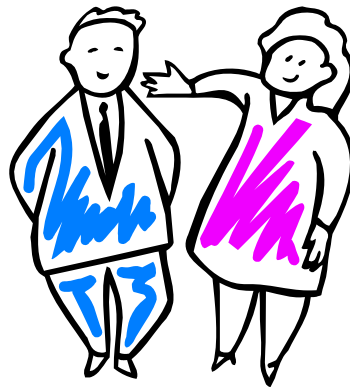




CLASSIFIED EMPLOYEE EVALUATIONS



FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT
HUMAN RESOURCES DEPARTMENT

July 1, 2009

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PURPOSE OF EVALUATION

Evaluations are a useful tool in providing quality of programs and services by helping employees maintain competent job performance. Although evaluations are often viewed as a nuisance, if handled appropriately, they can be your best resource for recognizing outstanding accomplishments as well as correcting minor deficiencies in job performance.



- Recognize outstanding accomplishment
- Help employees identify and correct deficiencies in job performance
- Document progress
- Provide legal documentation

Employee Name					Location	
Position		Status Perm		Unscheduled Report? <input type="checkbox"/>		Due Date
SECTION A*					SECTION B	Record Job Strengths & Superior Performance
a*	b	c	d♦	Performance Factors	e	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Observance of Work Hours	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Attendance	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Grooming & Dress	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Compliance with Rules	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Safety Practices	<input type="checkbox"/>	SECTION C Record PROGRESS ACHIEVED in attaining
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Public Contacts	<input type="checkbox"/>	Previously set goals for improved work performance or job qualifications.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Pupil Contacts	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Employee Contacts	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Knowledge of Work	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Work Judgments	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Planning and Organizing	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Job Skill Level	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Quality of Work	<input type="checkbox"/>	SECTION D Record specific GOALS or IMPROVEMENT PROGRAMS to be undertaken during next evaluation period.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Volume of Acceptable Work	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Meeting Deadlines	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Accepts Responsibility	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. Accepts Direction	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Accepts Change	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Effectiveness Under Stress	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20. Appearance of Work Station	<input type="checkbox"/>	SECTION E Record specific work performance DEFICIENCIES or job behavior requiring improvement or Correction. (Explain checks in column a)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. Operation & Care of Equip.	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. Work Coordination	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23. Initiative	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional Factors		
Additional Factors for Supervisors					SUMMARY EVALUATION – Check Overall Performance -	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. Planning & Organizing	<input type="checkbox"/>	<input type="checkbox"/> Not Satisfactory <input type="checkbox"/> Requires Improvement <input type="checkbox"/> Effective - Meets Standards <input type="checkbox"/> Exceeds Standards
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	25. Scheduling & Coordinating	<input type="checkbox"/>	Rater: I <input type="checkbox"/> Do <input type="checkbox"/> Do Not recommend this employee be granted permanent status
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	26. Training & Instructing	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	27. Productivity	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	28. Evaluating Subordinates	<input type="checkbox"/>	Signature _____ Title _____ Date _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. Judgments & Decisions	<input type="checkbox"/>	Reviewer: _____ (If none, so indicate)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30. Leadership	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	31. Operational Economy	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32. Supervisory Control	<input type="checkbox"/>	Signature _____ Title _____ Date _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Additional Factors		Employee: I certify that this report has been discussed with me. I understand my signature does not necessarily indicate agreement.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
★Checks in column a must be explained in Section E						
♦Checks in column d must be explained in Section B					Signature _____ Date _____	

CLASSIFIED EVALUATION DOCUMENT

DEFINITIONS AND DESCRIPTIONS

PERFORMANCE FACTORS

EMPLOYEE PERFORMANCE FACTORS ARE DEFINED BELOW, AND GUIDELINES ARE PROVIDED. EACH FACTOR SHOULD BE CHECKED IN RELATION TO THE INDIVIDUAL EMPLOYEE'S DUTIES AND RESPONSIBILITIES. DO NOT ASSUME THAT ALL FACTORS ARE OF EQUAL IMPORTANCE. EACH FACTOR'S DEGREE OF IMPORTANCE WILL VARY ACCORDING TO THE REQUIREMENTS OF EACH EMPLOYEE'S JOB. FOR EXAMPLE, "EFFECTIVENESS UNDER STRESS" OR "PUPIL CONTACTS" MAY BE OF CRUCIAL IMPORTANCE IN ONE POSITION AND RELATIVELY INSIGNIFICANT IN ANOTHER.

1. **Observance of Work Hours:** Refers to punctuality in reporting to or leaving a duty station in accordance with the prescribed schedule of working hours, breaks, or leaves of absence. Can the employee be relied upon to be on the job and working when and where he/she is supposed to be?
2. **Attendance:** Reflects absences from duty for any reason. This factor presents a natural opportunity for necessary or desirable counseling of an employee regarding *improper or excessive use of leave privileges*, especially if his/her attendance has become unreliable. If sick leave use has been greater than the norm, should the employee seek medical care? Is there a "Friday-Monday" or "holiday" pattern of sick leave use? Have continued absences been costly to the District or harmful to the morale of co-workers who may have been required to carry extra loads?
3. **Grooming and Dress:** An acceptable type of dress and standard of good grooming are necessary for every position. Does the employee meet the standards of dress commensurate with the type and level of public or employee contacts he/she makes? Is the employee consistently clean, neat, and appropriately dressed?
4. **Compliance with Rules:** School District employees are subject to a number of rules. Does the employee consistently comply with rules and regulations applicable to his/her job? Failure to observe reasonable directions and regulations is a reason for disciplinary action.

5. **Safety Practices:** All employees, even those who do not work under physically hazardous circumstances, must comply with reasonable safety practices, particularly in situations involving pupils. These practices may reflect specific supervisory directives, or simply forethought for potentially dangerous conditions and the use of good, common sense. Does the employee endanger his/her own safety or the safety of others by his/her actions? Does the employee help to prevent accidents by practicing good safety procedures?
6. **Public Contacts:** Refers to all public contact made through personal or telephone conversation, correspondence, and day-to-day appearances before the public. In the case of a laborer, it may have relatively little weight. Does the employee's exposure to the public eye and ear reflect credit on the District and promote a good public image? Is the employee courteous and discreet in his/her public contacts and behavior? Is the employee aware of the necessity to present a consistently good appearance to the public?
7. **Pupil Contacts:** As with public contacts, this factor may not apply to some employees, and yet be extremely significant in the cases of other employees. Does the employee observe those special rules of behavior relating to contacts with pupils? Does the employee exercise a good moral and educational influence on them at all times?
8. **Employee Contacts:** Reflects only those contacts that are a regular part of the employee's assigned duties. It does not apply to an employee's personal popularity or lack of it. Does the employee mind the problems of other employees whose jobs touch his/hers? Is the employee a disruptive influence? Does the employee bother or embarrass others with his/her personal problems? Is the employee a positive influence on the morale of others?
9. **Knowledge of Work:** This factor should not be confused with, or restricted to, the technical knowledge an employee is required to bring to a specialized job class. It is much broader and includes understanding of pertinent District policies, regulations, and procedures relating to the employee's assignment. Has the probationary employee acquired an acceptable working level of job knowledge? Is the permanent employee keeping up to date with changed policies and procedures and with technological advances in his/her occupational field?
10. **Work Judgments:** Each employee makes decisions, the number of which depends upon the degree of responsibility assigned to his/her position. Does the employee make appropriate judgments in the course of his/her work? Is the employee consistent and reliable in his/her judgments? What effect do his/her judgments have on the quantity and quality of work produced by himself/herself and by others?
11. **Planning and Organizing:** Measure the manner and method in which an employee approaches his/her assigned duties, and how successful he/she is in planning and organizing to achieve the desired **results**. Does the employee take time to plan the sequence of steps required in carrying out his/her tasks?

Or does the employee attack the job thoughtlessly or with a blind enthusiasm that wastes time and results in mistakes being made or work deadlines missed? Does the employee make allowances in organizing the job so that all foreseeable circumstances are properly taken into account? Does lack of planning or poor organizing indicate reasons for low production or poor quality of work?

12. **Job Skill Level:** This factor relates particularly to the mental and/or manual skills required in a given position. A crafter's basic skills are readily identified, while many office occupations include job skills that are relatively obscure. Does the employee consistently demonstrate an appropriate level of skills that are prerequisite to entry in the job class? Has the employee made efforts to improve his/her basic skill levels? Does the employee have potential for acquiring or developing his/her job skills to higher levels of proficiency? Should the employee undertake a brush-up or back-to-school program? Has the employee taken advantage of in-service training opportunities? Does the employee read technical publications related to his/her work?
13. **Quality of Work:** The degree of excellence of the work performed over the entire rating period is measured here. In rating this factor, attention should be paid to the consequences of poor quality work. Is the employee's work neat, accurate, thorough, and acceptable? Must the work be redone, thus reducing the potential volume of acceptable work which could have been produced? Do errors in the employee's work affect the efforts of others? Does poor work reflect adversely upon the school, department, or District?
14. **Volume of Acceptable Work:** Measure the amount of work required to meet job standards. Does the employee consistently accomplish a day's work for a day's pay? Does the employee produce enough work so that he/she is clearly a net asset to the District? Supervisors should not make undue allowances for such reasons as the employee's poor health, home problems, age, or length of service. While short-term exceptions to the volume standard can sometimes be made, care should be exercised to see that proper warnings are issued when indicated.
15. **Meeting Deadlines:** Were reasonable deadlines established as part of work schedules met? When the employee could not meet deadlines, did he/she give advance notice? Did the employee show an honest attempt to meet deadlines?
16. **Accepts Responsibility:** Refers to the degree of willingness an employee exhibits when given responsibility and the manner in which the responsibility is carried out. Does the employee readily accept responsibility or does he/she avoid it? Does the employee deny his/her responsibility when things go wrong? Or is the employee quick to own up to his/her failures? Does the employee consistently act in a responsible manner?
17. **Accepts Direction:** The word "direction" as used here is synonymous with such words as supervision, training, and instruction. Does the employee

demonstrate that he/she has accepted the direction by carrying it out to the best of his/her ability?

18. **Accepts Change:** Use this factor to evaluate the traits of adaptability and flexibility. Does the employee accept change willingly? Does the employee slow down progress or cause inefficiencies by resistance to change? Does the employee adapt satisfactorily to new work surroundings, new equipment, new procedures, new supervisors?
19. **Effectiveness Under Stress:** There are some positions where pace, pressure, and tempo are consistently demanding. Is the employee capable of meeting rapidly changing deadlines? Can the employee produce an acceptable volume and quantity of work in an emergency? Is the employee's work generally organized well enough to meet unforeseen contingencies?
20. **Appearance of Work Station:** Evaluate the neatness and efficient arrangement of work areas. Does the appearance of the employee's work station affect the quality of work conducted there? Does the appearance of the work station contribute to a desirable work atmosphere or a proper public image?
21. **Operation and Care of Equipment:** Reflects the employee's concern for safe, responsible, and reasonable operation of or use of equipment. Is the employee concerned with conservation of equipment? Does the employee request appropriate maintenance and repair of equipment when necessary?
22. **Work Coordination:** Measures the necessary coordination of work which directly or indirectly involves other employees, sections, schools, departments, or divisions. Characteristics of this factor include pre-planning, timing, and a consistent excellence of work judgments. In situations where work coordination is applicable, does the employee regularly maintain a smooth flow of work materials? Has the production process been slowed down because of obstructions caused by the employee?
23. **Initiative:** Refers to initiation of action by the employee. Initiative shows up in the form of suggestions and constructive criticism, but it is most obvious when the employee acts to produce more efficient, productive, or economical methods and procedures. Does the employee show self-reliant enterprise? Does the employee take opportunities to exercise initiative or must he/she be prodded into action? Is the employee inventive? Does the employee offer practical constructive criticism?

Blank spaces have been provided for additional factors the rater may wish to write in and which are necessary in achieving a view of the employee's total job effectiveness. Factors such as oral or written expression, thoroughness, or accuracy may figure significantly in fulfilling the requirements of a particular position. Less tangible traits of character, such as ***integrity, patience, and courage***, while they may be desirable and important, **do not themselves measure results, and, therefore, should be avoided as evaluation factors unless a direct relationship can be demonstrated.**

If the employee does not qualify to be evaluated as a supervisor but does give work direction, field supervision, or is responsible for performing tasks which, of necessity, include some of the supervisory factors, the blank spaces provided for additional factors might be utilized to evaluate the employee to this end.

SUPERVISORY PERFORMANCE FACTORS (For those who supervise and evaluate the work of others.)

24. **Planning and Organizing:** Knowledge, talent, and mental effort are required in planning and organizing the work of subordinates. Does the supervisor constantly keep alert to possibilities or work simplification? How well does the supervisor analyze and then put into effect improved and more efficient work processes? Does the supervisor plan improvements or changes and effect them in a logical and systemic manner?
25. **Scheduling and Coordination:** This is the next logical step and is a critical phase of the supervisor's function. Does the supervisor effect the necessary scheduling or rescheduling of work? Does the supervisor provide the necessary personal coordination of the work, not only among his/her subordinates, but, more importantly, between other work sections, departments, and divisions? When schedules are changed in some work areas, does the supervisor provide for the maintenance or adjustment of related work schedules elsewhere?
26. **Training and Instruction:** *Training* refers to orientation of new employees or to the demonstration and exploration of technical methods, procedures, and rules in which the new employee cannot be expected to be competent. It also refers to introducing permanent employees to changing materials, methods, procedures, and techniques, as well as improving basic qualifying skills to their highest potential level. *Instruction*, while allied to training, refers more to day-to-day, or periodic, surveillance and supervision of employee performance. It may be an occasional word about such things as telephone techniques, or how to put a sharper edge on a cutting tool; or it may be a planned, periodic get-together of a small group of employees during which effective methods, techniques, and standard procedures are explained, demonstrated, and reviewed. Does the supervisor plan and carry out a program of orientation and training for new employees? Does the supervisor provide for the correction of any technical skill deficiencies in new employees? Does the supervisor provide training for permanent employees in self-development programs?
27. **Productivity:** This factor is designed to measure the results achieved by the supervisor *and* his/her subordinates. Are all assigned functions of the supervisor and of the staff responsible to him/her accomplished? Completely? On time? Is the quality of work produced by the supervisor and his/her staff up to standard? Does the supervisor find ways to make up for the failures of others? Does the supervisor anticipate problems, or is he/she surprised and "caught short" when they arise?

28. **Evaluating Subordinates:** Measures the accuracy and manner in which the supervisor approaches and completes the formal evaluation of his/her subordinates. Does the supervisor exhibit a good balance of constructive criticism and praise in evaluating employees? Does the supervisor indicate **how** an employee's work may be improved when improvement is needed? Are his/her evaluations positive contributions to employee development? Are his/her evaluations consistently objective, fair, and accurate?
29. **Leadership:** Does the supervisor spur subordinates to their best efforts through example and force of personality rather than by relying on the authority of his/her position? Does the supervisor mold them into a group or team whose cooperative and willing endeavors surpass their individual performances collectively? Does the supervisor's intelligent exercise of leadership create an atmosphere in which employee attitudes are optimistic and positive, in which production potentials are consistently realized, and in which the goals of the organization are consistently met or exceeded?
30. **Operational Economy:** Evaluate the conservation of time and material. Is the supervisor truly budget conscious? Does the supervisor live within his/her budgets? Does the supervisor make careful and accurate budget estimates? Does the supervisor know, or periodically calculate, operational costs for units or phases of his/her operational responsibilities? Is the supervisor able to identify uneconomical procedures, methods, tools, or equipment? Does the supervisor recommend changed policies or procedures which might affect dollar economics?
31. **Supervisory Control:** Refers to the maintenance of order in all areas of supervisory jurisdiction. Do the supervisor's employees perform their duties and functions in an orderly and disciplined manner which is in harmony with the environment and which promotes work objectives? Do the employees have a clear understanding of expected behavior and performance standards? Is the supervisor "accepted" by his/her subordinates and in full control at all times?

Blank spaces have been provided for any supervisory factors the rater feels should be written in and included as additional determinates of supervisory effectiveness. These may come under the headings of particular qualities or skills, without which effective supervision cannot be achieved.

Factors such as oral or written expression, thoroughness, or accuracy may figure significantly in fulfilling the requirements of a particular position. Less tangible traits of character such as ***integrity, patience, and courage***, while they may be desirable and important, **do not themselves measure results, and, therefore, should be avoided as evaluation factors unless a direct relationship can be demonstrated.**

EVALUATING THE PROBATIONARY EMPLOYEE

The rater, in completing the final probationary evaluation, must check and sign the statement on the form as follows: *I do* or *I do not recommend this employee be granted permanent status.*

The probationary, or working test period, is the final and most important stage in the selection process of quality employees. A supervisor should have complete confidence that the probationary employee being evaluated fully meets or exceeds District performance standards in every important factor if he/she is to be recommended for permanent status.

Probationary employees may be released at any time during their first six months of service, without appeal, if, in the judgment of the supervisor, in conjunction with the Director of Human Resources, the dismissal is in the best interest of the District. Should the supervisor have a question in his/her mind as to the general fitness of the probationary employee, he/she should contact the Director of Human Resources for assistance and direction.

EVALUATING THE PERMANENT EMPLOYEE

The occasion for the annual performance evaluation of permanent employees provides a major avenue for two-way communication which may be available only in the privacy of a counseling interview. Allowing employees to tell you what goals they may have for their positions and for themselves provides an opportunity for you to establish with the employees those goals which will result in achieving or maintaining high levels of performance. In counseling permanent employees, it is essential to demonstrate how their work affects the continuing successful operation of the entire department, school, site, or District. Permitting employees to place their own work and accomplishments in an objective light and to cooperatively develop the performance goals will generate a higher level of commitment.

Experienced employees' ideas are often overlooked in planning and developing better organization and procedural methods. The performance evaluation interview provides an excellent opportunity to seek the advice of such employees in matters of work simplification, worker utilization, and procedural improvement.

EVALUATING THE SUPERVISOR

There are various levels and types of supervisory activity within the District organization. It is important when rating a particular supervisor to understand how and to what degree each of the factors applies to him/her.

Who is to be rated as a supervisor? For these purposes, a supervisor is one to whom the responsibility has been delegated to train, supervise, and evaluate other employees. This definition will necessarily eliminate a number of persons who, while they may direct some activities or provide a degree of technical supervision over other employees, have little or no authority to exercise control over other employees or direct responsibility for the results of their work. For the purposes of this report, an

employee who is not delegated the responsibility to complete and sign evaluation reports for other classified employees should not be evaluated as a “supervisor”.

DEFINITIONS AND DESCRIPTIONS

SUMMARY EVALUATION TERMS:



EXCEEDS STANDARDS

Total performance is **well above** normal standards for the position. This evaluation should be reflected by marks for critical factors in Section A, and superior or excellent performance shall be noted in Section B. Only a few employees would normally qualify for this rating.

EFFECTIVE – MEETS STANDARDS

Consistently competent performance, meeting or exceeding standards in all critical factors for the position. If margin is narrow and standards are barely met, explain in Section E. Most employees would be rated in this category.

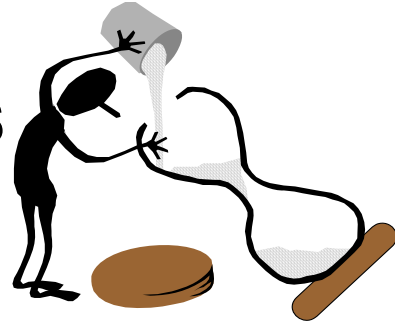
REQUIRES IMPROVEMENT

Total performance **periodically** or **regularly falls short of normal standards.** Specific deficiencies should be noted in Section E. This evaluation indicates the supervisor’s belief that the employee can and will make the necessary improvements.

NOT SATISFACTORY

Performance **clearly inadequate** in one or more critical factors, as explained or documented in Section E. Employee has demonstrated inability or unwillingness to improve or to meet standards. Performance not acceptable for position held. (Note: Such summary evaluation bars the employee from promotional examinations for one year.)

TIME LINES



Evaluation and Step Increases (*New Language per 2005/08 Contract*)

1. New Employees
 - a. Each new probationary employee shall be evaluated at the beginning of his/her sixth (6) month of regular employment. If the overall performance is deemed to meet or exceed standards, as indicated on the Classified Evaluation form, the supervisor shall recommend that the employee be granted permanent status. An overall performance that meets or exceeds standards contains no more than three marks indicating needs improvement and/or unsatisfactory. The supervisor shall recommend that the employee be given a one step increase, provided the employee was not hired at the E step. The step increment becomes effective on the first day of the month following the month in which the employee completed six working months of regular service. This date is used to establish the anniversary date for eligibility for succeeding step increases.
 - b. If the supervisor feels that the performance of a new employee does not warrant six (6) month permanent status and step increase, these items are withheld pending further evaluation by or before the beginning of his/her ninth (9) working month of regular employment. Based upon improvement in the employee's performance, as reflected in a subsequent special evaluation report, permanent status and step increase may be granted on the first day of any month from the seventh to the ninth working month of employment. This date then becomes the basis for establishing the anniversary date for eligibility for succeeding step increases.
 - c. If the employee does not attain permanence at the sixth (6) working month of employment, a final probationary evaluation shall be made at the end of the ninth (9) working month of service, signed by the supervisor and the employee, and submitted to the Personnel Office at the beginning of the tenth (10) month of regular employment.
2. Permanent Employees
 - a. A permanent employee serving a probationary period in a new classification following promotion or transfer shall be evaluated at the same intervals as a new employee.
 - b. If the permanent employee's performance in the probationary class is unsatisfactory, as indicated on the Classified Evaluation form, the employee shall revert to a permanent status in the class in which he/she holds permanency. The employee's former anniversary date and any step increase for which he/she would have been eligible if the employee had remained in the permanent class will be restored.
 - c. Commencing the second year of placement on the "E" step (or above) of the Classified Salary Schedule, employees shall be evaluated at least once every other year. The evaluation(s) shall be concluded on or before the employee's anniversary date.

GUIDELINES FOR CONDUCTING THE EVALUATION



WHEN

1. The performance interview should take place as **WELL IN ADVANCE** of the due date as possible. The longer the delay, the more the action will seem directed at the “letter” of the policy, rather than its “spirit”. Should negotiations input be required, the task of “depersonalizing” the interview will be all the more difficult.
2. Review of the employee’s **PERFORMANCE**. Consider **WHY** you evaluated the employee’s work as you did.
3. Determine what you want to **ACCOMPLISH** in the interview and **PLAN** your discussion accordingly. The main objective should center on **SPECIFIC PERFORMANCE FEEDBACK**. If the performance is already superior, the objective shifts to one of **COMMENDATION AND MAINTENANCE** of excellence.
4. Pick the right **DAY, TIME, PLACE**. Don’t conduct the interview too soon after a disciplinary action or reprimand. Pick a time when you’re in a good mood and when you have reason to believe the employee feels likewise.

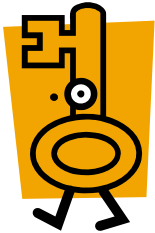
WITH WHOM

5. The interview should be conducted in **PRIVATE**, except when discipline is anticipated and the evaluatee’s request requires the presence of a representative. Be prepared to **MINIMIZE** anxiety and/or tension.

THE REVIEW

6. Create the impression that **YOU HAVE TIME** for the review and that you consider it **HIGHLY** important.
7. Make the employee feel that the review is a constructive, cooperative one by placing primary emphasis on his/her **DEVELOPMENT AND GROWTH**. Avoid any implication that the meeting was arranged for a warning or reprimand (unless, in fact, it was especially arranged for this purpose).
8. Talk about the employee’s **STRENGTHS FIRST**, covering each point in some detail. This helps start the interview off on the right foot. Remember that the aim is to **ENCOURAGE OR SUSTAIN** high quality performance, not to “chew out” the employee.

9. While building upon the employee's strengths, do not fail to discuss **SPECIFIC** failures or weaknesses and how to avoid/correct these in the future. Explore together suggestions for a specific improvement program here if the employee has not already volunteered good ideas of his/her own.
10. Be **OPEN MINDED** to the opinions and facts presented by the employee. Be willing to learn about the employee. Don't dominate or cross-examine. Avoid argument. Remember that the employee must do most of the talking at some points of the interview.
 - a. In bringing his/her opinions and feelings to your attention;
 - b. In gaining insight into his/her performance;
 - c. In identifying his/her own areas of needed improvement or potential growth, and in making plans to achieve such goals.



KEY POINTS IN CONSTRUCTIVE CRITICISM

1. **Positive Reinforcement** theory states that human behavior is controllable and can be guided by the right system of communications to desirable ends. Three specific techniques are:
 - a. Openly focus questions. Avoid yes/no answer alternatives. If allowed to respond with a "yes" or "no", employees tend to support their personal point of view or try to give the answers they think the supervisor wishes to hear. In either case, progress in resolving the issue will not be made.
 - b. Attempt to reiterate and paraphrase the statements made by the employee. Paraphrasing has the positive effect of both indicating to the employee that he/she is being understood and clearing up matters of misunderstanding when they occur.
 - c. Constructive silence. Listen to the employee; silence is a powerful tool in controlling conflict situations. It indicates to the employee that the interview is an honest exchange and that his/her point of view is being properly addressed. In addition, it provides the supervisor with first-hand and, perhaps, new information from which the pattern of communication builds. Listening is not the only non-verbal technique employed. Facial expressions, head nods, body movement and so on are allied devices which effectively augment listening.
2. **Scope of Criticism** is made possible by the role or posture supervisors adopt and the free flow of information occurring during the interview. Criticism serves several functions in the interview. First, it can be employed to check employees' arguments which are excessive and not in accordance with the facts. Second, it can lead to a better comprehension by employees of the extent or seriousness of their actions.

A. Focus On Behavior, Rather Than The Person.

Use adverbs which relate to actions, rather than adjectives which relate to qualities. Any time that we can judge the quality of others, we are, in a sense, being a parent. In other words, continue to describe what the desired performance is.

B. Make Observations, Rather Than Inferences.

Inferences are interpretations of behavior, while observations are what we can see or hear without interpretation. Again, we have an act of judging another's behavior by inferring certain things; while on the other hand, if we speak in terms of what we see or what we observe, we are merely stating facts and not making judgments.

C. Describe Behavior In Terms Of More Or Less, Rather Than Good Or Bad.

The *more* or *less* describes quantity, which is measurable; while statements of *good* and *bad* describe quality, which is subjective or judgmental. By describing a certain behavior we feel is acceptable, we may disagree with another person's interpretation, which provides the setting for a good argument.

D. Focus On Behavior Related To Specific And Recent Situations, Rather Than On The Abstract.

When we speak in general terms about what a certain behavior should be, without specific references, it means that our principles are inflexible.

E. Share Ideas And Information, Rather Than Giving Advice:

A cardinal rule in evaluative situations is ***never give advice***. Don't we each have enough problems of our own to solve without attempting to tell others how to solve theirs? Besides, giving advice to employees may obligate the District to the success or failure of the advice.

F. Explore Alternatives.

Refrain from cornering an employee with only one choice—a choice which may not fit his/her idea of a solution. By providing several alternatives, the employee can choose the best one for his/her own circumstances.

G. Stress The Employer/Employee "Contract" To Show Why Mutual Cooperation Is Necessary.

Employees must understand that their supervisors are simply acting as agents, that is, their responsibilities include evaluating employees according to already formulated rules and procedures.

H. Limit The Amount Of Different Information.

Don't confuse the employee. Provide only the necessary information upon which an employee may build his/her own solution.

I. Concentrate On What Is Said, Rather Than Why It Is Said.

Concentrating on why something is said may be a psychological trap. It is better to stick to the specific facts, rather than to speculate upon the "whys".

DECIDE ON A MUTUAL COURSE OF ACTION

1. A corrective action must fit the magnitude of the deficiency and be consistent with the practices of the District. Positive action must reinforce the evaluatee's growth.

IMPLEMENT THE ACTION

2. Be explicit as to what will take place (the corrective action, if any), and what the employee's procedure is to be.

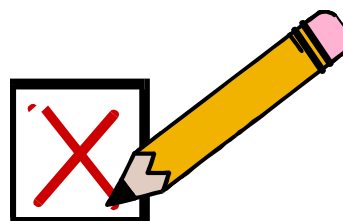
SUMMARY/CLOSURE

3. You should close when:
 - a. You have made clear whatever points you intended to cover;
 - b. The employee has had a chance to review his/her problem(s) or identify areas of desired growth;
 - c. Plans of action have been cooperatively developed; and
 - d. You and the employee are at a natural stopping point.


Always reassure the employee of your interest in his/her progress and indicate willingness to take up the discussion again at any time.



EVALUATION TECHNIQUES



1. Evaluations are an ongoing process.

Deal with concerns on a day-to-day basis. Do not allow yourself to be faced with a list of wrongdoings to dump on the employee at evaluation time. The evaluation should be a summary of items which have already been reviewed with the employee. It is sometimes helpful to keep a file for each employee into which you place notes of interactions you have had with the employee. At evaluation time, pull the file, and away you go! 

2. Evaluate behaviors, not traits or personality.

Discuss what is expected, and let the employee know what should be done in quantitative and qualitative terms. It is then less likely you will evaluate any personality flaws and more likely that you will note actual performance. Standards will help guide your observations.

3. Be honest and factual.

This is one helpful tactic in avoiding accusatory language: Don't say, "You're always missing deadlines." Instead, try, "Let's talk about why that report was late."

4. Be specific.

Explain the what, how, and why of needed improvement. Discuss the behavior and explain the consequences that will follow if improvement is not made.

5. Critique and compliment.

The employee should be reminded of strengths as well as weaknesses. As you praise, be sure to specifically mention particular talents.

6. Let the employee rate himself/herself.

Most people are more critical of their own behavior than someone else would be. It is then easier to lead into talking about a fault when you refer to their criticism.

MANAGEMENT RESPONSIBILITIES

CLASSIFIED PROBATIONARY

- ❖ Inform of expectations when hired.
- ❖ At any time during the probationary period, discuss any concerns that could potentially lead to termination of employment. See Article IX, C.2.b
- ❖ Observation, conference, and feedback at 2-3 month intervals during probationary period.
- ❖ Summary evaluation at beginning of sixth working month.
- ❖ Specific comments for areas of outstanding or marginal performance.
- ❖ Set goals and expectations for next evaluation period.
- ❖ Recommendation regarding merit increase.

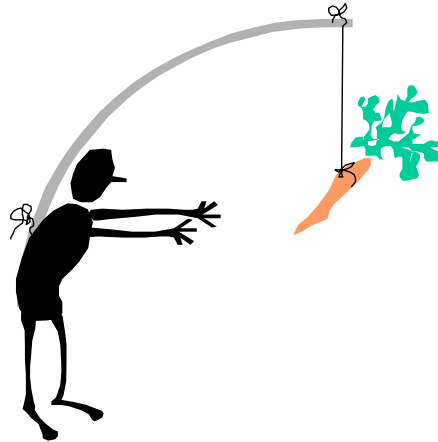


CLASSIFIED PERMANENT

- ❖ Review goals and clarify expectations during first month of **EACH** year.
- ❖ Frequent observations followed by specific feedback and suggestions for improvement throughout the year.
- ❖ Summary evaluation on or before anniversary date, including specific comments for outstanding and/or marginal performance. Establish goals and clarify expectations for next evaluation period. Evaluation forms and reminder of summary evaluation will be sent to managers several weeks prior to due date.

Note: *Classified employees may be terminated upon manager recommendation and concurrence of the Director of Classified Personnel, without rights of appeal, at any time in the probationary period, if that would be in the best interest of the District. Inform the Director of Classified Personnel of any major deficiencies or repeated minor deficiencies that occur within the probationary period.*

MOTIVATING EMPLOYEES



1. Give praise and encouragement. Be specific and be honest. Employees want administrators to be supportive and authentic.
2. Recognize and honor achievements. Again, authenticity is a must.
3. Assist in the setting of goals. Specific goals are superior to general goals.
4. Provide feedback: Let employees know how you view their work. Be diagnostic, not judgmental.
5. Stimulate employees with new ideas - i.e. workshops, visitations, etc.
6. Promote staff development and professional growth.
7. Share power, control. Promote self-determination.
8. Promote collaborative relations. Interact with colleagues regarding instruction, school management, office functions, etc.

DOCUMENTATION

INFORMAL CONFERENCE AND ORAL REPRIMAND

1. Includes a verbal warning in private.
2. Deals with minor infractions, misconduct, performance deficiency.
3. Employee is given a chance to correct the condition.
4. Employee is directed to meet expectations outlined by supervisor.
5. Make notes for supervisors file only.

CONFERENCE SUMMARIES

1. Include a written summary of a conference or series of conferences held to discuss the employee's performance.
2. Conferences are being held due to the seriousness of the offense.
3. Copy given to employee.
4. Copy to personnel file.
5. Employee has a right to respond.

LETTER OF REPRIMAND

1. A written summary of employee's pattern in disregarding oral and written warnings.
2. First infraction, but severe enough to warrant immediate disciplinary action. (May involve suspension or dismissal.)
3. The pattern or severe infraction is described in detail.
4. Contains dates, causes, specific charges, warnings, and expectations.
5. Copy of letter is given to the employee.
6. Copy to personnel file.
7. Employee has a right to respond.



DISCIPLINARY MEMOS

A disciplinary memo should contain all the significant elements surrounding an exceptional incident of employee behavior. When preparing the memo, review the following list to ensure that the memo is complete and accurate:

1. The memo must be prepared soon after the event which is being described and while the writer's memory of the incident is still fresh.
2. The memo must indicate the date, time, and location of the incident(s) which are being described.
3. The memo must be given to the employee soon after the incident that is the subject of the memo.
4. If at all possible, have the employee sign and date when he/she receives the memo.
5. The memo must describe the FACTS of the incident. A memo which is neutral or ambiguous in its affect upon the employee's job performance is worthless for disciplinary purposes.
6. The memo must show that the employee has performed poorly on a matter of importance or significance. A memo which is nit-picking or concerns only the periphery of the employee's performance places the memo writer in a poorer light than the employee.
7. The memo should indicate any rule, regulation, Board Policy, or provision in the collective bargaining agreement which the employee has violated.
8. The memo should note the adverse (or potentially adverse) consequences of the employee's action or behavior on his/her total work performance and/or the effect of his actions on others, i.e., the adverse effect to other employees, students, public, etc.
9. The memo must contain a direct statement that the employee is not to commit the act or engage in the same or similar behavior again.
10. The memo must contain definite suggestions on how the employee is to improve.
11. The memo must advise the employee of his/her right to prepare a written response to the memo.
12. In most cases, the incident giving rise to the memo must be the subject of a face-to-face conference between the employee and the evaluator/memo writer.

INFORMAL

TO: Johnny Come Lately
FROM: I. M. Wright
SUBJECT: Conference Summary
DATE: September 26, 2010

Thank you for meeting with me on September 23, 2010, regarding your sign-in requirements here at Utopia High School.

During our meeting, I noted my concern over your failure to sign in on August 14, 15, and 21, 2010, and September 11, 12, and 13, 2010. You indicated you intended to improve and comply with the sign-in requirement.

Please let me know if I can be of any further assistance to you in this regard.

FORMAL

TO: Joe B. Gone
FROM: Dan B. Supervisor
SUBJECT: Written Reprimand
DATE: September 26, 2010

This reprimand is being written as a result of your unauthorized absences from your work station. This is a reminder that further similar infractions of the rules on your part may be sufficient justification for further disciplinary action. Your record indicates that you received a written disciplinary warning on August 5, 2010. You subsequently were absent without authorization during your duty hours as follows:

1. On August 12, 2010, from 8:00 a.m. to 8:35 a.m. – unnecessary absence from your work station for 35 minutes.
2. On August 16, 2010, from 10:15 a.m. to 10:35 a.m. – unnecessary absence from your work station for 20 minutes.
3. On September 20, 2010, from 1:35 p.m. to 2:05 p.m. – unnecessary absence from your work station for 30 minutes.

You are directed to be at your work station continuously during work hours, except for regular breaks and for necessary brief absences to replace tools. Your scheduled breaks are from 10:00 a.m. to 10:15 a.m., 12:00 p.m. to 1:00 p.m., and from 3:00 p.m. to 3:15 p.m. All other absences from your work station will require prior approval from me or the designated supervisor.

This document will be placed in your personnel file. You have an opportunity to review and comment if you so desire. Ten (10) working days from the date of this notice, this document along with your written response, if any, will be placed in your personnel file.

REPRIMAND TECHNIQUES

In talking about positive motivation, we sometimes minimize the necessity of dealing with employees whose performance is unacceptable. But whether we like it or not, part of our jobs is to reprimand employees. Here are some techniques to help when it must be done.

1. **Don't try to lighten the moment.** Take the reprimand seriously. The moment you smile, even though you are trying to put the employee at ease, you have reduced your effectiveness. Smiling indicates approval, and you are talking about performance that does not have your approval.
2. **Don't "Gunny Sack".** *Gunny-sacking* is saving up all of your complaints and problems until the bag is full and then dumping it on the employee.
3. **Be specific.** Tell the employee what he/she did wrong. Tell him/her what you observed and how that differs from what you expected. Give them a chance to clarify the issue, but don't accept "excuses".
4. **Tell them how you feel** about what they did or did not do. If you are surprised, angry, or disappointed, tell them so.
5. **Put the reprimand into perspective.** You're reprimanding the employee for a specific situation, not for being a "bad person" or a "bad employee". Let them know you value their work in general and in other specific situations, though not in this area.
6. **Don't repeat the reprimand.** Once the reprimand is given, you've done it. Go back to work.



JUST CAUSE CONSIDERATIONS

California law requires that employees be disciplined “for cause” which means that there has to have been some justifiable reason the employee should receive discipline. These reasons are identified in Board Policy 4216.0. The following are questions administrators should ask themselves before moving to requesting that extended disciplinary action (suspension, demotion, dismissal) take place. By forcing him/herself to answer these questions in each case, the administrator will be in a better position to determine whether “just cause” exists. If such disciplinary action is grieved, and proceeds to arbitration, the arbitrator will examine similar factors in determining whether “just cause” justifies discipline. So, let’s take the proactive approach of developing and practicing solid and defensible employee relations skills.

1. Was the employee given forewarning or foreknowledge of the possibility of disciplinary action resulting from such conduct?

If a rule or regulation was violated, was the employee expected to be aware of such rule? Were the consequences outlined anywhere? How were the rules and penalties communicated to the employee and others?

2. Was the violated rule reasonable?

Did its mandates or prohibitions relate to the proper functioning of the District, and/or the expected job performance of the employee? What is the rationale justifying the rule’s existence.

3. Was the investigation of the employee’s conduct executed thoroughly and fairly?

Was every effort made to determine that the employee did, in fact, violate the rule or order? Was it discovered that management also had been at fault? Was the employee afforded due process, given an opportunity to explain his/her version? Does the contract specify any procedural requirements that must be followed prior to disciplining (e.g. notice); if so, were they fulfilled?

4. In the past, have the rules and penalties been consistently applied and without discrimination?

Have all employees who engaged in the same type of conduct been treated essentially the same? Has there been lax enforcement of the rule at issue?

5. Does the degree of discipline reasonably relate to the seriousness of the employee’s offense?

Is the employee’s length of service or prior job performance record a mitigating factor?

IDEAL DUE PROCESS PROCEDURES

1. Informal Conferences (A, B, F)
2. Informal Memo (B, C, F)
3. Conference with follow-up memo (A, C, D, E, F)
4. Letter(s) of Reprimand (A, C, D, E, F)
5. Formal Evaluation of Unsatisfactory Performance (A, C, E, F, G)
6. Suspension with pay (A, C, D, E, F, H)
7. Suspension without pay (A, C, D, E, F, H)
8. Dismissal charges (C, D, E, G, H)



- A = Verbal communication to employee.
- B = Maintain informal written notation to self.
- C = Written communication to employee.
- D = Written copy to Human Resources, noted as “copy to personnel file”.
- E = Offer appropriate staff assistance.
- F = Issue 90-day letter pursuant to Education Code 44933
- G = Requires Personnel action in cooperation with the Board of Trustees.



PREVENTING WRONGFUL TERMINATION CHARGES

DOCUMENTATION: THE ONLY DEFENSE

1. **PERIODICALLY REVIEW** all the applicable District documents dealing with employees. These would include personnel policy and procedures manuals, employee handbooks, training materials, memos, etc.
2. Beware of **VERBAL PROMISES** or representations which could be interpreted as a right to the job for life.
 - a. Provide **PROPER TRAINING** for management (including supervisory) personnel and everyone who is involved in pre-employment interviewing, supervision, and discharge authority.
 - b. Only the Board of Education has the authority to hire, contract, and terminate employees. Be careful not to insinuate that you have that authority.
1. **IMPLEMENT fair policies, reviews, and evaluations.**
 - a. Educate managers on **IMPORTANCE OF REVIEWS.**
 - 1) **CONSEQUENCES** of ostensibly arbitrary or subjective action.
 - 2) Possibility of **JUDICIAL SCRUTINY.**
 - 3) Probability that **ORAL STATEMENTS** to employees may be deemed promises and construed as contractual obligations.
 - b. Conduct reviews **CANDIDLY, OBJECTIVELY, AND UNIFORMLY.**
 - c. Focus on the District's **STANDARDS OF PERFORMANCE.**
 - d. Focus on the individual's **APPLICATION OF STANDARDS.**
 - e. Use progressive **DISCIPLINE SYSTEM**, even at the managerial level.
 - 1) Before the employee begins work, provide an orientation to the job which includes verbal description and a written document.

- 2) Give **ORAL** followed by **WRITTEN NOTICE** of unsatisfactory performance, including expectations of improved performance and the possibility that **LACK OF IMMEDIATE AND SUSTAINED IMPROVEMENTS** could result in termination.
- 3) **DOCUMENT DEFICIENCIES**, before and after a warning, and place in personnel file.
- 4) Allow employee **REASONABLE TIME PERIOD** to improve.
- 5) **INVESTIGATE** whether circumstances beyond the control of the employee could have prevented elimination of the deficiency.
- 6) Be sure application of this discipline is **CONSISTENT** with District Policy.

2. BEFORE ACTING, **CONSIDER** THE FOLLOWING IN MAKING TERMINATION DECISIONS:

- a. Are there fairness and legal grounds for firing?
- b. Did employee receive written notice of deficiency, expected performance level, and potential consequences?
- c. Did the employee have adequate time and sufficient control to eliminate the deficiency?
- d. Does the personnel file adequately substantiate the employer's claim?
- e. Did District Policy and past practice dictate this result?
- f. Will the complexity of the case require consulting a labor attorney?
- g. Did the employee's longevity or other factors necessitate a final warning or a probationary period?

**Personnel
Classified****Disciplinary Action****4216 Causes**

In addition to causes enumerated in the California Education Code, any of the following causes shall be deemed sufficient cause for the types of disciplinary action described in this Policy.

1. Incompetence or inefficiency in the performance of duties.
2. Insubordination, including, but not limited to, the refusal or failure to perform assigned duties or comply with rules and regulations and reasonable orders issued by competent authority in a reasonable time and manner.
3. Excessive absence from duty for reasons not authorized by District Policies, or failure to give suitable notification when detained from work.
4. Carelessness or negligence in the performance of duty or in the care or use of District property or another's property.
5. Discourteous, offensive, or abusive conduct or language toward other employees, pupils, or the public.
6. Possession or use of alcoholic beverages on school property or reporting for work affected in a visible manner by the consumption of alcoholic beverages.
7. Dishonesty.
8. The use of any narcotic or dangerous drug prohibited by law.
9. Conviction of crime involving moral turpitude.
10. The use of tobacco in any form at any time or place on school district property.
11. Fraud or willful misstatement of material facts in securing employment.
12. Membership in the Communist Party or any other organization which advocates overthrow of the government of the United States or the State of California by force, violence, or other unlawful means, with knowledge that said organization advocates such action and with specific intent to further such action.
13. Exhibiting a consistent pattern of misconduct, action jeopardizing student welfare, evidence of malice, and/or continued use of bad judgment.

**Personnel
Classified****Disciplinary Action****4216.1 Less Severe Types of Disciplinary Action**

Oral warnings and written reprimands are types of disciplinary action which are taken by a District official having administrative supervision over the employee disciplined. A permanent employee who wishes to appeal such an action, may do so by delivering a written statement within ten (10) days outlining objections to the Director of Classified Personnel. The Director of Classified Personnel shall then investigate the action and recommend to the Superintendent whether the action be sustained or reversed. The decision of the Director to sustain or reverse the action shall be final.

- A. **Oral Warning** – An oral warning shall consist of an interview with the employee to discuss the problem, to listen to the employee and to discuss solutions. The employee is to be thoroughly informed of the error and told what is expected in the future. Action of this type may be taken by any District official having administrative supervision over the employee.
- B. **Written Reprimand** – A written reprimand shall contain a statement in ordinary and concise language of the specific acts and omissions upon the action and, if it is claimed that an employee has violated a rule or regulation, such rule or regulation shall be quoted in the correspondence. The letter shall contain specific information regarding dates, time, and place of the acts and concerns and meetings to discuss the concerns and listening to the employee's response. The letter shall also fully inform the employee of the severity and possible consequences of the noted action. This type of action may be taken by any District official having administrative supervision over the employee. Copies of letters of reprimand will be furnished to the next higher level of administrative authority and to the Director of Classified Personnel for the individual's personnel file.

4216.2 Short Term Suspension

- A. A *short term suspension* means the temporary removal of an employee from duty without pay for a period of one to five working days.
- B. A short term suspension may be recommended by any District official having administrative supervision over the employee. Such recommendations shall be made, in writing, to the Director of Classified Personnel.
- C. The Director of Classified Personnel may order a short term suspension for employees who persistently engage in activities which are causes for disciplinary action, after the employee has received both an oral warning and a written reprimand. Short term suspensions may also be ordered for employees whose discipline related activities are so severe as to reasonably expect that an oral warning or written reprimand would be inappropriate under the circumstances.

Disciplinary Action (continued)

- D. If a permanent employee wishes to appeal a short term suspension, he/she may do so by, within ten days, delivering a written statement outlining the objections to the Superintendent/designee. The Superintendent/designee shall then investigate the matter and render a decision to sustain or reverse the action. The decision of the Superintendent/designee shall be final.

4216.3 More Severe Types of Disciplinary Action

A. Definitions

Long Term Suspension means the temporary removal of an employee from duty without pay for a period longer than five (5) working days. A suspension may be effective either as discipline for an act or acts of omission or commission constituting cause for discipline under section 4216, or pursuant to the commencement of proceedings for the dismissal of an employee under the conditions prescribed by section 4216.3 E.

Demotion means reduction of an employee from a given class (or group of similar positions combined under a common title) to a class having a lower salary rate.

Dismissal means separation, discharge, or permanent removal of an employee from his/her position for cause in accordance with the provisions of the California Education Code and these rules.

B. Procedure – Permanent Employee

Procedures for the suspension, demotion, or dismissal of employees who have achieved permanent status shall be commenced and prosecuted as follows:

1. The Superintendent of the District shall issue a written recommendation to the Board of Education stating the nature and extent of the discipline recommended, the alleged causes for discipline as specified in section 4216, and the factual charges upon which such cause is alleged to be based.
 - a. The recommendation shall constitute notice to the employee of the fact that discipline has been recommended, and of the charges.
 - b. The recommendation shall also include a statement of the right of the employee to request a hearing on the charges and the time within which such a hearing may be requested.

Disciplinary Action (continued)

- c. The recommendation, together with a written form by which a hearing may be requested, shall be served upon the employee either personally or by United States Mail, with return receipt requested, and addressed to the employee at his/her last known residential address.
 - d. The recommendation, with proof of service attached, shall also be filed with the official records of the Board of Education.
2. The employee shall be authorized to request a hearing on the charges by filing a written request therefore within not less than ten (10) days after the date of service of the notification upon him or her.
3. In the event a hearing is not requested within the time specified above, the employee shall be deemed to have waived all rights to a hearing. The recommendation shall be considered by the Board of Education; and the Board of Education shall, in its discretion, take such action as it deems appropriate.
4. In the event the employee requests a hearing within the time specified above and in the recommendation, a hearing shall be scheduled and conducted either by the Board of Education, or, at its discretion, a State Hearing Officer. If the hearing is conducted by a State Hearing Officer, said Officer shall conduct a hearing, prepare the proposed Findings of Fact and Conclusions of Law, and submit them, together with a recommended decision, to the Board of Education for review and consideration. The procedure specified by the California Administrative Action, commencing at section 11500 of the Government Code shall not be applicable to disciplinary proceedings commenced against permanent employees, whether the hearings are conducted by the Board of Education or a State Hearing Officer. With respect to hearings conducted by a State Hearing Officer, the Board of Education shall be the sole and final judge of the quantity of the evidence and the severity of the charges to warrant the discipline, if any, which the Board of Education deems is appropriate.

Upon receipt of Proposed Findings of Fact and Conclusions of Law and recommendations from the Hearing Officer, the Board of Education shall be authorized, but not required, to procure a transcript of the hearing and make findings of fact and conclusions of law based upon its review of the transcript, or receive additional evidence and make findings of fact in addition to those submitted by the Hearing Officer. The Superintendent/designee shall prosecute the charges in support of discipline and shall carry the burden of proof in any hearing.

Disciplinary Action (continued)

5. The Superintendent/designee shall be authorized to suspend an employee without pay pursuant to the commencement of and during the pendency of proceedings in which he recommends that the discipline be dismissal. Such a suspension pursuant to the commencement of dismissal proceedings shall be authorized only when, under the circumstances of the particular case, the Superintendent determines that the continued service of the employee, pending the proceedings, would either:
 - a. Endanger the safety or well-being of students, staff, or property of the District; or,
 - b. Otherwise be detrimental to the efficient operations of the District during the time the proceedings are pending.

Any suspension pursuant to the commencement of dismissal proceedings ordered by the Superintendent/designee shall be stated in the recommendation, and shall not be effected until the Superintendent has mailed proposed charges to the last known residential address of the employee and offered the employee an opportunity for an interview in order to discuss the proposed charges.

A. Procedure – Probationary Employee

At any time prior to the expiration of the probationary period, the Board of Education may, in its discretion, dismiss a probationary employee from the employ of the District. A probationary employee shall not be entitled to a hearing and shall not be entitled to a written statement of the reasons for the dismissal.

4216.4 Effect of Appeal Upon Loss of Salary

If any disciplinary action resulting in loss of salary is wholly reversed, or the severity of discipline imposed is partially reversed, the appellant employee shall be entitled to complete or partial reinstatement, as the case may be, and shall be entitled to that salary forfeited by virtue of that portion of the disciplinary action which was overruled, less salary received by said employee from other sources during the period the employee was off work by virtue of the overruled disciplinary action.

Revised: December 6, 1994; November 7, 1990; August 4, 1981; February 17, 1976; February 16, 1971; February 17, 1970

FCUSD/CSEA CONTRACT AGREEMENT (EXCERPT)

July 1, 2006 – June 30, 2008

ARTICLE IX – OTHER TERMS AND CONDITIONS OF EMPLOYMENT

C. Employment

1. Permanency is achieved only if acceptable performance standards are met during the probationary period.
2. Probationary Status
 - a. The serving of a probationary period is a part of qualifying for permanency in: 1) the classified service and 2) a class within that service. The term of probation in each case is (9) working months. When an employee attains permanency in the service and has not yet attained permanency in a class because of a change of class during his/her first year, he/she shall be considered permanent in the lower class until such time as he/she attains permanency in a class by virtue of completion of nine (9) working months of probationary service in that class.
 - b. Immediately following a probationary appointment, the supervisor shall discuss the standards of performance and behavior required of the employee and thoroughly explain what is expected of him or her. Performances and conduct shall be carefully reviewed and evaluated by the respective supervisors during probationary periods. At any time during the probationary period, the supervisor should discuss with the probationary employee any concerns that could potentially lead to termination of his/her employment in the District. The supervisor should meet personally with the employee a(and provide written follow up), clearly identifying the specific concerns, providing suggestions for improvement, and plainly communicating that the concerns, if not addressed, could cause the termination of employment within the probationary period.
 - c. Probationary status may be terminated at any time within the nine (9) working months period by action of the Superintendent/Designee, and without any right of appeal by the employee. Upon such termination, a new employee is released from District employment; a permanent employee in a new classification reverts to the permanent status of his/her former classification. An employee whose probationary status is terminated by the Superintendent/Designee shall be notified in writing of the action.
3. Permanent Status
 - a. In the Classified Service

- 1) Permanency in the classified service is a status in which dismissal or disciplinary actions are subject to right of appeal by the employee, and in which he/she has seniority retention rights in case of layoffs for lack of work or funds.
- 2) New employees shall attain permanency in the classified service upon competent, satisfactory completion of nine (9) working months of regular service. Credit for temporary service as authorized by District Policy 4217.3B, may be counted as regular service for this purpose.

b. In a Class

- 1) Permanency in a class is a status in which an employee has the right of appeal in case of demotion.
- 2) An employee shall attain permanency in a class upon completion of nine (9) working months of regular competent, satisfactory service in positions within that class. Temporary service in a position to which an employee subsequently received a regular appointment will be counted provided there has been no break in service. If promotion occurs within that year the time served in the new classification will be counted toward permanency in the initial classification.

c. Extra Help

- 1) It is recognized that unit employees and the District occasionally experience frustrations due to short term peak workloads, extra work due to training needs, seasonal workload requirements and during emergency situations. To provide mutual relief for these frustrations, the District may, as funds are available, employ and provide extra help employees for periods up to 60 cumulative working days in a fiscal year. Extra help employees shall be classified as probationary employees if they are employed for a period of time exceeding sixty (60) cumulative working days in a fiscal year.

D. Evaluation and Step Increases

1. New Employees

- a. Each new probationary employee shall be evaluated at the beginning of their sixth (6) working months of regular employment. If the overall performance is deemed to meet or exceed standards, as indicated on the Classified Evaluation form, the supervisor shall recommend that the employee be granted permanent status. An overall performance that meets or exceeds standards contains no more than three marks indicating needs improvement and/or unsatisfactory. The supervisor shall recommend that the employee be given a one step merit increase, provided the employee was not hired at the E step. The step increment becomes effective on the

first day of the month following the month in which the employee completed six working months of regular service. This date is used to establish anniversary dates for eligibility for succeeding step increases.

- b. If the supervisor feels that the performance of a new employee does not warrant the six (6) month permanent status or merit increase, these items are withheld pending further evaluation by or before the beginning of their ninth (9) working month of regular employment. Based upon improvement in the employee's performance, as reflected in a subsequent special evaluation report, the permanent status and merit increase may be granted on the first day of any month from the seventh to the ninth working month of employment. This date then becomes the basis for establishing anniversary dates for succeeding merit increases.
- c. If the employee does not attain permanence at the sixth (6) working month of employment, a final probationary evaluation shall be made at the end of the ninth (9) working month of service, signed by the supervisor and the employee, and submitted to the Classified Personnel Office at the beginning of the tenth (10) month of regular employment.

2. Permanent Employees

- a. A permanent employee serving a probationary period in a new classification following promotion or transfer shall be evaluated at the same intervals as a new employee.
- b. If the permanent employee's performance in the probationary class is unsatisfactory, as indicated on the Classified Evaluation form, the employee shall revert to a permanent status in the class in which he/she holds permanency. The employee's former anniversary date and any merit step increase for which he/she would have been eligible if the employee had remained in the permanent class will be restored.
- c. Commencing the second year of placement on the "E" step (or above) of the classified salary schedule, employees shall be evaluated at least once every other year. The evaluation(s) shall be concluded on or before the employee's anniversary date.