

<b>Procedures Handbook</b>	<b>Human Resources</b>		
	<b>Evaluation Grievances</b>	Descriptor Term:	Descriptor Code: Issued:
		<b>GAE</b>	<b>7/12</b>
		Rescinds:	Issued:
		<b>7/12</b>	

1 Refer to Knox County Schools Board of Education Policy GAE.

2  
3 A. Through this procedure, principals, teachers, and other school-based certified personnel may  
4 challenge the following, relative to their evaluation:<sup>1</sup>

- 5 1. Accuracy of the data  
6 2. Adherence to the evaluation policies adopted by the State Board of Education  
7

8 Minor procedural errors in implementing the evaluation model shall be resolved at the lowest  
9 possible step in the grievance procedure but shall not constitute grounds for challenging the final  
10 results of an evaluation. Minor procedural errors shall be defined as errors that do not materially  
11 affect or compromise the integrity of the evaluation results.<sup>2</sup>  
12

13 Definitions

14  
15 *Evaluator* – The evaluator is the immediate supervisor of grievant. In most cases, the evaluator is  
16 the lead site administrator, i.e. principal. For system-wide employees, the evaluator is the  
17 appropriate system-wide administrator who is the immediate supervisor of the grievant.  
18

19 *Observer* – Observers, as trained and certified by the Tennessee Department of Education,  
20 conduct classroom observations as a component of the evaluation process.  
21

22 B. Step I – Evaluator

- 23 1. A written grievance must be submitted to the Evaluator and to the Human Resources  
24 department to the attention of the Director of Human Capital Strategy based on the  
25 following timeline, otherwise it will be considered untimely and invalid:  
26

Evaluation Data	Grievance Deadline
Observation Scores & Professionalism	<i><b>Fifteen (15) days after the release of data from the Tennessee Department of Education at each phase or <u>fifteen (15) days after opening of district grievance window (whichever is later)</u>. Should the 15<sup>th</sup> day be a weekend or holiday, the deadline will be the next business day.</b></i>
35% Growth Score	
15% Achievement Phase 1 Data	
15% Achievement Phase 2 Data	
15% Achievement Phase 3 Data	
15% Achievement Phase 4 Data	

- 27  
28  
29  
30  
31  
32  
33  
34  
35 i. Grievance forms will be provided on the district internet site at [hr.knoxschools.org](http://hr.knoxschools.org)  
36 and in the office of Human Resources. However, grievances may be submitted in  
37 other formats as long as all required components are included.  
38

39 2. Required components of grievance:

- 40 i. educator's name, position, school/assignment, and additional title, if any  
41 ii. name of the educator's immediate supervisor/evaluator  
42 iii. date the challenged evaluation data was received

- iv. evaluation period in question
- v. basis for the grievance
- vi. corrective action requested by the grievant
- vii. sufficient facts or other information to begin an investigation
3. Failure to state specific reasons shall result in the grievance being considered improperly filed and invalid.
4. After receiving the grievance, the Evaluator shall:
  - i. examine the documentation presented by the grievant and such other documentation as may be relevant and available;
  - ii. if necessary, contact observers and other relevant parties to gather additional information;
  - iii. communicate a decision, in writing, to the grievant, including the results of investigation, within fifteen (15) days of receipt of the grievance;
  - iv. at their discretion, correct any procedural errors made during the evaluation process.

#### C. Step II – Director of Schools or Designee

1. A written grievance must be submitted by the grievant to the Director of Schools or designee no later than fifteen (15) days after notification of the decision rendered in Step I.
  - i. A designee may not be used if the grievant is a principal.
  - ii. A designee shall have had no input or involvement in the evaluation for which the grievance has been filed.
2. The Director of Schools or designee will:
  - i. hold an informal discussion with grievant, or, if appropriate, schedule to hear facts, allegations, and testimony by witnesses as soon as practical;
  - ii. allow an attorney or a representative to speak on behalf of the employee;
  - iii. communicate, in writing, a decision to the grievant, including the results of investigation and findings of fact, within fifteen (15) days of the informal discussion with grievant or hearing of facts;
  - iv. take any action necessary, based on the circumstances, to immediately correct any procedural errors made in the evaluation process.

#### D. Step III – Local Board of Education

1. Educators may request a hearing before the Board of Education by submitting a written grievance and all relevant documentation to the Board of Education no later than fifteen (15) days after the notification of the decision rendered in Step II.
2. The Board of Education, based on a review of the record, may:
  - i. grant or deny a request for a full Board hearing;
  - ii. affirm or overturn the decision of the Director of Schools with or without a hearing.
3. If a hearing is granted, the Board will:
  - i. hold such hearing no later than thirty (30) days after the receipt of a request for a hearing;
  - ii. allow an attorney to represent the grievant before the Board;
  - iii. give written notice of the time and place of the hearing to the grievant, the Director of Schools, and all administrators involved;
  - iv. communicate its decision, in writing, to all parties no later than thirty (30) days after the conclusion of the hearing.
4. All decisions shall be rendered within sixty (60) days of the receipt of the written grievance in Step III.
5. The Board of Education shall serve as the final step for all grievances.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10

Legal References:

1. TCA 49-1-302
2. Tennessee State Board of Education Policy 5.201 Teacher and Principal Evaluation Policy