

Category:	Procedure:	
Human Resources	Evaluation Grievances	
Descriptor Code:	Issued Date:	Revised Date:
AP-G-130	July 2012	

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2 Refer to policy G-130.
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4 A. Through this procedure, principals, teachers, and other school-based certified personnel may
5 challenge the following, relative to their evaluation:
6 1. Accuracy of the data
7 2. Adherence to the evaluation policies adopted by the State Board of Education
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9 Minor procedural errors in implementing the evaluation model shall be resolved at the lowest possible step
10 in the grievance procedure but shall not constitute grounds for challenging the final results of an
11 evaluation. Minor procedural errors shall be defined as errors that do not materially affect or compromise
12 the integrity of the evaluation results.
13
14 **DEFINITIONS**
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16 **Evaluator** – The evaluator is the immediate supervisor of grievant. In most cases, the evaluator is the lead
17 site administrator, i.e. principal. For system-wide employees, the evaluator is the appropriate system-wide
18 administrator who is the immediate supervisor of the grievant.
19 **Observer** – Observers, as trained and certified by the Tennessee Department of Education, conduct
20 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 following
25 timeline, otherwise it will be considered untimely and invalid:
26
27 **Evaluation Data Grievance Deadline**
28
29 Observation Scores Fifteen (15) days after the release of data from the Tennessee Department of
30 & Professionalism Education at each phase or fifteen (15) days after opening of district grievance
31 window (whichever is later). Should the 15th day be a weekend or holiday, the
32 deadline will be the next business day.
33 35% Growth Score
34 15% Achievement Phase 1 Data
35 15% Achievement Phase 2 Data
36 15% Achievement Phase 3 Data
37 15% Achievement Phase 4 Data
38 15% Achievement Phase 3 Data
39 15% Achievement Phase 4 Data
40
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1 Grievance forms will be provided on the district internet site at <http://hr.knoxschools.org> and in the office
 2 of Human Resources. However, grievances may be submitted in other formats as long as all required
 3 components are included.

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 5 2. Required components of grievance:

- 6 i. educator's name, position, school/assignment, and additional title, if any
- 7 ii. name of the educator's immediate supervisor/evaluator
- 8 iii. date the challenged evaluation data was received
- 9 iv. evaluation period in question
- 10 v. basis for the grievance
- 11 vi. corrective action requested by the grievant
- 12 vii. sufficient facts or other information to begin an investigation

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 14 3. Failure to state specific reasons shall result in the grievance being considered improperly filed
 15 and invalid.

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 17 4. After receiving the grievance, the Evaluator shall:

- 18 i. examine the documentation presented by the grievant and such other documentation as may
 19 be relevant and available;
- 20 ii. if necessary, contact observers and other relevant parties to gather additional information;
- 21 iii. communicate a decision, in writing, to the grievant, including the results of investigation,
 22 within fifteen (15) days of receipt of the grievance;
- 23 iv. at their discretion, correct any procedural errors made during the evaluation process.

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 25 C. Step II – Director of Schools or Designee

- 26 1. A written grievance must be submitted by the grievant to the Director of Schools or designee
 27 no later than fifteen (15) days after notification of the decision rendered in Step I.
- 28 i. A designee may not be used if the grievant is a principal.
- 29 ii. A designee shall have had no input or involvement in the evaluation for which the grievance
 30 has been filed.
- 31
- 32 2. The Director of Schools or designee will:
- 33 i. hold an informal discussion with grievant, or, if appropriate, schedule to hear facts,
 34 allegations, and testimony by witnesses as soon as practical;
- 35 ii. allow an attorney or a representative to speak on behalf of the employee;
- 36 iii. communicate, in writing, a decision to the grievant, including the results of investigation
 37 and findings of fact, within fifteen (15) days of the informal discussion with grievant or
 38 hearing of facts;
- 39 iv. take any action necessary, based on the circumstances, to immediately correct any
 40 procedural errors made in the evaluation process.

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 42 D. Step III – Local Board of Education

- 43 1. Educators may request a hearing before the Board of Education by submitting a written
 44 grievance and all relevant documentation to the Board of Education no later than fifteen (15)
 45 days after the notification of the decision rendered in Step II.
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- 47 2. The Board of Education, based on a review of the record, may:
- 48 i. grant or deny a request for a full Board hearing;
- 49 ii. affirm or overturn the decision of the Director of Schools with or without a hearing.

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- 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.