

ARTICLE XVII EVALUATION

A. PURPOSE

The purpose of evaluation is the improvement of instruction and a better educational program through professional growth of staff. The identification of unit member strengths and weaknesses is the basis for assistance towards growth and the correction of any deficiencies. The observations and appraisals also provide a sound basis for administrative decisions on continued employment.

Nothing in Article XVII, Evaluation, waives the rights of the District or unit member under Education Code, Section 44664.

B. JURISDICTION

1. The District retains sole responsibility for the evaluation and assessment of performance of each unit member, subject only to the following procedural requirements.
2. Accordingly, no grievance shall contest the judgment of the evaluator or content of the evaluation. Grievances relating to evaluation shall be limited to claims that the following evaluation procedures have been violated.
3. It shall be the evaluatee's responsibility to comply and cooperate with the evaluation procedure as implemented by the evaluator.

C. TERMS AND PROCEDURES:

The Standard Formal Evaluation Process consists of an Evaluation Notification Conference and Pre-Evaluation Conference, at least two Formal Evaluations, as many Informal Evaluations as deemed necessary by the evaluator, and a Final Evaluation.

- a. Evaluation Notification Conference: shall occur by October 15th for all unit members whose first day of service is no later than the first instructional day. For those unit members hired after the first instructional day, the notification conference shall be held within a reasonable period of time from date of hire.
 - i. The unit member shall be furnished a copy of the evaluation procedures, evaluation standards, evaluation rubric, rating process of the evaluations and notified of the identified evaluator. In addition, the unit member shall receive links to the District applicable benchmarks and have access to applicable state frameworks as needed.

- ii. Notification of the District's two chosen California Standards for the Teaching Profession (CSTP's) as District-wide standards of focus to be rated will be identified during the conference. The unit member will be responsible for choosing one additional California Standards for the Teaching Profession (CSTP's) focus to be rated.
 - iii. Probationary (non-tenured) employees shall be evaluated on all California Standards for the Teaching Profession (CSTP's).
- b. Pre-Evaluation Conference: The unit member being evaluated, and the evaluator shall meet to discuss:
- i. The District will choose two California Standards for the Teaching Profession (CSTP's) as District-wide standards of focus to be rated. The unit member will choose one additional California Standards for the Teaching Profession (CSTP's) focus to be rated. As noted in a. iii. above, probationary (non-tenured) teachers will be evaluated on all California Standards for the Teaching Profession (CSTP's). For those unit members on year three of the 5-year evaluation cycle the standard which addresses lesson planning, currently Standard IV of the evaluation rubric, may not be chosen as the additional standard for evaluation as lesson planning is evaluated through pre-conference which does not take place with an informal evaluation.
 - ii. For Special Education unit members at least one of the mutually agreed upon formal scheduled observations will include the observation of classroom instruction as well as observation of an IEP meeting facilitated and/or contributed to by the unit member. The observation of instruction and IEP do not have to occur on the same day. The timeline for post-conference as referenced in Section C. 1. c. shall begin upon completion of either the lesson observation or observation of IEP meeting, based on whichever occurs later.
 - iii. Objectives to be achieved during the evaluation period.
 - iv. Techniques for assessing whether those objectives and standards of performance have been achieved which techniques may include, but are not necessarily limited to, formal evaluations and informal observations, anecdotal records, conferences and the completion of reports by the evaluatee relating to objectives and standards of performance;

- v. A tentative schedule of evaluations, conferences, and a final evaluation date.
 - vi. The unit member is responsible to identify, develop and write acceptable performance objectives which shall be discussed during the conference with the evaluator. Approval of written objectives does not prohibit the administrator from conducting evaluations, observations, or final evaluation assessments on the selected standards for the given year.
- c. A Formal Evaluation consists of an Observation of classroom instruction with subsequent reduction to writing and post-conference. The first formal evaluation will occur no later than December 1 for unit members whose first day of service is no later than the first instructional day. A Formal Evaluation includes a meeting prior to the observation. The scheduled Observation shall be made known to the unit member at least two (2) working days prior to the occurrence. The Observation shall be followed by a conference within seven (7) working days and reduced to writing on the present evaluation form currently being used as shown in Appendix G within seven (7) working days.
- d. An Informal-Evaluation is an observation of classroom instruction which does not require advanced notification to the unit member. When referenced as part of the Formal Evaluation Process, the Observation shall be followed by a conference within seven (7) working days and reduced in writing on the evaluation form in Appendix G-1 within seven (7) working days. The number of informal evaluations shall be determined as needed by the District.
- e. A Final Evaluation is the culminating document (Appendix G-2) of the Formal Evaluation Process and is based upon documents generated from at least two Formal Evaluations (one Formal Evaluation for the 5-year Formal Evaluation Cycle) and as many Informal Evaluations as deemed necessary by the District.

2. FREQUENCY

Probationary (non-tenured) and temporary unit members shall be evaluated each school year through the standard Formal Evaluation Process.

Permanent unit members not on a 5-year Formal Evaluation Cycle shall be evaluated at least every other school year through the standard Formal Evaluation Process.

Permanent unit members who are on a 5-year Formal Evaluation Cycle shall be evaluated at least every five (5) years according to the Five (5) Year Formal Evaluation Cycle.

If a unit member is scheduled to be evaluated during a particular school year but is granted a leave of absence for one (1) semester or longer, such evaluation shall take place during the first year following his/her return to duty.

When a unit member is involuntarily transferred or voluntarily transferred, they will remain on their current evaluation cycle.

If a permanent unit member receives a negative evaluation, the unit member will be evaluated annually until a rating above Unsatisfactory is achieved, or he/she is separated from the District.

a. Initial Qualifications for Being Placed on a Five (5) Year Formal Evaluation Cycle:

A 5-year Formal Evaluation Cycle shall be established for permanent unit members who apply and meet the following criteria:

- i. He/She is a permanent unit member and has been employed as a certificated employee at least 10 years in the Tracy Unified School District
- ii. He/she is highly qualified as defined in 20 USC Section 7801
- iii. He/she has received all satisfactory (Developing/Meets Expectations/Exceeds Expectations) ratings on his/her two (2) most recent final evaluations, the most recent of which must have been conducted during the year prior to the commencement of the 5-year Formal Evaluation Cycle.
- iv. He/She has received no more than one (1) letter of discipline (either a Letter of Concern or a Letter of Warning) and no Letters of Reprimand or Letters of Suspension Without Pay within the last 24-month period preceding the beginning of the 5-year evaluation cycle.

b. Qualifications for Remaining on a 5-Year Formal Evaluation Cycle

- i. For those unit members currently on the 5-year Formal Evaluation Cycle, during the 3rd year of the 5-year Formal Evaluation Cycle, the site administrator will conduct at least one Informal Observation. The Observation shall be followed by a conference within five (5) working days and reduced to writing on the evaluation form currently being used as shown in Appendix G-1 within ten (10) working days.

For those unit members on year three of the 5-year evaluation cycle the standard which addresses lesson planning, currently Standard IV of the evaluation rubric, may not be chosen as the additional standard for evaluation as lesson planning is evaluated through pre-conference which does not take place with an informal evaluation.

If a unit member receives a negative rating (U) on any 3rd year Informal Observation, the unit member will be removed from the 5-year Formal Evaluation Cycle and will be evaluated annually using the Standard Formal Evaluation Process until a rating above Unsatisfactory is achieved or he/she is separated from the District. The unit member may reapply to be placed on a 5-year Formal Evaluation Cycle when he/she meets the criteria established in Section C.2.a of this Article.

When a unit member is involuntarily transferred or voluntarily transferred, they will remain on their current evaluation cycle.

- ii. During the 5th year of the first and subsequent 5-year Formal Evaluation Cycles, there will be an evaluation process which consists of a Pre-Evaluation Conference, one Formal Evaluation, at least one Informal Observation, and a Final Evaluation.

If there is a U on the Final Evaluation, the unit member shall be evaluated in accordance with Article XVII, Sections C and G, and then returned to the evaluation schedule for permanent employees not on a 5-year Formal Evaluation Cycle. Unit members who successfully complete a 5-year Formal Evaluation Cycle may reapply to participate in a subsequent 5-year Formal Evaluation Cycle. Unit members who have been removed from a 5-year Formal Evaluation Cycle may reapply to participate in a subsequent 5-year Formal Evaluation Cycle in accordance with Article XVII, section C.2.a.

- iii. The unit member will be removed from the 5-year Formal Evaluation Cycle if he/she receives more than one (1) Letter of Concern or Letter of Warning during their time on the 5-year cycle. If a unit member receives a Letter of Reprimand or higher during their time on the 5-year cycle, the unit member will be removed from the 5-year cycle.

D. EVALUATION STANDARDS

Unit member performance shall be evaluated and assessed as it reasonably relates to:

1. Engaging & supporting all students in learning

2. Creating & maintaining an effective environment for learning
3. Understanding & organizing subject knowledge
4. Planning, designing & delivering learning experiences for all students
5. Assessing student learning
6. Developing as a professional

The District shall establish and define job responsibilities for those certificated non-instructional personnel whose duties and responsibilities the District believes cannot be appropriately evaluated using the evaluation standards in this section. The Association shall be consulted prior to a change in a bargaining unit member's job description. The District shall evaluate and assess the competency of such unit members as it reasonably relates to the fulfillment of those responsibilities.

E. MODIFICATION OF OBJECTIVES:

During the course of the evaluation period, circumstances may change which require modification of the original objectives. The unit member may request a change of these objectives in the manner prescribed in section C.1.a.iv above.

F. CONFERENCES

1. An evaluation conference shall be held with the unit member to discuss the final evaluation report which is a summary of the unit member's performance for the school year. The evaluation report shall be reduced to writing on the evaluation form currently being used as shown in Appendix G, and a copy provided to the unit member no later than 30 calendar days before the last school day scheduled on the school calendar adopted by the governing board for the school year in which the evaluation takes place. A copy of the evaluation report shall be placed in the unit member's personnel file.
2. Any evaluation which contains an unsatisfactory rating of any unit member's performance shall include, but is not limited to:
 - a. A mandated referral to the PAR Program for an Unsatisfactory rating on the final evaluation on any of the evaluation standards 1 through 5 as indicated in Evaluation Article XVII, section D for a permanent unit member.
 - b. A recommendation to volunteer to participate in the PAR Program for an Unsatisfactory rating on any evaluation-on-evaluation standards 1 through 5 as indicated in Evaluation Article XVII, section D for a permanent unit member

- c. Specific recommendations for improvement
 - d. Direct assistance to implement such recommendations
 - e. The requirement that the unit member shall, as deemed necessary by the District, participate in a program designed to improve appropriate areas of the unit member's performance.
 - f. Assignment of an instructional assistance team by mutual agreement between any unit member who is not a PAR Program participant and the administrator.
3. In addition to the foregoing, the evaluator shall also be responsible for providing certain assistance to the unit member being evaluated. If, at any time during the evaluation period, the evaluator determines through formal evaluations or informal evaluations or other performance assessments that the unit member needs to show improvement to meet the stated objectives, standards of performance, or other areas of evaluation, he/she shall inform the unit member in writing of such fact and describe such performance that is less than Developing. The evaluator shall thereafter confer with the unit member making specific recommendations as to areas of improvement in the unit member's performance and endeavor to assist the unit member in such performance. Such recommendations shall not be reduced to writing on the unit member's evaluations. (Forms contained in Appendix G.1 and G.2)

G. FORMAL/INFORMAL EVALUATION RATING PROCESS:

- a. The evaluator shall determine the overall rating for each of the identified standards by utilizing a four-point scale as follows:

Element Title	Numeric Value
Unsatisfactory	1
Developing	2
Meets Expectations	3
Exceeds Expectations	4
Not rated	N/R- no numerical value

- b. Other standards will not be reduced to writing on the Appendix form G.1. (Appendix G.1 will only include evidence and ratings from the identified standards to be evaluated).

- c. The overall standard score will be obtained by the averaging all of the rated sub elements and rounded to three decimal places. (add all the numerical values received within that standard and divide by the amount of rated sub elements. Unobserved sub elements will not receive a numeric score and will be left blank.)
- d. The overall standard score shall be assigned by the following scale:

Standard Descriptor	Numeric Range
Unsatisfactory	1.000 - 1.749
Developing	1.750 – 2.499
Meets Expectations	2.500 – 3.499
Exceeds Expectations	3.500 – 4.000

H. FINAL EVALUATION:

1. The final rating for each standard shall be the average of the numeric ratings received for each particular standard during the evaluation process for the year. Example: (Standard I Overall Rating = Evaluation A + Evaluation B + Evaluation C divided by number of evaluations conducted for Standard I will equate to the final evaluation rating.)
2. When an evaluation standard(s) is documented as an Unsatisfactory rating, the unit member shall be evaluated using the Standard Formal Evaluation Process in accordance with Article XVII, section D and Appendix G the following year, only on the evaluation standard(s) affected by the noted Unsatisfactory rating(s).
3. The unit member shall sign the evaluation report at or following the evaluation post-conference. The signature does not necessarily indicate that the unit member endorses or agrees with the contents of the report. Within fifteen (15) working days after receiving the written evaluation report, the unit member may submit a written response to the evaluation report which may include conditions which the unit member believes are beyond his/her control. The written response shall be attached to the evaluation report and become a permanent attachment to the unit member's personnel file.