

TENTATIVE AGREEMENT
Between
LOS ANGELES COUNTY OFFICE OF EDUCATION
and
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 624
July 12, 2024

Article VIII- Procedures for Evaluation of Performance

A. Procedures

1. ~~Written evaluations~~ Evaluations for permanent and probationary unit members shall be completed utilizing ~~on~~ the Office's Electronic Evaluation Tool (EET). ~~Upon request by the Association, the Association may provide input about the EET to be adopted by the Office.~~ For purposes of this agreement, the terms "immediate administrator" and "evaluator" have the same meaning and can be used interchangeably, unless the context states otherwise.

The evaluation process shall be a ~~two~~-multi-step process. The first meeting is for the administrator evaluator and unit member to identify areas of growth and opportunities for training goals, objectives, support, and resources. ~~It will be the administrators charge to provide the trainings outlined in the evaluation. without unreasonable delay and where the identified training is not readily available, the administrator will inform the unit member in writing so they can identify other training opportunities. Said trainings will be on paid time with unreasonable denial to train on minimum days. The second mid-year meeting's purpose in the evaluation process would be the conclusion or outcome is to assess the previously identified goals, objectives, support, and resources. of the previous meetings. The year-end evaluation purpose is to review the employee's work performance and to determine whether the previously identified goals, objectives, support, and resources have been met. If an administrator is unable to meet both steps of the evaluation process, then they could not render a negative evaluation to the unit member. Any steps missed in this process will not preclude the Office or any evaluator from being able to issue a year-end evaluation.~~

Should any of the steps outlined above be missed by an evaluator or administrator and they wish who may intend to issue an unsatisfactory evaluation, that the effected affected member, shall have an additional 3 months number of days equal to the number of days in which the initial timeline has been missed, in order to course correct correct areas of concern before said the evaluation is issued.

2. Every permanent unit member, except those on Step 5 of the Paraeducator Salary Schedule, shall receive a formal ~~written~~ evaluation ~~on an approved form~~ each year between March 15 and May 15. Unit members on Step 5 of the Paraeducator Salary Schedule shall be evaluated every two years.
3. Every probationary unit member shall ~~may~~ be evaluated ~~twice at minimum, once, during the midpoint of their probationary period not to exceed four (4) months of service. The first evaluation shall may be completed on or before the end of the third (3rd) month of service. The second evaluation shall may be completed on or before the end of the fifth (5th) month of service.~~
4. Every unit member, whether probationary or permanent may be evaluated by his/her immediate administrator at any other time when ~~exemplary or~~ unsatisfactory service is

performed, but such evaluation shall be completed within twenty (20) workdays after the ~~exemplary or unsatisfactory~~ service is performed. ~~Whenever such unsatisfactory evaluation results in a denial of step advancement in accordance with Article IX of this Agreement, the~~ unit member shall be evaluated monthly until a satisfactory performance evaluation is achieved and maintained. ~~The evaluation Progress shall be documented completed utilizing made on an Office approved form the Office's Electronic Evaluation Tool (EET).~~ Whenever ~~such an unsatisfactory evaluation is issued results in a denial of step advancement,~~ the unit member may, within five (5) workdays, appeal such decision to the evaluator's immediate administrator; prior to a denial of step advancement, whose decision shall include the rationale for the denial of step advancement and will be final. A member who was denied a step advancement due to an unsatisfactory negative evaluation shall may have an opportunity to demonstrate improvement satisfactory performance and be request to be re-evaluated at after three (3) 3 (three) months for consideration of and have their denied step advancement reinstated without back pay effective the date of the satisfactory re-evaluation meeting.

5. The unit member shall have access to their evaluation and be notified ~~on the approved form~~ that he/she has ten (10) working days to attach a rebuttal should he/she so desire, prior to the evaluation being filed in his/her official personnel file.
6. The signature of the employee and that of the immediate administrator shall be entered on the EET. Should the employee refuse to sign, that fact shall be noted on all copies of the evaluation form before the ~~form~~ EET is filed.
7. A permanent unit member who receives an unsatisfactory evaluation shall be provided recommendations on how to improve and other assistance as appropriate.

B. Criteria

Evaluations shall be based on standards, competencies, goals and criteria appropriate for the classification and assignment of the unit member, along with standards established by the division and Office with input by an established CSEA committee.

~~All other provisions of Article VIII Procedures for Evaluation of Performance are to remain intact.~~

A. Methods of Assessment

The evaluator shall utilize, but is not limited to, the following methods of assessing performance:

1. Personal observations and knowledge;
2. Review of work product;
3. Appropriate documented and pertinent input from recipients of services and activities of the Office, where applicable; and
4. Other documented input related to the unit member's job performance.

B. Evaluations Less Than Satisfactory

1. The unit member retains the right to discuss the matter and give input to the evaluator regarding the less than satisfactory evaluation and recommendations within ten (10) working days. Upon extenuating circumstances as determined by the evaluator, the evaluator may grant an additional five (5) workdays for the unit member to discuss the matter.
2. Less than satisfactory evaluations of performance shall not be predicated upon personal activities which have no impact upon the unit member's effectiveness as an employee or upon the image of the Office.
3. An evaluation which is less than satisfactory, shall include:
 - a. A written description of the performance deemed less than satisfactory;
 - b. Recommendations on how to improve; and,
 - c. Other assistance as appropriate and reasonable.
4. Evaluations less than satisfactory may be appealed by the unit member in accordance with the appeal procedures, Section F, of this Article.

E. Information of a Derogatory Nature

No information of a derogatory nature may be used for evaluation purposes or be placed in a unit member's permanent personnel file unless the following procedures have been followed:

1. The evaluator shall review the derogatory information received by the Office with the unit member in a timely manner, which in no event shall be later than twenty (20) workdays from receipt of the information by the evaluator.
2. If the material is to be utilized for evaluation and/or placed in the unit member's permanent personnel file, the unit member shall be so advised and provided a copy of the material.
3. The unit member retains the right to attach a written rebuttal as a part of the permanent personnel file within ten (10) workdays. If the material is identified as a reprimand, the unit member shall have five (5) additional days to attach a rebuttal. Upon extenuating circumstances as determined by the evaluator, the evaluator may grant an additional five (5) workdays for the rebuttal to be submitted.
4. Derogatory information not properly placed in the unit member's permanent personnel file may not be used for any disciplinary purposes such as termination, suspension, demotion, administrative transfers or administrative reassignments.
5. Derogatory information determined to be untrue by the evaluator shall not be placed in the unit member's permanent personnel file.

F. Appeal Procedures

1. Unit members shall be provided ten (10) workdays for the opportunity to attach a rebuttal on any material placed in the personnel file except that obtained for initial employment or for promotional applications. Upon extenuating circumstances as determined by the evaluator, the evaluator may grant an additional five (5) workdays to attach a rebuttal.
2. Unit members may appeal to the evaluator's immediate administrator with any disagreements with their evaluator on matters relating to performance objectives and standards or

modification thereof, assessment methods, or the contents of the evaluation. The evaluator's immediate administrator shall make the final determination.

3. Both the evaluator's immediate administrator and the unit member shall have the right to have one representative present at the appeal conference.

G. Personnel File

Unit members shall have the right to inspect the contents of their personnel file. Such inspection shall be made only during nonduty hours for the unit members and during normal office hours (8:00 a.m. to 5:00 p.m.). In the event a unit member cannot schedule such inspection during normal office hours, a reasonable attempt will be made to accommodate the unit member outside of normal office hours. Upon request, the unit members shall have the right to have an Association representative accompany them to review the contents of their personnel file. Upon written authorization from the unit member, a CSEA staff member may review the unit member's personnel file during normal office hours.

H. Evaluation Grievance

1. No grievance arising under this Article shall challenge the substantive objectives, standards, or criteria determined by the evaluator or the Office, nor shall it contest the judgment of the evaluator. Grievance concerning evaluation shall be limited to a claim that the procedures of this Article have been misinterpreted or misapplied.
2. Discipline and termination proceedings may be undertaken as a result of or independently of evaluation procedures. Any challenges to Office disciplinary measures or termination shall be instituted in appropriate legal forums rather than through the grievance provisions

LOS ANGELES COUNTY OFFICE OF EDUCATION

DATED: Jul 17, 2024

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Chief Human Resources Officer

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 624

DATED: Jul 17, 2024

By: 
April Vidrio (Jul 17, 2024 10:58 PDT)

April Vidrio

Labor Relations Representative

DATED: Jul 17, 2024

By: 
Anthony Radcliff (Jul 17, 2024 11:04 PDT)

Anthony Radcliff

CSEA President