



Central California Conference Office of Education

Documentation Refresher

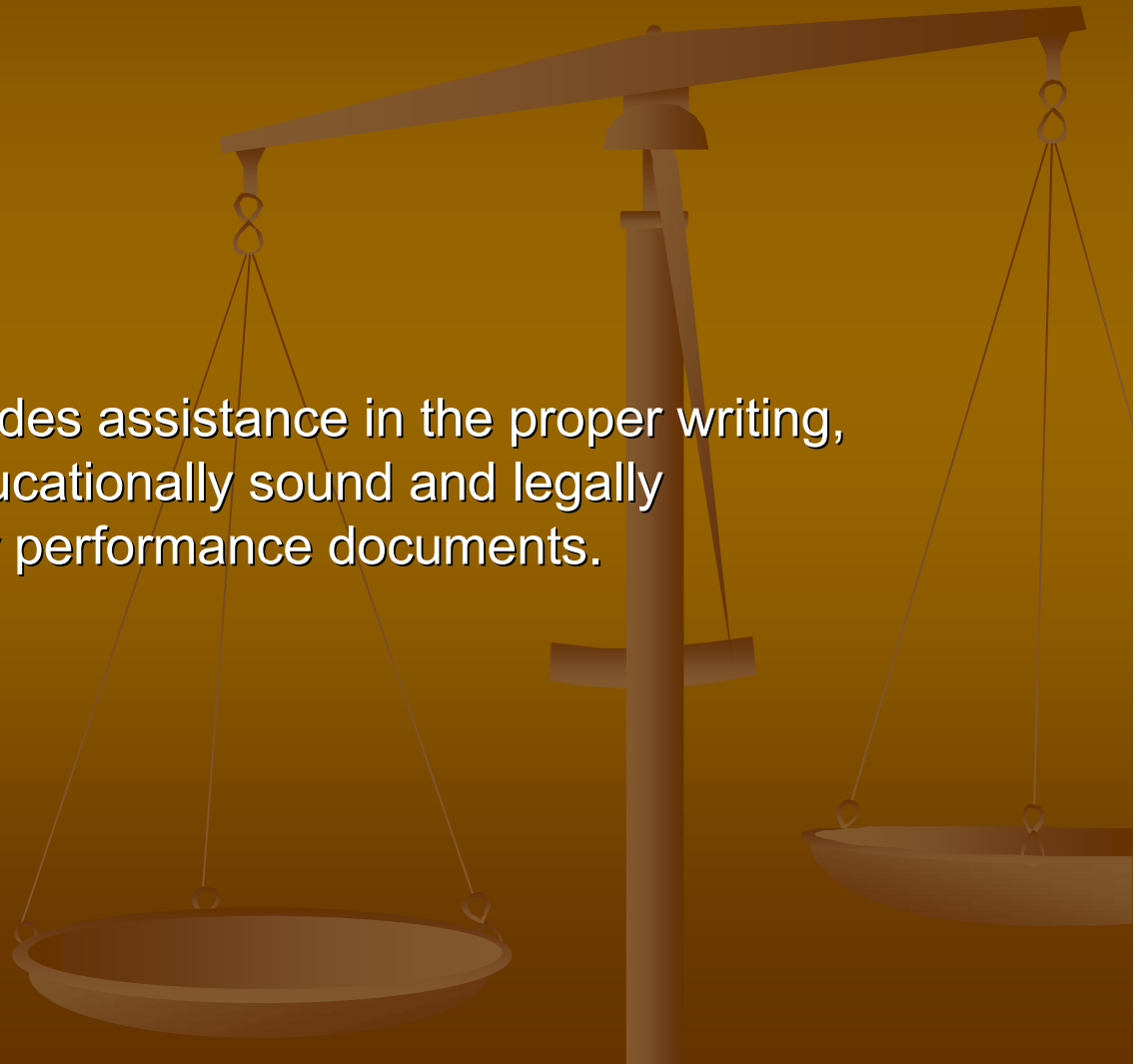
A PowerPoint document designed to assist principals working with teachers who demonstrate less than satisfactory performance.

© Norman Powell

Documentation Refresher

Introduction

This refresher provides assistance in the proper writing, filing, and using educationally sound and legally appropriate teacher performance documents.



Documentation Refresher



Introduction, continued

This refresher is divided into four parts. You will have options to proceed through these four sections in a sequence or at a time according to your needs.

However, it is important to recognize that the principles in **all** of these sections must be followed in order to be successful*.

*In this context, “successful” is defined as the ability to defend personnel decisions through appeals or legal challenges**.

**When faced with cases of gross misbehavior such as criminal activity, sexual misconduct or child abuse, etc. contact your superintendent immediately.

Navigation Options

You may proceed through this refresher in one of two ways:

1. Proceed sequentially through this PowerPoint refresher using the traditional PowerPoint method (mouse click or forward arrow.)
2. Navigate according to topics of interest using selected navigation "buttons" on selected screens:



-  PROCEED to the specified topic or screen.
-  RETURN to the Table of Contents.

Table of Contents



■ 1. Due Process

- Are there some underlying principles that govern performance documentation?



■ 2. Evaluation Files

- What do I need to know about filing and maintaining evaluation documents?



■ 3. Documentation Steps

- What do I do when I first have concerns about a teacher's performance? What do I do next?



■ 4. Writing File Documents

- How do I make sure that the documents I write will stand scrutiny?

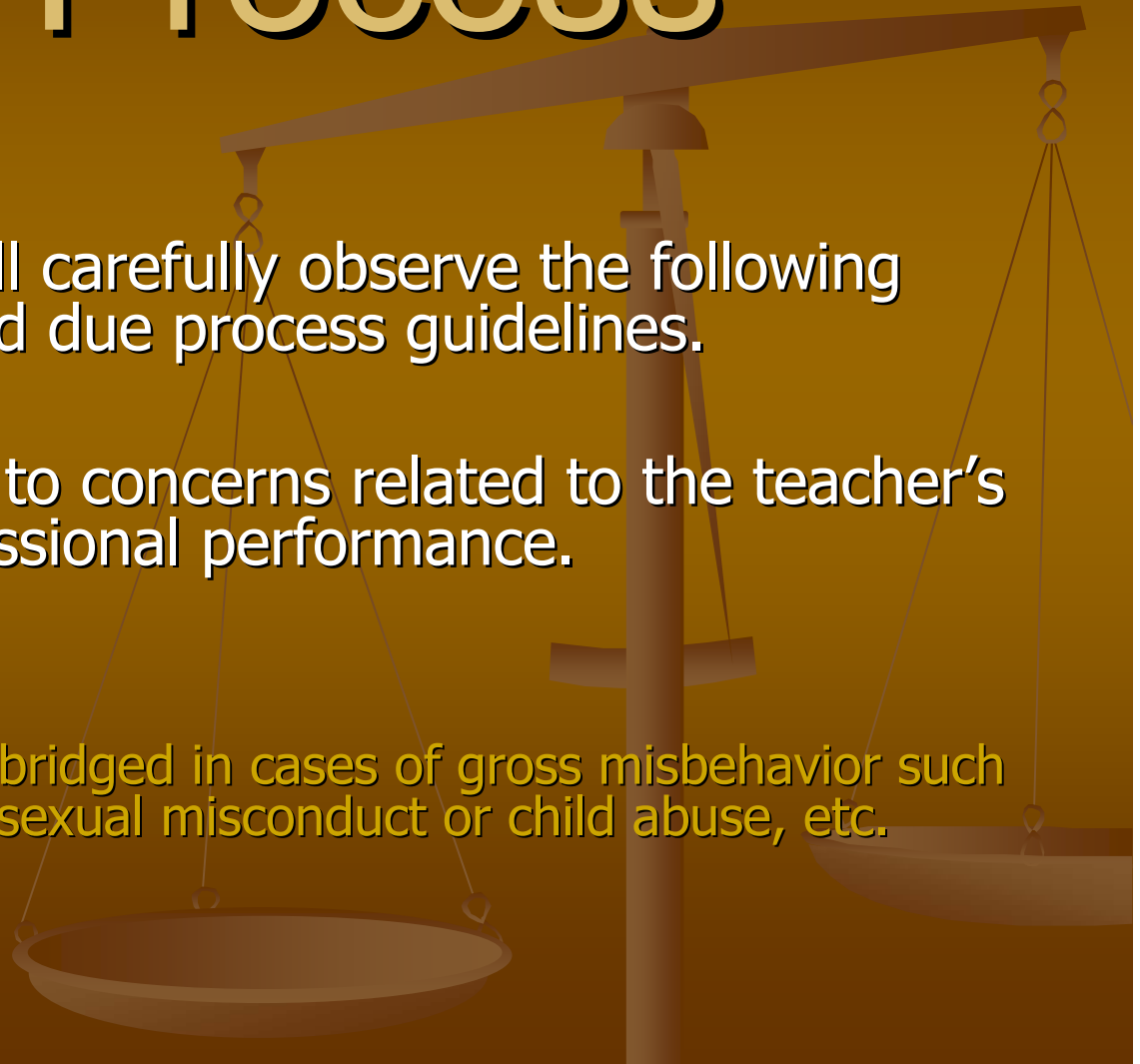
Part 1

Due Process

Effective leaders will carefully observe the following established due process guidelines.

These guidelines apply to concerns related to the teacher's professional performance.

*These guidelines may be abridged in cases of gross misbehavior such as criminal activity, sexual misconduct or child abuse, etc.



A: Identify Specific Concerns

1. Concerns about a teacher's performance must be based on:
 - The conference's published performance standards or
 - Contractual issues.
2. These concerns must be clearly communicated to the teacher.
3. Communication must be objectively* stated.

* You may wish to review the section "Writing File Documents"



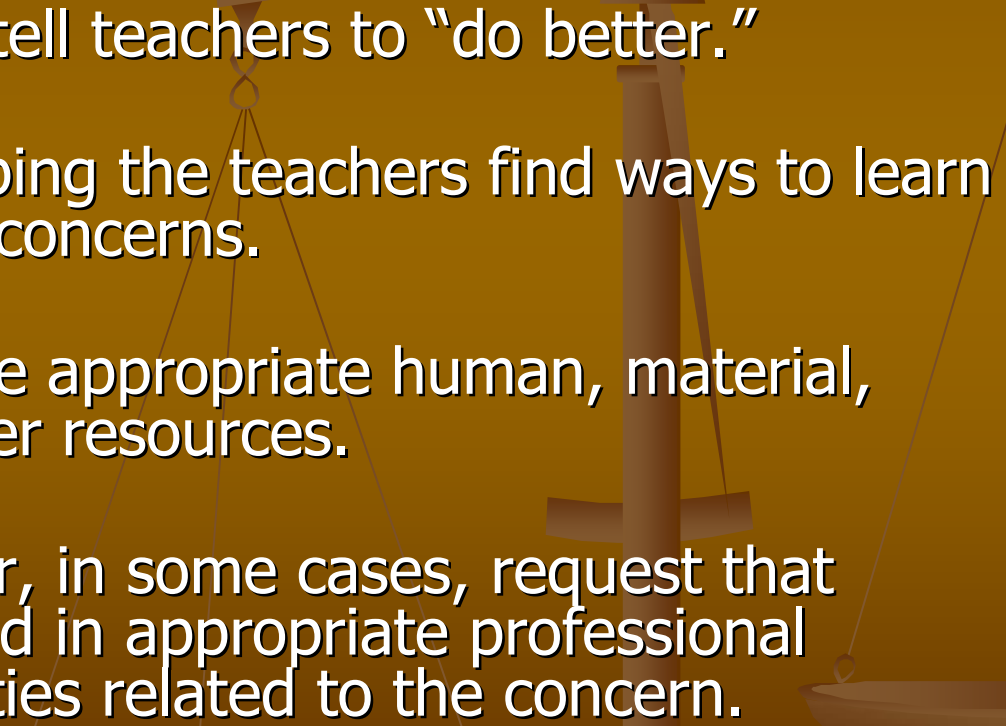
B: Document the Concerns

1. Documentation must be maintained that demonstrates the nature of the concern.
2. Documents must consist of objective data.

You may wish to review the section "Documentation Steps"



C: Provide Appropriate Remedies

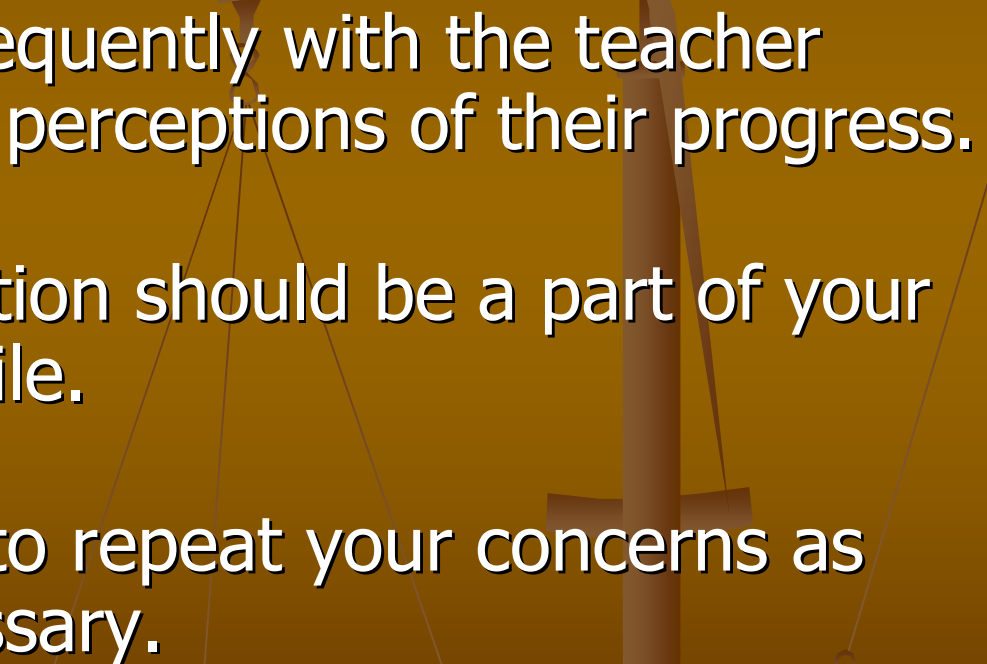
1. Do more than just tell teachers to “do better.”
 2. Be proactive in helping the teachers find ways to learn how to correct the concerns.
 3. Be willing to provide appropriate human, material, educational, or other resources.
 4. You may suggest or, in some cases, request that teachers be involved in appropriate professional development activities related to the concern.
- 

D: Provide Time



1. Some concerns may take time and effort to make the expected performance improvements.
2. Establish, with the teacher, an appropriate time frame.
3. Be sure that the appropriate resources and activities are available (as in previous slide "C")

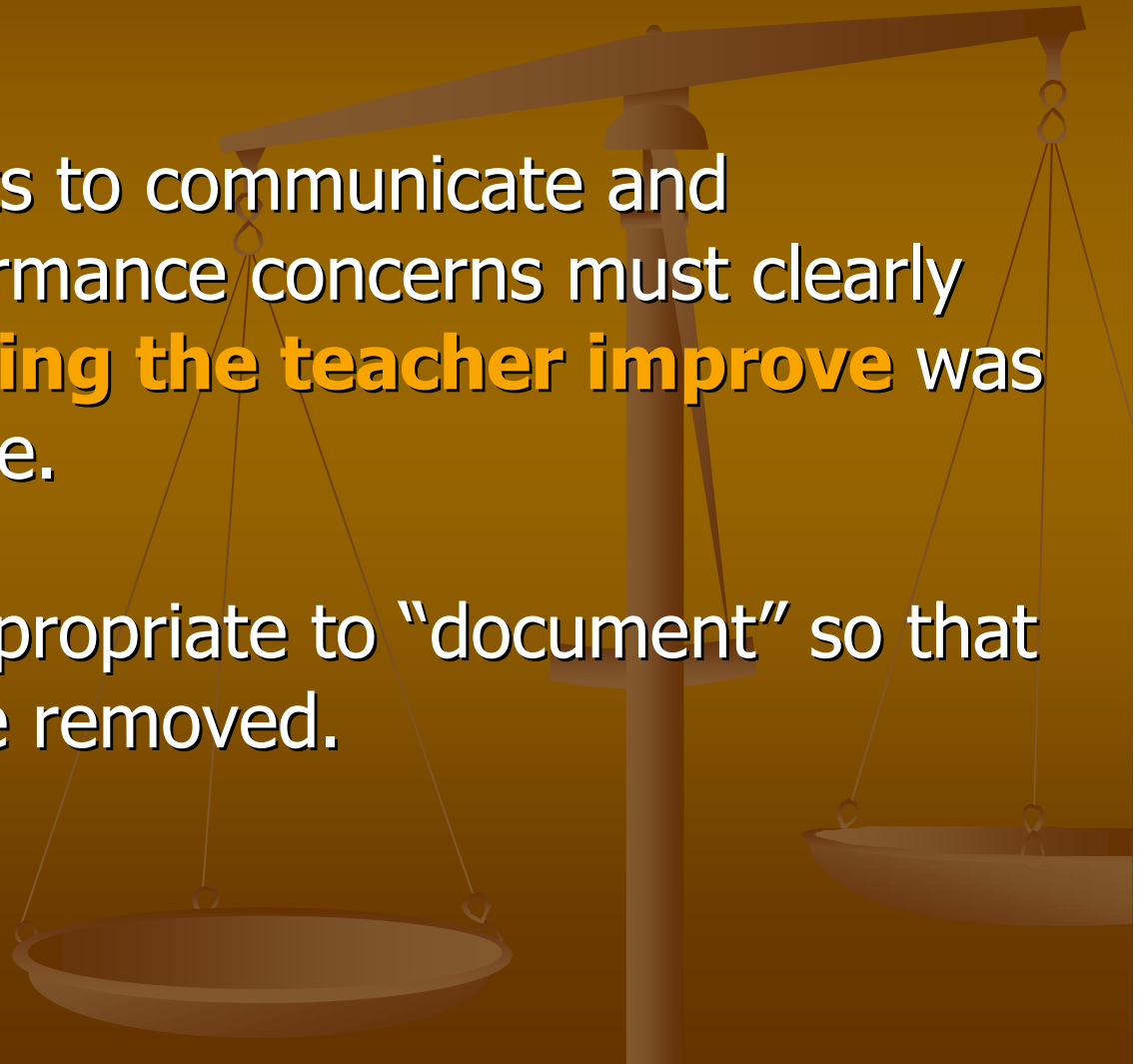
E: Provide Ongoing Feedback

1. Communicate frequently with the teacher concerning your perceptions of their progress.
 2. This communication should be a part of your documentation file.
 3. Do not hesitate to repeat your concerns as often as is necessary.
- 

F: A Final Word

A review of all efforts to communicate and remediate performance concerns must clearly reveal that **helping the teacher improve** was the sole objective.

Therefore: It is inappropriate to “document” so that a teacher can be removed.





You have now completed
“Due Process.”

Continue to “Evaluation Files”

Or Return to Table of Contents



Part 2

Evaluation Files

To be sure that your teacher evaluation file is properly developed and maintained, think about the following:

1. What **TYPES OF DOCUMENTS** are included in the file?
2. What is the common **PURPOSE** for all documents in the file?
3. Where is the preferred **LOCATION** for the file to be kept and maintained?
4. What is the extent of **TEACHER ACCESS** to the file?

Types of Documents

What kinds of documents make up a teacher's file? Any of the following may be included:

- Reports or summaries of interviews
- Written complaints
- Lesson plans; outlines; syllabi
- Letters, memos, notes
- Notes or summaries of classroom observations
- Evaluation forms

If it is in writing, if it concerns the teacher, and if it is under the school's control, it IS part of the teacher's file.

Purpose



This slide lists the purposes of any document that is a part of the teacher's file. That list is very short:

- To promote the teacher's professional growth.

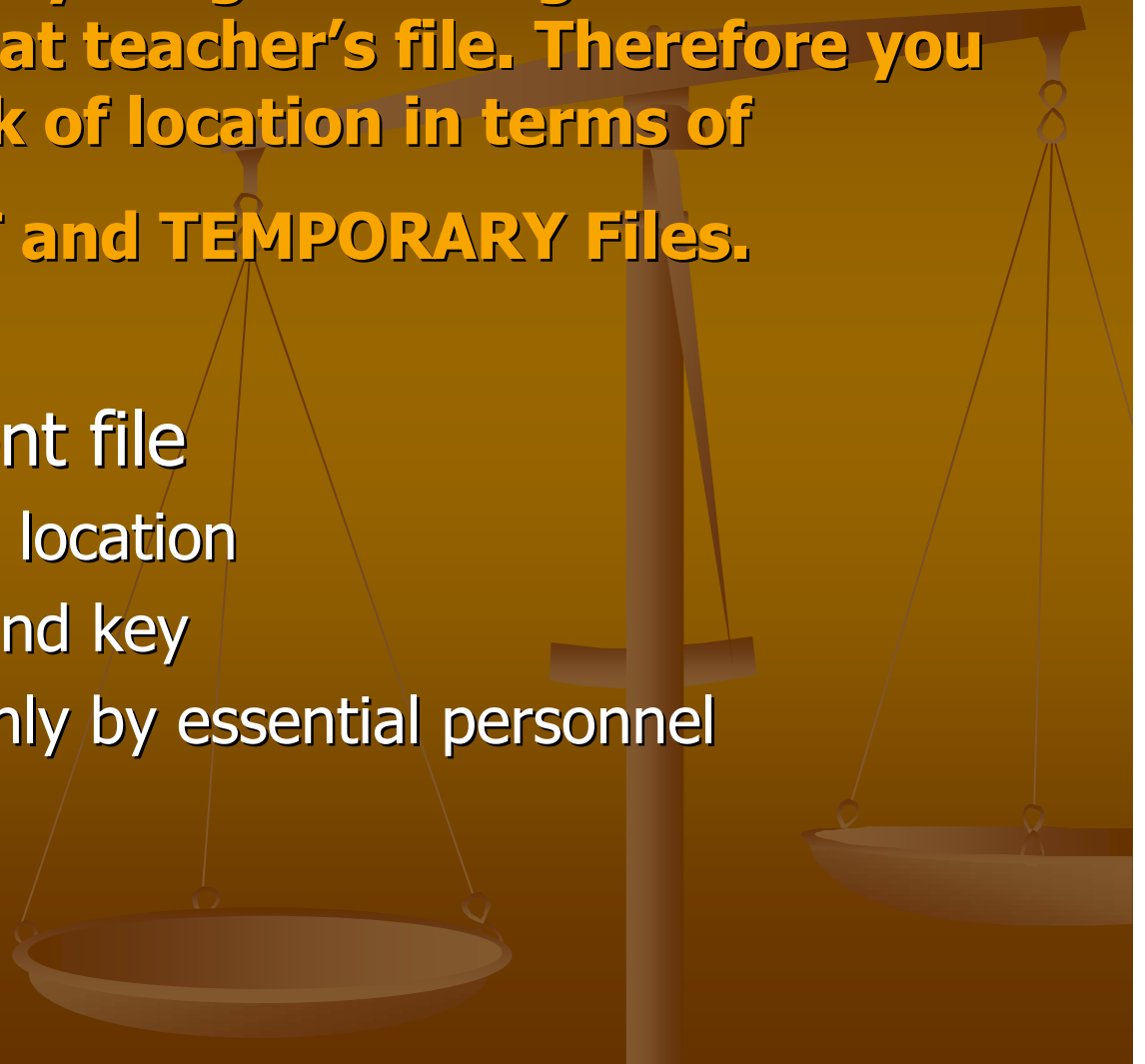
Yes, the list is very short – only one item.

It is very helpful to keep this one item list in mind when making decisions about maintaining the teacher's file.

Location

Remember that anything in writing about the teacher is part of that teacher's file. Therefore you need to think of location in terms of PERMANENT and TEMPORARY Files.

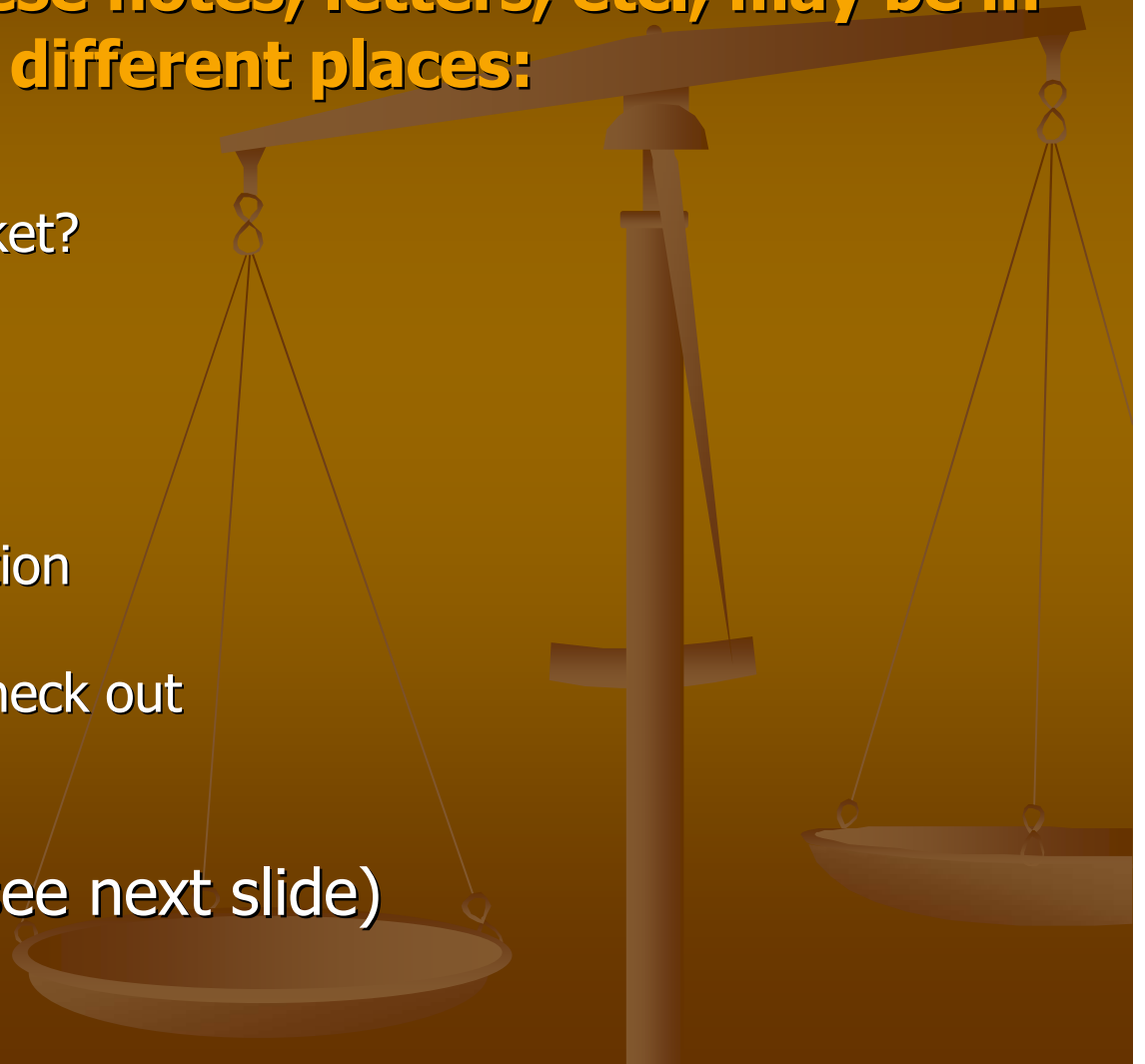
- The Permanent file
 - In a secured location
 - Under lock and key
 - Accessible only by essential personnel



Location (temporary files)

Because anything written about the teacher is part of that teacher's file, these notes, letters, etc., may be in many different places:

- Possible locations
 - In a note in your pocket?
 - On your calendar?
 - On your pda?
 - Other?
- Types of notes
 - Notes of an investigation
 - Observations
 - Things you need to check out
 - Other
- Making Permanent (see next slide)



Location, (temporary to permanent)

Because these notes, letters, etc., are temporary, they need to be discarded or made a part part of the PERMANENT File within a reasonable time period.

- Once you have completed investigating a matter, a summary* document should be completed and shared with the teacher.
- It is possible that an investigation may determine that there is clearly no performance issue. However, before discarding the temporary file documents, consider preparing a summary* document which would include your findings.
- At that time temporary documents will be shredded and discarded.

*See: "Documentation Steps" for how to write a summary document.



Teacher Access



Any document in the file is for the purpose of helping that teacher grow professionally. There is no reason to have a "secret" file.

- **Teacher Awareness**

- The teacher should have seen any document in the permanent file.

- **Teacher Access**

- The teacher has the right to see the file, under supervision and at a time that is convenient for the teacher and the administrator.
- The teacher has the right to add items to the file, including rebuttals to any document with which the teacher may disagree.

- **Removing Items**

- The teacher does NOT have the right to remove items from the file.

You have now completed
“Evaluation Files.”

Continue to “Documentation Steps”

Or Return to Table of Contents

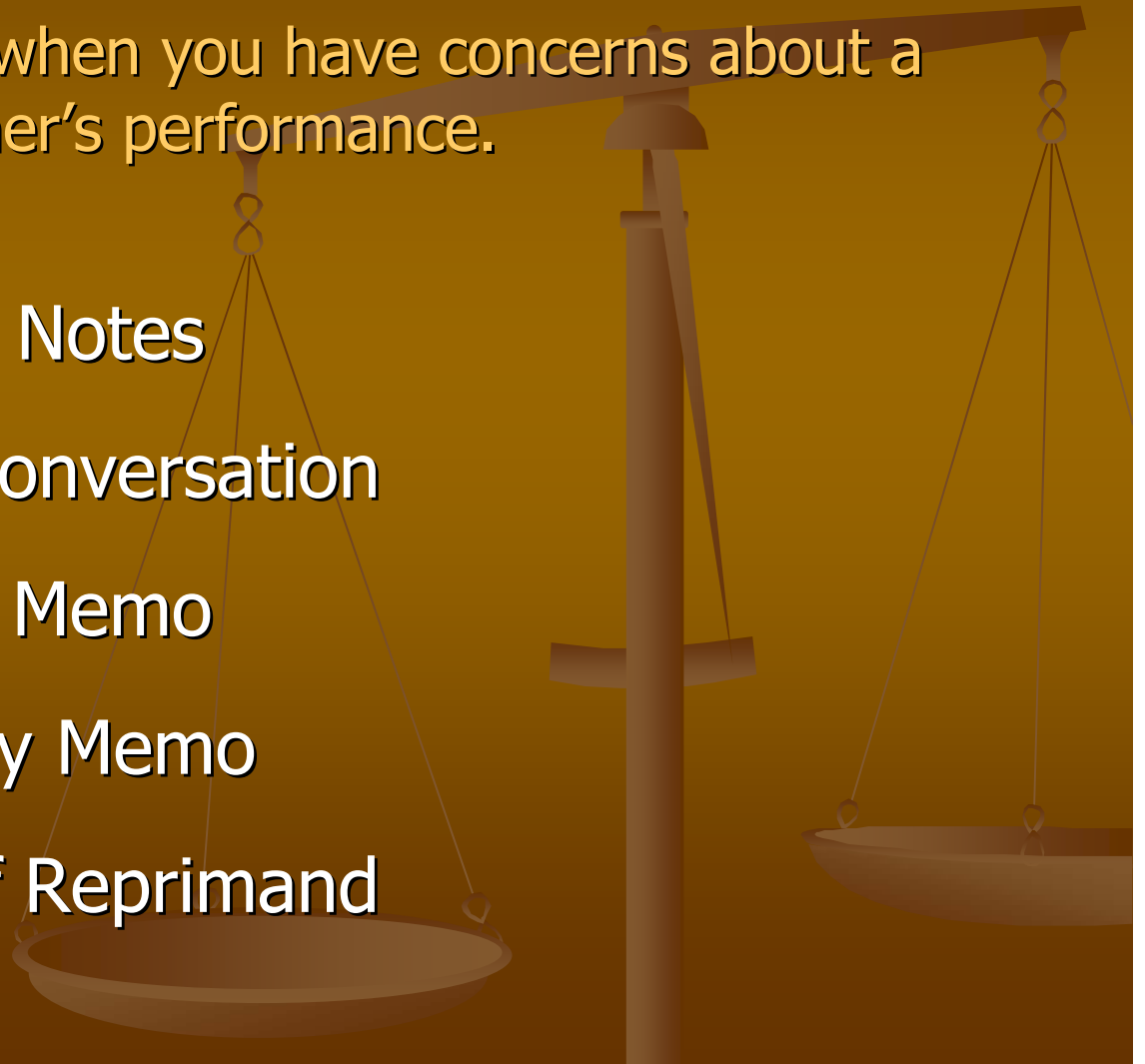


Part 3

Documentation Steps

Five steps to follow when you have concerns about a teacher's performance.

- 1. Working Notes
- 2. Verbal Conversation
- 3. Incident Memo
- 4. Summary Memo
- 5. Letter of Reprimand



1 Working Notes

When you first have a concern, you may have observed or heard something that causes you to wonder about a teacher's performance. Do not dismiss these thoughts. Organize your thinking and write so you will not forget.

These working notes* may be:

- Written on your calendar
- Entered on your pda
- Written on any handy piece of paper and put in your pocket
- Other

This is an "optional" step. The concern may be very simple and you may choose to proceed directly to a conversation with the teacher (step #2).

Working notes automatically become part of the teacher's evaluation file. You may wish to review the section, **"Evaluation Files."**



2 Verbal Conversation

Your next step is to meet with the teacher. Never send the teacher a written note expressing concern without first expressing those concerns in person.

This conversation will include certain elements:

- State what you have heard or seen.
- Ask the teacher for his or her perspective or explanation.
- Explain the reasons for your concern.
 - Who has been impacted
 - How has learning been affected
 - What performance standard is not being met
- Clearly state what performance changes need to occur.

This is **NOT** an “optional” step. Due process demands that the teacher be told clearly the nature of any concerns that arise.

3 Incident Memo



After having met with the teacher, summarize the main points in a memo to the teacher. Make sure the teacher receives the memo and a copy placed in the teacher's file.

This memo will include the same elements as in your previous conversation:

- What you have heard or seen.
- The teacher's stated perspective or explanation.
- The reasons for your concern.
- What performance changes need to occur.

Keep this memo focused. Do not address other issues at this time. Focus on the issue at hand and on helping the teacher comply with this performance standard.

This is **NOT** an "optional" step, but you may choose not to put those concerns in writing after the **first** occurrence and after the first conversation with the teacher.

4 Summary Memo

There may come a time when a single incident memo is inadequate. In situations like the following, a “summary” memo is the next step.

- Previous conversations and incident memos have failed to result in expected improvements.
- Concerns may have been expressed or observed regarding a situation and you have been investigating and taking “working notes.” You need to summarize the results of that investigation.

In addition to the elements required for an “incident” memo, the summary memo *may* include such additional elements as:

- Review of previous incidents and memos showing a pattern.
- Results of an investigation.
- Review of teacher’s failure to make required changes in performance.

5 Letter of Reprimand

A more serious “letter of reprimand” may be required under certain conditions like the following.

- A pattern of performance deficiencies is clearly established.
- The teacher has not effected the required changes.
- Disciplinary action is being considered. (such as)
 - Probation
 - Termination
 - Suspension

Examine the following slides for explanation of the elements to be included in a “letter of reprimand.”

Letter of Reprimand - Elements



■ The Facts*

- Statement of occurrences
- Teacher's responses and statements
- Statements of others if appropriate

■ Reference to Authority

- Performance standard?
- School/conference policy?
- Instructions ignored?

*With dates and times as accurately as possible

Letter of Reprimand – Elements

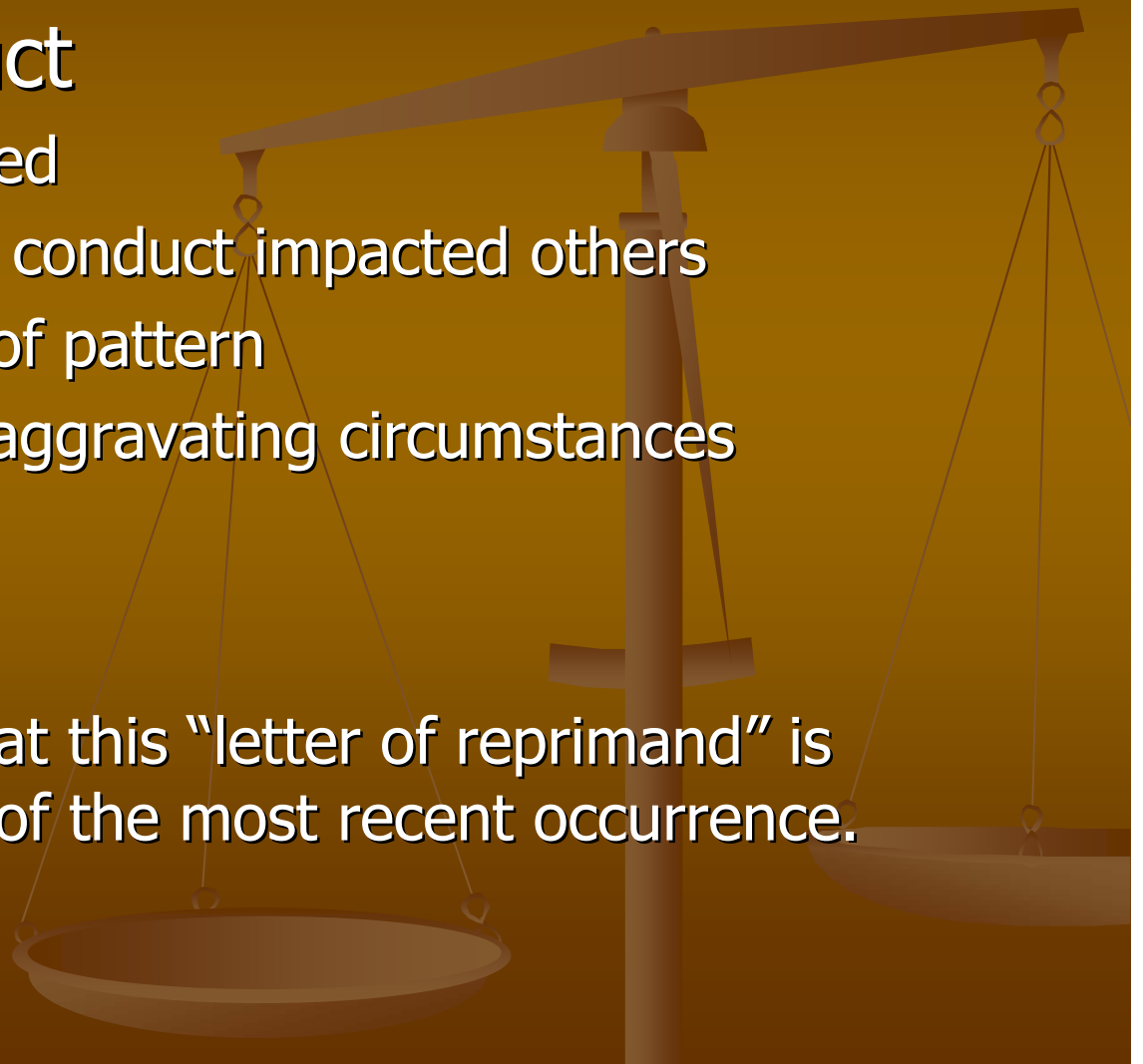
continued

■ Impact of conduct

- Who was affected
- Extent to which conduct impacted others
- Demonstration of pattern
- Extenuating or aggravating circumstances

■ Time proximity

- Demonstrate that this “letter of reprimand” is timely in terms of the most recent occurrence.



Letter of Reprimand – Elements

continued

■ Teacher statements

- What are the teacher's stated explanations?
- What are the teacher's stated motivation (reasons)?

■ Prior help given

- What resources were offered or provided to assist the teacher?
- What suggestions for changes have been offered?
- What has been the teacher's response to these resources or suggestions?

Letter of Reprimand – Elements

continued



- The teacher's credential or training
 - This is an optional element
 - It may be useful to show that the expectations are reasonable given the teacher's credential or background.
- Follow-up
 - List of specific areas of expected improvement
 - List of professional development activities expected of the teacher to help make the changes
 - An indication of how the expected performance improvements will be measured
 - A schedule of follow-up activities and dates. (observations, conferences, etc.)

Letter of Reprimand – Elements

continued



■ Right to Respond Statement

- Offer the teacher an opportunity to respond in writing.
- Indicate that any response will become a part of this document and placed in the teacher's file.

■ Signature*

- Include a line for the teacher to sign indicating receipt of the letter.
- Indicate that the signature does **not** indicate agreement with the contents.

*If a teacher declines to sign, add a handwritten notation to that effect on the letter and provide evidence that the teacher received the letter (such as the statement of a witness.)

Letter of Reprimand – Sample

On this and the next few slides is a sample letter of reprimand.

Dear Mrs. Toolate:

The purpose of this letter is to put on the record some serious concerns that I have about your tardiness and the recent events that were related to that tardiness. I believe that you really do have the desire to perform up to the expectations that I and the profession have of you. I sincerely hope that this letter will be the last document of this nature that will have to be written about these matters.

On October 2, during recess, Mr. Dogood reported an incident to me which involved your class. At approximately 8:05 that morning, he heard loud noises coming from the direction of your classroom, including crashing sounds and students yelling and laughing. Mr. Dogood left his class under the supervision of a student teacher in order to investigate. He stated that he arrived in your room shortly after 8:05 to find one of the student chairs unbolting and in pieces and a girl sprawled on the floor nearby. The student said her name was Jane J. and that two boys in the class, Brian B. and David D., had unbolting her chair. When Jane sat down, the chair collapsed.

Continued; next slide

Letter of Reprimand – Sample

continued

Mr. Dogood observed a cut on Jane's knee which was bleeding. He said you then entered the room and informed him that you would handle the situation. As he left the room, Mr. Dogood asked one of the students, Mike O., if you had been in the classroom at all that morning. The student answered, "No, she never gets here till after the bell rings."

During the lunch hour that day, you and I spoke about your repeated tardiness and the incident with Jane. You stated your reason for the tardiness yesterday morning and on five other occasions (September 1, 9, 13, 24, 28) was "car trouble."

Since car trouble was a repeated explanation for your tardiness, I suggested the possibility of using public transportation or car pooling with other teachers. You told me, "If teachers earned higher salaries, I would be able to afford a more reliable car."

Continued; next slide

Letter of Reprimand – Sample

continued

On page 13 of the Teacher's Handbook is a statement that certificated staff members are to be at school at 7:30 a.m. Your conduct has violated that policy. You are directed to be on campus on school days at 7:30 a.m.

Today, one day later, I was informed by another neighboring teacher, Mr. Nozey, whose classroom is adjacent to yours, that his class was interrupted this morning by shouting from your students. Mr. Nozey stepped out of his classroom just as you were arriving at 8:05. This was five minutes after the class was to have begun, and thirty-five minutes late according to your required arrival time. He said ten of your students were running in the corridor and dashed into your room as you approached.

Also, during lunch on October 2, we discussed the injury to Jane and your failure to attend to her. I reminded you that school regulations require you to send an injured student to the school nurse.

Continued; next slide

Letter of Reprimand – Sample continued

Page 22 of the Teacher's Handbook states, "When a student is injured in school, the student must immediately be examined by the school nurse." You stated that you did not send Jane to the nurse because "it was only a scrape." I told you that you should never make medical judgments and should always send injured students to the school nurse immediately. Your response was, "I am an excellent teacher, and I earned my degree from Yale, cum laude."

You hold a general elementary teaching credential. The importance of classroom supervision is a basic component of your training. When you are tardy and your class is unsupervised, there is a high risk of injury, like that which occurred with Jane.

As the students in your class have a right to education within a safe and supervised environment, I direct you to be present on campus no later than 7:30 a.m. every morning and provide supervision at all times in the classroom.

Continued; next slide

Letter of Reprimand – Sample

continued

Inservice is available on the topic of time management. I am enrolling you in the next workshop, which will be held Thursday, November 10, at 1:00 in the Board Room. Your attendance is required. A substitute will be provided to cover your class.

For the next four weeks, you are directed to sign in at my office with my secretary, Mrs. Green, when you arrive at school. We will meet during your 5th period prep in my office on November 1, to discuss what time management techniques you will apply to insure your timely arrival at school.

A copy of this memorandum will be placed in your personnel file in ten (10) days. You have the right to respond and to have that response attached to this document.

Continued; next slide

Letter of Reprimand – Sample end

Sincerely,

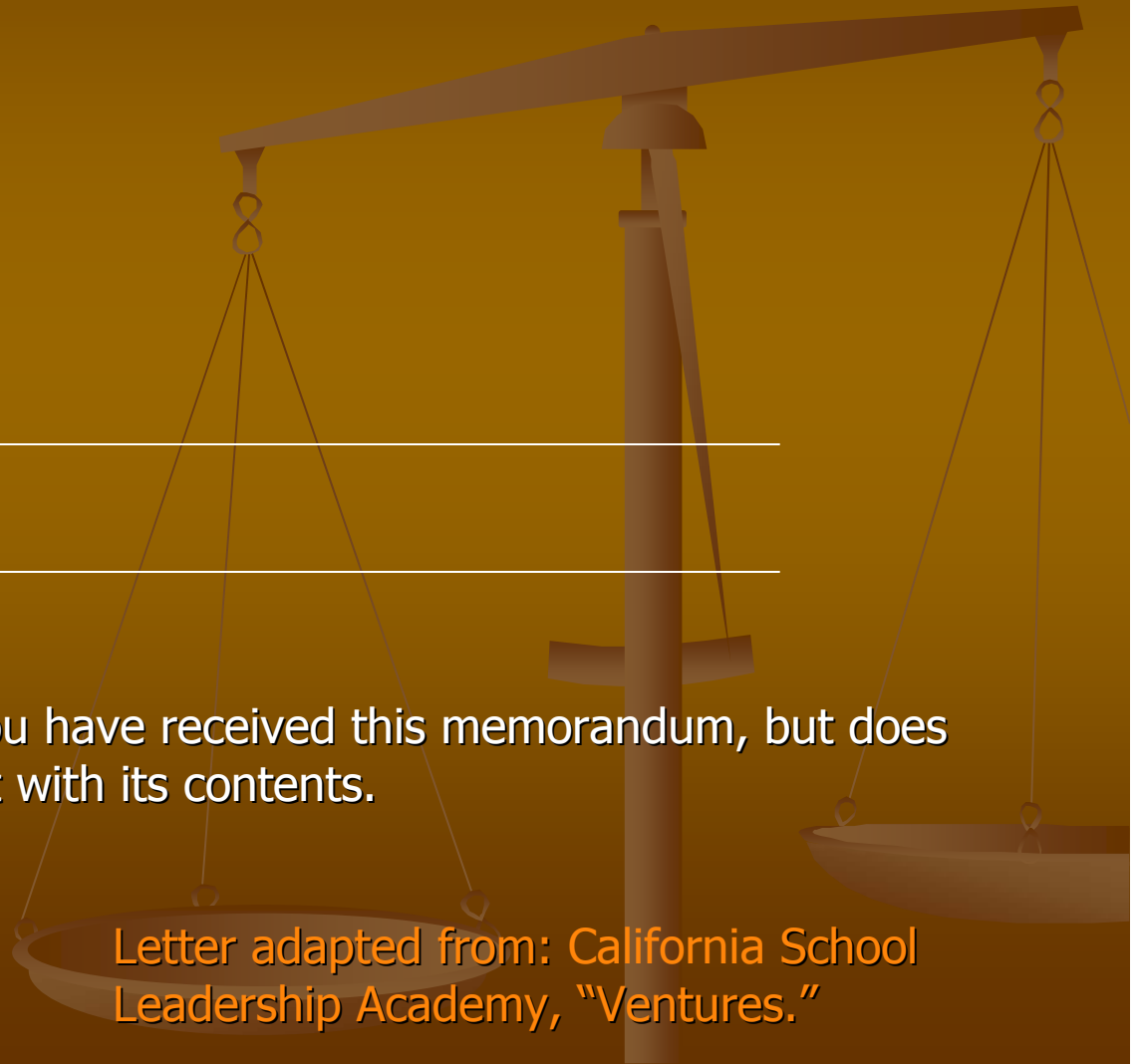
Tom Terrific, Principal

Signature _____

Date _____

Your signature indicates that you have received this memorandum, but does not mean you are in agreement with its contents.

Letter adapted from: California School
Leadership Academy, "Ventures."



You have now completed
“Documentation Steps.”

Continue to “Writing File Documents”

Or Return to Table of Contents



Part 4

Writing File Documents

Every written document about the teacher's performance should meet the following four criteria.

1. It is based on standards.
2. It is timely.
3. It is equitable.
4. It is objectively written.

These four criteria are **not** listed in order of importance, but **all** are essential.

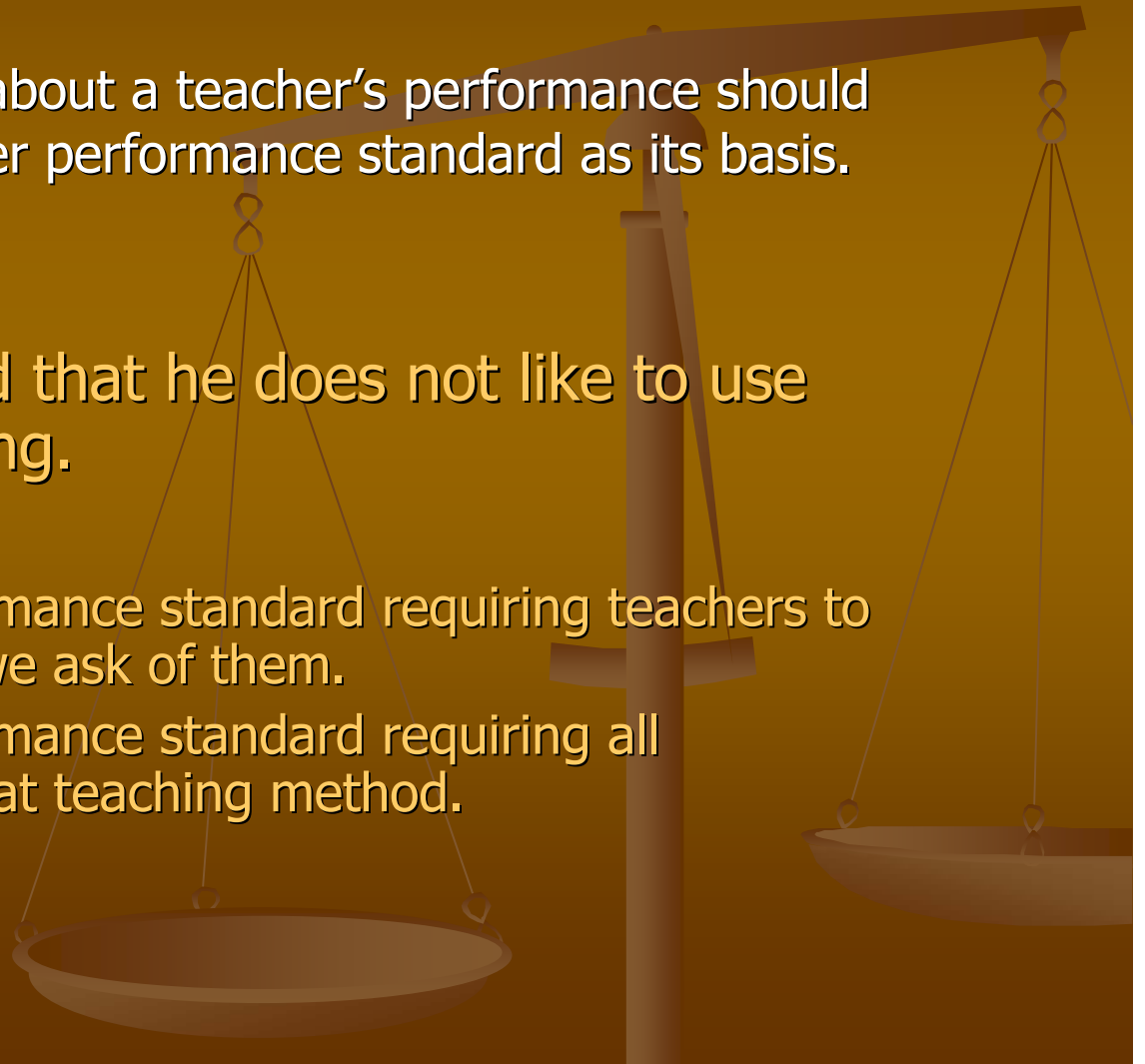
1

Based on Standards

Any statement written about a teacher's performance should have an adopted teacher performance standard as its basis.

Non-example:

- The teacher stated that he does not like to use cooperative learning.
 - There is no performance standard requiring teachers to "like" everything we ask of them.
 - There is no performance standard requiring all teachers to use that teaching method.



Based on Standards continued

Example:

- On three informal visits and on one formal classroom observation (November 21) the teacher was using lecture only. The teacher reported that he prefers lecture and does not wish to “experiment.”
 - Conference performance standards do require* teachers to use a variety of teaching methods.

*Southeastern California Conference standard #3.5

Teachers Will Organize Subject Matter and Design Learning Experiences using a variety of instructional strategies and resources appropriate to the subject matter.

Based on Standards continued

Non-example:

- Many parents have reported that they don't like the teacher.
 - There is no performance standard requiring that teachers be "liked."
 - As stated, the statement is not based on a standard.
 - However, if you get reports like this from parents, you will certainly investigate further.



Based on Standards continued

Example:

- On three separate occasions* one or more parents reported that when asked about their student's progress, the teacher responded rudely*.
 - We do require teachers to communicate effectively with parents.
 - *Additional file documents would be needed to support and define what was said that was perceived as "rudely" as well as the dates or times of those complaints.

Southeastern California Conference Teacher Performance Standard #5.7
**Teachers Will Develop as a Christian Professional Educator by
Communicating Effectively with Parents and Families.**

2 Timely

The statement must be written and delivered¹ immediately² following³ the specified incident or event.

NOTES:

1. Has the teacher received the document? See: "Evaluation Files."
2. Good judgment will define "immediately."
3. Has the teacher been spoken to first? See: "Documentation Steps."



3

Equitable

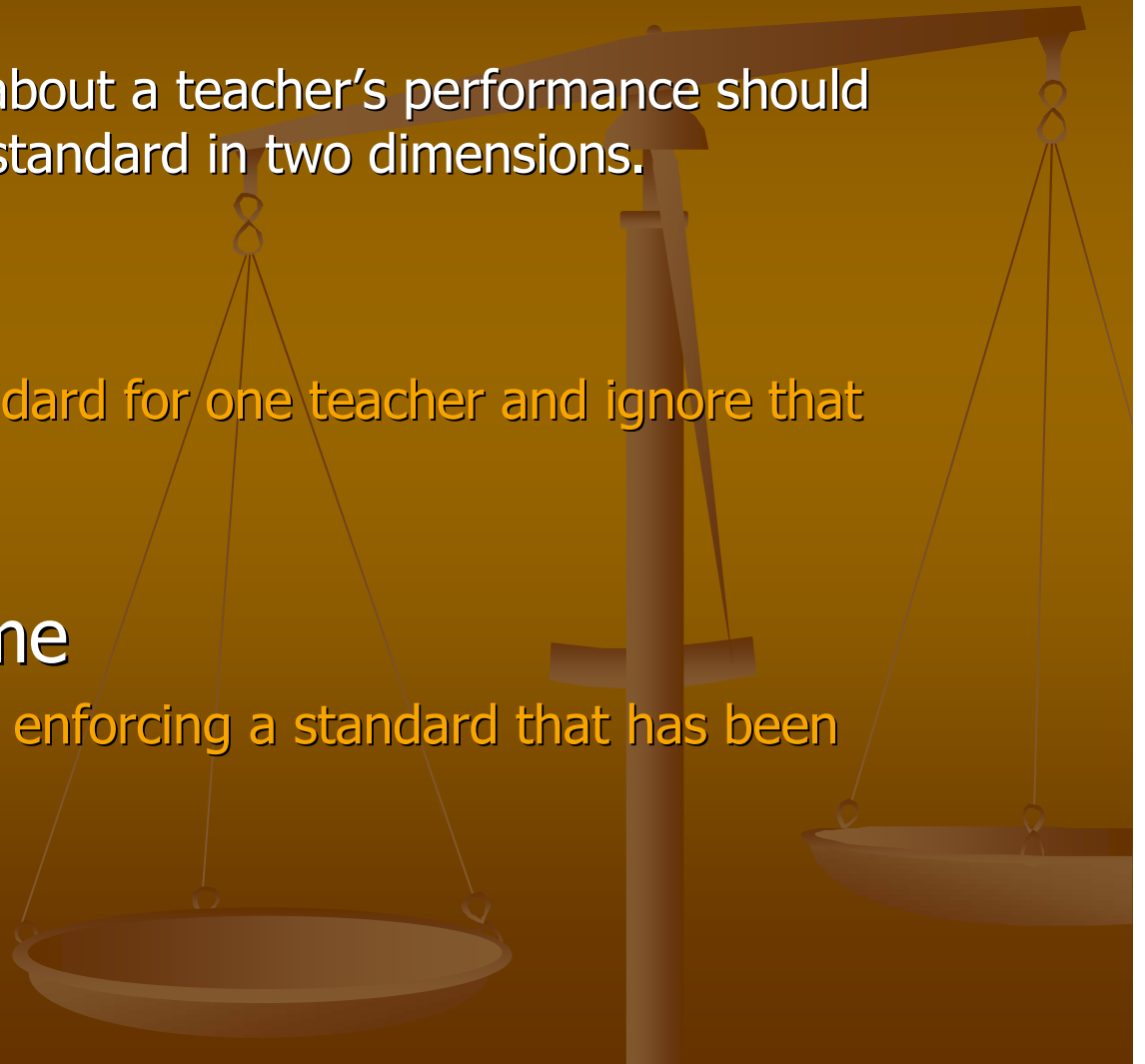
Any statement written about a teacher's performance should meet the "equitability" standard in two dimensions.

- **Equitable over all**

Do not enforce a standard for one teacher and ignore that standard for others.

- **Equitable over time**

Do not suddenly start enforcing a standard that has been previously ignored.

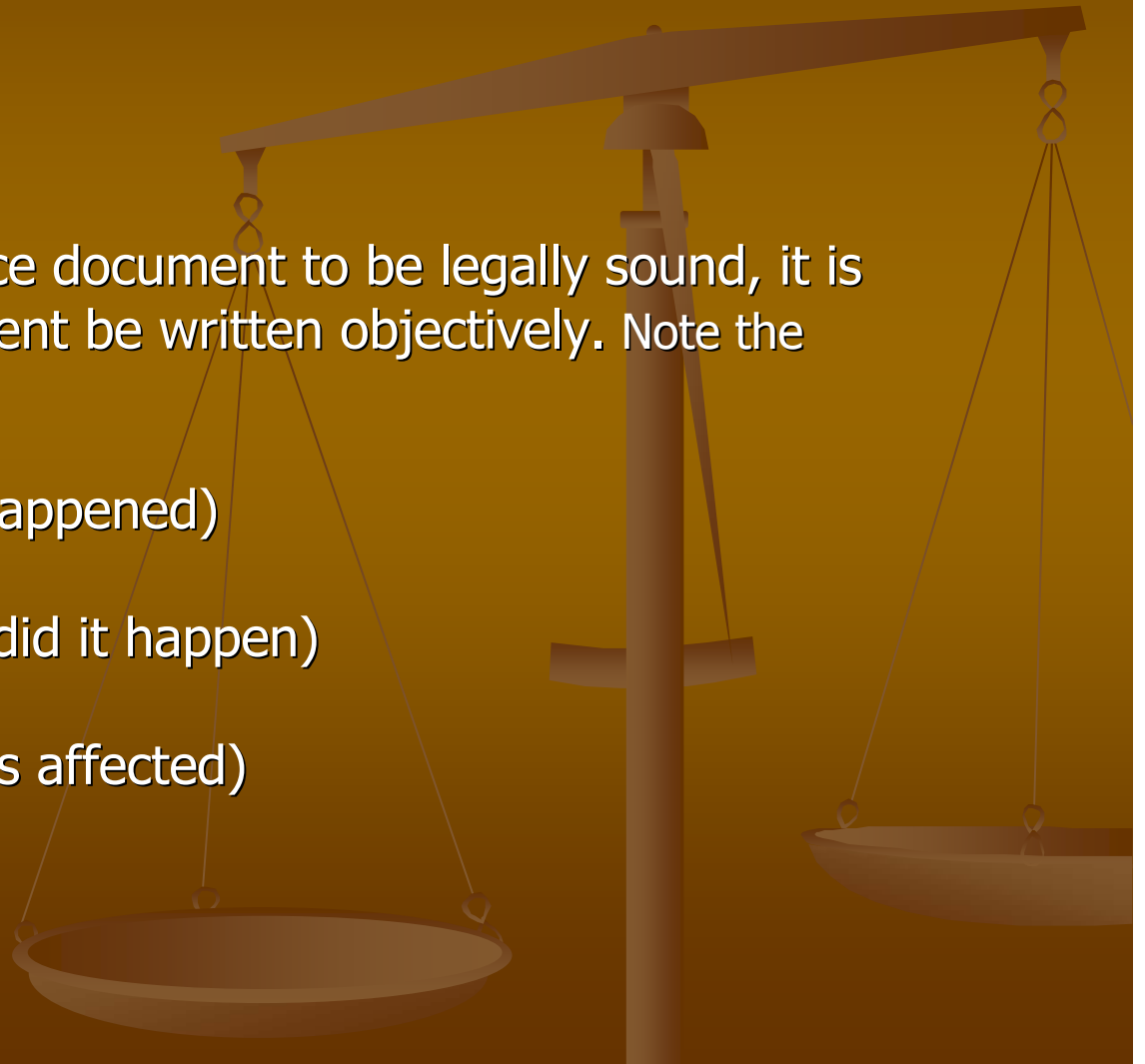


4

Objectively Written

For a teacher performance document to be legally sound, it is essential that the statement be written objectively. Note the three elements:

- **What?** (what happened)
- **When?** (when did it happen)
- **Who?** (who was affected)



Objectively Written

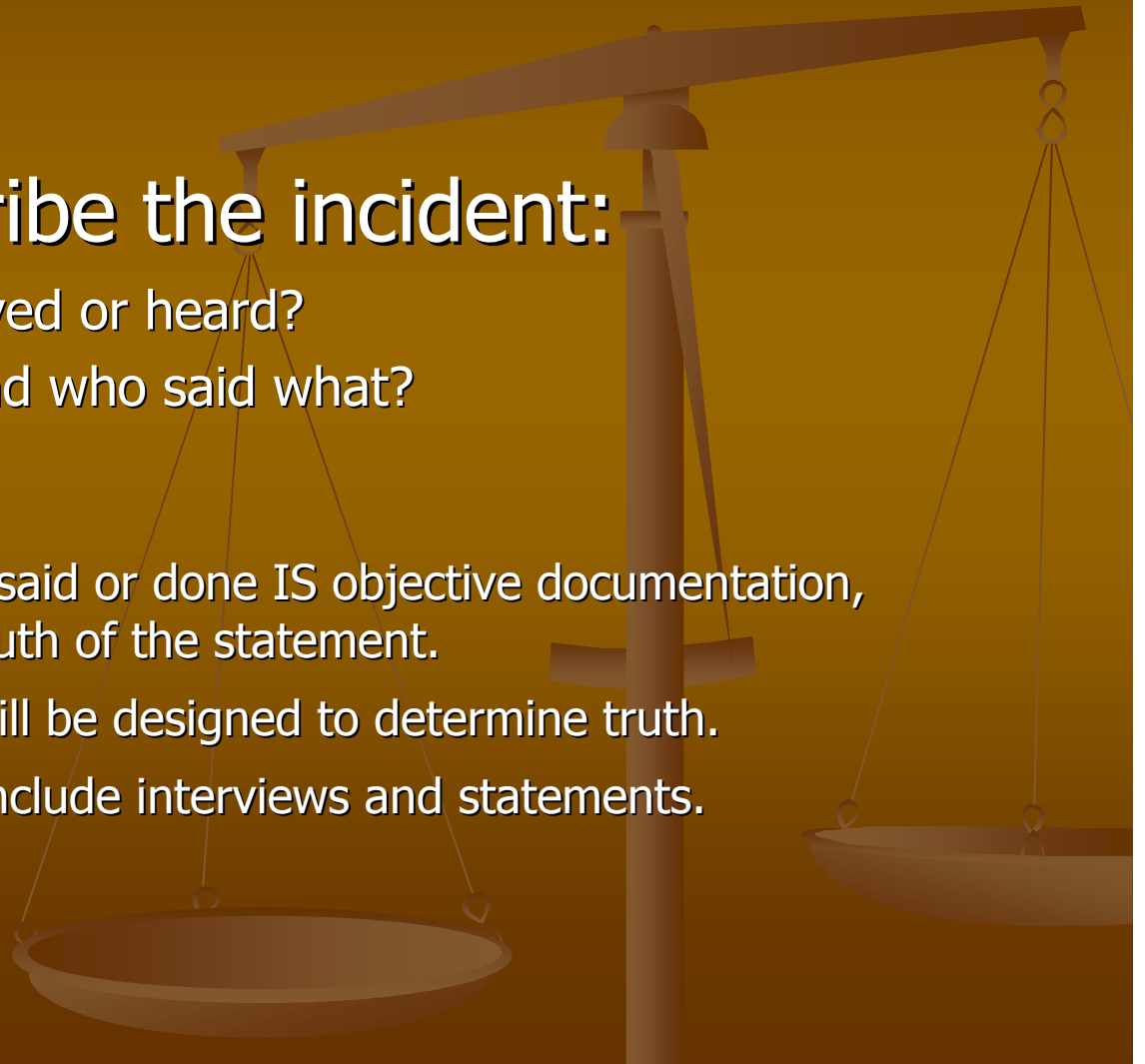
continued

■ What: Describe the incident:

What was observed or heard?

Who did what and who said what?

- Recording whatever is said or done IS objective documentation, regardless of the truth of the statement.
- Further investigation will be designed to determine truth.
- The investigation will include interviews and statements.



Objectively Written

continued

- **When:** Record the times for all elements.
When did each related event occur?
When was each statement made?



Objectively Written

continued

- **Who: Record the impact of the incident**
 - Was student safety at risk?
 - Was student learning affected?
 - Is the schools' image affected?



Classroom Situations

Note the following contrasts between objective and non-objective statements.

- **Non-objective**

- The teacher had poor classroom management.

- **Objective**

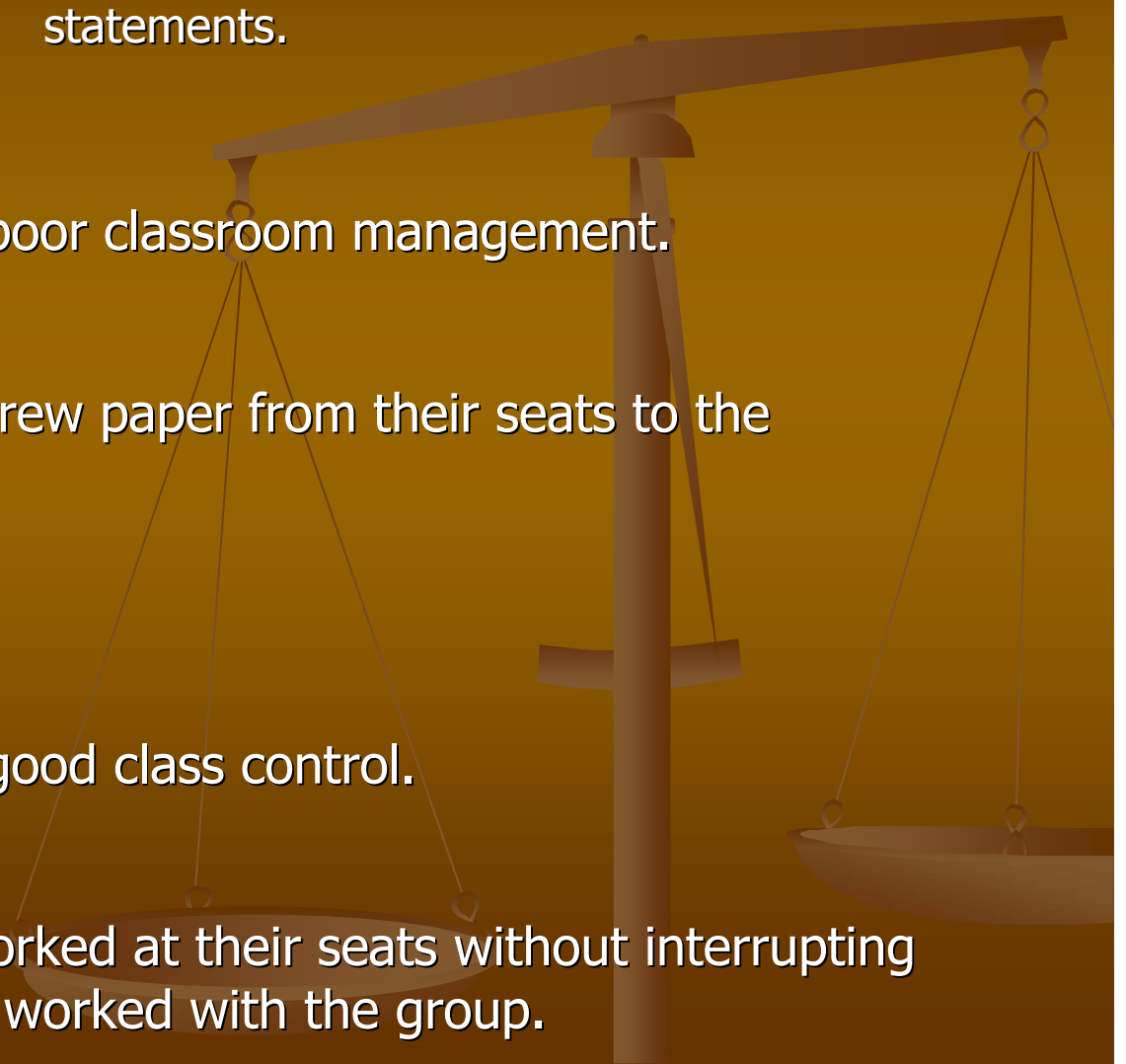
- Three students threw paper from their seats to the wastebasket.

- **Non-objective**

- The teacher had good class control.

- **Objective**

- Other students worked at their seats without interrupting while the teacher worked with the group.



Classroom situations

continued

- Non-objective

- There was no lesson plan.

- Objective

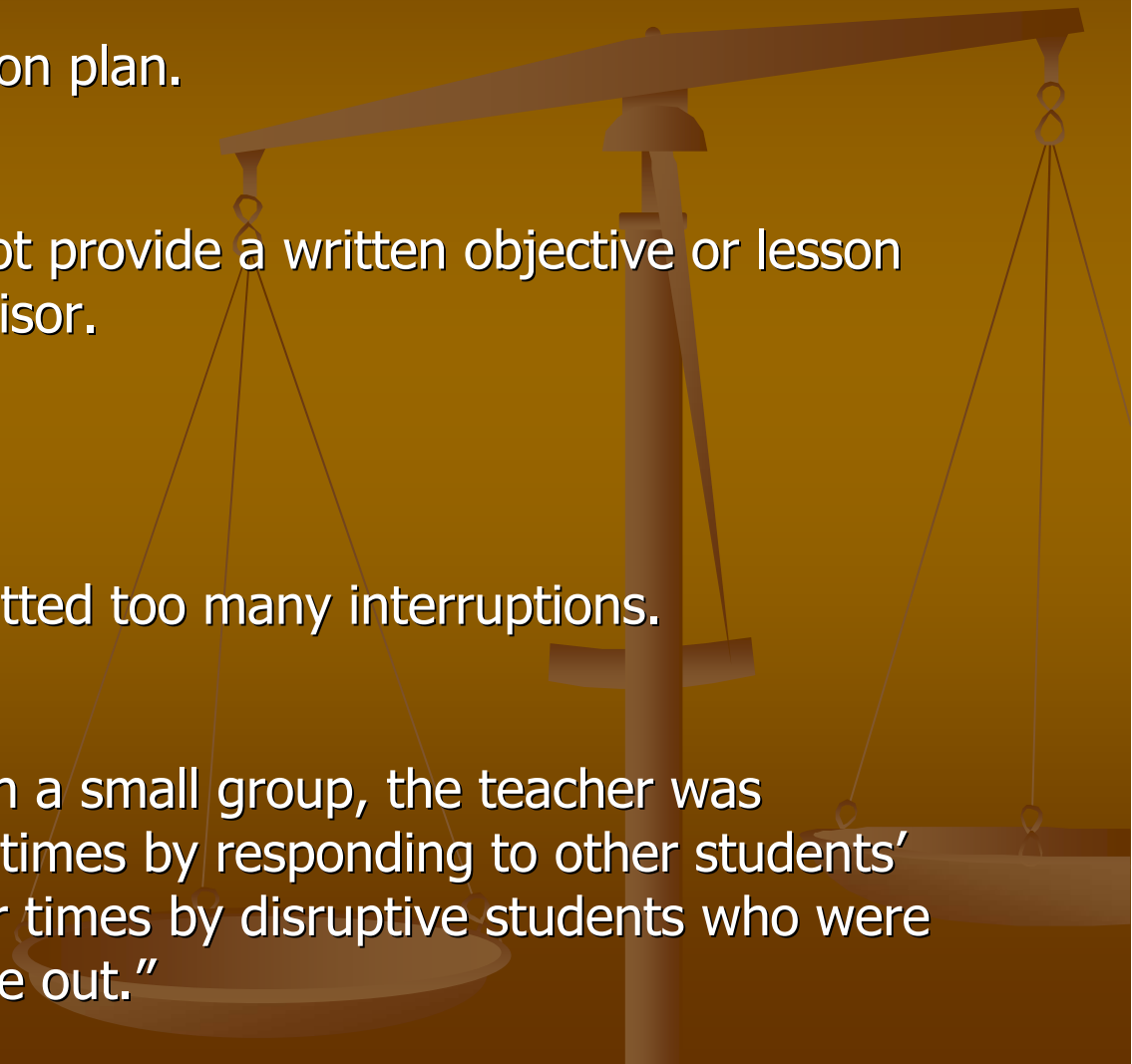
- The teacher did not provide a written objective or lesson plan to the supervisor.

- Non-objective

- The teacher permitted too many interruptions.

- Objective

- While working with a small group, the teacher was interrupted seven times by responding to other students' questions and four times by disruptive students who were told to take a "time out."



Classroom Situations

continued



- Non-objective

- The students seemed confused as to what to do next.

- Objective

- The teacher did not state the objective to the students.
- The practice assignment appeared to have problems that were not covered in the teacher's presentation.

- Non-Objective

- The teacher uses lecture too much.

- Objective

- In four visits to the class, the teacher was observed using lecture as the primary instructional strategy.

Classroom Situations

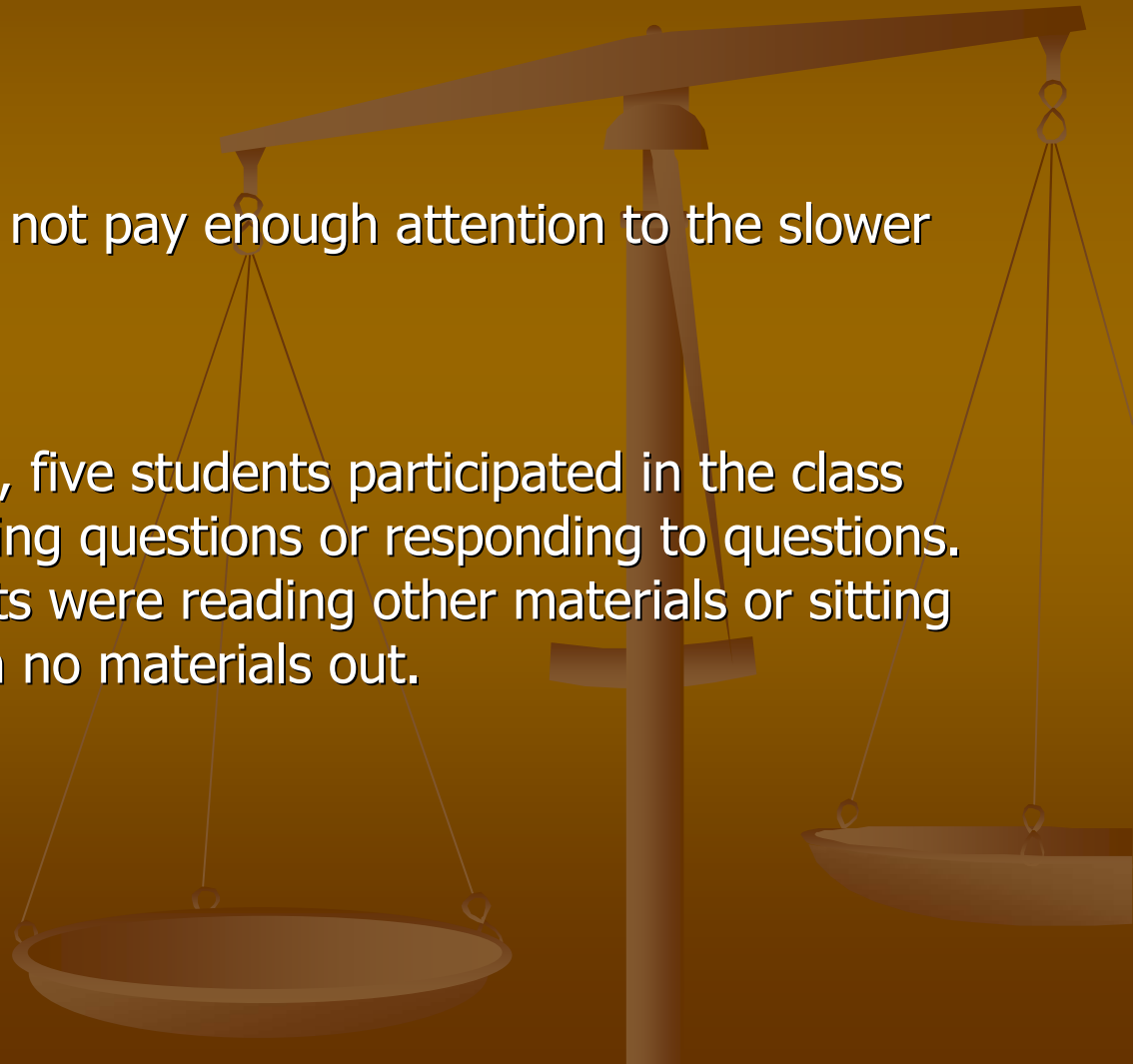
continued

- **Non-objective**

- The teacher does not pay enough attention to the slower students.

- **Objective**

- During the lesson, five students participated in the class discussion by asking questions or responding to questions. The other students were reading other materials or sitting in their seats with no materials out.

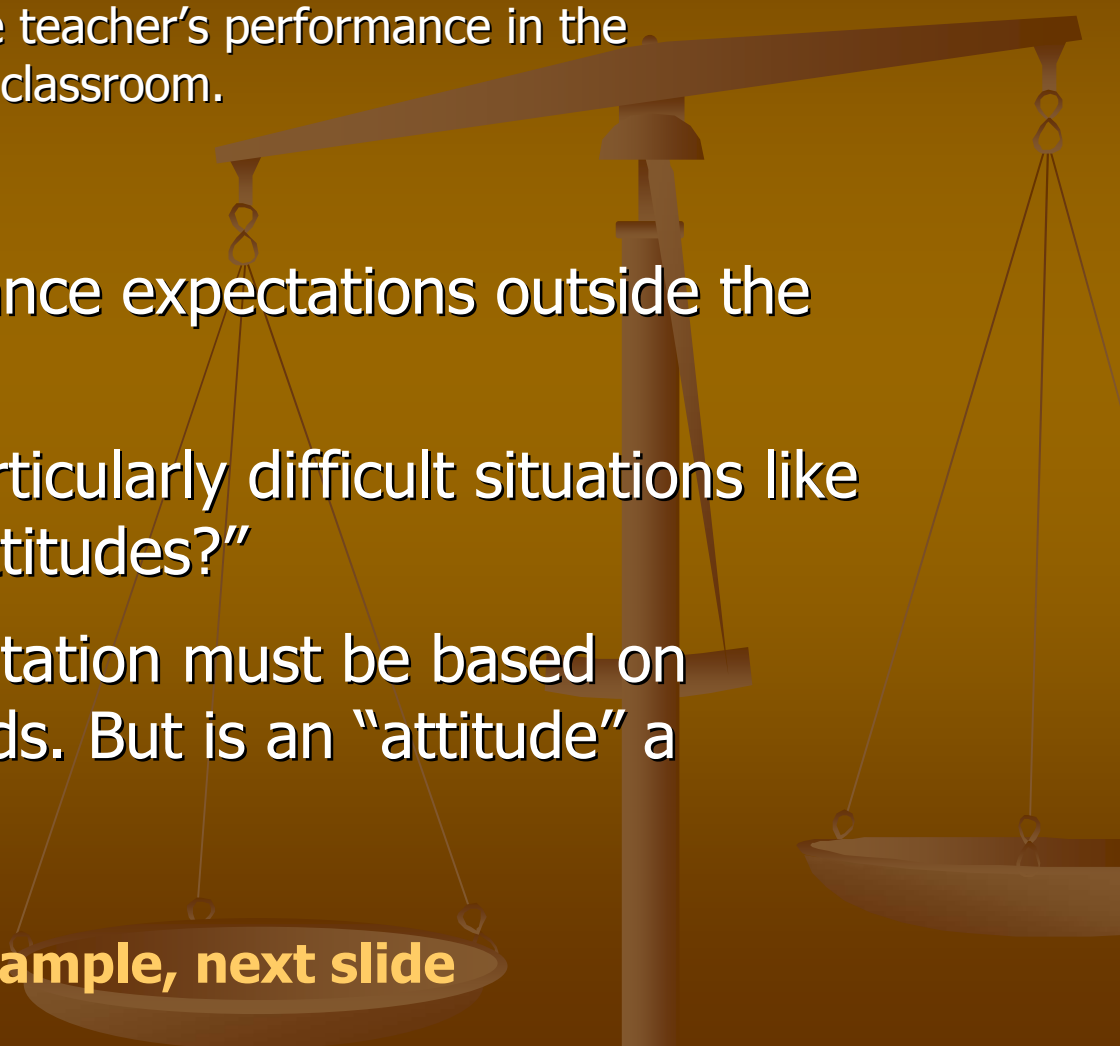


Situations outside of the classroom

The previous examples were statements based on observations of the teacher's performance in the classroom.

- What about performance expectations outside the classroom?
- What about some particularly difficult situations like teachers with "bad attitudes?"
- Remember, documentation must be based on performance standards. But is an "attitude" a performance?

See Example, next slide



Non-classroom situations

- Non-objective

- The teacher has a bad attitude.

- Objective

- During faculty meeting, November 4, the teacher made the following statements:

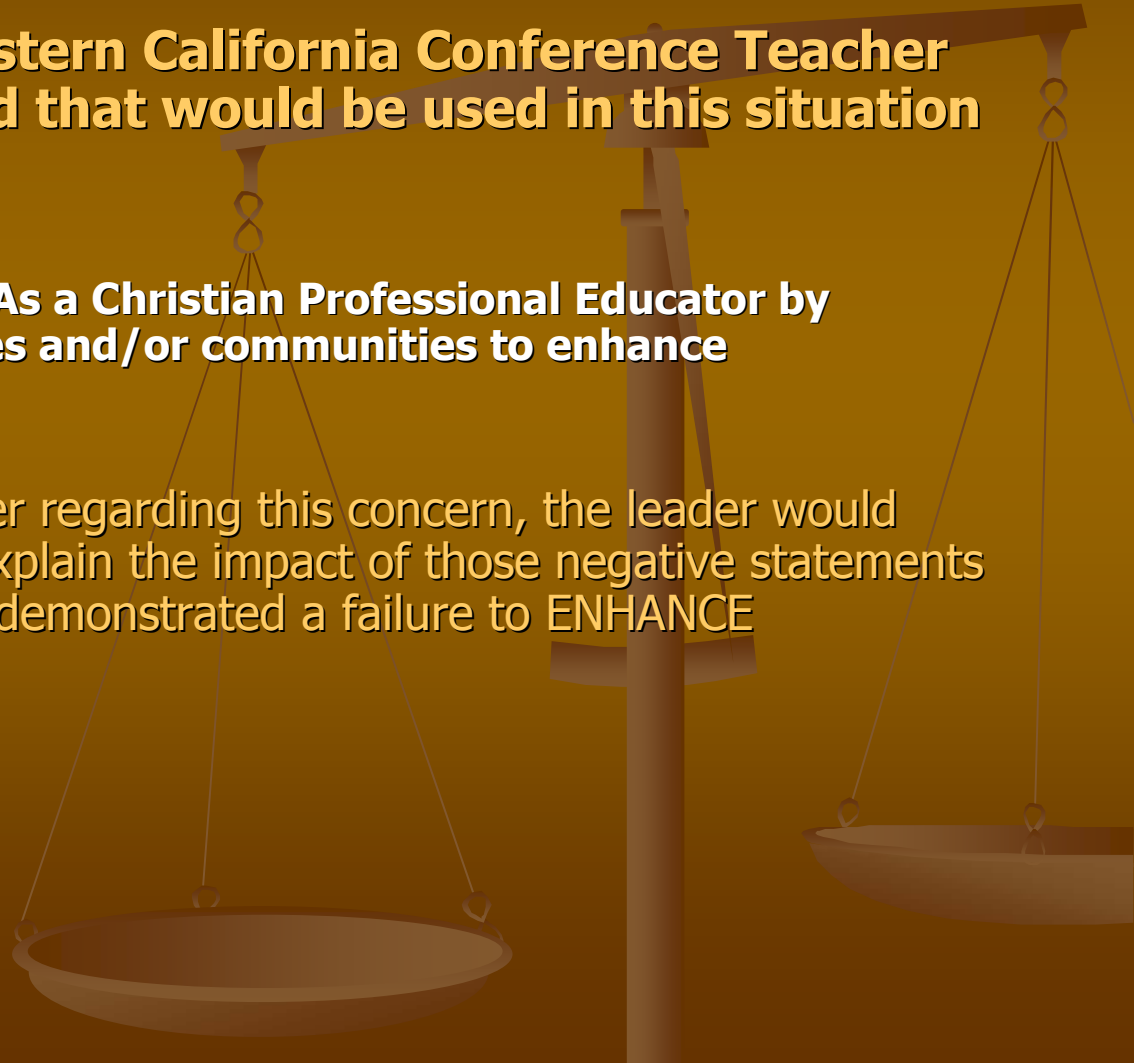
“The kids at this school all come from bad homes.” “If I were the principal I would expel half of them.” “I don’t understand why none of the pastors support what we try to do.” “If I could afford it, I would quit teaching, today.”

See next slide for more about this situation.



Non-classroom situations

- **The relevant Southeastern California Conference Teacher Performance Standard that would be used in this situation is #5.6**
 - **Teachers Will Develop As a Christian Professional Educator by working with colleagues and/or communities to enhance professional practice.**
- In responding to the teacher regarding this concern, the leader would have the responsibility to explain the impact of those negative statements and how those statements demonstrated a failure to ENHANCE professional practice.



Non-classroom situations

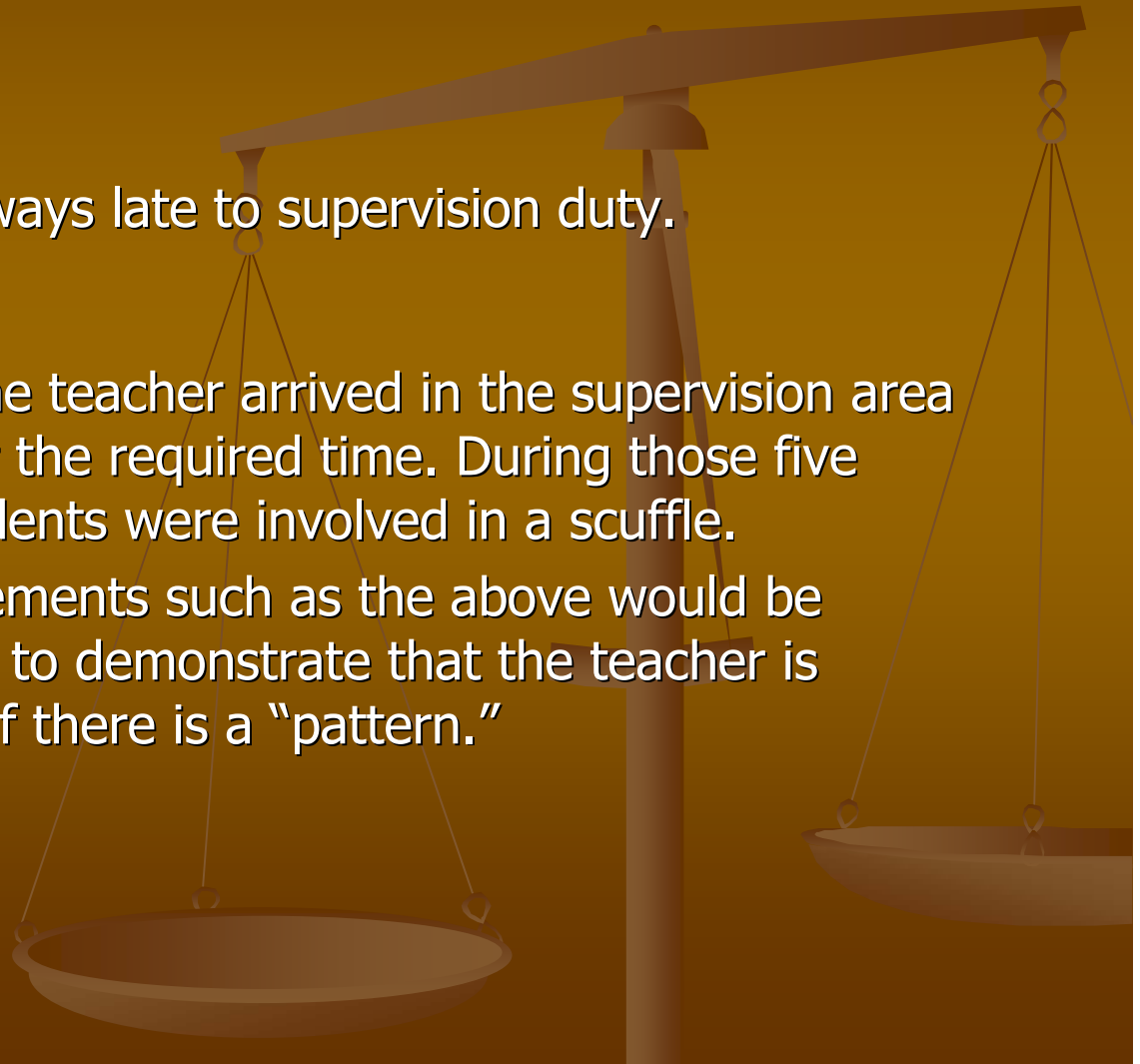
continued

- Non-objective

- The teacher is always late to supervision duty.

- Objective

- On February 3, the teacher arrived in the supervision area five minutes after the required time. During those five minutes, two students were involved in a scuffle.
- NOTE: More statements such as the above would be needed in the file to demonstrate that the teacher is "always" late, or if there is a "pattern."



You have now completed
“Writing File Documents.”

- This ends the last of four chapters in this Documentation Refresher. If you have **not** completed all of the sections,
 - Return to the Table of Contents

