

<b>DESCRIPTOR TERM:</b>  <b>Personnel and Employment</b>	<b>Millard District Policy</b> <b>File Code: 4410</b>  <b>Approved: 12-12-19</b>
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## **CLASSIFIED EMPLOYEE EVALUATIONS**

### ***Purpose***

The Millard School District recognizes that the quality of public education can be improved and enhanced with systematic, fair, and competent evaluation of all public school employees and remediation of those whose performance is unsatisfactory. Documentation of an employee's job performance is helpful in maintaining satisfactory levels of work and achievement, and in providing opportunities for planning and communication between the employee and the immediate supervisor.

### **A. Definitions**

1. **Board** refers to the Millard School District Board of Education.
2. **Career Employee** means an employee of the Millard School District who has obtained a reasonable expectation of continued employment. Classified Employee positions eligible for career employee status in the District include: full-time (5.75 hours/daily or more) maintenance, custodial, transportation, lunch and secretarial workers. Career Employee status is obtained upon the successful completion of at least three (3) full consecutive academic school years with the District as a provisional employee.

[\*Utah Code Ann. § 53G-11-503 \(2018\)\*](#)

3. **Classified Employees** are all employees of the District who are non-licensed educators.
4. **Plan of Assistance** is a written document identifying a career employee's specific area(s) of unsatisfactory performance and detailing recommendations and strategies for improvement that includes: specific, measurable, and actionable deficiencies; the available resources that will be provided for improvement, including a mentor; and a recommended course of action that will improve the career employee's performance.

5. **Probationary Employee** means an employee of the Millard School District who, under board policy, has been advised by the District that the employee's performance is unsatisfactory.
6. **Provisional Employee** means an employee of the Millard School District who has not achieved career employee status in the District. A provisional employee is hired on an individual, one-year contract; and is not a temporary employee. Provisional employees have no expectation of continued employment beyond the current one-year contract term. Provisional employees are employed at will and their employment can be terminated at the discretion of the Board of Education. Provisional employees include classified employees who work for the District less than 7.5 hours per day, such as instructional assistants and instructional specialists, as well as part-time lunch workers, custodians, and secretaries, etc.

[Utah Code Ann. § 53G-11-503 \(2018\)](#)

7. **School Administrator** means an educator serving in a position that requires a Utah Educator License with an Administrative area of concentration and who supervises employees.
8. **Summative Evaluations** are evaluations that are completed every fifth year for career employees.
9. **Temporary Employee** is an employee employed on a temporary basis. Temporary employees also include seasonal employees who are employed for less than the full academic year. An appointment of a temporary employee may not be for a period of time greater than one year. Temporary employees are employed at the will of the District and have no expectation of continued employment. Their employment may be terminated any time without cause. Temporary employees are neither career nor provisional employees.

[Utah Code Ann. § 53G-11-503 \(2018\)](#)

10. **Unsatisfactory Performance** means a deficiency in performing work tasks, which may be:
  - a. due to insufficient or undeveloped skills, lack of knowledge or aptitude, poor attitude, or insufficient effort; and
  - b. remediated through training, study, mentoring, practice or greater effort.

11. **Valid and Reliable Measurement Tool** means an instrument that has proved consistent over time and uses non-subjective criteria that require minimal interpretation.

[Utah Code Ann. § 53G-11-507\(1\) \(2019\)](#)

## **B. Classified Employee Evaluation Program Committee**

1. To develop, support, monitor and maintain the classified employee evaluation program, the Board shall establish a committee comprised of classified employee representatives, administrators, and parents.
  - a. Representatives of the classified employees shall include personnel from the following departments: Maintenance/ Custodial, Transportation, Secretarial, Lunch and Paraprofessional, and shall be appointed by the leadership of the Classified Employee's Association of the District.
  - b. Administrator representatives shall be appointed by the District Superintendent, with input from the Classified Employee's Association.
  - c. Parent representatives shall be appointed by the District Superintendent, with input from the Classified Employee's Association.
2. The Board shall adopt a classified employee evaluation program in consultation with the Classified Employee Evaluation Program Committee.
3. The evaluation program developed by the committee must comply with the requirements of the Public Education Human Resource Management Act ([Title 53G Chapter 11](#)) and rules adopted by the State Board of Education.

[Utah Code Ann. § 53G-11-506](#)

## **C. Classified Employee Evaluation Program Components**

Millard School District's Classified Employee Evaluation Program, adopted by the Board in consultation with the Classified Employee Evaluation Program Committee, shall include the following components:

1. a reliable and valid evaluation program consistent with generally accepted standards for personnel evaluation systems;

2. the evaluation of provisional employees in at least twice in their first year of employment; the annual evaluation of all classified employees annually.
3. systematic evaluation procedures for both provisional and career employees;
4. administration of an employee's evaluation by:
  - a. the school administrator;
  - b. the school administrator's designee; or
  - c. the employee's immediate supervisor; and

**D. Classified Employee Evaluation Procedures**

1. As part of the District's evaluation procedures, all classified employees:
  - a. Participate in the annual observation process.
    - i. Evaluations occur annually for all classified employees.
    - ii. All observations are conducted by school administrators, the school administrator's designee, or the employee's immediate supervisor.
    - iii. At the option of the employee or school administrator, the observation process may be repeated more often than the cycles listed above.
  - b. Meet annually (by April 15<sup>th</sup>) with their school administrator or designee to review the year's observations and the results of the employee evaluation.
  - c. May present evidence to support, clarify, or refute the results of the employee evaluation. Evaluators may exercise this privilege as well.

**E. Evaluation Timelines and Review of Evaluation**

1. The person responsible for administering a classified employee's summative evaluation shall:

- a. at least fifteen (15) calendar days before an employee's first evaluation:
    - i. notify the employee of the evaluation process; and
    - ii. give the employee a copy of the observation instrument; and
  - b. within fifteen (15) calendar days after the evaluation process is completed, discuss the written evaluation with the employee; and
  - c. allow the employee to make written response to any part of the evaluation and attach the employee's response to the evaluation; and
  - d. following any revision of the written evaluation made after the discussion:
    - i. give a copy of the written evaluation and attachments to the employee; and
    - ii. file the evaluation and any related reports or documents in the employee's evaluation personnel file (located at the District Office). A file copy may be retained by the building level administrator as well.
2. A classified employee who is not satisfied with a evaluation may request a review of the evaluation within fifteen (15) calendar days after receiving the written evaluation. The request is made to the District Superintendent.
- a. If a review is requested by a classified employee, the superintendent or the superintendent's designee shall appoint a person, not an employee of the District, who has expertise in personnel evaluation to review the evaluation procedures and make recommendations to the superintendent regarding the employee's summative evaluation.
  - b. Nothing in this section prevents the employee and/or superintendent (or the superintendent's designee) from agreeing to another method of review.

[Utah Code Ann. § 53G-11-508 \(2020\)](#)

**F. Addressing Deficiencies and Providing a Plan of Assistance**

1. The person responsible for administering the employee's evaluation shall give the employee whose performance is unsatisfactory or in need of improvement, a written document clearly identifying a plan of assistance that includes:
  - a. specific, measurable, and actionable deficiencies;
  - b. the available resources that will be provided for improvement, including a mentor; and
  - c. a recommended course of action that will improve the employee's performance.
2. The employee is responsible for improving his or her performance, including using any resources identified by the District, and demonstrating acceptable levels of improvement in the designated areas of deficiencies. Failure to make improvement may result in probation or termination.
3. Subsections (1)(b), (1)(c), and (2) above do not apply if the employee's unsatisfactory performance was documented for the same deficiency within the previous three (3) years and a plan of assistance was implemented, as provided in Subsections E and J of Policy 4170 - Orderly School Termination for Employees.

[Utah Code Ann. § 53G-11-512 \(2020\)](#)

**G. Classified Employee Evaluation Framework**

1. Aligned with Board expectations, standards, and policies, the classified employee evaluation framework shall:
  - a. be based on rigorous performance expectations;
  - b. establish and articulate performance expectations for all employees; and
  - c. include valid and reliable measurement tools.
2. Evaluation instruments adopted by the District shall:
  - a. use valid, reliable, and research-based measurement criteria for all employee evaluations;

- b. provide data that may be considered by the Board to inform decisions about employment and professional development.
3. Discussion, collaboration and protection of confidentiality with employees regarding the evaluation process shall:
- a. provide for clear and timely notice to employees of the components, timelines and consequences of the evaluation process; and
  - b. protect personal data gathered in the evaluation process.
4. Records and documentation of required employee evaluation information shall:
- a. include the evaluation of all career and provisional employees at least once each year;
  - b. provide for the evaluation of all provisional employees, at least twice yearly; in their first year of employment;
  - c. include a plan for recognizing outstanding employees;
  - d. identify potential employment consequences, including discipline and termination, if an employee fails to meet expectations; and
  - e. include a review or appeals process for a career employee to challenge the conclusions of the summative evaluation that provides for adequate and timely due process.

[Utah Code Ann. § 53G-11-512 \(2020\)](#)

5. A copy of all completed formative and summative evaluations, together with written responses, documents, and reports shall be filed in the employee's evaluation personnel file. These records are housed at the District Office. Evaluations will be retained three years beyond the employee's term of employment. All records shall then be destroyed.