

It is the general operating practice and ethical responsibility of the Kuna School District and School Board, to notify certificated employees when they are not performing proficiently as defined by the Kuna School District Evaluation Process outlined in policy 445.

DEFINITIONS

For the purposes of this policy, the following definitions apply:

“Nonrenewable contract personnel,” also referred to as annual contract employees, are those individuals who have been hired on a Category 1, Category 2 or Category 3 contract.

“Renewable contract personnel” are those certificated individuals who have been employed by this district for four (4) or more continuous years.

PERSONNEL ACTIONS

The following actions may result from the evaluation process if determined to be appropriate:

- 1. A letter of reprimand;
A letter of concern;*
- 2. Renewal of employment contract;
A period of probation;
Reassignment;
Immediate discharge;
Renewal of the employment contract under a continued probationary status; and/or
Non-renewal of employment contract.*

A letter of reprimand or letter of concern may be issued at any time, with or without a formal evaluation. Any recommendation to place an employee on a period of probation, discharge the employee immediately, discharge the employee upon termination of the current contract, or reemploy the employee at the end of the contract term under a continued probationary status contract must be approved by the board of trustees.

Nothing in this policy shall be read to impact the district’s right to immediately, without an evaluation or period of probation, discipline an employee up to and including immediate discharge for reasons other than unsatisfactory performance.

Due Process for Nonrenewal Contract Personnel

All certificated employees, have due process rights as specified within the limitations of the contract type. Due process for each contract category is as follows:

Category 1	Category 2	Category 3
Administrator to provide observation feedback to teacher	Administrator to provide observation feedback to teacher	Administrator to provide observation feedback to teacher
	Letter of Concern	Letter of Concern
		Probation

Letter of Concern

When an administrator has specific concerns about an employee's performance, a letter of concern shall be given to the employee. This letter shall contain the following:

1. Date
2. Documentation of prior meetings and/or discussions illustrating the specifics of the concern, including the following:
 - At least one (1) written formal observation
 - A minimum of four (4) documented observations (formal or informal)
 - Written documentation of other pertinent meetings involving administrators and/or parents
 - List of components in the professional practice domains needing improvement
3. Outline of available support (as defined in the Master Contract) which may include the following:
 - Mentor
 - Instructional Coaches
4. 30 contract days to improve in the areas of concern documented
5. Possible outcomes:
 - a. Continue to participate in the formal observation process
 - b. If making progress in the areas identified, additional 30 contract days to improve in the areas of concern
 - c. Placement on probation, Category B or C only, if not showing improvement.

PLACING A CERTIFICATED EMPLOYEE ON PROBATION

The district is not required to establish a period of probation for Category 1 or Category 2 employees whose performance is unsatisfactory.

When any Category 3 employee's work is found to be unsatisfactory, a defined period of probation of not less than eight (8) weeks will be established by the board.

For renewable contract employees, the board will establish a reasonable period of probation before determining that it will not renew a contract due to a report of unsatisfactory performance. The period of probation will not affect the employee's renewable contract status.

Notwithstanding the open meeting law, the board will make decisions regarding placing a certificated employee on probation in executive session. The individual on probation will not be named in the minutes of the meeting, but a record of the board's decision will be placed in the employee's personnel file. Prior to the commencement of the probationary period, the board will provide written notice to the employee, stating the reasons for the probation, including areas of deficiency, and the conditions of probation, including provisions for adequate supervision and evaluation of the employee's performance during the probationary period.

After the probationary period, action will be taken by the board as to whether the employee is to be retained, immediately discharged, discharged upon termination of the current contract or reemployed at the end of the contract term under a continued probationary status.

REMEDIATION

Employees placed on probation will receive remediation designed to provide direction and support for improved employee performance. Additionally, employees who are placed on probation may request and/or be assigned a peer mentor.

The evaluator will work with the employee to identify and address the areas of concern, the remediation objectives, the criterion that will be used to measure the progress sought, support resources, provisions for adequate supervision and evaluation of performance during the probationary period, and timelines. Removal from probation will depend on the successful achievement of the articulated goals.

During the probationary period, the evaluator will conduct additional observations as needed to ensure the effectiveness of the remediation measures on the employee's performance.

OBSERVER

A certificated employee shall have the right to an observer of his/her choice during all levels of the Supervision/Evaluation Process, and shall be responsible to schedule the observer to be present at the appropriate times (and pay costs, if necessary).

PROBATION PROCESS

Category 3 and Continuing Contract certificated employees may be placed on probation. Placement on probation is viewed as one part of the evaluation process intended to improve individual performance of a single certificated employee and the overall excellence of the education program. A pattern of unsatisfactory performance and/or a

material violation of District Policy, rules or regulations or those of the State Board of Education shall be the reason(s) for placing a certificated employee on probation.

- Administration notifies the certificated employee in writing of the probation process.
- Recommendation to place a certificated employee on probation shall be made in writing by the supervising administrator to the Superintendent and/or his/her designee who may determine to submit the recommendation to the Board.
- The potential probationer may request a meeting with the Superintendent and/or his/her designee prior to the submission of the recommendation of probation to the Board. The meeting will deal with the necessity for probation. Upon reviewing and acting upon the recommendation for probation, the Board shall do the following:
 1. Send a written notice to the certificated employee that he/she is being placed on probation pursuant to the recommendation of the Superintendent and/or his/her designee.
 2. Include in the letter both the reasons for probation and provisions for adequate supervision and evaluation of the employee's performance during the probationary period.
 3. State the duration of the probation period, beginning and end dates, which shall be a reasonable amount of time (no less than 8 weeks), and the possible end result: continued probation, removal from probation, or non-renewal of contract.
 4. Identify the supervisor/evaluator(s) selected for the probationary cycle.
- The supervisor/evaluator(s) selected for the probationary cycle and the teacher shall work together to clarify the improvement objectives, available resources for assistance, and observation timelines. An association representative may be involved. Attainable and reasonable objectives to be performed by a certificated employee will describe the specific criteria for completing the behavior or task. Successful completion of probation which will be defined as acceptable performance will depend upon carefully articulated goals established by the supervisor/evaluator(s) and an earnest effort in assuming responsibility for meeting those goals by the certificated employee.
- Each formal observation and evaluation conducted during probation shall require a pre-observation conference, an observation, post-observation conference, and a conference summary. A supervisor/evaluator(s) may make a reasonable number of informal observations during probation. The employee may put objections in writing and have them attached to all observation report(s) to be placed in his/her personnel file. The file copy of such objections shall be signed by both parties to indicate awareness of the content.
- At the end of the probation, the supervisor/evaluator(s) shall recommend to the Board of Trustees one of the following actions:
 1. Discontinue probation
 2. Continue probation
 3. Non-renew contract

- At the end of the probationary period, documentation will be provided to the certificated employee, Superintendent, School Board, and a copy placed in the certificated employees personnel file.

APPEAL

When disagreement exists regarding the results of the evaluation, the affected employee is entitled to attach a rebuttal to his or her evaluation. The employee may also request an informal review of the evaluation and rebuttal statement by the superintendent.

An employee who is placed on probation, immediately discharged, or not reemployed is entitled to full due process rights as provided by *Idaho Code Sections 33-513 through 33-515*.

MONITORING AND EVALUATION

The superintendent or designee is responsible for ensuring that the evaluation process is in compliance with state requirements and implemented consistently. The superintendent or designee will continually review and develop the district's personnel evaluation system taking into account input from trustees, administrators, teachers, and parents where appropriate. Any changes to the district's evaluation model will be approved by the board of trustees and submitted to the SDE for approval.

PROFESSIONAL DEVELOPMENT AND TRAINING

The district will provide ongoing training for evaluators/administrators and teachers regarding the evaluation standards, tools, and processes. All individuals responsible for evaluating certificated instructional staff and pupil personnel performance will receive training in conducting observations and evaluating effective teacher performance.

Additional staff training and professional development opportunities will be provided throughout the year on an as needed basis to provide certificated instructional staff with the tools necessary to be effective educators.

FUNDING

Funding will be allotted in the annual budget for the ongoing training and professional development.

COLLECTING AND USING DATA

Aggregate data will be considered part of this district's and its individual schools' needs assessment in determining professional development offerings. The district will report the rankings of individual certificated personnel evaluations to the SDE annually for state and federal reporting purposes.

INDIVIDUALIZED TEACHER EVALUATION RATING SYSTEM

Evaluations will be used to identify employee proficiency and record professional growth over time. The individualized teacher rating system will have a minimum of three (3) rankings used to differentiate performance of teachers and pupil personnel certificate holders including:

1. Unsatisfactory = 1
2. Basic = 2
3. Proficient = 3
4. Distinguished = 4



LEGAL REFERENCE:

Idaho Code Sections

- 9-340, *et seq.* – Records Exempt from Disclosure
- 33-514 – Issuance of Annual Contracts
- 33-515 – Issuance of Renewable Contracts
- 33-518 – Employee Personnel Files
- 33-1001(12) – Definitions: “Measurable Student Achievement”

IDAPA – Rules Governing Uniformity

- 08.02.02.007 – Definitions
- 08.02.02.026 – Administrator Certificate
- 08.02.02.027 – Pupil Personnel Services Certificate
- 08.02.02.120 – Local District Evaluation Policy – Teacher and Pupil Personnel

Idaho Department of Education Guidelines found at: <http://www.sde.idaho.gov/site/teacherEval/>

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