

## **CLASSIFIED SERVICE – EVALUATIONS**

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### **General Information**

Pursuant to Policies and Procedures section 500.11, outlined below is a system to evaluate the qualifications of classified service personnel for the purpose of retention, promotion and dismissal.

In the event the procedures of sections V and VI differ with the procedures of a lawfully executed collective bargaining contract between this District and a classified bargaining unit, the contract shall prevail.

Evaluation is a continuous appraisal procedure to continue through the professional life of an employee. Its purpose is to provide the best possible program of instruction or services for the students and to stimulate the professional growth of the employee.

The categories of factors to consider when evaluating an employee are designated on the evaluation forms and include: quality and quantity of work, knowledge of job, work habits and attitudes, personal characteristics and supervisory skills. The category of supervisory skills appears only on the supervisory employee evaluation forms.

### **Ratings**

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|----------------------|---|
| 1. Meets Standards   | Indicates that work is satisfactory   |
| 2. Needs Improvement | Indicates need for additional growth in order to meet standards for the position  |
| 3. Not Satisfactory  | Indicates that great improvement must be made in order to meet standards; that performance is not of the quality acceptable for continuing employment |

### **Recommendations to the evaluator**

To ensure that evaluations are accurate, it is recommended that the evaluator:

1. Consider whether employee is a new employee and the growth of the particular employee;
2. Be frank, honest and considerate at all times;
3. Recognize good work and give praise when it is due;
4. Be able to justify the evaluation with sufficient professional evidence;
5. Hold frequent conferences with the employee to discuss performance, both competencies and deficiencies;
6. Communicate in writing recommendations for improvement;
7. Follow up with help after recommendations have been made;
8. Request the assistance of other personnel when needed;
9. Have knowledge of contracts and evaluation process

The American Management Association suggests the following conditions to prepare for an effective appraisal interview:

1. Preparation – Always prepare any appraisal interview well in advance. This should be reviewed with your superior before holding the interview with the employee. All appraisal materials, including preliminary and final evaluations, observation and conference sheets, should be typewritten or completed neatly in ink. Legibility and reproductive quality is necessary for future reference and duplication.
2. Objectivity – An employee's performance should be based on job-related duties and tasks as they relate to performance standards. The manager should discuss strengths and weaknesses in performing the job and not resort to making comparisons with other workers or allow one's personal likes and dislikes to influence the objectivity of the appraisal.
3. Candor – The manager should inform the employee during the interview exactly how well or how poorly the employee is meeting the job performance standards. The appraisal interview or conference should not be

shaded to the bright side. The verbal discussion should focus on the deficiencies cited. This affords the employee an opportunity to ask questions and seek ways to improve the weakness to at least a satisfactory level.

4. Time – Appraisal interviews or conferences should be scheduled to allow sufficient time for both the interviewer and interviewee to interact in the discussion without being cut short or interrupted.
5. Privacy – The manager must hold the conference or appraisal interview in a location that ensures complete privacy from interruption or eavesdropping. What is said should be only between the manager and the employee.

### **Holding Conferences**

The District encourages evaluators to hold conferences after every formal observation/evaluation. During an evaluation conference, the District recommends that the evaluator discuss frankly and honestly with the employee the areas where work is satisfactory as well as where improvement is needed.

Pursuant to Education Code section 44031, evaluators must afford employees notice of information of a derogatory nature and offer them the opportunity to review and comment thereon before entering the information or filing it into a personnel file.

The employee receiving a negative review should date and sign the evaluation. Signing the form, however, does not necessarily mean that the employee concurs with the evaluation but does show that it has been seen and discussed.

If an employee refuses to sign a form, the evaluator should give the employee a copy of the form with the following statement attached:

Employee refused to sign but was given a copy on date.

The evaluator should sign the form. A witness, if available, also should sign the form.

Where the evaluatee is not in agreement with the evaluation, she/he should file a written rebuttal not later than ten (10) days following receipt of the evaluation.

Following review by the personnel office, forms shall be filed in the employee's personnel file in Personnel Services. An evaluation may be updated or amended at any time by following the required procedures and filing the evaluation in Personnel Services.

Pursuant to Education Code section 44031, the employee upon his or her request may see all evaluations in his or her personnel file. This 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.

### **Schedules for Evaluation of Classified Service**

All probationary employees should be evaluated twice a year (preliminary and final).

Usual timelines for submitting evaluations are as follows:

1. Preliminary evaluations before December 15;
2. Final evaluations before April 1.

Recommended guidelines for submitting evaluations for employees hired after preliminary evaluations have been submitted are:

1. Preliminary evaluations 30-60 days after employment;
2. Final evaluations before the end of the school year.

Permanent employees are evaluated every other year as follows:

1. Last names "A" through "M" in years beginning with odd number, i.e., 1993-94
2. Last names "N" through "Z" in years beginning with even number, i.e., 1994-95

Where deficiencies warrant additional observation/evaluation permanent employees shall be evaluated in consecutive years until satisfactory ratings are achieved or until the employee is dismissed.

**For permanent employees: If all marks are in the "Meet Standards" column the preliminary evaluation may also serve as the final.**

### **REGULATIONS GOVERNING TERMS OF EMPLOYMENT FOR CLASSIFIED SERVICE EMPLOYEES**

(Education Code section 45113: The governing board of a school district shall prescribe written rules and regulations governing the personnel management of the classified service, which shall be printed and made available to employees in the classified service.)

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### **New Probationary Employees and Permanent Employees Who Become Probationary Upon Reclassification**

A new employee, or a permanent employee who is changed to a new classification, shall serve a probationary period which shall not exceed one (1) year of duty time exclusive of leaves of absence or other absences. During this probationary period the employee must meet the required standards of performance to be recommended for permanent status in the classification. A probationary classified service employee may be terminated from the probationary classification at any time without cause, without right of appeal or hearing before the Board of Education.

Pursuant to Education Code section 45113, a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position, shall be employed in the classification from which he or she was promoted.

### **Permanent Employees**

Classified service employees who satisfactorily meet the required standards of performance for their probationary period shall be designated by the Board of Education as permanent employees of the district. Examinations may be given to determine the qualifications of classified service personnel for the purpose of retention, promotion or dismissal. Examinations may be both written and oral and may include a practical demonstration of skill or ability (Policies and Procedures section 500.11).

### **Status of Permanent Employees – Policies and Procedures Section 500.11**

Classified service employees serving the school district in a permanent status may not be dismissed except for one or more of the following causes:

1. Absence without leave
2. Conviction of any criminal act involving moral turpitude
3. Conduct unbecoming an employee in the public service
4. Disorderly or immoral conduct
5. Incapacity due to mental or physical disability to be determined by a medical examination
6. Incompetency or inefficiency
7. Insubordination
8. Consumption of alcoholic beverages or intoxication while on duty
9. Neglect of duty

10. Negligence or willful damage to public property or waste of public supplies or equipment
11. Fraud in securing appointment
12. Revocation of any license which is required for employment
13. Dishonesty
14. Addiction to use of narcotics or habit-forming drugs
15. Discourteous treatment of the public or other employees
16. Violation of or refusal to obey the school laws of the state or reasonable regulations prescribed by the State Board of Education or by the Board of Education
17. Falsification of the application record or other records required by the district
18. Necessary reduction in staff or abandonment of position
19. Political activities engaged in by an employee during assigned hours of employment
20. Conviction of a serious crime by a court of law; failure to disclose material facts regarding criminal records; or other false or misleading information on application forms or examination and employment records concerning material matters
21. Frequent unexcused absence or tardiness
22. Illness leaves when habitually taken for trivial indispositions
23. Failure to report for review of criminal records or for health examination after due notice
24. Advocacy of overthrow of the Government of the United States or the State of California by force, violence or other unlawful means
25. Knowingly becoming or knowingly remaining a member of the Communist Party on or after November 12, 1952.

Upon recommendation of the department head or administrator in charge, permanent classified service employees may be dismissed, suspended or reclassified by the Superintendent of Schools pending a report to the Board of Education (Policies and Procedures section 500.11) for any of the charges specified above. The superintendent shall give notice of intention to dismiss a permanent classified service employee for cause at the expiration of two (2) weeks from the date of service of the notice. Said notice shall be in writing, stating the charges made and shall be served upon the permanent classified service employee personally or by United States registered mail, addressed to him or her at his or her last known address. Said employee shall have a right to file an appeal and demand a hearing by the Board of Education within five (5) days from the date of service of said notice. Should said employee fail to file an appeal and demand a hearing, he or she shall be dismissed upon expiration of the aforesaid period of two (2) weeks. Upon filing of said notice of appeal, the Board of Education shall hold a hearing at which time applicant may appear personally, produce evidence and have counsel.

The Board of Education shall, within a reasonable time after completion of the hearing determine a verdict. The verdict of the Board of Education shall specify a finding as to each reason charged. By specific decision the Board of Education may affirm, revoke or modify the order and the superintendent shall forthwith enforce and follow the Board of Education's decision. If the employee is found innocent of the charges, then he must be restored forthwith to his previous position with all rights and privileges pertaining thereto and with full back pay and related benefits for the time lost.

Upon the filing of written charges, duly signed and verified by a person filing them with the Board of Education, or upon written statement of charges formulated by the Board of Education charging a permanent classified service employee of the district with immoral conduct, a felony or crime involving morale turpitude, or violation of section

1028 of the Government Code on sections 12952 to 12958 inclusive of the Education Code, the Board of Education may immediately suspend the employee from his or her duties and instruct the superintendent to give notice to him or her of the suspension and that two (2) weeks after service of said notice s/he will be dismissed unless s/he demands a hearing.

The governing board's determination of the sufficiency of the cause for disciplinary action shall be conclusive (Education Code section 45113). No disciplinary action shall be taken for any cause which arose prior to the employee's becoming permanent nor for any cause which arose more than two (2) years preceding the date of the filing of the notice of cause unless such cause was concealed or not disclosed by such employee when it could be reasonably assumed that the employee should have disclosed the facts to the employing district.