

request. The Superintendent will render a decision and communicate same to all parties within five (5) days.

- 7.11.6** During the first two weeks of a school term (semester or trimester), if the number of students with an IEP or 504 plan in a general education classroom (excluding co-taught classrooms) is above 30%, building administration will automatically initiate the process set forth in Section 7.2.2 for review of adequacy of resources provided to support the teacher. This process will also be initiated at any time when the building administration is notified that a classroom has exceeded this trigger.

## **Article 8.0 – Evaluations**

- 8.1 General** – Employees for whom the Association is the authorized bargaining representative shall be evaluated during each school year in accordance with the procedures and criteria hereinafter set forth to comply with state law. Successful implementation of the evaluation procedure depends upon candid and specific verbal and written communication between the Principal/supervisor and the employee. Likewise, the employee may initiate the discussion.

Any changes in state law pertaining to certificated employee evaluation will be discussed in labor management and reflected in this Agreement.

- 8.2 Responsibility for Evaluation** – Within each school, the Principal shall be responsible for the evaluation of employees assigned to that school. Evaluations shall be made by the Principal or his or her designee who shall be a certificated administrator. Evaluations for employees not regularly assigned to any specific school or worksite shall be made by the administrative supervisor having the most direct contact and responsibility under the District organizational structure. Such employees will be informed which administrator is their supervisor and primary evaluator by October 1 of each school year.

Members of the bargaining unit shall not be used to evaluate other members of the bargaining unit except as expressly provided in this section. Evaluation ratings will be based on the employee's own performance, not the performance of other certificated or classified staff.

Substitutes will be evaluated after the following conditions have been met: The substitute has served in the same assignment for thirty (30) consecutive days. Substitutes who meet these conditions will be evaluated using Appendix 7 only. Represented substitutes may have an evaluation once a year upon request.

The remaining provisions of Article 8, below, apply only to non-classroom certificated staff as defined in Article 12 herein.

- 8.3 Evaluation Criteria** – Non-classroom certificated staff shall be evaluated on the following basic criteria:

- 8.3.1 For Certificated Non-Classroom Teachers other than certificated support personnel**

- 8.3.1.1 Instructional Skill
- 8.3.1.2 Classroom Management
- 8.3.1.3 Professional Preparation and Scholarship
- 8.3.1.4 Effort Toward Improvement When Needed
- 8.3.1.5 Handling of Student Discipline and Attendant Problems
- 8.3.1.6 Interest in Teaching Pupils
- 8.3.1.7 Knowledge of the Subject Matter Being Taught
- 8.3.1.8 Professional Relationships

**8.3.2 For Certificated Support Personnel**

- 8.3.2.1 Knowledge and Scholarship in Special Field
- 8.3.2.2 Specialized Skills
- 8.3.2.3 Management of Special Technical Environment
- 8.3.2.4 The Support Person as a Professional
- 8.3.2.5 Involvement in Assisting Pupils, Parents, and Educational Personnel
- 8.3.2.6 Professional Relationships

**8.3.3** All evaluations shall be documented on appendices 7 or 8. In completing the evaluation report form, the evaluator shall utilize the criteria in the evaluator's guides as set forth in appendices 5-A or 5-B.

**8.4 Required Evaluations**

- 8.4.1 All employees, including new employees, shall be evaluated annually. Such evaluation shall be completed no later than fifteen (15) working days prior to the end of the school year in which the evaluation takes place.
- 8.4.2 If an employee is transferred to another position not under the supervisor's jurisdiction, an evaluation shall be made at the time of such transfer.
- 8.4.3 If an employee resigns during the school year, a final evaluation shall be completed prior to the resignation date.

**8.5 Observation Procedure**

**8.5.1** Within six (6) days of any observation, or series of observations not to exceed five (5) days to be used for evaluation purposes, the Principal or other observer shall document the results thereof using Appendix 6 and shall provide a copy to the employee. Upon completion of each required observation report, at the request of either party, a conference shall be held between the observing administrator and the employee to discuss the report. At the request of the employer or employee, those meetings may take place during a preparation and planning period. The employee shall be entitled to append comments or explanations to the reports within a reasonable amount of time. If a Principal or

other observer requests that a pre-observation form be submitted by the employee, such form may be completed in writing before a scheduled observation and/or evaluation conference or the employee may come to the conference prepared to discuss the items verbally.

**8.5.2** The employee shall sign the District's copy of the observation report to indicate receipt of a copy. The signature of the employee does not indicate agreement with or approval of the report.

**8.5.3** Observation reports for the current year will be kept by the evaluator. After the annual evaluation each year, the completed and signed evaluation, i.e., will be forwarded to Human Resources and placed in the employee's personnel file.

If the annual evaluation is unsatisfactory, or any major portion of the evaluation is unsatisfactory, all the observation forms will also be placed in the employee's personnel file.

If the evaluation is satisfactory, the observation forms will not be so included.

**8.5.4** In the event that any observation report indicates that the employee has performance deficiencies in one or more areas the Principal or other supervisor and the employee may meet to discuss areas for improvement for the employee. At either party's request, an informal plan to improve the employee's performance may be developed.

## **8.6 Evaluation Procedure**

**8.6.1 Long-Form Evaluations** – Long-form evaluations shall be limited to the established criteria and procedures herein set forth and intended to comply with state law. Each employee shall be observed in the performance of his or her assigned duties for the purpose of evaluation at least twice during the school year and shall total not less than sixty (60) minutes. The two (2) required observations shall be conducted by a certificated administrator.

Scheduled observations shall include a pre-conference at the request of the evaluator or the employee to establish and/or discuss evaluation criteria, indicators, long-term goals, or other information which may be relevant to the evaluation process but may not be readily observed in an observation session. At the request of the evaluator or the employee, these meetings can take place during a planning period. The evaluation form is to be completed and copies provided to the employee, the evaluator, and one (1) copy to the employee's personnel file.

Principals and others authorized to make evaluations or observations may make observations other than those specifically required at any time during the school year and hold conferences for the purpose of discussing job related performance not specifically noted in observations.

All observations shall be identified in the evaluation report as to date, time, and length of observation and shall state in specific terms what was observed and how this relates to the negotiated criteria.

Prior to May 15, the employee shall be provided with a copy of the evaluation report and afforded an opportunity to confer with the evaluator at a mutually agreed upon time. The employee shall be entitled to append comments or explanations within a reasonable amount of time.

In the event that any evaluation report indicates that the employee has performance deficiencies in one (1) or more areas defined in the evaluation criteria, the evaluator and the employee shall attempt to develop a mutually agreeable written plan designed to improve the employee's effectiveness in the deficient areas. If the evaluator and the employee are unable to agree on a mutually acceptable plan, the evaluator shall prepare and deliver such a plan to the employee. In connection with the development of such a plan, the employee shall be provided with a statement that will include:

- 8.6.1.1** Specific statements of what unsatisfactory performance was observed.
- 8.6.1.2** How such performance is related to the identified criteria.
- 8.6.1.3** What performance will demonstrate a satisfactory level of performance. In such plans, consideration should be given to utilizing the services of available resource personnel to observe the employee's performance and to provide recommendations for improvement. Such resource personnel shall be immune from civil liability that might otherwise be incurred or imposed with regard to good faith performance of such evaluation.

**8.6.2 Short-Form/Professional Growth Evaluations** – After an employee has four (4) years of satisfactory evaluations under this article, the District may use a short form/professional growth evaluation. The purpose of short-form/professional growth evaluations shall be to provide opportunities for professional growth to staff members beyond the minimal criteria and procedures defined in section 8.7.1.

Such evaluations may include peer observations and input, student and parent input, procedures and activities as provided in the Professional Growth Option (PGO), and/or any additional activities as may be mutually developed and agreed upon by the employee and the evaluator.

The short form/professional growth evaluation must include one of the following:

- 8.6.2.1** A thirty (30) minute observation during the school year with a written summary utilizing Appendix 6 as appropriate. Appendix 6 shall be considered an evaluation report for those employees on short form evaluation for whom the evaluator elects to utilize this subsection.
- 8.6.2.2** A final annual written evaluation utilizing appendices 7 or 8 as appropriate based on the criteria in section 8.3 and based on at least two (2) observation periods during the school year totaling at least sixty (60) minutes without a written summary of such observations being prepared.

However, the long-form evaluation process set forth in section 8.6.1 shall be followed at least once every five (5) years and an evaluator or employee may determine that the long-form evaluation process set forth in 8.6.1 be conducted in any given school year provided such determination is communicated to the employee or evaluator prior to any long-form evaluation activities being conducted.

The short-form evaluation or professional growth process may not be used as a basis for determining that an employee's work is unsatisfactory under this article

nor as probable cause for the non-renewal of an employee's contract under RCW 28A.405.210.

### **8.6.3 Other Observations**

**8.6.3.1** Principals and other administrators authorized to conduct evaluations may make observations other than those specifically required at any time during the school year. Such other observations shall be identified in the report as to date, time, and length of observation.

**8.6.3.2** The District reserves the right to request employees to observe employees for the purpose of improving instruction, but will not include this observation data in the formal evaluation of employees as required by law or as evidence in any non-renewal proceeding.

**8.6.3.3** The fact that an employee has requested assistance in addressing violent or disruptive students shall not be the basis for forming a negative evaluative judgment on the part of the employee's supervisor/evaluator.

**8.7 Probation** – An employee whose work is determined to be unsatisfactory based upon the evaluation criteria shall be placed on probation status any time after October 15 and shall be given sixty (60) school days to demonstrate improvement in areas of deficiency established pursuant to evaluation.

**8.7.1 Provisional Employees** – Provisional employees are specifically excluded from this probationary procedure, provided that, before non-renewing any provisional employee, the evaluator shall have made efforts beyond the minimum requirements of the evaluation process contained herein to assist the employee in remediating said deficiencies. Such efforts shall include the following:

**8.7.1.1** Provisional employees shall be observed at least once during the first ninety (90) days of the school year. At least one (1) additional observation must be completed by February 15; an evaluation must be completed no later than March 1.

**8.7.1.2** If the evaluation is rated as “unsatisfactory” the evaluator will meet with the employee within ten (10) days of the evaluation report to develop a written plan to remediate his or her performance.

**8.7.2 Supervisor's Report** – In the event the Building Principal or evaluating supervisor determines that, based on evaluation criteria, the performance of an employee is unsatisfactory, the Principal or evaluating supervisor shall report the same to the Superintendent and to the employee. The report shall include:

**8.7.2.1** The evaluation report on which unsatisfactory performance has been based.

**8.7.2.2** Identification of specific areas of deficiency.

**8.7.2.3** A specific and reasonable program designed to assist the employee in improving performance and remedying deficiencies.

**8.7.3 Probationary Period** – If the Superintendent concurs with the supervisor's judgment that the performance of the employee is unsatisfactory, the Superintendent shall place the employee in a probationary status any time after

October 15 and for a period of sixty (60) school days. The employee shall be given written notice of the action of the Superintendent which notice shall contain:

**8.7.3.1** Specific areas of performance deficiencies.

**8.7.3.2** A suggested specific and reasonable program for improvement.

**8.7.3.3** A statement indicating the probationary period of sixty (60) school days, the beginning date, and that the purpose of the probationary period is to give the employee the opportunity to demonstrate improvement in his or her area or areas of deficiency.

**8.7.4 Evaluation During Probation** – Within five (5) days after the delivery of the probationary letter, the Principal or other supervisor shall hold a personal conference with the probationary employee to discuss performance deficiencies and the remedial measures to be taken. At such conference, the employee shall have the right to have a representative from the Association accompany him or her.

During the probationary period, the Principal or other evaluator, shall meet with the probationary employee at least two (2) times during every twenty (20) school days to supervise and make a written evaluation of the progress made by the employee. Such evaluations shall be documented on appendices 7 or 8 as appropriate.

The probationary employee may be removed from probation at any time if there has been demonstrated improvement to the satisfaction of the Principal or other supervisor in those areas specifically set forth in the notice of probation.

At the end of the probationary period, the Principal or evaluating supervisor shall submit a written report to the Superintendent not later than May 1. The written report shall indicate the employee's performance during the probationary period and contain a recommended course of action to be taken by the Superintendent. The probationary employee shall be given a copy of said report.

**8.8 Conferences** – Each certificated employee shall have the opportunity for confidential conferences with his or her immediate supervisor on no less than two (2) occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.