

GCO-R

REGULATION

EVALUATION OF PROFESSIONAL STAFF MEMBERS

The Purpose of Evaluation - Fundamental Concepts

A.R.S. 15-536 *et seq.* sets forth the School District's powers and responsibilities in evaluating, disciplining, and improving the performance of its employees. Pursuant to those statutes, a formal process of evaluating all certificated personnel will be implemented. The purpose of evaluation shall be the improvement of the quality of instruction provided to students. Such a process, to achieve the greater measure of success shall be predicated on the philosophy that evaluation is a cooperative process, with the evaluator and the evaluated having full knowledge of the criteria, procedures and results.

The fundamental elements and implementation of an effective and ethical evaluation process must include the following concepts:

- Evaluations are cooperative endeavor between the evaluator and the person being evaluated.
- Evaluations provide a basis for motivation and for self-improvement, encouraging personnel to be aware of their strengths and weaknesses in order to improve.
- Evaluations provide a basis for planning in-service training and supervisory activities.
- Evaluations may guide administrative decisions concerning the employment of personnel, their assignment, the granting of continuing status, promotion, demotion, or termination.
- Evaluations aid in determining the adequacy or inadequacy of classroom performance.
- Open communication throughout the evaluation process is essential to its success.
- Evaluations determine how well the educational objectives of the District are being carried out. The purpose of evaluation should be to work toward common goals for the improvement of education and for the success of both students and staff members.
- Evaluation must be continuous, flexible, and easily revised in order to accommodate changing needs.
- The person being evaluated must be given the opportunity to demonstrate improvement when deficiencies are noted.
- The improvement of classroom instruction is set in motion by specific recommendations for improvement developed through collaboration between the evaluator and the person being evaluated and, if appropriate, by the design of the Governing Board.

- Evaluators must confer with the teacher being evaluated and must provide assistance and opportunities for the improvement of that person's performance and should follow up with the person being evaluated after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate classroom performance.
- Effective evaluation depends on accurate information and should therefore include consideration of input from all reliable and appropriate sources.

To accomplish the foregoing concepts, the District will continue to maintain a uniform system of evaluation through periodic review and revision of the Amphitheater Teacher Performance Evaluation System (ATPES), which is hereby adopted. Revisions to ATPES shall be developed and proposed to the Governing Board through consultations between the administration and certificated employees, and through such committees as the Superintendent may compose, to include representatives of the Amphitheater Education Association.

Definition of Terms

The following terms shall have the specified meanings:

- *Instructional Day.* A day in which students are scheduled to attend school for instruction.
- *Evaluation.* An assessment of the teacher's classroom performance as required by Arizona law.
- *Informal Observation.* Evaluator observation, of no less than twenty (20) minutes, of the teacher's classroom performance which is not prearranged or scheduled with the teacher. Informal observation of a teacher may also utilize reliable and pertinent information obtained from appropriate sources, such as the teacher, previous evaluators and supervisors, third parties, and information contained in the teacher's personnel file. Teachers will be made aware of the sources of information utilized in their evaluation.
- *Formal classroom observation.* Evaluator observation, of no less than thirty (30) minutes, of various aspects of the teacher's classroom performance which is prearranged and scheduled with the teacher. Formal observations will be documented and the opportunity for a follow-up conference will be provided.
- *Professional Development Plan.* A plan devised for the purpose of refining skills and/or the establishment of goals for professional growth and development.
- *Improvement Plan.* A required formal plan designed to improve deficiencies in classroom performance.
- *Deficiency in classroom performance.* An evaluator rating of "Developing" or "Unsatisfactory" in one (1) or more of the indicators or a domain of the Amphitheater Teacher Performance Evaluation System.
- *Inadequacy of classroom performance.* A teacher's failure to overcome the deficiency(ies) identified in an improvement plan.
- *Preliminary notice of intent to dismiss or not to re-employ.* A formal notice issued by the Governing Board or its designee which describes a charge of inadequacy of classroom

performance and provides specified time for the teacher to improve performance and overcome the charge of inadequacy. Such a preliminary notice precedes a notice of intent to dismiss or not to re-employ.

- *Notice of intent to dismiss or not to re-employ.* A formal notice issued by the Governing Board or its designee to inform a teacher of the District's intent to dismiss or not to re-employ the teacher.

Teacher Evaluation

Teacher evaluation shall include all classroom teachers and other certificated nonadministrative staff members. Such evaluation shall be based on Policy GCO, this regulation and the procedures outlined in the Amphitheater Teacher Performance Evaluation System (ATPES).

A copy of the ATPES shall be made available to each certificated employee of the District.

Confidentiality

The assessment of the evaluation reports of a certificated teacher retained by the Governing Board are confidential, are not public records, and shall not be released, shown or the contents disclosed to any person except:

- To the certificated teacher about whom the report is written who may make any use of it.
- To authorized District officers and employees for all personnel matters regarding employment and contracts and for any hearing that relates to personnel matters.
- For introduction in evidence or discovery in any litigation between the Governing Board and the teacher in which either:
 - The competency of the teacher is at issue; or
 - The assessment and evaluation were an exhibit at a hearing, the result of which is challenged.

Evaluators

The Governing Board shall designate persons who are qualified to evaluate teachers to serve as evaluators for the ATPES. The Superintendent will submit lists of recommended and qualified evaluators to the Governing Board for approval.

The evaluator shall be responsible for the final 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]

Evaluator Qualifications

The following criteria have been established for Board-designated evaluators. In order to be considered qualified, an evaluator will:

- Demonstrate knowledge of District and state policies, laws and rules relating to instruction, professionalism and evaluation;
- Demonstrate planning and implementation strategies relating to evaluation system timelines, content and expectations;
- Demonstrate data recording and analysis skills through simulations and/or on-site practice/feedback sessions; and
- Demonstrate conferencing and improvement planning skills through simulations and/or on-site practice/feedback sessions.

Evaluator training. Evaluators may receive training in a variety of ways. Evaluators may participate in the Instructional Support Leader Program, District administrative in-service sessions, or District-approved evaluator training workshops. All such training should include information related to the legal aspects of teacher evaluation and the development of skills for data collection and analysis, conferencing, and improvement planning. Regardless of the specific training received, evaluators are responsible for meeting the qualification criteria specified above.

Classroom visitations by evaluator. Formal observation shall be spaced and of sufficient duration (minimum of *thirty [30]* uninterrupted minutes) so as to ensure that the evaluators have an opportunity to grasp an overall concept of a person's performance over a full schedule.

Formal observations shall be prearranged and may be initiated by either the observer or the teacher. Informal observations may be made at the discretion of the administrator.

Procedural steps in the process of evaluation:

- At the beginning of the school year, the principal or other evaluator shall meet with the school's faculty for the purpose of orienting the teachers to the evaluation system.
- Observation(s) in the classroom shall be completed.
- An opportunity for a conference shall follow each formal observation.
- A written record shall be made of each formal observation with a copy to the observed.
- 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.
- A copy of the written evaluation shall be transmitted to the teacher within five (5) days after completion of the evaluation, 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.
- The teacher shall be allowed ten (10) days upon receipt of the evaluation to write and submit any comments, which shall be attached to the evaluation.

Frequency of written evaluations. Evaluations shall be made at least two (2) times per year for non-continuing teachers, and at least once per year for continuing teachers.

Evaluation Schedules

All Teachers:

- During the first week of each contract year, the ATPES evaluation procedures shall be reviewed at each school. Any teacher who is hired after the first week shall be individually oriented by the evaluator.
- Evaluations and observations shall not be conducted within two (2) instructional days of any school break of one (1) week or more.
- Evaluations shall be conducted in accord with District policy, regulation, and the ATPES.
- Evaluations must be completed in time to be included in the notice of inadequacy of classroom performance, which may be issued by the Governing Board or its authorized representative or designee employee.
- In all cases in which a designee of the Governing Board issues a notice of inadequacy of classroom performance, the designee shall report such issuance to the Governing Board within five (5) school days.

Non-continuing Teachers:

- The Fall semester informal classroom observation for each non-continuing teacher should occur by October 30.
- The Fall semester formal classroom observation for each non-continuing teacher should occur by November 5.
- No later than January 10, the first evaluation, including observations, written instrument and narrative, and conference shall be completed.
- The Spring semester informal classroom observation for each non-continuing teachers should occur by March 15.
- The Spring semester formal classroom observation for each non-continuing teacher should occur by April 10.
- The Spring semester evaluation shall be completed by April 15.
- The teacher and evaluator shall hold the post-evaluation conference within five (5) working days of each formal observation.
- Evaluators may conduct additional observations or evaluation cycles beyond the required minimum. Teachers may also request additional observations or evaluation cycles.

Continuing Teachers:

- Continuing teachers shall be evaluated at least once per year.
- At least one (1) informal observation for each continuing teacher shall occur prior to March 15.
- One (1) formal observation for each continuing teacher shall occur prior to April 10 and shall be scheduled in accordance with the procedures described in the ATPES.
- The continuing teacher's evaluation shall be completed by April 15.
- The teacher and evaluator shall hold the post-evaluation conference within five (5) working days of each formal observation.
- Evaluators may conduct additional observations or evaluation cycles beyond the required minimum. Teachers may also request additional observations or evaluation cycles.

Appointment of evaluators. The appointment of all evaluators shall be by the Governing Board in public meeting.

Challenges to Evaluations

Evaluations that are used as a criterion for establishing compensation:

- *Request for hearing.* A teacher who disagrees with an evaluation of his or her performance that may be used as a criterion for establishing compensation may, within five (5) days of having received the evaluation, request a hearing by submitting a written request to the Superintendent.
- *Conduct of hearing.* The hearing shall be conducted by an associate superintendent or a person to be designated by the Superintendent, but shall not be the person(s) who performed the evaluation.
 - The hearing shall be conducted not less than ten (10) nor more than twenty-five (25) days after receipt of the teacher's request for hearing, but may be continued from time to time for good cause by the person conducting the hearing.
 - The person conducting the hearing shall, within five (5) days of the termination of the hearing, prepare written findings and render a decision with respect to the appeal; the findings and decision shall be filed in the teacher's personnel file and be made part of the evaluation. Copies of the findings and decision shall be delivered to the Superintendent and to the teacher, or served upon the teacher by certified mail, with a return receipt requested.
 - The decision of the person conducting the hearing shall be final unless, within five (5) days after the service upon the teacher of the decision, the teacher files a written request for review by the Superintendent.
 - The review shall be conducted by the Superintendent or the Superintendent's designee (who shall not be the person who conducted the first level hearing or the person who performed the evaluation). The second level shall be limited to review of

the written findings and decision of the first level hearing officer. The parties may present additional written material to the Superintendent as well as present oral argument. However, the Superintendent will not take new evidence.

- The decision of the Superintendent or the Superintendent's designee shall be final and not subject to grievance and shall be entered in the teacher's personnel file and made a part of the evaluation, and delivered to or served upon the teacher as set forth above.
- Any teacher who remains dissatisfied following the hearing process may submit a brief, concise written statement rebutting or objecting to said decision, which statement shall become a part of said evaluation for all purposes.

Evaluations that may not be used as a criterion for establishing compensation:

- *Request for second evaluator:*
 - Any teacher who is dissatisfied with a performance evaluation that is not used as a criterion for establishing compensation may submit a brief, concise written statement requesting an additional evaluation by a different evaluator. The written request must be submitted to the principal [and an administrator from School Operations](#) within five (5) working days after receipt of the evaluation. ~~The principal will be responsible for selecting a second evaluator. The opinion of the second evaluator shall be included in the employee's personnel file but shall not replace the contested evaluation. An administrator from School Operations will appoint the second observer. The observer will view the teacher actively teaching a lesson. If the rating being disputed by the teacher is in an area which cannot be observed in the classroom, the observer will gather and evaluate available data and determine the rating based upon that information. The opinion of the observer will be included as additional information in the teacher's personnel file. It will not replace or supersede the disputed evaluation.~~
 - Any teacher whose evaluation is used as a criterion for establishing compensation shall follow the appeal procedure set forth above.

Written Preliminary Notice to Non-Continuing Teacher of Inadequacy of Classroom Performance

If the District intends to dismiss or not re-employ a non-continuing certificated teacher based on charges of inadequacy of classroom performance, the Governing Board or its designee shall give the teacher written notice of such intention to dismiss or not to re-employ. Additionally, the Governing Board or its designee shall, at least ninety (90) days prior to such notice, and no later than January 15, give the teacher written preliminary notice of such inadequacy, specifying the nature of the inadequacy(ies) with sufficient particularity as to furnish the teacher with an opportunity to correct the inadequacy(ies) and overcome the grounds for the charge of inadequacy. The written notice of intention to dismiss or not to re-employ shall include a copy of any evaluation(s) pertinent to the charges made and filed with the Governing Board. The notice shall be delivered personally or sent by registered or certified mail, bearing a postmark no later than April 15, to the teacher's place of residence, as recorded in the District's records.

Written Preliminary Notice to Continuing Teacher of Inadequacy of Classroom Performance

If the District intends to dismiss or not re-employ a continuing teacher based on charges of inadequacy of classroom performance, the Governing Board, or its designee shall give the teacher a written preliminary notice of such intention and provide the teacher with no less than sixty (60) instructional days to correct the inadequacy and overcome the grounds for the charge(s) of inadequacy. The written preliminary notice shall be issued at least ten (10) instructional days prior to the start of the minimum sixty (60) instructional day period.

The written preliminary notice shall specify the nature of the inadequacy of classroom performance with such particularity as to furnish the teacher an opportunity to correct any inadequacy(ies) and overcome the grounds for the charge of inadequacy and shall include a copy of any evaluation(s) pertinent to the charges made and filed with the Governing Board.

If the teacher does not correct the inadequacies and overcome the grounds specified in the preliminary notice by the end of the period specified in the written preliminary notice issued by the Governing Board or its designee, the Governing Board shall not renew the teacher's contract and shall dismiss the teacher and give notice of the same.

If, within the period of time specified in the written preliminary notice, the teacher does correct the inadequacies and overcome the grounds for the charge of inadequacy specified in the written preliminary notice, then the Governing Board shall offer the teacher a contract for the subsequent school year subject to nonrenewal or dismissal for other reasons, as provided by law.

Content, Service, etc., of Written Preliminary Notice of Inadequacy of Classroom Performance

A written preliminary notice of inadequacy of classroom performance shall be approved by the Governing Board in public meeting (unless issued by a designee of the Governing Board), and shall specify the nature of the inadequacies of classroom performance with sufficient particularity to permit the teacher to correct the inadequacies and overcome the grounds for the charge in time to meet the schedules contained in the Arizona Revised Statutes and in District policy.

The written preliminary notice shall include (but not be limited to) the following:

- A statement of the specific events and conduct of the teacher that constitute the charge.
- A statement of the statutes, rules, or written policies or objectives that the teacher has violated, if applicable.
- A statement of the relevant facts surrounding each instance of inadequate classroom performance.
- Copies of the following statutes: A.R.S. 15-501, 15-538.01, 15-539 through and including 15-542, 15-544 through and including 15-547, and 15-549.
- Copies of evaluation(s) relevant to the charge.

- If the teacher is a certificated teacher who has been employed for the major portion of three (3) consecutive school years, a statement that the teacher must exhibit adequate classroom performance (by correcting the inadequacies and overcoming the grounds for the charges) by the end of the period specified in the written preliminary notice issued by the Governing Board or its representative or the Governing Board will initiate dismissal proceedings, but that if adequate classroom performance is demonstrated by the end of the specified period, the Governing Board will thereafter offer a new contract subject to nonrenewal or dismissal for other reasons, as provided by law.
- If the teacher is a certificated teacher who has not been employed for the major portion of three (3) consecutive school years, a statement that the teacher must exhibit adequate classroom performance (by correcting the inadequacies and overcoming the grounds for such charge) within ninety (90) days of the delivery of the preliminary notice or the Governing Board will initiate dismissal proceedings or will not reemploy the teacher, but that if within the ninety (90)-day period following receipt of the preliminary notice the teacher exhibits adequate classroom performance the teacher shall be offered a contract subject to nonrenewal or dismissal for other reasons, as provided by law.
- A statement that the decision to issue a notice of intent not to reemploy or to dismiss because of inadequacy of classroom performance may be made only by the Governing Board in public meeting.
- A statement that the notice of intent to dismiss shall be delivered personally to the teacher or sent by registered or certified mail, return receipt requested, to the teacher's last known address.

If personally served by an employee of the District, the teacher shall sign a document acknowledging receipt of the notice and materials. If the teacher refuses to sign an acknowledgment, a responsible employee of the District must sign it and make note of such refusal and the circumstances thereof.

If certified or registered mail is used, a copy must also be sent by first class mail at or near the same time the copies are sent by certified or registered mail. A written record shall be made as to when this was completed.

Contract of Continuing Teacher after Written Preliminary Notice of Inadequacy of Classroom Performance

Unless a new contract has already been offered to a certificated teacher who has been employed for the major portion of three (3) consecutive school years, every contract offered to a teacher who has been given a written preliminary notice of inadequacy of classroom performance during the current school year shall contain a reference to the preliminary notice and shall provide that the execution of the contract shall not be construed as a waiver or abandonment of the rights of the District to dismiss the teacher at the end of the period specified in the preliminary notice pursuant to applicable law if the teacher has not demonstrated adequate classroom performance by the end of that period.

Administrators and Psychologists

Continuous evaluation of all aspects of the total educational program, including student progress, personnel, curriculum, and facilities, will include a formal process of evaluating all certificated administrators and psychologists. The purpose of this evaluation shall be the improvement of the quality of the educational program in the District. The evaluation will be a cooperative procedure, with the evaluator and the evaluatee having full knowledge of the criteria, process, and results.

The following statements give more specific purposes for evaluation:

- Evaluations determine how well the objectives held by the school and District are being carried out. The success of the educational program is dependent upon many factors, which include the quality of classroom instruction, student evaluation, supervision, and administration.
- Evaluations provide the basis for motivation and for self-improvement, permitting administrative personnel to be aware of strengths and weaknesses in order to improve the operation of the District's programs.

LEGAL REF.: A.R.S. 15-503
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 15-538.01
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