

# **PERS12 - Performance Appraisal: Evaluation of Professional Staff Members**

---

## **P - Personnel**

---

### **EVALUATION OF PROFESSIONAL STAFF MEMBERS**

The process and purpose of evaluation for certificated professional staff members is to result in improvement of the quality of instruction and the strengthening of the abilities of the professional staff.

#### *Definition of Terms*

In this policy:

A. Certificated teacher means a person who holds a certificate from the State Board of Education to work in the schools of this state and who is employed under contract in a position that requires certification, except a psychologist or an administrator devoting less than fifty percent (50%) of his time to classroom teaching.

B. Inadequacy of classroom performance means the definition of inadequacy of classroom performance adopted by the Governing Board.

C. Performance classifications means the four (4) performance classifications for teachers and principals under the law and defined by the State Board of Education.

D. Qualified evaluator means a school principal or other person who is trained to evaluate teachers and who is designated by the Governing Board to evaluate certificated teachers.

### **Evaluation of Classroom Teachers and Other Certificated Non- administrative Staff Members**

The District evaluation instrument will:

A. Include quantitative data on student academic progress that accounts for between thirty-three percent (33%) and fifty percent (50%) of the evaluation outcomes;

B. Include four (4) performance classifications, designated as highly effective, effective, developing, and ineffective;

C. Meet the data requirements established by the State Board of Education to annually evaluate individual teachers and principals. At least annually, the Governing Board will discuss at a public meeting its aggregate performance classifications of principals and teachers.

The District will involve its certificated teachers in the development and periodic evaluation of the teacher performance evaluation system. The following elements will be a part of the evaluation system:

A. It will meet the requirements prescribed in statute and provide at least one (1) evaluation of each certificated teacher by a qualified evaluator each school year or as provided in Section I.

B. A copy of the evaluation system shall be given to each teacher in the District.

C. Specific training requirements for qualified evaluators.

D. The Superintendent will annually recommend qualified evaluators to the Board for approval.

E. The system will include incentives for teachers in the highest performance classification.

F. The system will include a plan for the appropriate use of quantitative data of student academic progress in evaluations of all certificated teachers. The plan may make distinctions between certificated teachers who provide direct instruction to students and certificated teachers who do not provide direct instruction to students. The plan may include data for multiple school years and may limit the use of data for certificated teachers who have taught for less than two (2) complete school years.

The Governing Board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one (1) of the two (2) highest performance classifications for the current school year, unless the teacher requests a second observation. The evaluator may schedule an additional observation based on need.

Either the qualified evaluator or another Board designee shall confer with the teacher to make specific recommendations as to the areas of improvement in the teacher's performance and to provide professional development opportunities for the certificated teacher to improve performance and follow up with the teacher after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate performance.

The Board shall issue performance improvement plans for teachers designated in the lowest performance classification and dismissal or nonrenewal procedures pursuant to section 15-536 or 15-539 for teachers who continue to be designated in the lowest performance classification.

Effective the 2015-2016 school year, the Board shall issue preliminary notice of inadequacy of classroom performance no later than the second consecutive year that the teacher is designated in one (1) of the two (2) lowest performance classifications unless the teacher is in the first or second year of employment with the District or has been reassigned to teach a new subject or grade level for the preceding or current school year. Inadequacy of Classroom Performance A teacher's classroom performance is inadequate if:

During any school year, the certificated teacher receives either:

1. a performance rating of "unsatisfactory" on two (2) or more of the Observation Indicators set forth on the District's Standard Evaluation System; or
2. a performance classification of "ineffective" on the District's Standard Evaluation System as a whole; or
3. effective the 2015-2016 school year, a designation for two (2) consecutive school years in one (1) of the two (2) lowest performance classifications on the District's Standard Evaluation System as a whole unless the teacher is in the first or second year of employment with the District or has been reassigned to teach a new subject or grade level for the preceding or current school year. For purposes of this subsection, the District will designate a teacher's classroom performance as inadequate as follows:

a. a probationary teacher who is in second year of employment with the

District and has the performance classification of developing on the District's Standard Evaluation System as a whole for two (2) consecutive years will be designated as inadequate.

b. a continuing teacher who receives a designation for two (2) consecutive years of developing on the District's Standard Evaluation System as a whole will be designated as inadequate.

The Superintendent or the Superintendent's designee is authorized to issue preliminary notices of inadequacy of classroom performance. The Board will be notified within ten (10) school days of such issuance. A teacher whose evaluation is used as a criterion for establishing compensation and who disagrees with the evaluation may make a written appeal. The teacher shall have the burden of proof in the appeal. The appeal shall go to the Superintendent.

## **Incentives and Protections Related to Teacher Performance Classifications**

### *Incentives for Highly Effective Teachers*

Beginning with the 2014-15 school year, a teacher evaluated as "Highly Effective" in 2013-14 and future years would be eligible for the incentives, as described below:

A. The opportunity to join the cadre of teachers to whom leadership responsibilities will be assigned and to receive any corresponding monetary stipend that may be provided for these purposes. For example, such teachers will be given first consideration for leadership opportunities such as attending or presenting professional development activities aligned to the District's mission, act as mentors for teachers who are new to the District, participate in Curriculum, Instruction and Assessment Cabinet and/or are selected as Technology and Summer School teachers.

B. The opportunity to earn fifteen (15) extra points on the Reduction in Force Rubric. Incentives for Effective and Highly Effective Teachers to Work in a School Assigned a Grade of "D" or "F." Beginning with the 2015-16 school year, if any school has been assigned a grade of "D" or "F" two (2) years earlier, then the teachers employed at the school would be eligible for incentives, as described below:

Both "Highly Effective" and "Effective" teachers would be given first consideration to serve on any school improvement team or committee and provide recommendations for improvement.

*Protections for Teachers Transferred to a School Assigned a Grade of "D" or "F"*

Beginning with the 2014-15 school year, a teacher evaluated as "Highly Effective" or "Effective" who is transferred to a School assigned a grade of "D" or "F," the teacher may request the Student Academic Progress data from the prior year's evaluation be attributed to his or her current year evaluation and the teacher may request an independent review of a performance evaluation that places the teacher within the two (2) lowest performance classifications.

*Protections for Teachers if the School Principal is Designated in the Lowest Performance Classification*

A teacher whose current school principal was designated in the lowest performance classification in the prior school year shall have the option to have his or her teacher evaluation be reviewed by the alternative Board-approved qualified evaluator, appointed by the Superintendent or the Superintendent's designee.

**Evaluation of Principals,**

**other Administrators and Psychologists**

The Board authorizes the Superintendent to establish a system for the evaluation of principals, other administrators, and certificated school psychologists.

*Evaluation of Principals*

The evaluation system for the evaluation of the performance of principals may include the over- all instructional program, student progress, personnel, curriculum, and facilities.

The evaluation system for principals may include the following:

A. Alignment of professional development opportunities to the principal evaluations.

B. Incentives for principals in one (1) of the two (2) highest performance classifications, which may include multiyear contracts and incentives to work at schools assigned a letter grade of "D" or "F."

C. Transfer and contract processes for principals designated in the lowest performance classification.

Subject to statutory limitations, the Board shall make available the evaluation and performance classification pursuant to A.R.S. 15-203 of each principal in the District to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

*Incentives for Highly Effective or Effective Principals*

Beginning with the 2014-15 school year, a principal evaluated as "Highly Effective" or "Effective" in 2013-14 and future years would be eligible for the incentives, as described below:

Earn one hundred percent (100%) the allowable Administrative Merit pursuant to Governing Board Policy.

*Incentives for Effective and Highly Effective Principals to Work in a School Assigned a Grade of "D" or "F"*

Both "Highly Effective" and "Effective" principals would be eligible to serve on any District-level improvement team or committee and provide recommendations for improvement.

## **Evaluation of Other Administrators and School Psychologists**

The format for the evaluation system for other administrators (other than the Superintendent) will be developed under the leadership of the Superintendent, focusing on the responsibilities and outcomes which support the over-all instructional program and needs of the District.

### *Evaluation of Certificated School Psychologists*

The evaluation system for certificated school psychologists shall include the following:

- A. Recommendations as to areas of improvement in the performance of the certificated school psychologist if the performance warrants improvement.
- B. After transmittal of an assessment, a Board designee shall confer with the certificated school psychologist to make specific recommendations as to areas of improvement in performance.
- C. The Board designee shall provide assistance and opportunities for the certificated school psychologist to improve his performance and shall follow up after a reasonable period of time for the purpose of ascertaining that adequate performance is being demonstrated.
- D. Appeal procedures for certificated school psychologists who disagree with the evaluation of their performance, if the evaluation is for use as criteria for establishing compensation or dismissal.

### *Contracts of Certificated Employees*

The Governing Board may transmit and receive contracts of certificated employees in an electronic format and may accept electronic signatures on those contracts. The Superintendent will develop procedures for the implementation of this discretionary process.

The Governing Board may adopt requirements that require electronic signatures to be followed by original signatures within a specified time period.

### *Evaluators*

The Superintendent will compile an updated listing of those who have successfully completed the District required evaluator training and submit this list of newly trained evaluators prior to the first scheduled staff observation by an evaluator to the Governing Board for designation as qualified evaluators. The evaluator shall be responsible for the final written and official statement of evaluation, which shall be in writing, and a copy shall be transmitted to the certificated teacher within five (5) days after completion of the evaluation. [A.R.S. 15-537].

The Superintendent shall implement the specific training requirements for qualified evaluators prescribed by the Governing Board.

Best practices for professional development and evaluator training adopted by the State Board of Education should be referenced by the Superintendent periodically as the State Board has the authority to periodically make adjustments to align with the model framework for teacher and principal evaluations with assessment data changes at the state level.

### *Classroom Observations by Evaluator*

- A. The teacher performance evaluation system shall include at least two (2) actual classroom observations of the certificated teacher demonstrating teaching skills in a complete and uninterrupted lesson by the qualified evaluator. However, the Governing Board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one (1) of the two (2) highest performance classifications for the current school year, unless the teacher requests a second observation.
- B. There shall be at least sixty (60) calendar days between the first and last observations.
- C. Preliminary notice of inadequacy may follow the first observation.

D. The last observation may follow the issuance of a preliminary notice of inadequacy of classroom performance, the completion of any performance improvement plan and be used to determine whether the teacher has corrected inadequacies and has demonstrated adequate classroom performance.

E. An observation shall not be conducted within two (2) instructional days of any scheduled period in which school is not in session for one (1) week or more.

F. Informal or additional formal observations may be made at the discretion of the administrator. Observations that do not constitute a complete and uninterrupted lesson shall not be considered in determining performance ratings and may only be used to provide feedback to improve instructional performance.

#### *Procedural Steps in the Process of Evaluation*

A. The evaluation procedures shall be reviewed at each school. At the beginning of the school year, the principal shall meet with the school's faculty for the purpose of orienting the teachers to the total evaluation plan. Any teacher that is hired after the school year begins must also be given a review of evaluation procedures prior to the teacher's evaluation.

B. Within ten (10) business days after each observation, the qualified evaluator observing the teacher shall provide written feedback to the teacher and a copy shall be retained for the principal's file. A third copy shall be placed in the teacher's personnel file and made available to authorized District officers and employees and as otherwise provided by law.

C. The results of an annual evaluation shall be in writing, or provided in electronic format to the certificated teacher and a copy shall be transmitted or provided in an electronic format to the certificated teacher within five (5) business days after completion of the evaluation.

D. Either the qualified evaluator or another Board designee shall confer with the teacher to make specific recommendations as to the areas of improvement in the teacher's performance and to provide professional development opportunities for the certificated teacher to improve performance and follow up with the teacher after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate performance.

E. The certificated teacher may initiate a written reaction or response to the evaluation. The official evaluation shall be reduced to writing and signed by both the teacher and the evaluator. The teacher's signature shall not mean concurrence. The teacher shall be allowed ten (10) calendar days to write and submit any comments, which shall be attached to the evaluation.

F. Copies of the evaluation report and performance classification of a certificated teacher retained by the Governing Board and the Department of Education are confidential, do not constitute a public record and shall not be released to any person except to those stipulated in A.R.S. 15-537 which allows release to certain prescribed parties, including school districts and charter schools that inquire about the performance of the teacher for prospective employment purposes.

G. A school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification shall use this information solely for employment purposes and shall not release to or allow access to this information by any other person, entity, school district or charter school for employment purposes.

#### *Preliminary Notice of Inadequacy of Classroom Performance*

A. A teacher whose classroom performance has been evaluated as being inadequate shall be given a preliminary notice of inadequacy of classroom performance if the teacher may be dismissed or non-renewed because of this notice. The notice will provide the teacher at least forty-five (45) instructional days in which to overcome the inadequacies

and shall specify the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and maintain adequate classroom performance as defined by the Governing Board.

B. The Superintendent is authorized to issue preliminary notice of inadequacy of classroom performance without prior Board approval. The Superintendent will notify the Board of such issuance within ten (10) days of such issuance.

C. The preliminary notice of inadequacy of classroom performance shall be accompanied by a performance improvement plan designed to help the teacher correct inadequacies and demonstrate adequate classroom

performance.

#### *Nonrenewal/Dismissal of Certificated Employees*

A. The Board shall authorize, as necessary, and send notice to teachers who will not be reemployed for the ensuing school year.

B. The written notice of intention to dismiss or not to reemploy shall include a copy of any valid evaluation pertinent to the charges made.

C. Notice of the Board's intention not to reemploy the teacher shall be made by delivering it personally to the teacher or by sending it by registered or certified mail to the teacher at the teacher's place of residence, as recorded in the District's records. The notice shall incorporate a statement of reasons for not reemploying the teacher.

D. If a teacher does not correct inadequacies and demonstrate adequate classroom performance following the preliminary notice of inadequacy of classroom performance accompanied by a performance plan and the statutory time allocated for such improvement has elapsed, a written notice of intention to dismiss or not to reemploy may be issued.

E. The Governing Board shall give any certificated teacher notice of intention to dismiss or not to reemploy if such intention is based on charges of inadequacy of classroom performance. The Governing Board or its authorized representative at least forty-five (45) instructional days before such notice, shall give the teacher written preliminary notice of inadequacy of classroom performance, specifying the nature thereof with such particularity as to furnish the teacher an opportunity to correct inadequacies and maintain adequate classroom performance. A notice of the Governing Board's intention to dismiss or not to reemploy for inadequacy of classroom performance shall not be issued until the District has completed an observation at the conclusion of a performance improvement plan.

F. In the case of a continuing teacher, if the teacher does not demonstrate adequate classroom performance within the allotted time the Board shall dismiss the teacher as provided by statute.

#### *Contracts of Certificated Employees*

The Governing Board shall offer a teaching contract for the next ensuing school year to each certificated probationary teacher who is under a contract of employment with the District for the current school year, unless the Governing Board, a member of the Board acting on behalf of the Board or the Superintendent gives notice to the teacher of the Board's intention not to offer a teaching contract or unless such teacher has been dismissed. The Governing Board shall offer to each certificated continuing teacher who has been employed more than the major portion of three (3) consecutive years and who is under contract of employment with the District for the current year a contract renewal for the next ensuing school year unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher as provided by statute.

The Governing Board shall offer a contract to each certificated teacher who is not designated in the lowest performance classification and was offered a contract in the prior year unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher. The teacher's acceptance of the contract must be indicated within fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer of a contract is revoked.

Receipt is considered to have occurred when the written contract is:

A. personally delivered,

B. placed in the teacher's school-provided mailbox, including electronic mail, or

C. two (2) days after being placed in a United States Postal Service mail box. The teacher accepts the contract by signing the contract and returning it to the Governing Board or by making a written instrument which accepts the terms of the contract and delivering it to the Governing Board. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract. The Governing Board may transmit and receive contracts of certificated employees in an electronic format and may accept electronic signatures on those contracts. Additional provisions are as follows:

A. If a contract has not been transmitted to the certificated employee by the end of the current school year, an electronic contract to that certificated employee, if provided in that format by the District, shall be transmitted prior to the start of the next school year and shall be submitted to both the certificated

employee's District e-mail as well as the certificated employee's personal e-mail in order to notify the certificated employee of the offer of contract.

B. Each certificated employee shall be responsible for submitting his or her personal e-mail to human resources personnel at the District for this purpose.

C. Documents transmitted in an electronic format pursuant to this subsection shall be considered written documents for the purposes of sections 15-536 and 15-538.01.

D. If the Governing Board has so adopted, electronic signatures are to be followed by original signatures within a specified time period.

E. The Governing Board that accepts an electronic signature for a certificated employee's contract shall provide validation to the certificated employee that the contract has been transmitted.

*Principals, Other Administrators and Certificated School Psychologists:*

A. Evaluation will be a cooperative procedure, with the evaluator and the evaluatee having full knowledge of the criteria and process.

B. The results of an annual evaluation shall be in writing, or be provided in electronic format, to the evaluatee and a copy shall be transmitted or provided in an electronic format within five (5) business days after completion of the evaluation.

C. Evaluation documents and procedures shall be developed based on the unique responsibilities and expectations inherent in the assignment.

D. The evaluation and performance classification of each principal in the District will be made available to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

**Principal, Other Administrator, and Certificated School Psychologist**

*Contract Renewal*

If the administrator's contract with the District is for more than one (1) year, but not exceeding three (3) years, on or before May 15 of the last year of the contract, the Board shall offer a contract for the next school year to the administrator unless on or before April 15 the Board gives notice to the administrator of the Board's intention not to offer a new administrative contract.

If the administrator's or psychologist's contract with the District is for a single year, on or before May 15 of each year the Board shall offer a contract for the next school year to the administrator or psychologist unless on or before April 15 the Board gives notice to the administrator or psychologist of the Board's intention not to offer a new administrative contract or psychologist's contract.

**Procedures for Appeal of Evaluation**

When an evaluation is used as the criterion for establishing a teacher's compensation, the teacher will be so informed at the conference where the evaluation is discussed.

A teacher whose evaluation is used as a criterion for establishing compensation and who disagrees with the evaluation may make a written appeal to the Superintendent no later than ten (10) days after the conference where the disputed evaluation is discussed.

The appeal to the Superintendent shall be limited to the sole issue of whether the evaluation procedure used was at variance from the Board-adopted procedure. The burden of proof is on the teacher and the appeal may consist of a paper review. The decision of the Superintendent shall be final and not subject to further appeal or review.