

**PROPOSED LANGUAGE**  
**ARTICLE VI – PROCEDURES FOR EVALUATION**

*Vision - The District and the Association agree that an effective evaluation system recognizes the complexities of teaching and student learning. The purpose of an evaluation is to improve instruction and provide educators with meaningful feedback. Evaluators and Unit Members must work together to build a collaborative and trusting environment to achieve that purpose. A formal evaluation is not an isolated event without connection to continuous professional growth and reflection.*

6.1 Evaluation of Performance

6.1.1 Frequency - Evaluation of the performance of each certificated unit member shall be made on a continuing basis. Evaluation frequency shall be determined by the unit member’s evaluation group (Section 6.1.2). The District may evaluate each unit member annually and shall evaluate at any time during the school year if the unit member’s job performance is unsatisfactory or needs improvement.

The District and Association shall form a subcommittee to meet as needed and recommend to the bargaining teams language that reflects current evaluation practices.

6.1.2 Evaluation Groups

6.1.2.1 Group 1 - Temporary & Probationary Unit Members:

Evaluated every year  
A minimum of two (2) Observations each year  
Mid-Year and Final Evaluations each year

Late hires:

October 15<sup>th</sup> through December 15<sup>th</sup>

A unit member hired October 15<sup>th</sup> through December 15<sup>th</sup> is not required to receive a Mid-Year Evaluation but shall receive a minimum of a Preliminary Conference, two (2) Observations and a Final Evaluation.

December 16<sup>th</sup> through January 31<sup>st</sup>

A unit member hired during this time shall receive a minimum of a Preliminary Conference, one (1) Observation and a Final Evaluation.

After January 31<sup>st</sup>

A unit member hired after January 31<sup>st</sup>, shall receive no less than one (1) Informal Feedback form (6-6). The unit member shall not be evaluated under the terms of this article. If there are extenuating circumstances, and after consultation between the Association and the District, a unit member’s evaluation process shall be determined.

6.1.2.2 Group 2 – Permanent Unit Members:

Group 2a. Worked two (2) years or more in AESD:

- Evaluated every other year
- Minimum of two (2) Observations each year evaluated
- Final Evaluation each year evaluated

Group 2b. Worked at least the last ten (10) consecutive years in AESD, are highly qualified as defined in U.S.C. Section 7801, with last ten (10) years of evaluations rating an overall “Meets Standards”. The unit member or current evaluator may withdraw consent for this evaluation cycle at any time. The determination to extend or withdraw consent by either party shall be at their sole discretion.

- Evaluated every five (5) years (two (2) options)

1. Certificated Evaluation
  - Minimum of two (2) Observations each year evaluated
  - Final Evaluation each year evaluated
2. Project Based Evaluation

To continue in Group 2b, a Final Evaluation overall performance rating of “Meets Standards” must be maintained or the unit member returns to Group 2a for an additional two (2) evaluation cycles. The two (2) evaluation cycles may occur in consecutive years if mutually agreed upon by unit member and evaluator.

Group 2c. Referred (Mandatory) PAR:

- Evaluated every year while in Referred PAR

Upon exiting Referred PAR, a permanent unit member shall be evaluated annually until an overall rating of “Meets Standards” on a Final Evaluation is achieved. After receiving an overall rating of “Meets Standards” on a Final Evaluation, the unit member shall return to Group 2a or 2b, if eligible.

6.1.3 Evaluator

The evaluator shall be an immediate supervisor of the unit member or any other administrator who is designated by District management. However, the unit member shall have the right to request an alternate evaluator. Such request shall be made in writing, on Form 6-7, to the Assistant Superintendent, Human Resources within 5 days after the preliminary conference. The decision is final and the rationale shall be submitted in writing to the unit member no later than five (5) working days after receipt. If granted, the unit member shall meet with the new evaluator within 10 days of this written notification.

6.1.4 Areas of Evaluation - Evaluation of a unit member shall be based upon the California Standards for the Teaching Profession:

- 6.1.4.1 Engaging and Supporting All Students in Learning
- 6.1.4.2 Creating and Maintaining Effective Environments for Student Learning
- 6.1.4.3 Understanding and Organizing Subject Matter for Student Learning
- 6.1.4.4 Planning Instruction and Designing Learning Experiences for All Students
- 6.1.4.5 Assessing Students for Learning
- 6.1.4.6 Developing as a Professional Educator
- 6.1.4.7 Professional Responsibilities

6.1.5 Preliminary Conference - Within their first thirty (30) work days, each unit member scheduled to be evaluated using the Certificated Evaluation Process shall meet individually with their evaluator in a personal conference. In the event of extenuating circumstances, any of the site administrators shall take the place of the unit member’s evaluator during the individual conference. The evaluator shall use the Evaluation Worksheet (C6-1/S6-1) during the Preliminary Conference. The purpose of this Preliminary Conference shall be to:

1. Confirm the unit member’s evaluation group and evaluator.

2. Discuss evaluation forms.
3. Review the California Standards for the Teaching Profession (CSTP) as outlined on the evaluation form (C6-5/S6-5).
4. Discuss and determine goals and objectives in relation to the CSTPs.
5. Record goals on the Professional Goals form (C6-2/S6-2).

6.1.5.1 A unit member not scheduled for evaluation shall meet individually with a site administrator in a personal conference, within their first trimester. The purpose of this Preliminary Conference shall be to:

1. Discuss and determine goals and objectives in relation to the CSTPs.
2. Record goals on the Professional Goals form (C6-2/S6-2).

6.1.6 Observation - The evaluator shall complete a minimum of two (2) observations for each unit member being evaluated. An Observation Summary (C6-4/S6-4) shall be completed and signed by the unit member and the evaluator for each observation. The Observation Summary shall not be placed in the personnel file of the unit member.

6.1.6.1 Pre-Observation Conference

Prior to a formal observation, a pre-observation conference shall take place between the unit member and the evaluator. At this conference, the Pre-Observation (C6-3/S6-3) questions shall be discussed and completed by the unit member and the evaluator.

6.1.6.2 Post-Observation Conference

After the formal observation takes place, a post-observation conference shall occur between the unit member and the evaluator. A copy of the Observation Summary (C6-4/S6-4) shall be given to and discussed with the unit member at the post-observation conference. At this conference, the Post-Observation (C6-3/S6-3) questions shall be discussed and completed by the unit member and the evaluator. The Observation Summary shall be signed by the evaluator and the unit member. The unit member's signature does not constitute endorsement of the evaluator's notations, but is recognition that discussion has taken place and that the unit member has been given the opportunity to enter comments.

6.1.7 Mid-Year Evaluation and Conference – The evaluator shall meet with temporary and probationary unit members (Group 1) prior to December 15 to review each unit member's performance and address areas of concern (C6-5/S6-5). A copy of the completed Mid-Year Evaluation shall be provided to the unit member. The unit member shall have the right to submit a written response to the Mid-Year Evaluation. The response shall be submitted to the unit member's evaluator. Such response shall become a permanent attachment to the Mid-Year Evaluation and shall be retained in the unit member's personnel file. Before January 15, a meeting may be held between the unit member and the evaluator to discuss the written response to the Mid-Year Evaluation. A unit member hired October 15 or after is not required to receive a Mid-Year Evaluation.

6.1.8 Final Evaluation and Conference – Unit member and the evaluator shall meet in an individual conference to discuss the final evaluation (C6-5/S6-5), professional goals and evaluation status (C6-2/S6-2), no later than thirty (30) work days before the final calendared work day for the work year in which the evaluation takes place. Evaluation and assessment conducted under this Article shall be reduced to writing and a copy of the Final Evaluation (C6-5/S6-5) shall be provided to the unit member during the conference. The unit member shall have the right to submit a written response to the Final Evaluation. The written response shall be submitted to the unit member's evaluator. Such response shall become a permanent attachment to the Final Evaluation and shall be retained in the

unit member's personnel file. Before the unit member's final calendared work day, a meeting may be held between the unit member and the evaluator to discuss the written response to the Final Evaluation.

6.1.8.1 Non-Evaluated Unit Member – A unit member not being evaluated shall meet in an individual conference prior to the end of the school year to update professional goals and discuss evaluation status for the next school year (C6-2/S6-2).

6.1.9 Project Based Evaluation Process - A unit member in Group 2B (Section 6.1.2.1) may elect to be evaluated using the Project Based Evaluation Process option in lieu of using the Certificated Evaluation Process. The Project Based Evaluation shall be mutually agreed upon by the unit member and the evaluator and shall be aligned with the CSTP Standards. Evidence of the project shall be provided to the evaluator. Examples of such projects may include, but are not limited to, one of the following: (1) lead or participate in a professional development activity; (2) mentor/collaborate with another teacher; (3) an educational research paper/book report on an educational topic; (4) a study or project using data from the unit member's class(es); (5) a project within a staff leadership position that has relevance to the educational goals of the school; (6) a case study focusing on the unit member's students; or (7) a project or study beneficial to the entire school.

6.1.9.1 Project Based Preliminary Conference - Within their first thirty (30) work days, a unit member shall meet with the evaluator in an individual conference to confirm the unit member's evaluation cycle as noted on form P6-1. During this conference, a unit member who qualifies for Group 2B and select the Project Based Evaluation, shall discuss the Project Based Evaluation Process, timelines and Project Based Evaluation Worksheet form (P6-1), and Appeal form (P6-2), with the evaluator.

6.1.9.2 Project Based Evaluation Planning Conference - Prior to the end of the unit member's first trimester, the evaluator and unit member shall meet in an individual planning conference to discuss and agree on a project, using the Evaluation Worksheet (P6-1). In the event that the unit member and the evaluator cannot reach an agreement on the project, the unit member shall attempt to resolve the matter directly with the evaluator. If a resolution is unable to be reached, the unit member may appeal to the Assistant Superintendent, Human Resources using the Appeal form (P6-2). The decision of the Assistant Superintendent shall be documented on the Appeal form no later than 5 working days after receipt and is final and not grievable under Article 3 of the collective bargaining agreement.

6.1.9.3 Check-In Conference – Prior to the end of the unit member's second trimester, the evaluator and unit member shall meet in a check-in conference to discuss the status of the project and any assistance and /or resources needed by the unit member. Evaluation Worksheet (P6-1) shall be updated during this conference.

6.1.9.4 Final Evaluation Conference - The unit member and the evaluator shall meet in an individual conference to discuss the completed project no later than thirty (30) work days before the final calendared work day for the work year in which the evaluation takes place. Evaluation status shall also be discussed at this meeting using Evaluation Worksheet (P6-1). This form shall be retained in the unit member's personnel file.

6.1.10 Evaluation Forms - All evaluation forms shall be factually accurate and shall reflect performance within the context of the entire evaluation period.

6.1.10.1 Certificated Evaluation forms for  
(Classroom, SDC, RSP, TOSA IN, Speech, Music):  
C6-1 Certificated Evaluation Worksheet

- C6-2 Certificated Professional Goals
- C6-3 Certificated Pre-Observation and Post-Observation
- C6-4 Certificated Observation Summary
- C6-5 Certificated Evaluation
- 6-6 Informal Feedback
- 6-7 Request for an Alternate Evaluator

6.1.10.2 Special Assignment Certificated Evaluation forms for (TOSA PD, District TOSA, DLC, Counselor, Nurse):

- S6-1 Special Assignment Evaluation Worksheet
- S6-2 Special Assignment Professional Goals
- S6-3 Special Assignment Pre-Observation and Post-Observation
- S6-4 Special Assignment Observation Summary
- S6-5 Special Assignment Evaluation
- 6-6 Informal Feedback
- 6-7 Request for an Alternate Evaluator

6.1.10.3 Project Based Evaluation forms for

(Classroom, SDC, RSP, TOSA IN, Speech, Music, TOSA PD, District TOSA, DLC, Counselor, Nurse):

- P6-1 Project Based Evaluation Worksheet
- P6-2 Project Based Evaluation Appeal
- 6-6 Informal Feedback
- 6-7 Request for an Alternate Evaluator

6.1.11 Informal Feedback – A unit member shall receive informal feedback throughout the year on their progress towards goals and/or CSTP Standards.

6.1.11.1 A unit member being evaluated shall receive feedback, a minimum of two (2) times per year, using the Informal Feedback Form (6-6). Feedback in excess of the two (2) times per year shall also be done using the Informal Feedback Form (6-6), email and/or personal contact.

6.1.11.2 A unit member not being evaluated shall receive feedback using the Informal Feedback Form (6-6), email and/or personal contact.

## 6.2 Constraints

6.2.1 Matters which will be used to evaluate a unit member and may require corrective action shall be brought to the unit member's attention no later than five (5) working days following the date when the evaluator becomes aware of such matter. Resources or assistance are to be provided for area(s) of needed growth.

6.2.2 A unit member shall not be formally evaluated by the utilization of standardized tests unless authorized by law.

6.2.3 A unit member shall not be evaluated based upon his/her selection and use of a particular teaching method, disciplinary technique, or other instructional technology, provided that it resulted in the pupils' progress and does not violate any District, administrative, site-based procedure, or policy.

6.3 Personal Activities/Use of Material – Evaluation of performance shall not be predicated upon lawful, non-school related, personal activities of a unit member nor upon the unit member's use of teaching materials, provided that such materials are consistent with the age and maturity level of the affected students and with District-approved educational and curriculum guidelines and policies.

## 6.4 Evaluation by Public

6.4.1 Evaluation of performance shall not be predicated upon information or material of a derogatory or critical nature which has been received by the evaluator from others, including parents and citizens, unless the following procedures have been adhered to:

6.4.1.1 With regard to such materials in the unit member's personnel records, no such information shall be placed into the unit member's file unless and until an investigation has established that the information is true.

When such information is established as factual, it may be reduced to writing by the site administrator and placed into the personnel file.

6.4.1.2 With regard to parent or citizen complaints, the unit member shall first be given written notice of same and an opportunity to resolve the matter with the appropriate administrator subject to any constraints mandated by law or appropriate investigatory agency.

## 6.5 Personnel Files

6.5.1 A complete personnel file is maintained in the Human Resources Office on each unit member. Confidential information from these files shall not be given over the telephone. Confidential information shall only be given if requested in writing by an agency entitled to receive such information.

6.5.2 Access – Materials in personnel files of a unit member are to be made available for inspection by the unit member. Each unit member shall have the right to inspect or to have a representative, with written authorization, inspect such materials upon request, provided the request is made at a time when such person is not actually required to render services to the District. Such material does not include ratings, reports or records that:

6.5.2.1 Were obtained prior to the employment of the person involved.

6.5.2.2 Were prepared by identifiable examination committee members.

6.5.2.3 Were obtained in connection with a promotional examination.

6.5.3 Placement of Derogatory Materials – Information of a derogatory nature 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 such derogatory statement his/her own comments thereon.

Such review shall take place during normal business hours, and the teacher shall be released from duty for this purpose without salary deduction.

Removal of material alleged to be inaccurate or unfair by the unit member shall occur only upon the direction of a judge, hearing officer, or arbitrator.

6.6 Association Consultation – Prior to the adoption of any forms relating to the evaluation procedure, the District shall afford the Association notice and the opportunity to consult regarding the forms.