

**ARTICLE IX
PROFESSIONAL ASSESSMENT
OF CERTIFICATED PERSONNEL**

Section 1.

The parties agree that the purpose of the professional assessment process is to improve teaching, treat teachers as professionals, and to provide a meaningful and supportive feedback system for teaching performance. While individual teaching performance might be evaluated as needing improvement or being unsatisfactory, most teachers do not fall into these categories. The professional assessment process, while it includes the expectation and means to address and support teachers whose performance does not meet district standards, is designed to provide valuable feedback for teachers whose performance is satisfactory and above, as well as for those whose performance is not, and to assist them to improve. This program will be reviewed by the negotiating team annually, and a formal evaluation will be conducted by the negotiating team during the 2011-2012 school year.

Section 2.

PROFESSIONAL ASSESSMENT PROCESSES

Depending upon the evaluatee's length of service in the district, several cycles and processes are available for professional assessment:

- Traditional Cycle – conducted annually for teachers who have not yet been granted tenured teaching status with the district; conducted every other year for teachers who have been granted tenured teaching status with the district and who do not select and/or qualify for the alternatives described below; conducted for teachers whose previous or current evaluation indicates performance that is unsatisfactory or in need of improvement (for more information, see Article IX, Section 4, Part I).
- Walkthrough Cycle - conducted every other year for teachers who have been granted tenured teaching status with the district, whose previous evaluation indicated that their performance was satisfactory or above, and who, by mutual agreement with the evaluator, select this option (for more information, see Article IX, Section 4, Part III).
- Alternative Cycle – conducted on a five year cycle, per Education Code Section 44664. In this cycle, after the previous cycle's summative evaluation is completed, the teacher would have one year off-cycle and then this cycle would begin (year 1) and continue through a summative evaluation presented in year 4. It is available for teachers who have been granted tenured teaching status with the district, whose previous evaluation indicated that their performance was satisfactory or above, who have been in the district for at least 10 years, who are highly qualified (if their teaching assignment requires highly qualified status), and who, by mutual agreement with the evaluator, select this option (for more information, see Article IX, Section 4, Part IV).

Section 3.

DEFINITIONS OF TERMS

California Standards for the Teaching Profession (CSTP)

The six standards are based on six interrelated categories of teaching practices. The six standards are:

1. Engaging and supporting all students in learning.
2. Creating and maintaining effective learning environments for student learning.
3. Understanding and organization subject matter for student learning.
4. Planning instruction and designing learning experiences for all students.
5. Assessing student learning.
6. Developing as a professional educator.

Evaluatee

Person being evaluated.

Evaluation

The District shall evaluate and assess employee's competency as it reasonably relates to the CSTP and the progress of students: and the establishing and maintenance of a suitable learning environment within the scope of the employee's responsibilities.

The District shall establish and define job responsibilities for non-instructional certificated personnel, represented by the Association whose responsibilities cannot be evaluated appropriately under the provisions of the preceding paragraph, and shall evaluate and assess the competency of such non-instructional certificated employees as it reasonably relates to the fulfillment of those responsibilities.

Evaluation Forms

Forms for the evaluation of personnel are included in Appendix B. In addition, a standardized format of these forms shall be made available to any unit member who elects to use a computer when filling out the forms. The unit member shall follow the contract-defined format when using a computer evaluation form. Information included on evaluator-written evaluation forms is intended to provide the evaluatee with documentation of the evaluator's current assessment of overall performance based upon data gathered through direct observation (within classroom teaching or other observational settings) or from sources of information that are directly verifiable by the evaluator. Information shall be based upon the California Standards for the Teaching Profession or upon the Standards for Assessment for non-teaching staff as listed in Appendix B. Prior to being included in an evaluation form, all information shall have been brought to the evaluatee's attention, the evaluatee shall have had time to address any concerns, and the evaluatee shall have been made aware that the information might be reflected in the evaluation form.

Evaluator

Administrator of the evaluatee. The primary evaluator of teacher and counselor unit members shall be the Principal or Assistant Principal of the school. The primary evaluator of psychologist unit members shall be the Director of Pupil Personnel Services. The primary evaluator shall be responsible for completing evaluation forms.

Observation

A viewing of a unit member's performance.

Performance Improvement Plan

Specific written suggestions and recommendations in areas evaluated as "needs to improve" and "unsatisfactory" in order to facilitate improvement in the evaluatee's performance.

Personnel File

The official personnel record of the unit member which is kept in the District Human Resource Office.

Professional Assessment Plan

Plan developed mutually by the evaluatee and the evaluator to focus on evaluatee's professional growth as it pertains to the established goals.

Walkthrough Observation

An unannounced classroom visit of at least five (5) minutes used to observe a representative slice of teaching and to give credible feedback to the teacher.

Section 4.

TIMELINES FOR EVALUATION PROCEDURES

I. Traditional Cycle

- A. By September 15, the evaluatee shall be advised in writing of the name of his/her evaluator. The evaluator shall:
1. Distribute evaluation forms to evaluatee.
 2. Review evaluation policies and procedures with evaluatee.
 3. Review the evaluation calendar for the current school year with evaluatee
- B. At any time subsequent to the notification of evaluator, and by October 1:
1. The teacher evaluatee will select one (1) goal to focus on for the evaluatee's professional growth. This goal will be directly connected to one of the six CSTP's or to one of the school's or district's identified goals for the year. An evaluatee may wish to refer to prior evaluations, if applicable, for guidance in formulating the goal.
 2. The psychologist/counselor/nurse evaluatee will identify one (1) objectives to focus on for the evaluatee's professional growth. This goal will be directly connected to a standard of assessment (as described in Appendix B) or one of the school's or district's identified goals for the year. An evaluatee may wish to refer to prior evaluations, if applicable, for guidance in formulating the goal.
- C. At any time subsequent to the notification of evaluator, and by October 15, the evaluator and the evaluatee will:
1. Review the goal identified on the Professional Assessment Plan.
 2. Mutually agree to the Professional Assessment Plan. In the event of a disagreement regarding the Professional Assessment Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.
 3. Sign and date the Professional Assessment Plan. This agreement may be revised during the course of the year by mutual agreement of the evaluator and evaluatee.
- D. The evaluator will:

For Teacher Unit Members:

1. At any time subsequent to the establishment of the Professional Assessment Plan, and by November 30 for temporary and probationary unit members and January 15 for permanent unit members, make at least one (1) classroom teaching observation of thirty (30) minutes duration or longer.
2. Hold a post observation conference with the evaluatee within three (3) working days to discuss the classroom observation, teaching performance (including any areas of concern), and progress toward the attainment of the established goal on the Professional Assessment Plan.

3. Complete the Classroom Observation Form summarizing both the classroom teaching observation and the post observation conference, providing specific examples of performance that support the ratings of “Satisfactory or Above,” “Needs to Improve,” or “Unsatisfactory” noted for the evaluatee.
4. Send the completed Classroom Observation Form to the evaluatee within three (3) working days after the conference.
5. If the evaluatee receives an overall “Needs to Improve” or “Unsatisfactory” evaluation on the Classroom Observation Form, discuss and mutually develop with the evaluatee the Performance Improvement Plan, making specific written suggestions and recommendations in areas evaluated as “Needs to Improve” and “Unsatisfactory” in order to facilitate improvement in the evaluatee’s performance. In the event of a disagreement regarding the Performance Improvement Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.

For Psychologist Unit Members:

1. At any time subsequent to the establishment of the Professional Assessment Plan, and by November 30 for temporary and probationary unit members and January 15 for permanent unit members, hold a conference to review psychoeducational assessments status and discuss progress regarding the Professional Assessment Plan.
2. Complete a Formal Conference form summarizing the discussion in the conference and providing specific examples of performance that support the ratings of “Satisfactory or Above,” “Needs to Improve,” or “Unsatisfactory” noted for the evaluatee.
3. If the evaluatee’s current performance is judged to be “Needs to Improve” or “Unsatisfactory,” discuss and mutually develop with the evaluatee the Performance Improvement Plan, making specific written suggestions and recommendations in areas evaluated as “Needs to Improve” and “Unsatisfactory” in order to facilitate improvement in the evaluatee’s performance. In the event of a disagreement regarding the Performance Improvement Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.

For Counselor Unit Members:

1. At any time subsequent to the establishment of the Professional Assessment Plan, and by November 30 for temporary and probationary unit members and January 15 for permanent unit members, hold a conference to review the status of School Counselor’s Monthly Contact Summary forms and discuss progress regarding the Professional Assessment Plan.
2. Complete a Formal Conference form summarizing the discussion in the conference and providing specific examples of performance that support the ratings of “Satisfactory or Above,” “Needs to Improve,” or “Unsatisfactory” noted for the evaluatee.

3. If the evaluatee's current performance is judged to be "Needs to Improve" or "Unsatisfactory," discuss and mutually develop with the evaluatee the Performance Improvement Plan, making specific written suggestions and recommendations in areas evaluated as "Needs to Improve" and "Unsatisfactory" in order to facilitate improvement in the evaluatee's performance. In the event of a disagreement regarding the Performance Improvement Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.

For Nurse Unit Members:

1. At any time subsequent to the establishment of the Professional Assessment Plan, and by November 30 for temporary and probationary unit members and January 15 for permanent unit members, hold a conference to practices, procedures and protocols that have been put in place at school sites to ensure the health and wellness of students and discuss progress regarding the Professional Assessment Plan.
2. Complete a Formal Conference form summarizing the discussion in the conference and providing specific examples of performance that support the ratings of "Satisfactory or Above," "Needs to Improve," or "Unsatisfactory" noted for the evaluatee.
3. If the evaluatee's current performance is judged to be "Needs to Improve" or "Unsatisfactory," discuss and mutually develop with the evaluatee the Performance Improvement Plan, making specific written suggestions and recommendations in areas evaluated as "Needs to Improve" and "Unsatisfactory" in order to facilitate improvement in the evaluatee's performance. In the event of a disagreement regarding the Performance Improvement Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.

E. The evaluator will:

For Teacher Unit Members Meeting District Standards:

1. At any time subsequent to the completion of the first observation cycle and by April 1, make at least one (1) additional classroom teaching observation of thirty (30) minutes duration or longer.
2. Hold a post observation conference with the evaluatee within three (3) working days to discuss the classroom observation, teaching performance (including any areas of concern), and progress toward the attainment of the established goal on the Professional Assessment Plan.
3. Complete the Classroom Observation Form summarizing both the classroom teaching observation and the post observation conference, providing specific examples of performance that support the ratings of "Satisfactory or Above," "Needs to Improve," or "Unsatisfactory" noted for the evaluatee.
4. Send the completed Classroom Observation Form to the evaluatee within three (3) working days after the conference.

For Teacher Unit Members NOT Meeting District Standards:

1. At any time subsequent to the completion of the first observation cycle and by April 1, make at least three (3) additional classroom teaching observations of thirty (30) minutes duration or longer, at least two (2) of which shall be scheduled by mutual agreement between the evaluator and evaluatee. It is suggested that a lesson plan be submitted by the evaluatee to the evaluator prior to each scheduled observation.
2. Hold at least three (3) post observation conferences with the evaluatee, each within three (3) working days of a classroom observation, to discuss the classroom observation, teaching performance (including any areas of concern), and progress toward the attainment of the established goal on the Professional Assessment Plan.
3. Complete the Classroom Observation Form for each observation, summarizing both the classroom teaching observation and the post observation conference, providing specific examples of performance that support the ratings of “Satisfactory or Above,” “Needs to Improve,” or “Unsatisfactory” noted for the evaluatee.
4. Send the completed Classroom Observation Forms to the evaluatee within three (3) working days after the conferences.
5. Update the Performance Improvement Plan to reflect the observations, conferences, and other information related to progress towards fulfilling the components outlined in the plan.

For Counselor/Psychologist/Nurse Unit Members NOT Meeting District Standards:

1. At any time subsequent to the completion of the first observation cycle and by April 1, hold at least three (3) conferences, scheduled by mutual agreement between the evaluator and evaluatee, making specific suggestions and recommendations in areas identified as “Needs to Improve” or “Unsatisfactory” in order to facilitate improvement in the evaluatee’s performance.
 2. Complete a Formal Conference form summarizing the discussion in the conference and providing specific examples of performance that support the ratings of “Satisfactory or Above,” “Needs to Improve,” or “Unsatisfactory” and documenting specific suggestions for improvement noted for the evaluatee. The Formal Conference Form shall be signed by the evaluator and evaluatee and shall be part of the Performance Improvement Plan.
 3. Update the Performance Improvement Plan to reflect the conferences and any other information related to progress towards fulfilling the components outlined in the plan.
- F. The evaluator will hold a final conference with the evaluatee to discuss performance, areas of concern, and progress toward the attainment of the goal outlined on the Professional Assessment Plan and will complete a Summary Evaluation Form.
1. If the evaluatee’s performance meets district standards, the final evaluation conference shall be completed at any time subsequent to the completion of the observation(s) described above and ~~by June 1~~ *at least 30 days prior to the end of the school year*. The Summary Evaluation Form shall be provided to the evaluatee within three (3) working days of the final conference.

2. If the evaluatee's performance is below district standards, the final evaluation conference shall be completed at any time subsequent to the completion of the observation(s) described above, and by May 1 *or at least 30 days prior to the end of the school year, whichever is earlier*. The Summary Evaluation Form shall be provided to the evaluatee within three (3) working days of the final conference. Per Education Code Section 44664, the evaluatee shall be referred to the Peer Assistance and Review (PAR) program (see Article XXII) and shall be annually evaluated until the evaluatee achieves a positive evaluation or is separated from the district. In addition, procedures for dismissal may be followed in accordance with the appropriate Education Code (Sections 44930-44985).

II. Walkthrough Cycle

- A. By September 15, the evaluatee shall be advised in writing of the name of his/her evaluator. The evaluator shall:
 1. Distribute evaluation forms to evaluatee.
 2. Review evaluation policies and procedures with evaluatee.
 3. Review the evaluation calendar for the current school year with evaluatee.
- B. At any time subsequent to the notification of evaluator, and by October 1, the evaluatee will select one (1) goal to focus on for the evaluatee's professional growth and will make a written request to be placed on the walkthrough cycle. The goal will be directly connected to one of the six CSTP's or to one of the school's or district's identified goals for the year. An evaluatee may wish to refer to prior evaluations, if applicable, for guidance in formulating the goal.
- C. At any time subsequent to the notification of evaluator, and by October 15, the evaluator and the evaluatee will:
 1. Review the goal identified on the Professional Assessment Plan and the request to be placed on the walkthrough cycle.
 2. Mutually agree to the Professional Assessment Plan.
In the event of a disagreement regarding the Professional Assessment Plan the evaluatee and the evaluator shall make a good faith effort to resolve the differences themselves. If the disagreement persists, the parties shall invite the Assistant Superintendent, Human Resources, or designee and the Association President or designee to assist in resolving the differences.
 3. Sign and date the Professional Assessment Plan. This agreement may be revised during the course of the year by mutual agreement of the evaluator and evaluatee.
 4. By mutual consent, agree that the teacher, being tenured and having received a previous satisfactory evaluation, will be placed on the walkthrough cycle.
- D. At any time subsequent to the establishment of the Professional Assessment Plan, and by April 1, the evaluator will:
 1. Make at least six (6) unannounced classroom teaching walkthrough observations of at least five (5) minutes. During each walkthrough observation, the evaluator shall thoughtfully observe what is happening, looking specifically at:

- Safety (physical and psychological safety, and a climate that is conducive to intellectual risk-taking)
 - Objectives (the purpose of the lesson, and its alignment to the curriculum/standards)
 - Teaching (the orchestration of the learning, and the differentiation of the instruction)
 - Engagement (the attentiveness of students, and their active, minds-on involvement in the lesson)
 - Learning (the use of ongoing formal and informal assessment measures to fine-tune and adjust teaching)
2. Hold a post-walkthrough conference with the evaluatee within three (3) working days, and, where possible, within twenty-four (24) hours, hearing from the teacher about what happened before and after the walkthrough, and providing feedback based on the indicators described above.
 3. Document the dates of the walkthrough observations and post-walkthrough conferences on the Professional Assessment Timeline (Walkthrough Cycle).
 4. If the evaluator determines that the teacher's performance "Needs to Improve" or is "Unsatisfactory" immediately notify the evaluatee of such concern and move the teacher back to the traditional cycle as described above. The evaluator must be able to explain to the evaluatee with rationale and/or evidence why the evaluatee is being placed back on the traditional cycle.

E. At any time subsequent to the completion of the walkthroughs described above, and ~~by June 1~~ *at least 30 days prior to the end of the school year*, the evaluator will hold a final conference with the evaluatee to discuss performance, areas of concern, and progress toward the attainment of the goal outlined on the Professional Assessment Plan. The Summary Evaluation Form shall be provided to the evaluatee within three (3) working days of the final conference.

F. If, at any point during the cycle, either the evaluatee or the evaluator wishes to revoke this agreement, the evaluatee will return to the traditional cycle. All timelines described in the traditional cycle will apply; however, if the move back to the traditional cycle occurs after January 15, the first observation cycle and (if necessary) Performance Improvement Plan will be completed within two weeks (10 working days) of the decision to return to the traditional cycle.

III. Alternative Cycle

A. By September 15, the evaluatee shall be advised in writing of the name of his/her evaluator. The evaluator shall:

1. Distribute evaluation forms to evaluatee.
2. Review evaluation policies and procedures with evaluatee.
3. Review the evaluation calendar for the current school year with evaluatee.

B. At any time subsequent to the notification of evaluator, and by October 1, the evaluatee will select one (1) goal to focus on for the evaluatee's professional growth and will make a written request to be placed on the alternative cycle. The goal will be directly connected to one of the six CSTP's (or, if the evaluatee is a nurse, counselor or psychologist, one of the identified standards for assessment) or to one of the school's or district's identified goals for the year. An evaluatee

may wish to refer to prior evaluations, if applicable, for guidance in formulating the goal.

- C. At any time subsequent to the notification of evaluator, and by October 15, the evaluator and the evaluatee will:
1. Review the evaluatee's identified goal and request to be placed on the alternative cycle.
 2. By mutual consent, agree that the evaluatee, being tenured, having received a previous satisfactory evaluation, having been in the district for at least 10 years, and being identified as highly qualified (if their teaching assignment requires highly qualified status), will be placed on the alternative cycle.
 3. By mutual consent, agree upon a project and a professional assessment plan designed to improve the teaching practice of the evaluatee. Projects may be:
 - Pursuit of an advanced degree in a field related to education or the evaluatee's subject area specialization
 - Pursuit of advanced certification in an area related to education or the evaluatee's subject area specialization
 - Pursuit of a new or supplementary credential
 - An action research project with a direct classroom outcome impacting students (e.g., curriculum development and implementation, differentiation strategies, assessment strategies, etc.). Action research plans must include a question/hypothesis, a research method, and a timeline and could span multiple years (up to 4).
 - Other projects that the evaluator and evaluatee mutually agree would have a substantial impact in improving the teaching and learning process in the evaluatee's classroom or on the evaluatee's campus.
- D. By November 15, the evaluatee will submit to the evaluator for approval the written Professional Assessment Plan (Alternative Cycle). This agreement may be revised throughout the alternative cycle by mutual agreement of the evaluator and evaluatee
- E. By January 15 and April 15, the evaluator and evaluatee shall hold conferences to discuss progress towards completion of the agreed upon project and to make any indicated revisions or updates to the project plan. The evaluatee shall be responsible for maintaining the Professional Assessment Plan (Alternative Cycle) so that it reflects all jointly agreed upon updates and changes, and for submitting a revised copy of the plan to the evaluator within three (3) days of each conference.
- F. During the subsequent three (3) years, if the evaluator and evaluatee agree that the project is still in progress, by October 15, January 15, and April 15, the evaluator and evaluatee shall hold conferences to discuss progress towards completion of the agreed upon project and to make any indicated revisions or updates to the project plan. If the evaluator and evaluatee agree that the project has been completed, the evaluatee may choose to begin a new project. If a new project is not initiated, the evaluator and evaluatee will meet at least once annually by June 1 to have a professional conversation about the evaluatee's teaching practice, remembering that the goal of such a conversation is to ensure that both parties engage in ongoing and supportive dialogue and to ensure that the evaluator has sufficient information and input from the evaluatee to develop a holistic and complete picture of the evaluatee's professional accomplishments so

that the Summary Evaluation provided at the end of the alternative cycle provides accurate documentation of the evaluatee's performance.

- G. At any time subsequent to the completion of the project, by mutual consent of the evaluator and evaluatee, but no later than ~~May~~ *April 1* of year four (4) of this cycle, the evaluatee shall submit a written summary of the project and its outcomes to the evaluator and shall present the project and its outcomes to an appropriate audience as agreed upon mutually by the evaluator and evaluatee.
- I. Subsequent to the completion of the project, no earlier than ~~May~~ *April 1* of year four (4) of this cycle, and ~~by June 1~~ *at least 30 days prior to the end of school* of that year, the evaluator will hold a final conference with the evaluatee to discuss performance, areas of concern, and progress toward the attainment of the goal outlined on the Professional Assessment Plan. The evaluator will complete the Summary Evaluation Form, which shall be provided to the evaluatee within three (3) working days of the final conference.
- J. If, at any point during this cycle, the evaluator determines that the teacher's performance "Needs to Improve" or is "Unsatisfactory," the evaluator shall immediately notify the evaluatee of such concern and move the teacher back to the traditional cycle. The evaluator must be able to explain to the evaluatee with rationale and/or evidence why the evaluatee is being placed back on the traditional cycle. In such a circumstance, all timelines described in the traditional cycle will apply; however, if the move back to the traditional cycle occurs after January 15, the first observation cycle and (if necessary) Performance Improvement Plan will be completed within two weeks (10 working days) of the decision to return to the traditional cycle. If the evaluator determines that the teacher's performance is "Satisfactory or Above," with mutual agreement of the evaluator and evaluatee, a move back to the traditional cycle may be made, and this transition may take place immediately or at the start of the subsequent school year.

IV. Disagreement

Within this evaluation article, the grievance procedures of this contract may be used only for failure to follow the procedures described. The substance of evaluation reports or any other material placed in a personnel file or any other aspects of this article are not subject to the grievance procedure.

If the evaluatee wishes to have the final evaluation reviewed, the evaluatee may appeal in writing within fifteen (15) working days to the Assistant Superintendent, Human Resources. Within ten (10) working days the Assistant Superintendent, Human Resources shall consult with the evaluator and evaluatee independently and within five (5) working days of such consultation shall respond to the evaluatee in writing. The appeal of the evaluatee and response of the Assistant Superintendent, Human Resources shall, at the request of the evaluatee, be placed in the District personnel file.

Section 5.

GUIDELINES FOR PROFESSIONAL ASSESSMENT

- I. The evaluator, in recognizing pupil performance objectives and in assessing unit member competence, should consider atypical factors as they relate to the identified performance objectives.

- II. Teacher classroom observations by the evaluator may be made at any time per the provisions found in this article. When feasible and appropriate, the evaluator may pre-schedule visitations. In addition, the evaluatee may request observations on a pre-scheduled basis. Psychologist/Counselor conferences conducted by the evaluator may be made at any time per the provisions found in this article.
- III. Evaluations of unit member competence, as reported on the Summary Evaluation Form, shall be based upon material or reports placed in the unit member's personnel file.
- IV. Performance standards shall be published and distributed to the evaluatee and must be related to the efficient and safe operation of the District and the welfare of students. Prior to any action involving the withholding of pay or any written statement placed in the personnel file which involves negative performance, the District will issue, where appropriate, reasonable advance warning, and shall inquire with respect to the problem in a fair and important manner so as to insure that penalties are reasonably related to the seriousness of the offense and the past record of the evaluatee with the District.

Section 6.

SUBSTITUTES

Substitute teachers shall be evaluated daily on forms provided by the District. A substitute teacher's service shall be deemed satisfactory unless the Principal or Assistant Principal provides the substitute teacher with a written notice of unsatisfactory service within ten (10) school days following the substitute's last day of service.

Section 7.

PERSONNEL FILES

Materials in personnel files of unit members which may serve as a basis for affecting the status of their employment or evaluation of their competence are to be made available for the inspection of the person involved. The inspection shall be made in the presence of the administrator in charge of the file. The unit member may be accompanied by a representative to review the file.

Such material is not to include ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by identifiable examination committee members, or (3) were obtained in connection with a promotional examination.

Every unit member shall have the right to inspect and copy such materials upon request, provided that the request is made at a time when such person is not actually required to render services to the District.

Information of a derogatory nature, except material mentioned in the second paragraph of this section, shall not be entered or filed unless and until the unit member is given notice and an opportunity to review and comment thereon.

If derogatory information is placed in the personnel file, it shall be within a reasonable time following the incident. A unit member shall have the right to attach his/her own comments to any such material and acknowledge that such material has been read by initialing and dating that material. This acknowledgment does not constitute agreement with any or all of the material.

This material may be removed from the file if charges are without substance or after four (4) years from the date of the incident.

Unsatisfactory performance reports related to competency may be removed from the personnel file after four (4) years from the date of the evaluation.

The placement of material in a personnel file shall not be subject to the grievance procedure of the Association/District contract if the above procedures have been followed.

Section 8.

ACADEMIC FREEDOM AND PROFESSIONAL RESPONSIBILITY

Academic freedom is both a privilege and a right bestowed by a free society upon members of the academic profession. Such freedom must bear a judicious relationship and balance with professional responsibility. In this relationship, professional responsibility requires good faith and integrity of the unit member in the search for truth and a high degree of objectivity in the examination, verification, and presentation of facts to pupils. Where the exposition goes beyond fact, it must be labeled as a point of view or opinion. The unit member has a duty to explain other points of view as fully and clearly so that alternate ideas may stand or fall on their own merits.

Responsibility requires the unit member to limit teaching to areas of proficiency or specialization and to assure that teaching is relevant to the course of study and that it is appropriate to the maturity level of the pupils. Upon receiving valid and objective information or pertinent and relevant topics, the pupils may then be assisted in such a way that they may form and express their own opinions without jeopardizing their position with the teacher or with the school.

It is the special task of the unit member to foster and to encourage among pupils those habits of open mindedness and critical inquiry which alone make for responsible citizens. In a free society, it is expected that people will hold different points of view and strive for different ends. Frequently, such differences lead to conflict. These conflicts are best resolved within the framework of reasonable rules established in the best interest of the general public. Such reasonable limitations are understood and accepted by the unit member and administrator. Both the unit member and the school administrator are qualified and licensed officers of the State. They share, therefore, a common responsibility to comply fully with the spirit and intent of the school curriculum and the policies of the governing authorities of the school and school system.

Section 9.

CONTROVERSIAL ISSUES

The Beverly Hills schools are dedicated to a program of positive instruction toward a belief in the ideals and processes of American democracy, and toward a clear understanding of totalitarian ideas and methods which are contrary to the principles of freedom. In teaching the American heritage, opportunities are provided for pupils to examine, within the framework of established courses of study and under competent guidance, vital current issues, some of which are controversial.

In classroom consideration of controversial issues, the following guidelines shall be observed:

- I. Significant problems should be stated and discussed in terms suited to the maturity level of the learners and their capacity for understanding concepts and values.

- II. An atmosphere as free as practicable from prejudice should be maintained.
- III. Differing points of view should be presented with dignity and fairness.
- IV. The prestige of the unit member's position should not be used to advocate partisan opinions.
- V. Pupils should be encouraged to analyze problems accurately, gather and organize pertinent data, detect propaganda, identify prejudice, and discriminate between fact and opinion.
- VI. The legitimacy of honest differences of opinion among individuals looking at the same evidence should be established.
- VII. Dignity, rather than embarrassment, for the exercise of one's right to change opinions should be established.
- VIII. Pupils should be encouraged to withhold judgment until thorough study has been accomplished.
- IX. The presentation of sound, reliable, adequate evidence should replace empty argument.
- X. Proposed solutions of public problems should be tested in the light of democratic procedures: Concern for the worth of the individual and for the common welfare; recognition of fair play; and emphasis on peaceful, constitutional methods of progress.

See Appendix B for all Evaluation Forms