

**Chula Vista Educators**

**Counter Proposal**

**To Chula Vista Elementary School District**

~~**April 26, 2023**~~

**May 31, 2023**

**ARTICLE 35. EVALUATION**

It is understood and agreed by the parties, the principle objectives of evaluation are to recognize strengths, to increase teacher effectiveness through a growth mindset, to assess the implementation of effective teaching strategies and programs, and to influence decisions about continued support.

Psychologists will follow the evaluation agreed upon in Article 50.

The parties agree Counselors, Speech Language Pathologists, and other certificated unit members not otherwise outlined herein will be evaluated under this model using no more than two (2) mutually agreed upon national and/or state professional standards.

~~**Note: Evaluation procedures for nurses are pending.**~~

**General Provisions**

35.1 Probationary and temporary employees shall be evaluated annually. Permanent employees who have worked for the District for fewer than 10 years at the time of their most recent evaluation shall be evaluated every two years. Employees who have worked for the District for at least 10 years at the time of their most recent evaluation shall be evaluated at least every five years if they: (1) receive an overall rating of Met **or Approaching** in each of the two standards/elements on the CSTP Goal Setting Sheet and (2) the employee and the evaluator agree to the 5-year evaluation cycle. The employee and/or the evaluator may withdraw consent at any time.

**35.1.a Missed deadlines or other procedural defects by the evaluator during the evaluation process shall trigger an immediate satisfactory evaluation for the evaluated permanent teacher. The District shall provide the teacher a letter stating they have a satisfactory evaluation for the school year in question and place a copy of said letter in the unit member's personnel file.**

**35.1.b Missed deadlines or other procedural defects by the evaluator during the evaluation process shall trigger a satisfactory evaluation for the evaluated probationary teacher. The parties understand and agree that a satisfactory evaluation for a probationary teacher does not change the District's right to timely non-reelect a probationary teacher.**

35.2 All meetings related to employee evaluations shall be conducted during the employee's duty day unless mutually agreed upon between the evaluator and the employee.

35.3 The employee's evaluator shall take action to assist in correcting any cited deficiencies. Such action shall include specific recommendations for improvement, direct assistance in implementing such recommendations, and adequate release time for the employee to visit and observe other similar classes in other schools if the evaluator(s) and employee believe such observations would eliminate noted deficiencies.

### **Scope of Evaluation: Certificated Teaching Staff**

35.4 **Employee Evaluation.** By no later than the employee's **seventh fourteenth** duty day in a school year during which the employee is to be formally evaluated, the evaluator(s) will notify the employee of the evaluation and forms, including methods for monitoring progress, to be used in the areas to be covered in the evaluation. By the **seventh fourteenth** duty day, the evaluator shall provide the employee access to the following resources:

- 35.4.1 Self Assessment of CSTP and Self Assessment Guide Continuum of Teaching Practice (Standard/Element 1.4, 2.6, 3.1, 4.3, 5.4, **6.3**)
- 35.4.2 CSTP Goal Setting Sheet
- 35.4.3 CSTP Rubric Observation Form
- 35.4.4 Summary Evaluation Form
- 35.4.5 Evaluation Direction Sheet
- 35.4.6 Professional Growth Timeline
- 35.4.7 Employee Job Description
- 35.4.8 Current Core Content Standards
- 35.4.9 State Curricular Frameworks
- 35.4.10 District-Adopted Curriculum

35.5 The areas to be evaluated are based on the California Standards for the Teaching Profession and shall be limited to the following:

35.5.1 Standard 1 Engaging and Supporting All Students in Learning. Element 1.4 Using a variety of instructional strategies, resources, and technologies to meet students' diverse learning needs

35.5.2 Standard 2 Creating and Maintaining Effective Environments for Student Learning. Element 2.6 Employing classroom routines, procedures, norms and supports for positive behavior to ensure a climate in which all students can learn

35.5.3 Standard 3 Understanding and Organizing Subject Matter for Student Learning. Element 3.1 Demonstrates knowledge of

subject matter, academic content standards, and curriculum framework

35.5.4 Standard 4 Planning Instruction and Designing Learning Experiences for All Students. Element 4.3 Developing and sequencing long-term and short-term instructional plans to support student learning

35.5.5 Standard 5 Assessing Students for Learning. Element 5.4 Uses assessment data to establish learning goals and plans, differentiate, and modify instruction.

35.5.6 Standard 6 Developing as a Professional Educator. Element 6.3 Collaborating with colleagues and the broader professional community to support teacher and student learning.

## **Permanent Status Teachers**

### ***Beginning of the Year Goal Setting Meeting***

35.6 Within the first six weeks of the school year, or of the employee's start date, the evaluator shall hold an initial meeting with the employee to review the The Goal Setting Sheet, and review each of the ~~five~~**six** Standard/Elements including all Possible Indicators found on CSTP Rubrics.

35.6.1 The employee shall prepare for the goal setting meeting with the evaluator by completing the initial Self Assessment of CSTP sheet and CSTP Goal Setting Sheet.

35.6.2 The employee shall select two Standard/Elements, on which to be evaluated.

35.6.3 At the conclusion of the goal setting meeting, both the evaluator and the employee will receive a copy of the Goal Setting Sheet and CSTP Rubrics.

### ***On-Going Monitoring***

35.7 Monitoring is used to gather data in order to assist the employee in successful job performance. All written feedback shall be documented on the CSTP Rubric Observation Forms. Student achievement data may only be used to establish learning goals and to plan, differentiate, and modify instruction. When an evaluator is monitoring or observing the work or performance of an employee, no deliberate attempts shall be made to prevent said employee from knowing of such occurrence. Techniques for monitoring shall include, but not limited to, at least two of the following:

35.7.1 Employee-requested classroom observations for specific CSTP Goals selected.

35.7.2 Evaluator-requested classroom observations for specific CSTP Goals selected.

35.7.3 Impromptu classroom observations.

35.7.4 Video recording may be used with employee consent ~~and using the employee's own recording device.~~ (Recordings are to be used for evaluation purposes only.)

35.7.5 Other forms of monitoring mutually agreed upon.

35.7.6 The primary purpose of the security cameras and related technologies are to enhance the safety of students and staff and to assist in the prevention of thefts and vandalism and not to evaluate the performance of employees or to monitor their behavior or conduct. The District will not engage in video surveillance for arbitrary or capricious reasons. The use of security footage will not infringe on the privacy rights of

unit members. **This does not preclude the District from using recordings to respond to or report criminal activity.**

35.8 First observation and post conversation will be held by the end of October or eight weeks from the Initial Meeting. The evaluator will provide formal written feedback to the employee using the notes section of the CSTP Rubric Observation Form. A copy of the CSTP Rubric Observation Form shall be provided to the employee at the end of each meeting.

35.8.1 Formal written feedback on the CSTP Rubric Observation Form shall be individualized to the employee, dated and will be in the form of email or written observations that provides the employee notice of the practices and behaviors observed, how it impacts students, and recommendations. The employee may respond to any written feedback. If the evaluator fails to provide written feedback within ten (10) working days, the District agrees not to use the information from that specific formal observation for summative evaluation purposes.

35.9 Prior to the end of Quarter Two, a second observation and post conversation will be held. If no concerns are noted the evaluator(s) may mark Met or Approaching on the CSTP Rubric Observation Form. The employee shall complete the Self Assessment form. Both parties will complete and sign the Summary Evaluation Form.

### **Continuation of Monitoring**

35.10 If concerns are noted, the evaluator must document and meet with the employee to discuss concerns with the employee's performance. Concerns shall be documented, and the employee has received the formal written feedback and support required in 35.7 and support as outlined in 35.3.

35.11 If an employee has not been marked Overall Met or Approaching by the end of the Second Quarter, a Third Observation and post conversation is required prior to the end of February or eight weeks after the second observation and post conversation. The evaluator and employee shall

review progress on the CSTP Rubric Observation Form. If the evaluator(s) marks Met or Approaching the employee fills out the End of Cycle Self-Assessment Sheet.

35.12 In the case the employee has Not Met, a fourth observation and post conversation will be held by April 30 or eight weeks after the third observation and post conversation. If no concerns are noted the evaluator(s) may mark Met or Approaching on the CSTP Rubric Observation Form. The employee shall complete the End of Cycle Self-Assessment Sheet.

### **Conclusion of Evaluation Year**

35.13 No later than thirty days prior to the end of the employee's final contracted work day, the evaluator will meet with each employee being evaluated to review the Summary Evaluation Form. Employee and evaluator shall sign the Summary Evaluation Form. The employee's signature on the Summary Evaluation Form does not signify agreement, but only documents that the meeting was held and the Summary Evaluation Form was reviewed. One copy of the Summary Evaluation Form will be given to the employee and one copy will be sent to Human Resources to be placed in the employee's personnel file. The evaluator will mark eligibility for the five year evaluation cycle for the upcoming school year for any employee meeting the conditions outlined in Article 35.1.

35.13.1 The employee has until June 30<sup>th</sup> of the current year to file a written response with Human Resources, which will be attached to the Summary Evaluation Form in the employee's personnel file. The evaluator shall receive a copy of the employee's response.

### **Grievability of Evaluations**

35.14 The evaluation is subject to the grievance procedure to the extent that these guidelines and procedures have not been followed.

### **2-Year Evaluation Cycle Permanent Status**

35.15 2-Year Evaluation Cycle: to qualify, the employee must meet the criteria outlined in 35.1.

35.15.1 2-Year Evaluation Cycle: the employee received an overall rating of Not Met (NM) on one of the Standards/Elements on the Summary Evaluation Form.

35.15.2 Yearly Evaluation Cycle: the employee received an overall rating of Not Met (NM) on both of the Standards/Elements on the Summary Evaluation Form.  
(Mandatory PAR)

### **Scope of Evaluation: Probationary and Temporary Certificated Teaching Staff**

35.16 **Employee Evaluation.** By no later than the employee's **seventh fourteenth** duty day in a school year during which the employee is to be formally evaluated, the evaluator(s) will notify the employee of the evaluation and forms, including methods for monitoring progress, to be used in the areas to be covered in the evaluation. **Missed deadlines or other procedural defects by the evaluator during the evaluation process shall trigger a satisfactory evaluation for the evaluated probationary teacher. The parties understand and agree that a satisfactory evaluation for a probationary teacher does not change the District's right to timely non-reelect a probationary teacher.**

By the **seventh fourteenth** duty day, the evaluator shall provide the employee access to the following resources:

35.16.1 Self Assessment of CSTP (Standard/Element 1.4, 2.6, 3.1, 4.3, ~~and~~ 5.4, **and 6.3**)

35.16.2 CSTP Goal Setting Sheet

35.16.3 CSTP Rubric Observation Form



- 35.16.4 Summary Evaluation Form
- 35.16.5 Evaluation Direction Sheet
- 35.16.6 Professional Growth Timeline
- 35.16.7 Employee Job Description
- 35.16.8 Current Core Content Standards
- 35.16.9 State Curricular Frameworks
- 35.16.10 District-Adopted Curriculum
- 35.16.11 California Standards for the Teaching Profession

35.17 The areas to be evaluated are based on the California Standards for the Teaching Profession and shall be limited to the following:

35.17.1 Probationary 1/Temporary teachers will be evaluated on **two three** of the **five six (6)** Focus Standards/Elements on the CSTP Goal Setting Sheet.

35.17.2 Probationary 2 will be evaluated on the remaining three **(3)** Focus Standards/Elements on the CSTP Goal Setting Sheet.

- a. Temporary teachers who are rehired at the same site for a second year will be evaluated on the remaining three Focus Standards/Elements on the CSTP Goal Setting Sheet.

35.17.3 Using a variety of instructional strategies, resources, and technologies to meet students' diverse learning needs (Standard 1, Element 1.4)

35.17.4 Employing classroom routines, procedures, norms and supports for positive behavior to ensure a climate in which all students can learn (Standard 2, Element 2.6)

35.17.5 Demonstrates knowledge of subject matter, academic content standards, and curriculum framework (Standard 3, Element 3.1)

35.17.6 Developing and sequencing long-term and short-term instructional plans to support student learning (Standard 4, Element 4.3)

35.17.7 Uses assessment data to establish learning goals and plans, differentiate, and modify instruction (Standard 5, Element 5.4)

35.17.8 Collaborating with colleagues and the broader professional community to support teacher and student learning. (Standard 6, Element 6.3)

### ***Beginning of the Year Goal Setting Meeting***

35.18 Within the first four weeks of the school year, or of the employee's start date, the evaluator shall hold an initial meeting with the employee to review the The Goal Setting Sheet, and review each of the five Standard/Elements including all Possible Indicators found on CSTP Rubrics.

35.18.1 The employee shall prepare for the goal setting meeting with the evaluator by completing the initial Self Assessment of CSTP sheet and CSTP Goal Setting Sheet.

35.18.2 The employee shall select the Standard/Elements, on which to be evaluated.

35.18.3 At the conclusion of the goal setting meeting, both the evaluator and the employee will receive a copy of the Self Assessment of CSTP Sheet, the Goal Setting Sheet and CSTP Rubrics.

### ***On-Going Monitoring***

35.19 Monitoring is used to gather data in order to assist the employee in successful job performance. All written feedback shall be documented on the CSTP Rubric Observation Forms. Student achievement data may only be used to establish learning goals and to plan, differentiate, and modify instruction. When an evaluator is monitoring or observing the work or performance of an employee, no deliberate attempts shall be made to prevent said employee from knowing of such occurrence. Techniques for monitoring shall include, but not limited to, at least two of the following:

35.19.1 Employee-requested classroom observations for specific CSTP Goals selected.

35.19.2 Evaluator-requested classroom observations for specific CSTP Goals selected.

35.19.3 Impromptu classroom observations.

35.19.4 Video recording may be used with employee consent. ~~and using the employee's own recording device.~~ ( Recordings are to be used for evaluation purposes only.)

35.19.5 Other forms of monitoring mutually agreed upon

35.20 First observation and post conversation will be held by the end of October or eight weeks from the Initial Meeting. The evaluator will provide formal written feedback to the employee using the notes section of the

CSTP Rubric Observation Form. A copy of the CSTP Rubric Observation Form shall be provided to the employee at the end of each meeting.

35.20.1 Formal written feedback on the CSTP Rubric Observation Form shall be individualized to the employee, dated and will be in the form of email or written observations that provides the teacher notice of the practices and behaviors observed, how it impacts students, and recommendations. The employee may respond to any written feedback. If the evaluator fails to provide written feedback within ten (10) working days, the District agrees not to use the information from that specific formal observation for summative evaluation purposes.

35.21.1 Prior to the end of Quarter Two, a second observation and post conversation will be held.

35.21.2 Prior to the end of Quarter Three, a third observation and post conversation **will may** be held for all probationary and temporary employees.

### **Conclusion of Evaluation Year**

35.22 No later than thirty days prior to the end of the employee's final contracted work day, the evaluator will meet with each employee being evaluated to review the Summary Evaluation Form. Employee and administrator shall sign the Summary Evaluation Form. The teacher's signature on the Summary Evaluation Form does not signify agreement, but only documents that the meeting was held and the Summary Evaluation Form was reviewed. One copy of the Summary Evaluation Form will be given to the employee and one copy will be sent to Human Resources to be placed in the employee's personnel file.

35.22.1 The employee has until June 30<sup>th</sup> of the current year to file a written response with Human Resources, which will be attached to the Summary Evaluation Form in the employee's personnel file. The evaluator shall receive a copy of the employee's response.

## **Continuation of Monitoring**

35.23 If concerns are noted, the evaluator must document and meet with the employee to discuss any concerns with the employee's performance. Any concerns shall be documented, and the employee has received the formal written feedback required in 35.19.

35.24 The evaluator and employee shall review progress on the CSTP Rubric Observation Form. If the evaluator(s) marks Met or Approaching the employee fills out the End of Cycle Self-Assessment Sheet.

35.25 In the case the employee has Not Met, a fourth observation and post conversation will be held by April 30 or eight weeks after the third observation meeting. If no concerns are noted the evaluator(s) may mark Met or Approaching on the CSTP Rubric Observation Form. The employee shall complete the End of Cycle Self-Assessment Sheet.

## **Scope of Evaluation: Nurses**

### **General Provisions**

**35.26 Nurses who have worked for the District for at least ten (10) years at the time of their most recent evaluation shall be evaluated at least every five (5) years if they: (1) receive an overall rating of Met or Approaching in each of the three Areas of Review. (2) the nurse and the evaluator agree to the 5-year evaluation cycle. The nurse and/or the evaluator may withdraw consent at any time.**

**35.26.1 Nurses on Probationary Status: Evaluation cycle will continue the following school year.**

**35.26.2 Permanent Status with less than ten years: Evaluation cycle with Approaching or Mets, will advance to 2-Year Evaluation Cycle.**

**35.27 By no later than the employee's fourteenth duty day in a school year during which the employee is to be formally**

evaluated, the evaluator(s) will notify the employee of the evaluation and forms, including methods for monitoring progress, to be used in the areas to be covered in the evaluation. By the fourteenth duty day, the evaluator shall provide the employee access to the following resources:

**35.27.1 Job Description of School Nurse**

**35.27.2 CSNO Position Statement on the Role of CSN**

**35.27.3 Support materials list**

**35.27.4 Health Office Organization checklist**

**35.27.5 Direction sheet**

**35.27.6 Summary Evaluation Sheet**

**35.28 Areas of Review shall be limited to the following:**

**35.28.1 Area 1: Performance of health service providers duties and responsibilities.**

**35.28.2 Area of Review 2: Adheres to District, State, and Federal Guidelines.**

**35.28.3 Area of Review 3: Professional Relationships with Students, Parents, and Colleagues.**

### **Beginning of the Year Meeting**

**35.29 Within the first six(6) weeks of the school year, or of the employee's start date regardless of status, the evaluator shall hold an Initial Meeting with the employee to review the The Nurse Evaluation Form and review each of the three Areas of Review.**

### **Monitoring of Areas to Review**

**35.30 First Meeting to monitor the Areas of Review will be held by the**

**end of the second quarter or twelve weeks from the Initial Meeting. The evaluator will provide feedback to the employee using Nurse Evaluation Form. A copy of the Nurse Evaluation Form shall be provided to the employee at the end of each meeting.**

**35.30.1 Second Meeting of Areas of Review if needed, will be held by the end of quarter three.**

**35.30.2 Final Meeting the Evaluator will meet with the employee for a final meeting to sign off on paperwork. This will occur no later than 30 days prior to the end of the employee's contracted workday.**

#### **Rubric for Evaluation Form**

**35.31 Any nurse with 2 or 3 Mets and no Not Mets in the Areas of Review will not need a second meeting.**

**35.32 Any nurse with 2 or more Approaching in any of the three Areas of Review will constitute a second meeting.**

**35.33 A Not Met rating in any Area of Review, regardless of the other ratings, will constitute a second meeting.**

#### **Continuation of Monitoring**

**35.34 If by the end of the school year, any of the three Areas of Review are marked Not Met, then the evaluation continues the following school year.**