

CSBA Sample Administrative Regulation

Certificated Personnel

AR 4115(a)

EVALUATION/SUPERVISION

Note: Education Code 35171 **mandates** that the Governing Board adopt reasonable regulations related to evaluating the performance of certificated personnel. **The following administrative regulation and accompanying Board policy should be revised to reflect district practice and any applicable provisions of collective bargaining agreements.**

The following paragraph may be deleted by any district that has not recognized a bargaining unit of certificated employees.

Evaluation of certificated employees shall be conducted in accordance with the procedures established in this administrative regulation and applicable collective bargaining agreements. To the extent that any of those provisions conflict, the procedures in the collective bargaining agreement shall be implemented.

(cf. 4141/4241 - Collective Bargaining Agreement)

The Superintendent or designee shall print and make available to certificated employees written regulations related to the evaluation of their performance in their assigned duties. (Education Code 35171)

(cf. 4112.9 - Employee Notifications)

Frequency of Evaluations

Each probationary certificated employee shall be evaluated at least once each school year. (Education Code 44664)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.6 - Decision Not to Rehire)

Each certificated employee with permanent status shall be evaluated and assessed at least every other year. If the employee receives an unsatisfactory evaluation, he/she shall be annually evaluated until he/she achieves a positive evaluation or is separated from the district. (Education Code 44664)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

Attachment M

Use CSBA Sample “As Is”

Alternatively, ~~if the evaluator and employee agree, a permanent employee shall be evaluated at least every five years provided he/she~~ **a permanent employee who** has been employed by the district at least 10 years, **and who** was rated in his/her previous evaluation as meeting or exceeding standards **shall be evaluated at least every five years, if he/she and the**

AR 4115(b)

EVALUATION/SUPERVISION (continued)

~~evaluator so agree, and meets the qualifications of a highly qualified teacher as defined in 20 USC 7801, if his/her position requires such qualifications.~~ Either the evaluator or the employee may withdraw consent for the alternative schedule at any time. (Education Code 44664)

(cf. 4112.24 Teacher Qualifications Under the No Child Left Behind Act)

Evaluation Results

Certificated instructional employees shall receive a written copy of their evaluation no later than 30 days before the last scheduled school day of the school year in which the evaluation takes place. Before the last scheduled school day of the school year, the employee and the evaluator shall meet to discuss the evaluation. (Education Code 44663)

Noninstructional certificated staff members employed on a 12-month basis shall receive a copy of their evaluation no later than June 30 of the year in which the evaluation takes place. Before July 30, the employee and the evaluator shall meet to discuss the evaluation. (Education Code 44663)

Instructional and noninstructional certificated employees shall have the right to respond in writing to their evaluation. This response shall become a permanent attachment to the employee's personnel file. (Education Code 44663)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Evaluations shall include recommendations, if necessary, as to areas in need of improvement in the employee's performance. If an employee is not performing satisfactorily according to teaching standards approved by the Governing Board pursuant to Education Code 44662, the Superintendent or designee shall so notify the employee in writing and shall describe the unsatisfactory performance. The Superintendent or designee shall confer with the employee, make specific recommendations as to areas needing improvement, and endeavor to provide assistance to the employee in his/her performance. (Education Code 44664)

Note: ~~Education Code 44664 provides that certificated employees who receive an unsatisfactory rating in teaching methods or instruction may be required to participate in a program to improve their performance. AB 97 (Ch. 47, Statutes of 2013) eliminated the Peer Assistance and Review program (Education Code 44500~~

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Use CSBA Sample “As Is”

44508), but districts may design their own programs of individualized teacher support; see BP/AR 4131.1 Teacher Support and Guidance.

The Superintendent or designee may require any certificated employee who receives an unsatisfactory rating in the area of teaching methods or instruction to participate in a program designed to improve appropriate areas of performance and to further student achievement and the district's instructional objectives. (Education Code 44664)

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

AR 4115(c)

EVALUATION/SUPERVISION (continued)

Qualifications of Evaluators

Note: The following **optional** section may be revised to reflect district practice.

The Superintendent or designee shall assign the principal or other appropriate supervisory personnel to evaluate certificated staff. He/she shall ensure that the evaluator:

1. Possesses a valid administrative credential
2. Is competent in the instructional methodologies used by the teachers being evaluated
3. Is skilled in the supervision of instruction and in techniques and procedures related to the evaluation of instruction
4. Is familiar with district curriculum priorities and practices, district standards for student progress, and district policies and procedures related to personnel supervision, performance evaluation, and staff development

Attachment M

Use CSBA Sample “As Is”

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Policy Reference UPDATE Service

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