Professional Growth Track:

A. Professional Growth Track Placement

1. A certified 7-12 unit member with permanent status, or an hourly employee in the third year of service or beyond, will be placed in the PROFESSIONAL GROWTH TRACK.
2. Placement in the PROFESSIONAL GROWTH TRACK is automatic if all SUPPORT TRACK evaluations have been satisfactory.
3. A unit member may be placed on the PROFESSIONAL GROWTH evaluation cycle during his/her “off” year if concerns are identified and validated through documentation. A growth plan in the area of concern will be developed.
4. The principal may decide to “continue” a unit member’s evaluation from one (1) year to the next. The following criteria will be followed:
 - a. The decision to “continue” an evaluation is made when the evaluator has expressed concerns over the performance of the unit member, but decides that the full impact of a negative evaluation is unwarranted and that more time should be allowed before coming to judgment. These concerns, however, will have been documented by the evaluator and will have been discussed with the unit member.

- b. Marking the “continue” box simply postpones the official evaluation. It does not constitute a negative evaluation, nor should it be interpreted as such. Probationary and temporary unit members and other unit members in SUPPORT TRACK cannot be “continued.”
- c. If concerns remain at the end of that extension period, the evaluation may be continued for one (1) more year only, at which time the summary evaluation report must be completed. No record of continued evaluations shall be kept past the completion of the next evaluation period.
- d. The intent of continuing an evaluation period is to make every effort to assist, counsel and direct the unit member in improving his/her classroom instruction. The decision to “continue” an evaluation shall not be made in an arbitrary or capricious manner.

B. Establishing a Professional Growth Track Plan

- 1. The requirements of the Professional Growth Track are designed to give maximum flexibility to both the evaluator and the unit members being evaluated in fixing dates for meetings, observations and discussions.
- 2. Individual growth plans will be submitted by unit members within thirty (30) duty days of the meeting to discuss the growth plans as described above. The focus of the growth plan will be one or two (2) of the standards (14.1.C.).
- 3. The various aspects of the plan—details, purposes, measures of progress within this plan—may be discussed with the evaluator. It is the intent that both the evaluator and the unit member will agree on the details of this plan. The District and the Association may propose a list of professional growth activities for unit members to consider, but such a list is advisory, and is only meant to offer suggestions and assistance.
- 4. If there is any continuing or unresolved disagreement between the evaluator and unit member over the details of this plan, then the unit member will make the final decisions concerning the content, purpose, direction and/or scope of the plan.
- 5. Other meetings to discuss the progress of the professional growth plan may be held at any time in the second semester with the dates and times determined by mutual agreement. This program of professional growth will be discussed with the evaluator and a statement of achievement or progress will be given to the evaluator prior to the summary evaluation conference.

C. Professional Growth Track Classroom Observations and Conferences

1. Formal observation(s) will be scheduled at a mutually agreed upon time.
2. Unscheduled, informal observations may be made by the administrator.
3. Conferences following an observation will be scheduled at a mutually agreed upon time.
4. Both classroom observations and conferences may be waived by mutual consent, but if either party wishes to schedule a formal observation or a conference, then arrangements will be made at a mutually convenient time.

D. Professional Growth Track Time Lines

1. Within thirty (30) duty days of the beginning of school, a meeting between the evaluator and the unit member being evaluated shall be held to discuss procedures.
2. Within thirty (30) duty days of the initial meeting, unit members shall submit their growth plan to the evaluator.
3. Evaluations must be completed and signed by both evaluator and unit member no later than April 30.
4. In the event that a unit member may be rated as less than satisfactory, an assistance plan in accordance with Section 14.7 shall be developed by the end of the first week of the second semester.

14.5 The Support Track:

A. Placement

1. The SUPPORT TRACK is designed to assist unit members in specific areas of improvement of instruction. All temporary and probationary unit members will be placed in this track. Evaluations for those in the SUPPORT TRACK will be done yearly.
2. A certificated 7-12 unit member with permanent status, or an hourly employee beyond the third year, may be placed in the SUPPORT TRACK whenever the unit member has received an “unsatisfactory” or “requires improvement” in the composite evaluation section of the evaluation form.

B. Determining a Support Track Growth Plan

1. In the SUPPORT TRACK a growth plan will be determined by mutual agreement. The scope of this plan is a matter for discussion between the evaluator and the unit member being evaluated. The focus of the growth plan will be one (1) or two (2) of the standards found in Section 14.1.C.
2. Both evaluator and unit member will agree on the growth plan that will serve as the basis of the composite evaluation. Agreement on the growth plan in the SUPPORT TRACK must be made within forty-five (45) duty days of the beginning of the school year.
3. If there is disagreement over the content, purpose, direction, or scope of the plan, the evaluator will make the final decisions.
4. If circumstances warrant such action, the plan agreed to in Section 14.5.B, may be changed during the evaluation cycle. This new plan is subject to mutual agreement by both parties. If there is disagreement regarding the plan, the evaluator will make the final decision. The unit member may appeal the decision in accordance with Section 14.3.C, of this Agreement.
5. A reasonable amount of time must be allowed for the accomplishment by the unit member of any new plan. No additions to the plan will be set after ninety (90) duty days from the beginning of the employee's assignment. A change in the content, purpose, direction or scope of the original plan can only be made one (1) time during the ninety (90) day cycle.

C. Support Track Classroom Observations

1. Both formal and informal observations will be made. Scheduling of formal observations will be arranged by mutual consent and it is understood that unscheduled informal observations will also be made.
2. All unit members in the SUPPORT TRACK shall have a formal observation by a site administrator within the first forty-five (45) duty days of service. A second observation shall take place no later than twenty (20) duty days after the first observation.
3. A pre-observation data sheet may be required prior to a formal observation. There should be mutual agreement concerning the details and scope of this requirement.
4. A post-observation conference will be scheduled within two (2) weeks (ten [10] duty days) after any formal observation.

D. Support Track Timelines

1. Within thirty (30) days of the beginning of the school year, or the beginning of service, a meeting shall be held to discuss the evaluation procedures.
2. Within fifteen (15) duty days of the initial meeting, the growth plan for unit members shall be established.
3. No later than sixty (60) duty days after the beginning of service, a meeting shall take place between the evaluator and the unit member to assess progress. At this time, the unit member shall be notified in writing if the evaluator has determined it is possible the unit member may receive a less than satisfactory evaluation. If this is the case, an assistance plan in accordance with Section 14.7 shall be developed to allow the District to provide the assistance necessary for the unit member to take action in correcting any cited deficiencies.
4. After a plan is developed, the evaluator and unit member shall meet at least once every twenty (20) duty days to assess the success of the assistance plan. These meetings shall continue until the deficiencies have been corrected or until the school year ends.
5. Temporary and probationary employees shall be evaluated every year. The evaluation must be completed by March 15. The evaluation for permanent employees must be completed by April 30.

14.6 General Provisions:

- A. A unit member beginning service during second semester will be evaluated at a time sequence other than the ones described above. The growth plan will be established within twenty (20) duty days of the beginning of service and at least forty-five (45) duty days will be allowed for the completion of the growth plan. In any case, a reasonable amount of time must be allowed in order to accomplish the plan.
- B. Prior to the completion of the evaluation, a summary evaluation conference shall be held. At this meeting the evaluator and the unit member shall review the evaluation report in order to discuss the final wording.
- C. The final evaluation report shall be signed by both the evaluator and the unit member. The signature of the unit member does not mean or imply agreement or disagreement with the evaluation. It only means that the evaluation has been received.
- D. The unit member has the right to include an addendum to any written evaluation.

14.7 Requires Improvement and Unsatisfactory Evaluations:

- A. If an evaluation is marked “unsatisfactory” or “requires improvement,” the evaluator of the unit member shall take appropriate action to assist in correcting any cited deficiencies. Such action shall include specific recommendations for improvement and assistance in implementing such recommendations. Any certificated employee who receives an ‘Unsatisfactory’ rating on an evaluation performed pursuant to Ed. Code Section 44664 shall participate in PAR.
- B. Deficiencies cited in the written evaluation must be discussed beforehand with the unit member. Reasonable time should have been allowed for cited deficiencies to have been corrected. Both the unit member and the evaluator should have taken appropriate action to correct significant deficiencies. If circumstances warrant, such action might have included:
 - 1. Specific recommendations by the evaluator;
 - 2. Observations of other teachers;
 - 3. Assistance from District resources;
 - 4. In-service training as mutually agreed upon between the unit member and evaluator.
- C. The administrator has the responsibility to oversee the evaluation process.
 - 1. When it is determined by the evaluator that improvement is needed in one or more areas, he/she will schedule a conference for involved parties.
 - 2. It is the responsibility of the evaluator to ensure that assistance is provided. Such aid shall be reasonable and within the normal capability of the District to provide. It may include the following: training, observation of or by other teachers, materials and supplies, or other appropriate assistance.
 - 3. A reasonable amount of time must be permitted for suggested improvement to occur.
 - 4. A Performance Addendum must be completed whenever any element of the summary evaluation report contains an “unsatisfactory” or “requires improvement” rating. This includes Sections II, III, and IV of the report, and applies equally to remarks in the “COMMENT” section of the report that imply a concern, or an “unsatisfactory” or “requires improvement” rating.

14.8 Maintenance of Data Related to Evaluation:

- A. The Board shall maintain the unit member's personnel files at the District Administration Center. Any files kept by the unit member's principal, or immediate supervisor, shall not contain any material not found in the District's files except for materials relating to a current evaluation. At the conclusion of each evaluation, the unit member and the site administrator will review the unit member's site file and remove all material that does not comply with this section.
- B. Materials in personnel files of unit members which may serve as a basis for affecting the status of their employment are to be made available for the inspection of the unit member. Such material is not to include ratings, reports, or records which:
 - 1. Were obtained prior to the employment of the unit member;
 - 2. Were prepared by identifiable examination committee members;
 - 3. Were obtained in connection with a promotional examination.
- C. Every unit member shall have the right to inspect such materials upon request, provided that the request is made at a time when the unit member is not actually required to render services to the District.
- D. Information of a derogatory nature, except material mentioned in the second sentence of this Section (14.8.B.), shall not be entered or filed unless and until the unit member is given notice and an opportunity to review and comment thereon. A unit member shall have the right to enter, and have attached to any derogatory statement, his/her own comments thereon. Such review shall take place during normal business hours, and the unit member shall be released from duty for this purpose without salary reduction.
- E. A unit member shall be able to examine his/her own personnel file by making an appointment with the Human Resources Department. Upon written authorization by the unit member, a representative of the Association shall be permitted to examine and/or obtain copies of materials in the unit member's personnel file.

14.9 Training of Evaluators and Association (SEA) Site Representatives:

The District and the Association will jointly provide training on evaluation procedures for the following:

- A. All principals, assistant principals, and Association site representatives each time this contract article is changed.
- B. All new principals, assistant principals, new Association site representatives yearly.

All of these training sessions will be open to all administrators and Association representatives.