

ARTICLE 10 : EVALUATION PROCEDURES

Section 10.1 - General. The District is responsible for the evaluation assessment of the performance of each unit member, subject to the procedural requirements.

- a. The time and number of scheduled observations and related conferences, for the purpose of evaluation, are determined by the following sections of this Article.
- b.
 1. Non permanent unit members shall be evaluated twice a year.
 2. Unit members with permanent status shall be evaluated once every other year.
 3. Unit members with permanent status who have been employed at least ten years with the school district, are highly qualified, or working in a position that is not required to be highly qualified as defined in 20 U.C.S. Sec. 7801 (ESEA), and whose previous evaluation rated the employee as satisfactory or exemplifies element, shall be evaluated every five years. The certificated employee or the evaluator may withdraw consent and return to the evaluation cycle described below. In the event that state law concerning the five year evaluation cycle is modified by the Legislature, the parties agree to meet and negotiate concerning this subject.
- c. Within the first thirty (30) instructional days of the school work year, each unit member to be evaluated shall be given formal, written notification of that fact. This notification shall identify the prime evaluator. The administrator shall provide each unit member with the evaluation procedures and a copy of the instrument to be used. Furthermore, the evaluatee shall be provided copies of and time to review the following materials:
 - 1) The California Standards for Teaching Profession – Element Descriptions and Descriptions of Practice including District Standard 7-Professional Duties and Responsibilities.
 - 2) The evaluatee's job description for:
 - a. Elementary assignment;
 - b. Middle or High School assignment; or
 - c. Non-teaching assignment.
 - 3) Duties to be performed as an adjunct to the unit member's regular assignment as listed under the Article on Hours of Employment (Article 8, Section 8.2a and 8.2b).
- d. An initial conference shall be held prior to the end of forty (40) instructional days from the beginning of the unit member's school year/initial track between the prime evaluator and evaluatee. The initial conference may include, but is not limited to the following:
 1. Standards and elements as set forth in the California Standards for the Teaching Profession – Element Descriptions and Descriptions of Practice including District Standard 7-Professional Duties and Responsibilities.
 2. The evaluation procedures and District forms that will be used.
- e. A unit member shall not be required to complete or submit additional documentation, including portfolios or notebooks, as evidence of how they intend to, or have met each standard. Unit members may choose to provide additional documentation of evidence of meeting the elements of the standard.

f. The evaluation process may be conducted by an administrator to whom the unit member is directly responsible. or, upon mutual agreement, by another District Administrator. The unit member shall submit a written request for an alternate evaluator to Human Resources by the tenth (10) working days after receiving the initial notice of evaluation. If mutual agreement is not reached, the ACE President and the Director of Human Resources shall make the decision by mutual consent, the evaluative procedure may be delegated from the prime evaluator. The newly delegated evaluator is ultimately responsible for the final written evaluation summary, which must bear that person's signature. The newly delegated evaluator may consult with the site administrator prior to completing the final evaluation summary. A unit member shall not be required to participate in the evaluation of other unit members.

g. For purposes of this Article the teacher shall determine the lesson plan as outlined in Article 8.2.c.

h. Non-permanent unit members may be required to turn in lesson plans on a weekly basis. The unit member shall determine the day on which they shall submit their plans. Permanent unit members shall only be required to have current weekly lesson plans available in their classroom.

Section 10.2 - Evaluation Criteria.

a. Teaching Unit Members

1. The District shall evaluate and assess teaching unit members' competency as it relates to the California Standards for the Teaching Profession - Element Descriptions and Descriptions of Practice including District Standard 7- Professional Duties and Responsibilities.

2. The evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publishers' norms established by standardized tests (In accordance with Ed Code 44662 e).

3. Nothing in this section shall be construed as in any way limiting the authority of school district governing boards to develop and adopt additional evaluation and assessment guidelines or criteria. (In accordance with Ed Code 44662 f).

b. Non-Teaching Unit Members – All non-teaching unit members shall be evaluated pursuant to this Article by their immediate supervisor, or by a District Administrator pursuant to provisions of Section 10.1.f of this Article.

Section 10.3 - Specific Evaluation Procedures.

a. Formal Observations - The evaluation of a unit member shall be based on the direct observation of unit member's work. No unit members' evaluation will be based on hearsay information.

1. The prime evaluator will notify the unit member at least two (2) days in advance of the day the observation is to be made. Unit members with probationary status and the prime evaluator will each determine one of the subject(s)/areas/classes in which the evaluation will take place. The prime evaluator and the permanent unit member will mutually determine the subject(s)/areas/classes in which the evaluation will take place. Resolution of mutual agreement will be decided as in

Section 10.1.f. The unit member will prepare “The Formal Observation Form”. The form will be given to the prime evaluator at least one (1) day in advance.

2. Unit members with permanent status shall have one formal observation of not less than twenty (20) minutes. Unit members with probationary status shall have two formal observations of not less than twenty (20) minutes each.

b. Formal Observation Conference

1. Should the prime evaluator find that two (2) or more elements of the California Standards for the Teaching Profession - Element Descriptions and Descriptions of Practice including District Standard 7- Professional Duties and Responsibilities are deemed “unsatisfactory”, the prime evaluator shall schedule a conference with the unit member within ten (10) work days of the observation. If the unit member is absent on the day of the scheduled conference, the ten (10) work days shall be extended by the number of days absent if it cannot be rescheduled within the 10 days. The prime evaluator and the unit member shall develop in this meeting an Assistance Plan as described in Section 10.4.

2. If the prime evaluator deems that the unit member needs more observation than provided in Section 10.3.a.2 or Section 10.3.a.3, the prime evaluator shall schedule subsequent classroom visitations to determine progress. The evaluatee shall be kept informed of the progress made and the results of any such interim visitations.

3. Nothing in this section shall preclude the prime evaluator from conducting informal classroom visitations.

c. Formal Evaluation:

1. There shall be one (1) formal evaluation summary given to the unit member, no later than thirty (30) work days prior to the end of the unit member’s last track and/or school year, produced by the unit member’s prime evaluator.

2. Unit members with probationary status shall have two (2) written formal evaluation summaries produced by the unit member’s prime evaluator. The first of these must be produced, presented and given to the unit member prior to December 15. The final summary evaluation shall be completed, presented and given to the unit member no later than thirty (30) work days prior to the end of the unit member’s last track and/or school year.

3. The prime evaluator shall provide the unit member with written copies of all formal materials used in preparing the evaluation summary. The prime evaluator and the unit member will discuss areas of agreement and disagreement.

4. The unit member’s signature on the evaluation summary does not indicate agreement with the prime evaluator’s assessment, but indicates that the unit member has read it. The unit member has the right to prepare a written response, which shall be given to the prime evaluator and attached to the summary evaluation to become part of the record.

Section 10.4 – Assistance Plan.

a. An Assistance Plan shall not be used for disciplinary purposes. Discipline: refer to Article 21.

b. During a formal evaluation year, if the prime evaluator has identified 2 or more elements

in the California Standards for Teaching Profession—Element Descriptions and Descriptions of Practice, including District Standard 7—Professional Duties and Responsibilities, which are unsatisfactory, an Assistance Plan shall be developed. The evaluator shall set a specific time period for improvement of not less than 30 work days unless the serious nature of the problem necessitates a shorter time line.

- c. A written copy of the Assistance Plan incorporating the areas below, shall be given to the unit member within ten (10) work days after the conference to review and discuss the Assistance Plan with the unit member. If the unit member is absent on the day of the scheduled conference, the ten (10) work days shall be extended by the number of days of absent if it cannot be rescheduled within the 10 days.
- d. The Assistance Plan shall include the following for each element:
 - 1. Activity(ies) the teacher will complete to show growth or competency of the element(s).
 - 2. The assistance to be provided.
 - 3. The expected evidence that will document the completion or accomplishment of the activity(ies).
- e. There shall be a follow-up conference and written assessment at the conclusion of the Assistance Plan at which time the evaluator shall inform the employee as to whether or not the goals of the Assistance Plan have been satisfactorily achieved. An additional Assistance Plan may be developed if the goals of the Assistance Plan have not been achieved.

Section 10.5 – Performance that is Unsatisfactory. Should the final summary evaluation show that a permanent unit member is unsatisfactory in two (2) elements of the California Standards for the Teaching Profession Article 20 (Peer Assistance and Review) shall apply. The final evaluation summary is the only document, which mandates a unit member to Peer Assistance and Review program.

Section 10.6 - District Rights. While evaluation procedures may, in many cases, be related for evidentiary purposes to disciplinary and discharge proceedings, discipline and discharge procedures may, in appropriate cases, be undertaken independently of the evaluation procedures of this Article.