Evaluation of Licensed Personnel

This policy and accompanying regulation shall be considered part of the district's licensed personnel performance evaluation system. The district's licensed personnel evaluation system shall be developed and implemented in accordance with state law. The Board shall consult with district administrators, teachers, parents and the advisory school district licensed personnel performance evaluation council in developing and evaluating the district's evaluation system.

The purposes of the district's licensed personnel evaluation system shall be to serve as a basis for the improvement of instruction, enhance the implementation of curricular programs, and measure the professional growth and development and the level of effectiveness of licensed personnel. The district's licensed personnel performance evaluation system also shall serve as the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance pursuant to state law, if applicable. For purposes of this policy and the district's licensed personnel performance evaluation system, "unsatisfactory performance" shall be defined as a performance rating of "ineffective."

The school district shall conduct all evaluations so as to observe the legal and constitutional rights of licensed personnel. No informality in any evaluation or in the manner of making or recording any evaluation shall invalidate the evaluation. No minor deviation in the evaluation procedures shall invalidate the process or the evaluation report.

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment not explicitly established by statute, Board policy or contract. Neither shall this policy and/or the evaluation system be deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal or other employment decisions relating to school personnel.

Unless an evaluator acts in bad faith or maliciously with respect to the application of a procedure associated with the evaluation process, any misapplication of a procedure, failure to apply a procedure or adhere to a prescribed timeline shall not be an impediment to or prevent the Board from modifying an employee's contract status, employment status or assignment under the terms of the employment contract and state law. The content of the evaluation, the rating given and any improvement plan shall not be grievable under the district's formal grievance process.

All employment decisions remain within the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law. Any dismissal or other employment action shall be in accordance with applicable state law, Board policy and negotiated agreement.

Adopted: August 15, 1994
Reviewed: September 27, 1999
Revised: November 7, 2012
Revised: February 13, 2013
Revised and recoded: March 6, 2019

LEGAL REFS.: C.R.S. 22-9-101 *et seq. (Licensed Personnel Performance Evaluation Act)*
C.R.S. 22-63-301 *(grounds for dismissal)*
1 CCR 301-87 *(State Board of Education rules for administration of a system to evaluate the effectiveness of licensed personnel)*

CROSS REFS.: BDFA, District Personnel Performance Evaluation Council
GCOE, Evaluation of Evaluators
GCQF, Discipline, Suspension and Dismissal of Professional Staff
IK, Academic Achievement

CONTRACT REF.: JMEA Agreement, Article IV, Teacher Evaluation and Appeals Process