

INTRODUCTION—SPECIAL SCHOOL DISTRICT

Special School District (SSD) was established to serve students with hearing, visual, or orthopedic impairments, and students who are confined to public health or correctional facilities.

SSD includes two distinct branches: **Louisiana Special Schools (LSS)** and **Special School Programs (SSP)**.

LSS includes the **Louisiana Schools for the Deaf and Visually Impaired (LSDVI)** and the **Louisiana Special Education Center (LSEC)**. LSDVI operates two distinct educational and residential programs, the **Louisiana School for the Deaf (LSD)** and the **Louisiana School for the Visually Impaired (LSVI)**, on a shared campus, with shared services, including diagnostic and therapeutic services. LSDVI operates on a traditional school year, with summer enrichment programs offered. LSEC operates a year-round residential school for students with severe orthopedic impairments.

SSP operates year-round, providing the special education program to supplement the general education program offered by the Office of Juvenile Justice (OJJ) and the Department of Corrections (DOC) in their facilities, and providing the entire educational programs in facilities operated by the Department of Health and Hospitals (DHH) through the Office of Behavioral Health (OBH) and the Office of Citizens with Developmental Disabilities (OCDD). SSP may also provide educational services in other facilities where students are placed by public agencies. Students in OJJ and DOC facilities are in those facilities by court order, based on criminal conduct. Students in other facilities may be court-ordered, referred by a medical professional, placed by family, placed by another state agency, or placed through the Coordinated System of Care (CSOC).

PHILOSOPHY/PURPOSE

SSD creates and implements this evaluation policy as our commitment to our students, our teachers and administrators, and the citizens of Louisiana. This policy is our commitment to improving teaching and learning through evaluations of performance and effectiveness, based in part on growth in student achievement, and continuous professional development as integral aspects of professional careers in education.

The purposes of SSD's Performance Evaluation System are to:

- Assure the citizens of the state that the quality of instruction and administrative performance in our schools and educational programs is evaluated and maintained at levels essential for effectiveness in an attempt to ensure that every student is taught by an effective teacher and every school or program is managed by an effective leader.
- Provide clear performance expectations and significant regular information on such performance to all teachers and administrators, while protecting their dignity and right to fair and equitable treatment.
- Provide a consistent means for teachers and administrators to obtain assistance in the development of essential teaching or administrative skills.
- Establish professional development as an integral and expected part of a professional career in education, including both the employee's commitment to participating and SSD's commitment to providing the necessary time and resources.

RESPONSIBILITIES

- Supervisors are responsible for ensuring each teacher or administrator they supervise is evaluated in accordance with this policy.
- Evaluators and evaluatees are responsible for using the Human Capital Information System (HCIS).
- Evaluators are responsible for providing original completed, signed forms to Human Resources and a copy of those forms to the teacher or administrator, within fifteen days of completion. Evaluators are also responsible for keeping a copy of each completed, signed form and all documentation used to support each evaluation.
- Supervisors are responsible for approving Professional Growth Plan objectives for the teachers and administrators they supervise.
- Teachers and administrators are responsible for monitoring progress toward their SLTs throughout the year.
- All teachers whose evaluation is based on Value-Added Model (VAM) data are responsible for verifying the roster through the Compass—Curriculum Verification and Results Reporting Portal (CVR), within the availability windows established by the Louisiana Department of Education (LDOE).
- The SSD Superintendent, or designee, is responsible for approving all Student Learning Targets (SLTs).
- The SSD Superintendent is responsible for approving exceptions to this policy, when in the best interests of improving teaching and learning.

All employees are responsible for conducting themselves professionally, and for fulfilling the duties set forth in their job descriptions, and other duties that may be necessary, all in the interest of improving the educational environment for our students. State statute requires SSD to initiate termination proceedings for employees who are continuously found to be ineffective, pursuant to the formal evaluation process. SSD will also initiate disciplinary or other corrective action, or termination proceedings, when employees engage in misconduct that the SSD Superintendent determines should be addressed directly and immediately, which may or may not also be addressed through the formal evaluation process.

COMMITTEE

This policy is created and will be revised with input from a committee representing SSD's teachers and administrators. For the 2012-2013 school year, this policy is written with input from the Committee established pursuant to the former SSD Accountability Manual. Beginning with the 2013-2014 school year, two teachers will be selected by the teachers of each school or program—LSD, LSVI, LSEC, and SSP. The representative administrators will include the SSD Superintendent, or designee, the LSS Superintendent, or designee, the Director of each school, or designee, each Regional Coordinator, and at least one school administrator identified by each School Director. The SSD Superintendent may ask other members to serve on the committee to ensure that all aspects of SSD are represented.

The committee will meet at least annually to ensure that implementation of this policy complies with SSD's philosophy and purposes, and to review and recommend improvements to this policy. The

committee will base the review on the members' own experiences and experiences shared by the teachers or administrators they represent. The committee will not have access to individual evaluations, grievances, or other individual evaluation documents, unless all personally identifiable information has been redacted.

EVALUATORS

The evaluator relationship list is attached to the policy.

The supervisor is responsible for ensuring that the assigned evaluations are completed in accordance with this policy. Observations may be conducted by someone other than the listed evaluator (for example, lead teachers); however, the listed evaluator remains responsible for ensuring that the evaluations are completed in accordance with this policy.

Evaluators will receive training provided or approved by the Louisiana Department of Education (LDOE) and will be certified by LDOE to serve as evaluators.

APPLICABILITY

This policy applies to all teachers and administrators, as listed in the evaluator relationship list.

EVALUATION

Each teacher and administrator will receive a written evaluation, annually.

The evaluation will begin with the performance criteria established in the job description and will include a Professional Growth Plan, Observations of Professional Practice, Measure of Student Growth, and a determination of effectiveness.

At the beginning of the evaluation year, each evaluator will meet with the teachers or administrators to be evaluated to develop the evaluation plan. Specifically, the teacher or administrator will know: (1) who the evaluator(s) is/are, (2) how the evaluation will be conducted, (3) what will be evaluated, and (4) the performance criteria (established in the job description).

SSD will use the Human Capital Information System (HCIS), provided by the Louisiana Department of Education, including the forms in that system, to create, document, and record evaluation information.

JOB DESCRIPTION

Job descriptions will include the performance criteria on which the teacher or administrator will be evaluated, including a statement on responsibility for growth in student learning. Job descriptions will also include the position title, an overview of the position, the position qualifications (as established in statute or BESE regulations), the supervisor's title, salary or pay range, a statement acknowledging receipt, and a space for the employee's signature and date.

Each teacher and administrator will be given the job description when hired in the position, each time the job description is revised, and annually, whether or not it is revised. The teacher or administrator will sign acknowledgement of receipt of the job description.

PROFESSIONAL GROWTH PLAN

Each teacher and administrator, in collaboration with the evaluator, will develop a Professional Growth Plan (PGP). The PGP will be created or reviewed and updated within the first three weeks of each school year, or within three weeks of employment, for teachers or administrators who are hired during the school year. The teacher or administrator and evaluator(s) will sign and date the PGP when it is created and each time it is reviewed and updated.

The Professional Growth Plan (PGP) is an integral part of the evaluation process, ensuring collaboration and input from both the individual teacher and administrator, and the evaluator(s), and ensuring that the evaluation is tailored to the individual teacher or administrator.

The PGP is designed to assist the teacher or administrator in meeting the standards for effectiveness, effectively addressing the social, developmental, and emotional needs of students and maintaining an environment that is conducive to learning.

A self-evaluation is the first step to creating or updating a Professional Growth Plan. Each teacher and administrator should review the job description and the current PGP, think about the past year, and think about ways to have a greater positive impact on student growth during the new school year. The teacher or administrator should discuss the self-evaluation and goals for the new school year with the evaluator when developing or updating the PGP each year.

Teacher and administrators should self-evaluate throughout the school year, not just when creating the PGP, and the regular self-evaluation should feed discussion between the teacher or administrator and evaluator throughout the school year.

The PGP will include the individual teacher or administrator's professional development objective(s), the strategies the teacher or administrator intends to use to meet the objective(s), and observable criteria that the teacher or administrator and the evaluator can use to measure attainment of or progress toward the objective(s).

Objectives must be SMART

- Specific—clear, concise, and observable
- Measurable—by quantity, quality, frequency, etc.
- Aligned—with the school or program's Vision, Mission, and Goals, and with the teacher or administrator's job description
 - Focused on improving the teacher or administrator's ability to improve student achievement/the educational environment
- Realistic/Achievable
 - State any additional resources or support the teacher or administrator needs to accomplish the objectives
- Timed—set a completion date, and may set milestones

- Even multi-year PGP's will have annual measures

Advanced/experienced teachers and administrators may have objectives that go beyond the current school year and/or extend beyond the professional responsibilities included in the job description and may be used to explore new, untried, innovative ideas or projects. Remember, this is about professional growth for the individual teacher or administrator and ultimately improving teaching and learning.

SSD may establish uniform objectives for all teachers and administrators or for a segment of teachers and administrators. (For example, all LSD teachers may share an objective; all SSD/OBH teachers may share an objective; or all SSD Regional Coordinators may share an objective.) In these cases, even though the final expected outcome will be the same, the objectives will be individualized for each teacher and administrator because each teacher and administrator may have different strategies, and need different supports, based on their own experiences, strengths, and challenges.

For individually-determined objectives, the teacher or administrator's supervisor will approve each objective.

OBSERVATION OF PROFESSIONAL PRACTICE

One-half of the evaluation of teachers and administrators will be based on Observation of Professional Practice, applying the Louisiana Rubric to observations of the performance criteria, resulting in a rating of 1-4. At least two observations will be rated on the 1-4 scale. The ratings will be averaged for a final Observation rating of 1-4, which will be 50% of the final evaluation rating.

Observation is the process of gathering facts, noting occurrences, and documenting evidence of performance. Classroom observation is only one example of observation. The Observation part of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

Supervisors and administrators may ALWAYS make informal classroom and other observations outside of the performance evaluation system, and are expected to do so, on a regular basis, as part of their supervisory and administrative responsibilities. Teachers and administrators are ALWAYS expected to conduct themselves professionally, and in accordance with the performance standards established in their job descriptions, no matter whether or not they are being observed, formally or informally.

Teachers and administrators will be evaluated based on at least one formal and at least one informal observation, with additional evidence collected throughout the year. For teachers, instructional practice will be observed. For administrators, observations may consist of the collection of prescribed performance documentation.

Evaluators should conduct regular visits, in addition to the required formal and informal observations, to ensure that recommendations made based on previous observations are being implemented, to monitor progress, and to provide support or assistance.

Formal Observations

- Require a pre-observation conference

- The pre-observation conference should be held between three and five school days before the observation.
- This is the opportunity for the teacher or administrator to give the evaluator(s) relevant information before the observation.
 - A teacher who is preparing for a classroom observation should provide lesson plans to the evaluator(s).
 - A teacher or administrator who is being observed providing staff development should explain to the evaluator(s) the purpose of the staff development, and provide any background explanation as to why the staff development is necessary.
- Require a post-observation conference to discuss commendations and recommendations
 - The post-observation conference should take place as soon as feasible, within one week of the observation.
- Occur at a time and place established in advance
- Must be long enough to provide meaningful data
 - For a classroom observation, must be a complete lesson

Informal observations

- Do not require a pre-observation conference
 - However, the evaluator should review available information before the observation. This may include a lesson plan for a classroom observation, or an agenda for a staff meeting or professional development.
- Does not require a formal post-observation conference
 - However, the evaluator must give the teacher feedback, including documentation of the ratings for each component
- May occur at any time or place, without advance notice
- Must be long enough to provide meaningful data; however, need not be a complete lesson for a classroom observation

Once a formal observation has been scheduled, the teacher or administrator should be aware that the evaluator's time has been scheduled around that observation, and the observation should be rescheduled only when unavoidable.

MEASURE OF STUDENT GROWTH

One-half of the evaluation of teachers and administrators will be based on measures of student growth, as determined by Value-Added Model (VAM) data and/or Student Learning Targets (SLTs). Like the Observation of Professional Practice, Student Growth will be rated on a 1-4 scale.

Administrators

Student growth measures for administrators will be aligned with their schools' accountability measure.

Teachers—Value-Added Model (VAM) Data

For teachers who have VAM data available, the Measure of Student Growth will be based on the VAM data. **NOTE:** Even when VAM data is used as the measure of student growth, the teacher will have at least one SLT, to allow the teacher and evaluator to monitor progress during the year.

VAM measures the impact the teacher had on the students during the school year, by comparing where each student started the school year to where each student ended the school year. VAM considers and accounts for factors that impact a student's education, such as available prior achievement data (up to three years), gifted status, section 504 status, disability status, eligibility for free or reduced price meals, limited English proficiency, and prior discipline history, to project each student's expected educational growth during the school year.

LDOE will provide VAM data and the 1-4 rating. The VAM data provided for each teacher is based on the teacher's roster in Compass—Curriculum Verification and Results Reporting Portal (CVR); therefore, it is critical that each teacher verify the roster through CVR, during the availability windows established by LDOE.

LDOE will determine what grade levels and classes will have VAM data available each year.

Exceptions:

- VAM data will not be used when it is available for fewer than ten students
- The Board of Elementary and Secondary Education (BESE) may invalidate VAM data due to a natural disaster or other unexpected emergency that results in temporary closure during the school year.

Teachers—Student Learning Targets (SLTs)

For teachers of Non-Tested Grades and Subjects (NTGS), those grades and subjects for which VAM data is not available, and for other teachers for whom VAM data is not available, the Measure of Student Growth will be based on at least two SLTs. The SLTs will be rated on the 1-4 scale and averaged for a final Measure of Student Growth rating of 1-4, which will be 50% of the final evaluation rating.

NOTE: Even when VAM data is used as the measure of student growth, the teacher will have at least one SLT, to allow the teacher and evaluator to monitor progress during the year.

SSD may establish uniform SLTs for all teachers or for a segment of teachers. (For example, all LSD teachers may share an SLT, or all SSD/OBH teachers may share an SLT.) Each SLT must be approved by the SSD Superintendent or designee.

An SLT is a measurable goal for student achievement over a given period of time that reflects an ambitious, but reasonable, expectation of growth. Each SLT may measure only one group of students; however, all of the teacher's SLTs should measure the growth of most of the teacher's students. Teachers should monitor progress on their SLTs throughout the year.

SLT's must be SMART, and include:

- The growth target
 - The target identifies the level of achievement that is expected from the students, and must consider, at a minimum, the students'
 - Special education status
 - Eligibility for free or reduced price meals
 - Attendance

- Discipline
 - The growth target must be **specific**—quantifiable.
 - The growth target must establish the **time** period for the student growth to be attained, by establishing the time that the students will be assessed.
- The assessment to be used to **measure** student performance
 - Student achievement should be measured by common assessments, when available. LDOE will make available a list of state-approved common assessments.
- The rationale for the target and for the selected assessment
 - This should identify the content standards measured by the assessment
 - Content that is **aligned** to the Common Core State Standards should be prioritized
- Baseline Data
 - The growth target should be ambitious, and **realistic**, based on the baseline data.
 - Baseline data may include:
 - The current year’s students’ prior performance in similar or related courses
 - The current year’s students’ performance on a pre-test of the course content
 - Prior years’ students’ performance on the chosen assessment
- The rubric that will be used to rate the teacher’s level of effectiveness, using a 1-4 scale:
 - Exceptional Attainment of Target (4)
 - Full Attainment of Target (3)
 - Partial Attainment of Target (2)
 - Insufficient Attainment of Target (1)

ANNUAL REVIEW/“RATING”/DETERMINATION OF EFFECTIVENESS

At the end of the rating year, the evaluator(s) will determine the teacher or administrator’s effectiveness. The evaluator(s) will average the ratings of the observations to determine a final Observation of Professional Practice rating of 1-4. The evaluator(s) will average that rating with the Measure of Student Growth rating, which will also be 1-4, to determine a final overall rating of 1-4, as follows:

- Highly Effective
 - Overall rating of 3.50-4.00
- Effective Proficient
 - Overall rating of 2.50-3.49
- Effective Emerging
 - Overall rating of 1.50-2.49
- Ineffective
 - Overall rating of 1.00-1.49

NOTE: Any teacher or administrator who is rated *Ineffective* on either part of the evaluation will receive an overall rating of *Ineffective*.

Timelines

The evaluation will be given to the teacher or administrator in writing, within fifteen (15) days of the final evaluation rating determination. The evaluation should be given to the teacher or administrator in

a meeting with the evaluator; however, if the teacher or administrator is absent from work, the evaluation may be mailed or emailed.

Evaluators are reminded that teachers and administrators have due process rights that begin upon receipt of an evaluation rating. Evaluators are expected to give the rating for the Observation of Professional Practice with sufficient time before the end of the school year for teachers and administrators to exercise their due process rights.

The rating for the Measure of Student Growth must be determined by the evaluator within fifteen (15) days of the data that supports the rating being available to the evaluator(s), and given to the teacher or administrator within fifteen (15) days of the determination. For schools that operate on a traditional school year, data may not be available until after school is out. In these cases, a teacher or administrator who is not scheduled to work when the evaluation is completed may report to school to receive the final evaluation, or have the final evaluation emailed or mailed.

INTENSIVE ASSISTANCE

Any teacher or administrator who is rated ineffective will be placed on an intensive assistance program, designed to address the complexity of the teacher or administrator's deficiencies, and will be formally re-evaluated after the completion of the intensive assistance program. A teacher or administrator who receives an overall rating of effective may be placed in intensive assistance to assist the teacher or administrator in certain areas where improvement is needed. A teacher or administrator may be placed in intensive assistance before an official evaluation when an evaluator believes the teacher or administrator needs it.

Supervisors and administrators may use intensive assistance outside of the formal evaluation process.

Intensive assistance plans resulting from ineffective evaluation ratings will be established within thirty days of the evaluation, in a meeting with the teacher or administrator, the evaluator(s), and the immediate supervisor, if the immediate supervisor was not an evaluator. Though intensive assistance plans will be created through collaboration, the evaluator and immediate supervisor will provide more direction in this process than in other parts of the evaluation that are created through collaboration.

Intensive assistance plans must include, at a minimum:

- The area(s) to be improved/the reasons for placement in intensive assistance
- Specific steps to be taken to improve
 - Objectives to be accomplished
 - Expected levels of performance
- The assistance, support, and resources to be provided by SSD
 - The teacher or administrator must have multiple opportunities to obtain support and feedback on performance
- Beginning and completion dates
 - Plans resulting from ineffective evaluation ratings will be created within thirty days of the evaluation. The evaluator(s) will determine whether the plan will begin immediately or at the beginning of the next school year, grading period, or other point. Professional development or other effort may be required over the summer or other breaks during the school year.

- A timeline for achieving the objective(s) and the procedures for monitoring progress
- The action to be taken if improvement is not demonstrated
- Comments on the teacher or administrator's progress toward achieving the objectives
- The teacher or administrator and evaluator(s)'s signatures and dates
 - When the intensive assistance plan is created, and
 - After the intensive assistance plan is completed

Intensive assistance programs should be for a maximum of one calendar year. No matter the final timeline for completion of an intensive assistance program, some immediate progress should be shown, and targets must be set for at least every nine weeks for the duration of the intensive assistance program, if not more frequently.

In accordance with statute, SSD will begin termination proceedings for a teacher or administrator who does not complete an intensive assistance plan in conformity with its provisions or who is determined to be ineffective after a formal evaluation conducted immediately upon completion of an intensive assistance program. In the best interest of our students and the District, SSD may recommend termination or other disciplinary or corrective action before the completion of an intensive assistance program if a teacher or administrator fails to show acceptable progress during the program or for a reason not related to the intensive assistance program.

PROFESSIONAL DEVELOPMENT

The ultimate goal of the performance evaluation system is to improve teaching and learning, and continuing professional development is critical to achieving that goal.

SSD commits to providing teachers and administrators with the professional development they need to become and continue to be effective, including targeted professional development to address deficiencies identified in the evaluation process.

SSD will provide professional development to all teachers and administrators, based upon their individual areas of improvement, identified through the evaluation process.

SSD will provide training for all staff involved in the evaluation process, to foster:

- a positive, constructive attitude toward the teacher and administrator evaluation process
- a knowledge of state laws and SSD policies governing the evaluation process for teachers and administrators, including procedures for intensive assistance and due process
- an understanding of the *Louisiana Components of Effective Teaching* and the *Performance Expectations and Indicators for Educational Leaders*
- an understanding of the measures of growth in student learning
- an understanding of the process for calculating the final effectiveness ratings

SSD's Professional development opportunities shall meet the following criteria:

- Professional development shall be job-embedded, where appropriate.
- Professional development shall target identified individualized areas of growth for teachers and administrators, based on the results of the evaluation process, as well as data gathered through

informal observations or site visits, and SSD shall utilize differentiated resources and levels of support accordingly.

- Professional development shall include follow-up engagement with participants, such as feedback on performance, additional supports, and/or progress-monitoring.
- Professional development shall include measureable objectives to evaluate its effectiveness, based on improved teacher or administrator practice and growth in student learning.

Failure by SSD to provide regular professional development opportunities to teachers and administrators shall not invalidate any results of the evaluation process.

DUE PROCESS/GRIEVANCE

The evaluation process is critical to ensuring that each student is served by effective teachers and administrators, and evaluations are used make decisions regarding certification, tenure, and employment. In order to ensure that SSD makes the right decisions for our students, supported by all relevant information, teachers and administrators are assured of due process in the evaluation process.

Because data needed to rate teachers and administrators on Student Growth may not be available until after the school year is over, the evaluation ratings based on Observation of Professional Practice and the ratings based on Measure of Student Growth will each be treated as final evaluation ratings for purposes of due process and grievance timelines, unless otherwise indicated. For example, a teacher or administrator who chooses to grieve an Observation of Professional Practice rating would do so within the required time after receiving the final Observation of Professional Practice rating, and would not be able to wait until receiving the Measure of Student Growth rating to grieve the Observation of Professional Practice part of the evaluation.

The teacher or administrator may request a copy of the evaluator(s)'s data recording forms and any other documentation the evaluator(s)' used to support the evaluation.

The teacher or administrator may submit a written response to the evaluation, which will be attached to the evaluation.

A teacher or administrator may file a grievance with the evaluator(s), within one week after the teacher or administrator knew or should reasonably have known of the grievable matter, in writing, stating the grievance, the factual support for the grievance, and the relief requested, when:

1. The teacher or administrator believes that the evaluation has not been conducted in a fair, objective, or consistent manner, or has not been conducted in compliance with applicable law or this policy.
 - a. The evaluator(s) will review the grievance, and submit a written response to the grievant, within two weeks.
 - b. If the grievant is not satisfied with the response, the grievant may submit the grievance to the SSD Superintendent within one week of receiving the response.
 - i. The grievant must provide:
 1. The original grievance
 2. The response received from the evaluator(s)
 3. An explanation of the disagreement with the response, and the relief requested.

- c. The SSD Superintendent or designee will review the grievance, request and review any additional relevant information, and respond to both the grievant and the evaluator(s).
- 2. The teacher or administrator is rated Ineffective on Observation of Professional Practice.
 - a. The evaluator(s) will consider the grievance, and should meet with the teacher or administrator to discuss it. The evaluator(s) may change the rating based on the grievance.
 - i. If the evaluator changes the rating based on the grievance, the evaluator(s) will forward the grievance and the amended Observation of Professional Practice rating to the SSD Superintendent and the grievant, within three work days of receiving the grievance.
 - 1. If the grievant is still not satisfied with the rating, the grievant may submit a written request for the SSD Superintendent to review it, within two work days. The request must be in writing and include an explanation of the grievant's disagreement with the amended rating.
 - ii. If the evaluator(s) do(es) not change the rating based on the grievance, the evaluator(s) will forward the grievance, and the response of the evaluator(s), to the SSD Superintendent within one week of receiving the grievance.
 - b. If the evaluator does not change the rating, or if the grievant is not satisfied with the changed rating, the SSD Superintendent will designate a team of three, which will not include the teacher or administrator's supervisor, to conduct an observation within thirty days of the evaluation.
 - c. The rating of the team will become the teacher or administrator's official Observation or Professional Practice rating.
- 3. The teacher or administrator wishes to amend, remove, or strike any information the teacher or administrator believes is inaccurate or invalid.
 - a. The evaluator(s) will consider the grievance, and should meet with the grievant to discuss it. The evaluator(s) may remove or correct information in the evaluation based on the grievance.
 - b. Whether or not the evaluator(s) remove or correct information in the evaluation based on the grievance, the evaluator(s) will forward the grievance, and the evaluator(s) response, to the SSD Superintendent, within one week of receiving the grievance.
 - c. If the evaluator(s) did not remove or correct all disputed items, the SSD Superintendent will assign an appropriate official to meet with the grievant and the evaluator(s), before the end of the school year.
 - d. The designated official will conduct the meeting, allowing the teacher or administrator and the evaluator to ask relevant questions and present relevant information, to ensure that each understands and can properly address the teacher or administrator's concerns.
 - i. The teacher or administrator may request proof by documentation of any item contained in the evaluation that the teacher or administrator believes to be inaccurate, invalid, or misrepresented. If such documentation is not presented, the item(s) shall be removed from the evaluation record and shall not be the basis for any decision regarding any employee action, or any BESE decision regarding certification.

- ii. The evaluator(s) will have seven calendar days from the date of the meeting to present documented proof of disputed item(s) to the employee and to the designated official. If the designated official determines the documentation does prove the item(s), the official will forward the documentation to Human Resources, to be placed in the teacher or administrator's evaluation file. If the documentation is not presented within seven calendar days of the meeting, the disputed item(s) will be removed from the teacher or administrator's evaluation record and will not be the basis for any decision regarding personnel action. The SSD Superintendent may allow additional time, when necessary to ensure the ultimate goal of the evaluation program, which is to improve teaching and learning.

A teacher or administrator will not be terminated based on an Ineffective rating until the grievance process is complete, if a grievance was timely filed. A personnel action proposed or taken based on an evaluation must be addressed through the applicable tenure law and policy, rather than through these grievance procedures.

The teacher or administrator may be represented during the grievance process; however, SSD staff will not discuss the evaluation with a non-attorney representative if the teacher is not also present. If the teacher or administrator will have a representative at any meeting or hearing held during the grievance process, the teacher or administrator must notify the evaluator at least two business days before the meeting or hearing. If the meeting or hearing is to be held at a facility that is not operated by SSD, the teacher or administrator must contact the Regional Coordinator as soon as possible to make arrangements for the representative to be admitted to the facility. The representative may be required to submit identification or other documentation to the facility, in accordance with the facility's timelines.

RECORDS/CONFIDENTIALITY/HIRING

SSD will maintain personnel evaluation records as long as it is required to retain other personnel records. Personnel evaluation records are confidential records and are subject to the employee's right to privacy.

Evaluation records will include:

- Job Descriptions
- Professional Growth Plans
- Observation forms
- Final Evaluations
- Intensive Assistance Plans, and supporting documents
- Responses filed by the teacher or administrator
- Documentation to prove item(s) for which the teacher or administrator requested documented proof

Notwithstanding an individual's privacy rights, the evaluation documents may be released:

- (1) To the evaluated employee or designated representative.

- a. Documents will only be released to a representative if the employee has submitted a written, signed request for the release.
- (2) To authorized school system officers and employees for all personnel matters, including employment application, and for any hearing, which relates to personnel matters, which includes the authorized representative of any school or school system, public or private, to which the employee has made application for employment or contract or volunteer work.
- (3) For introduction in evidence or discovery in any court action between SSD and the employee in which either:
 - (a) The competency of the employee is at issue.
 - (b) The evaluation was an exhibit at a hearing, the result of which is challenged.

EXEMPTIONS

If any SSD school or program temporarily closes due to a natural disaster or other unexpected event, or in other situations when extenuating circumstances significantly compromise an educator's opportunity to impact student learning, the SSD Superintendent may ask the State Superintendent of Education to invalidate VAM data, if using VAM data would unfairly impact any teacher or administrator's evaluation.

The evaluation results for a teacher or administrator who has sixty or more days of excused absence, in accordance with SSD's leave policy, shall be invalidated.

REPORTING

SSD will provide reports and other information related to the evaluation program to LDOE, as required by LDOE, through HCIS.