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COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Certified and Classified Employees

Cobb County School District has two types of employees-certified and classified. As far as progressive discipline, employees should be treated equally. Documentation is required for the nonrenewal of a contract or termination of employment on both types of employees. However, certified employees do have a right to formal due process hearings.

Certified employees require a Georgia Teaching Certificate or a Georgia Leadership Certificate and are under a contract for employment with the School District.



Examples:

- Administrator
- Guidance Counselor
- Media Specialist
- Teacher

Classified employees are not required to hold a state Georgia Teaching Certificate but may be skilled, highly trained professionals in various areas.



Examples:

- Administrator
- Bus Driver
- Clerk
- Paraprofessional



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Who Should Investigate?

The Employee Relations Office of Human Resources investigates employee misconduct and violations of the Code of Ethics established by the Georgia Professional Standards Commission. Below is a chart with examples of common situations involving employee performance and/or misconduct with suggested approaches. These situations fall on a continuum and it is in many cases up to the principal's professional judgment if the assistance of the Employee Relations Office is warranted.

Handle at Local Level:	Handled by Employee Relations Office:
✓ Physically redirecting students	✓ Physically harming or threatening to harm a student
✓ First incident of inappropriate language	✓ Racial slur in presence of or toward student
✓ Professional Development Plan	✓ Nonrenewal of contract
✓ First incident of an unauthorized absence	✓ Job abandonment
✓ Employee dispute	✓ Sexual harassment complaint
✓ First incident of an employee smoking on school grounds	✓ Suspicion that an employee is under the influence of drugs or alcohol at work
✓ Initial investigation of parent complaints	✓ Sexual abuse
✓ Documenting incident of employee unacceptable behavior	✓ Employee continues to exhibit unacceptable behavior

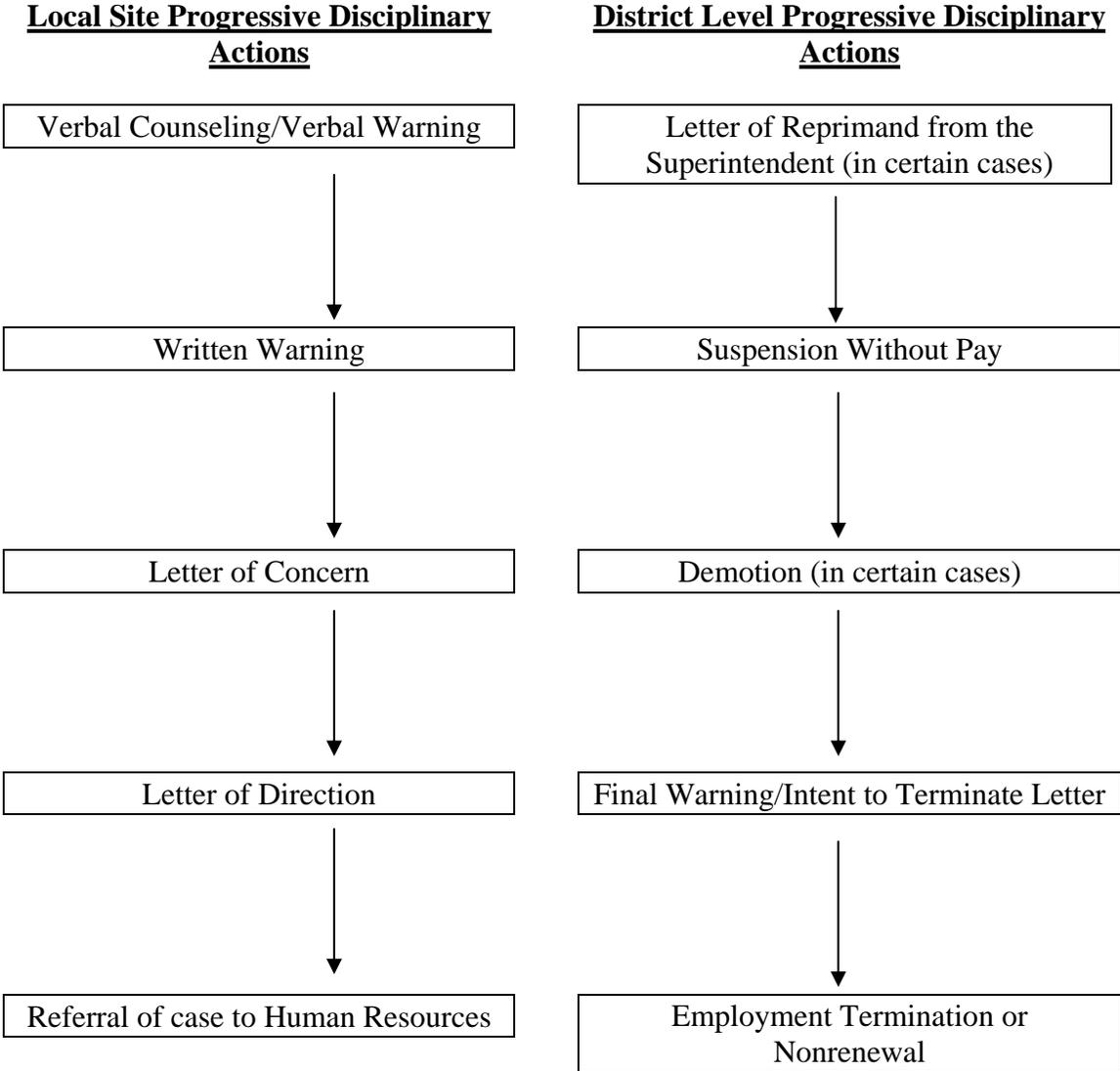
Your Area Assistant Superintendent may also be a helpful resource to answer questions such as: Am I overreacting to this situation or is my concern justified? Are my directives to the employee appropriate/reasonable/sufficient? Is the wording in a letter direct but not offensive? How have other principals dealt with a similar situation?

Please feel free to contact the Employee Relations Office at (770) 420-4958 to seek advice or to make a report.

**COBB COUNTY SCHOOL DISTRICT
HUMAN RESOURCES**

Progressive Discipline

Cobb County School District utilizes a progressive discipline method in which disciplinary actions normally follow a gradually escalating path. *However, depending on the seriousness of the offense, progressive discipline may not be appropriate and any disciplinary action may be imposed.* The action taken should be consistent with precedent in similar situations, appropriate to the offense, and documented. An employee who holds a certificate with the Georgia Professional Standards Commission may be reported at any time for a violation of the Code of Ethics for Educators. Listed below is an example of the progressive discipline method:



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Remediation

Employers are expected to provide assistance to employees to improve performance. However, each situation has a unique set of circumstances to be considered before taking action. Most situations call for some form of remediation to assist employees in improving their performance and benefiting the school. Administrative action may be used with remediation to reinforce the seriousness of the matter and importance placed on performance. Listed below are examples of remediation:

- Observations
- Review lesson plans
- Team teach
- Mentor
- Assistance from department head
- Model teaching
- Staff Development
- Professional Development Plan



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Employee Due Process Hearings

Background

Hearings for certified employee suspensions or terminations are specified in Georgia law §20-2-940 and come under the general provisions of the Fair Dismissal Act. The tribunal that convenes for employee due-process hearings is composed of three members, usually from the Board of Education. The Board member whose school is involved in the hearing does not serve on the tribunal. Board members are only aware of information presented to them as evidence and in witness testimony. They weigh the evidence and make a recommendation to the full Board of Education for a decision. A lawyer always represents the administration; a lawyer from the Georgia Association of Educators or another defense firm frequently represents the employee.

Witness Testimony

Much of the Hearing Panel's attention is focused on **witness testimony**. Often, witnesses contradict each other (and sometimes themselves) in relating what events occurred or did not, what was said or not said, etc. Witnesses will be called to support both parties in the case, and often Board members have to sort out completely different "he said – she said" testimonies. The witness who can be specific about times, dates, places – and consistent in testifying during initial and cross-examination, is usually more believable. Panel members have stated in the past they often must rely on the impression they get of the witness during his or her testimony to decide if the witness is believable. Multiple witnesses with consistently similar testimonies are effective at reinforcing key points in the case and improve credibility.

Principal Involvement

Principals must be directly involved in employee termination or suspension matters. When employee misconduct or poor job performance is such that it appears to be heading towards an employment termination recommendation, if the principal has not been directly involved in the matter up to that point, he or she must become fully involved immediately. In other words, the seriousness of the recommendation demands the principal's direct involvement and full understanding of the case. Initial investigations and early stages of progressive discipline (counseling, verbal warnings, and written warnings) may not require the principal to be directly involved. However, if these fail to correct behavior or performance, the principal must enter the process and assume control of the matter. Principals must be able to testify that they have personally observed the misconduct or poor job performance, that they have personally discussed the matter with the employee, and that they have personally been involved with remediation efforts.

The hearing panel will want to ask the principal very specific questions about:

How he/she handled the preliminary investigation

What exactly he/she personally observed; and how often; and for how long

What expectations were communicated to the employee and how did the principal communicate them

What assistance was offered to the employee?

What progressive disciplinary steps were followed?

How principals answer these and other questions is pivotal to establishing confidence in the panel members that the employee is not being victimized or subjected to mistreatment by an inexperienced staff member.

Unfair Expectations

Employees being recommended for employment termination or suspension without pay usually require extra time and attention from supervisors and school leadership. At the same time, the hearing panel is sensitive to any perception that these employees are being **unfairly held to a higher standard** of performance, more closely watched, or given unrealistic behavior expectations as compared to others. This applies not only to a similar standard for performance and behavior for all employees, but also to the recommended discipline for failure to achieve and maintain this standard. Common hearing panel questions to principals are:

Have you had other employees with the same or similar problems?

In addressing this problem with the employee, did you ask him or her to do more than you would ask of other employees?

Have you also recommended employment termination or suspension in those cases?

Being consistent in similar circumstances shows fairness and diminishes the perception of retaliation.

Professional Development Plan (PDP)

A written **Professional Development Plan (PDP)** is required by state law in certain circumstances, recommended in most performance cases, and is frequently a topic of interest with the hearing panel. The District has an approved format for a PDP that should be used to identify specific improvements needed, responsibilities for the employee and supervisor to follow, and a timeline for completion. The format may be modified to accommodate local circumstances. Most school administrators will do many of the actions required by a PDP – provide assistance, training, remediation, etc. – but some forget to document these actions properly in a written PDP. Once you decide a PDP is necessary, notify the employee and have him/her review and sign the form. Failure of the employee to agree to the PDP seriously degrades his/her credibility before the panel and could be fatal to their case. Failure of local school administration to use a written PDP could have the same effect on the administration's case.

Documentation

There are very specific rules about the types of **documentation** that may be presented and entered into evidence during a hearing. Lawyers on both sides of the case will argue to include, or reject, emails, letters, internal memos, and other types of correspondence. However, District policies and regulations relevant to the case are almost always admitted, and the panel closely examines them when evaluating witness testimony and other evidence. The panel wants to know if the administration followed our own policies and regulations in handling the situation. If we did not follow our own rules, it hurts our position and may make it very difficult for the panel to overlook when they make their recommendation to the Board of Education.

Nonrenewal Charge Letter

CERTIFIED MAIL
REGULAR U.S. MAIL

Date

Name/Address

Dear _____ :

In conformity with O.C.G.A. 20-2-940, (a)- f, regarding the proposed nonrenewal of your employment contract with the Cobb County Board of Education, the following specifications of charges, list of known witnesses with brief summary of testimony and other information are provided to you.

The reasons for your proposed nonrenewal are; Incompetency as defined in O.C.G.A. 20-2-940 (a) (1); Willful Neglect of Duty, as defined in O.C.G.A. 20-2-940 (a) (3); and Any Other Good and Sufficient Cause, as defined in O.C.G.A. 20-2-940 (a) (8).

You are further notified that a panel of the Cobb County Board of Education will serve as the Tribunal to hear this matter. The hearing will be held in the Board Room at the Central Office at 514 Glover Street, Marietta, Georgia, at (time) on (date).

INCOMPETENCY

Despite numerous efforts on the part of the administration to assist you in the identified deficiencies, you have continued to demonstrate these patterns of behavior. You have failed to demonstrate the necessary fundamental characteristics of a competent teacher. Your professional deficiencies include the following:

- A. **Failure to provide organized and adequate instruction in the classroom.** In (month), (year), the administration of _____ School met with you regarding complaints from four representative students who noted that assignments were confusing and unsequenced. Assistant Principal at _____ School, noted in a memo of (date), (copy attached) that on (date), you had begun working on synonyms and antonyms. She noted that you then began teaching dictionary skills, but returned to the antonyms and synonyms on (date), and she expressed concern to you regarding the lack of continuity in your instruction. She further noted that on several occasions you had used incorrect worksheets to accompany lesson plans. You were provided assistance at both _____ School and _____ School to improve your performance in this area. At _____ School, you observed _____ and were asked to provide feedback of your observations. You also were videotaped in your own classroom and received extensive feedback from _____ in (date) (copy attached). At _____ opportunities were provided to observe other classes at _____ School and two reading teachers at _____ School. You were accompanied on the visit to _____ School by (name), the Instructional Lead Teacher at _____ School, who attempted to assist you in applying the observed techniques in your own classroom. Despite this assistance, no improvement has been noted. When you were observed by (name), Assistant Principal, _____ School, on (date), you gave directions which were

unclear, non-sequenced, and you changed the directions during class. Again on (date), (name) observed that directions for the class activity were unclear. On (date), (name), Principal, observed you skipping paragraphs and failing to summarize the lesson.

- B. **Failure to include purpose, focus, or closure in your instruction.** Administrative Assistant at _____ School, noted in an observation on (date) that students could not understand what was happening during the first ten minutes of the class and that you needed a warm-up activity to provide focus. Name noted on observations of (date) and (date) and (name) observed on (date), that you failed to provide closure to the lesson.
- C. **Failure to follow the Cobb County reading program objectives and to use suggested materials as outlined by the School District.** On (date) (name), Assistant Principal, _____ School noted that you had taught a novel study for two weeks with no assessment procedures or methods for evaluating student understanding of events, characters, etc. Similarly, you were observed on (date) while teaching Chapter 6 of Dacey Song, and you did not finish that novel until (date), almost two months later. According to the Cobb County Public Schools Middle School Reading Handbook, Page 27, (copy attached), the Cobb County School District curriculum allows three to four weeks for this novel study. (Name) met with you on (date) to review with you all materials available at _____ School for use with the reading program and to review the process for making sure that your program met the objectives of the Cobb County School District reading curriculum. They told you in a memo of (dates) (copy attached) that you were expected to follow the objectives and use the suggested materials for the remainder of the school year. Despite this assistance, on (date) (name), a parent of a (grade) student, complained that quizzes consisted of reading only five easy questions and that questions for book reports were not content-related. Your response to this complaint was that you are continuing to work to improve the content of your classes.
- D. **Failure to prepare appropriate lesson plans and to leave adequate plans for substitute teachers.** The administration of _____ School reviewed your lesson plans for the weeks of (date) and (date) and found them to be inadequate. You then submitted plans for the week of (date); (name) and (name), Assistant Administrators at _____ School, met with you to review problems such as the use of teaching strategies as objectives, the use of evaluation strategies as objectives, and listing the same activity as teaching strategies for several days. Written materials were given to you by (name), Instructional Lead Teacher at _____ School, to assist you with writing lesson plans. During _____ quarter, (year), a staff member, (name) complained to the administration about the type of plans that you had left for substitutes. You failed to provide clear directions, gave worksheets that had been previously completed, changed plans at the last minute, and wasted valuable instructional time for your students.
- E. **Written communications of poor quality.** The administration at _____ School expressed concern to you in (month, year) that four representative students had complained that grades were incorrectly recorded in the grade book and that work written on the chalkboard was often illegible. (Name), student at _____ School, complained to the administration in (month, year) that you frequently spilled water on papers and materials. On an observation of (date) (name), Supervisor of Middle School Language Arts, noted written errors on student tests. (Name), paraprofessional at _____ School, complained to the administration during the _____ quarter of (year) that lesson plans that you asked her to follow continued misspelled words, serious omissions and duplications.
- F. **Failure to maintain accurate records and student grade information.** _____ additional students at _____ School expressed concerns to the administration in (month, year) that grades were often recorded incorrectly in the grade book and that favored student received higher grades. _____ also complained to the administration that students who missed the same numbers of questions received different grades. The

administration brought this and other concerns to your attention in a memo of (date). (Copy attached). This problem again occurred at _____ School in (year). In (date). In (month, year), _____ met with you regarding several issues including her concerns about _____ grade of 62. You were unable to explain this grade and showed _____ a grade of 75.5.

- G. **Failure to develop an effective behavior management plan in your classroom.** Despite frequent assistance from the administration and other staff members, student behavior in your classroom is unacceptable. The administration at _____ School reminded you in (month, year) of their concerns about the lack of appropriate behavior management in your classroom. They provided two books for you to read on classroom management and _____, Instructional Lead Teacher at _____ School, worked with you to analyze behavior in your classroom. When _____ noted concerns regarding behavior management in his observation of (date), you indicated in writing to him that you had started a new behavior management system. Behavior in your classroom remains unacceptable as evidenced by the memo of (date) from _____ (copy attached) reminding you of the necessity for development of a consistent and fair behavior management plan. _____'s memo followed a complaint from a parent dated _____, in which the parent, _____, described her son's concern for lack of respect for you as teacher, bad language and objects thrown in the classroom. _____, student at _____ School, and his mother expressed continuing concerns regarding your allowing students to do anything they wanted in your classroom and your failure to address behavior problems.

WILLFUL NEGLECT OF DUTIES

You have willfully neglected your duties as a teacher by the following:

- A. **Failure to allow students to go to the restroom or to call parents when ill.** Concern was expressed in (month, year) by the administration at _____ School that you had failed to allow _____ to call home when she had strep throat and needed to be seen by a doctor. On (date), _____ discussed with you your failure to allow _____ to go to the restroom after they had repeatedly asked to go. You were told in a letter of (date), from _____ (copy attached) that you were expected not to allow this problem to recur. The administration offered assistance in handling any student taking advantage of restroom privileges. Despite these expectations, you failed to allow _____ to go to the restroom in (month, year), and _____ knocked over a desk in the classroom when you refused to let him go to the restroom after you had told him that he could go at a certain time. You finally submitted a plan for allowing restroom privileges on (date), over three months after the administration requested that you correct the problem.
- B. **Failure to intervene when student behavior has interfered with instructional activity.** When _____ observed your class on (date) she noted that students were arguing with each other and that five students left the classroom without a pass. In the observation of (date), two students talked for forty minutes of class time before you moved to stop the talking.
- C. **Failure to be prepared for class.** Students at _____ School stated that you often started class without materials you needed and then sent students to locate the necessary supplies. This was noted to you by the administration of _____ School in a memo of (date) (copy attached) summarizing concerns expressed by four representative students regarding your classes. Further, in (month, year), you were unprepared for the beginning of the computer unit, and _____ had to bring in a CD ROM program for students to use so they would not have to stand in line to use the computer.

- D. **Failure to attend a subject area meeting on (date).** Since you were the only full-time reading teacher at _____ School, your attendance was necessary to coordinate activities and review instructional methods. You failed to attend the meeting of (date) which caused you to miss a valuable review of instructional methods to be utilized in your classroom.

OTHER GOOD AND SUFFICIENT CAUSE

You have demonstrated other reasons why you should not continue your position as a teacher. These reasons are:

- A. **Sharing confidential information about a student with other students.** On (date), _____, a student in your 6th grade class at _____ School, _____ complained that you told students not to pick _____ for their group because they would have to do all of his work. Similarly, on (date), _____ described to the administration her concerns about your revealing to other students that _____ was wearing a wig as a result of a personal condition. Your discussions with students were embarrassing to the students and upset their parents.
- B. **Failure to demonstrate sound professional judgment.** On (date), _____ expressed concern that you moved _____ to another class in the middle of the grading period when she was being harassed by other students. You revealed that you had not taken any action against the students that were harassing _____. Your actions were disruptive to _____'s education since she was to be moved during a grading period and you violated directives described in the memo of (date) from _____ (copy attached) regarding movement of students during the quarter.
- C. **Disruption in the use of the computers at _____ School.** In (month, year) you reconfigured the IBM computers, changing the screen and causing confusion among the staff. During the same time period, you used the computer in the media center to access Integrate and changed the setup of the system. Assistance from the MIS department was necessary to repair the problem. On (date), you brought your computer from home and infected the Pentium computer with the Stealth virus. It was necessary for _____ to direct you to bring her any disks you bring from home for scanning prior to use on school computers.
- D. **Losing of papers and tests.** The administration at _____ School expressed concern to you in (month, year) that you had lost student papers and that you had told students to throw away papers which you later collected for grading. This concern was reported to the administration by a representative group of four students, headed by _____, student at _____ School. When _____ observed your class during the fall of 20__, she learned that you had lost the majority of students' tests. She had to intervene in your class to resolve the arguments about how the problem of the lost papers would be handled. _____, student at _____ School, complained to the administration that you had lost student tests this year in his class; this complaint was verified by the administration at _____ School.
- E. **Allowing students to leave your classroom for errands or other purposes, causing them to miss instructional time and to get in trouble in the school.** On (date), _____ was referred to the office for stealing crackers out of the cafeteria cabinets. When this situation was investigated, it was determined that you had sent him to the cabinets for plastic forks. Not only did your action allow _____ to get into trouble while he was not supervised, but you were not authorized to take plastic forks belonging to the food service program for other use.

You have received assistance from the administration in correcting these deficiencies. The following staff development classes were provided for professional growth, and you received stipends for taking some of these classes: Classroom Management, (date); Techniques of Effective Instruction, (date); Cloud Connection, (date); Beginning Computers, (date); Learner Support Through Student Support Team, (date); Arab World and Islam, (date); Teaming for An Effective School, (date).

In addition, you were assigned Professional Development Plans in 20__ and 20__ (copies attached) designed to improve your teaching methodology, instructional strategies, and lesson plan preparation. The Professional Development Plan for 20__ was not fully completed since you did not keep a journal of classroom observations or note techniques that could be applied in your own classroom. Opportunities were provided for you to observe in numerous classes and to interact with administration and other staff members regarding your deficiencies. You were observed by five professionals at _____ School and these individuals provided extensive feedback to you regarding suggested improvements. The serious concern of administration was expressed to you on (date) and again on (date). (Copies attached).

Despite this assistance, sufficient improvement has not been noted in your performance.

The following witnesses may be called to testify regarding this matter:

1. _____, Principal, _____ School, will testify that he expressed the serious concern of the administration regarding your performance to you in a memo of (date), and that your performance has not improved since that date. He will further testify that he and _____, Assistant Principal, have met with you regarding parent concerns about your failure to allow students to go to the restroom when necessary. He will further testify that he has received several parent complaints since (month, year) concerning behavior management and instructional problems in your classroom. Finally, he will testify regarding the results of his observations in your classroom.
2. _____, Assistant Principal, _____ School, will testify that she met with you on (date) about your failure to allow students to go to the restroom when necessary and on (date) to review the six NI scores on your classroom observation of (date). She will further testify that she met with you on (date) to discuss concerns regarding inappropriate comments to a student, _____, and your failure to address student harassment of _____ in your classroom. She will further testify that her continued concerns regarding your performance were expressed to you in the letter of (date), and follow-up memo of (date). Further, she will testify regarding the results of her observations in your classroom.
3. _____, Administrative Assistant, _____ School, will testify that she and _____ met with you on (date) regarding your misuse of the IBM computers. She will further testify that she talked with you again on (date) regarding problems caused with the Pentium computer due to your handling of the equipment. She will further testify that she observed your class on (date) and that you received four NI's reflecting problems in reading aloud to the students, providing directions regarding a worksheet, and intervening with inappropriate behavior.
4. _____, Instructional Lead Teacher, _____ School, will testify that on (date), she observed two reading classrooms at _____ School with you to assist you in improving the reading instruction in your classroom. She will further testify that she has provided assistance to you in the form of observation and planning of units but has seen little or not improvement in instruction in your classroom. She will state that she felt frustrated because she assisted you in researching and finding materials but you did not appear to hear her suggestions.

5. _____, Parent, will testify that she sent a letter to the administration of _____ School regarding her concerns about your lack of control in your classroom and her concerns that her son is not required to exert any effort or meet any expectations in your classroom while receiving grades of 85 to 88 in reading.
6. _____, Special Education Teacher, _____ School, will testify that on (date), she reported to the administration about her concerns. She will further testify that her students complained about not completing novels, skipping chapters, jumping around in the novels, and being confused in your reading class. Her students complained to her that they read Chapter 8, then Chapter 12, then Chapter 9 was read three times in the Ten Little Indians novel study.
7. _____, Paraprofessional, _____ School, will testify that she was asked to cover your classes for fifteen minutes daily during the winter quarter and that your lesson plans would be for work completed the day before. She will further testify that plans were often changed at the last minute and that words were misspelled, omitted, or duplicated, causing student confusion. She will testify that she expressed this concern to the administration at _____ School.
8. _____, Parent, will testify that she met with the administration at _____ School in (month, year) to express concern that you had failed to allow her daughter, _____, to go to the restroom. She will also testify that she expressed concern about your revealing that _____ wears a wig, that harassment of _____ in your class had not been addressed, and that you had attempted to move _____ to another class in the middle of a grading period even though she was the victim of the harassment. She will testify that her daughter, _____, wrote a letter of complaint to the _____ administration on (date) regarding the lack of planning in your class, her inability to read your handwriting on the overhead projector, her concerns about your inability to explain her grade of 62, and other issues.
9. _____, student at _____ School, will testify that he talked with the _____ administration at _____ School on several occasions during the 20__ school year regarding his concerns about not learning in class. He will further testify that he could not understand directions and that you lost student tests. Also, he will testify that students were out of control in class and that you let them say anything to you without correcting their behavior.
10. _____, student at _____ School, will testify that he expressed concern to the administration at _____ School related to getting him out of exploratory classes to help with a quiz, confusion about directions, your failure to assign homework all year, his failure to learn in the class, and that students could do anything they wanted in your class.
11. _____, parent at _____ School, will testify that she expressed concerns to the administration regarding your lack of focus, skipping through novels, failure to complete novel studies in a timely manner. She will further testify that she was concerned about comments that you made to her son in your class.
12. _____, Principal, _____ School, will testify that he sent you a memo on (date) (copy attached) regarding your unprofessional comments and actions toward _____. He also will testify that he met with you on (date) to express concerns brought to the administration by four representative students from your classes regarding confusing assignments that seemed to have no purpose, a lack of connection between your lessons, confusion about grading procedures, and a lack of sequencing in your lessons. He will further testify that the administration sent you a letter expressing their serious concerns about your performance on (date), which listed specific concerns expressed by

six parents and other concerns by anonymous parents about directions provided for assignments, and by staff members concerned about your failure to work cooperatively with your team and their frustrations about the frequent student complaints brought to their attention.

13. _____, Assistant Principal, _____ School, will testify that she expressed to you on (date), her grave concerns that you did not understand the basic fundamentals of teaching. She will further testify that she critiqued a videotape of your class in (month, year), and noted much off-task and inappropriate behavior as well as subject/verb agreement errors while you were speaking to the class. She will also testify that she expressed concern to you in (month, year) that you had used worksheets in an incorrect manner, that you had started a second skill (dictionary work) before completing another skill (synonyms and antonyms), and that she had noted continuing concern with your lesson plans. She will testify regarding the results of her observations in your classroom.
14. _____, Administrative Assistant, _____ School, will testify that she observed your classroom on (date) and that she noted on a daily observation form that students left the room without a pass, that most of the students were inattentive and that students were unable to determine what was happening for the first ten minutes of the class period.
15. _____, Instructional Lead Teacher, _____ School, will testify that she provided assistance to you in preparation of lesson plans and that she observed your classes on (date), (date), and (date). She will further testify that she noted concerns related to student confusion about test directions, no purpose or focus of instruction, inconsistency in follow-through, a lack of purpose or focus of instruction, and failure to correct inappropriate student behavior.
16. _____, Teacher, _____ School, will testify that she observed your class on (date) and met with you on (date) to discuss the observation. She will further testify that her concerns included off task behavior of students, uncertain purpose for the day's activities, and a lack of sensitivity to student instructional needs. She will testify that she made suggestions to you to correct identified problems.
17. _____, student, _____ School, will testify that he met with the administration at _____ School in the 20__ school year regarding his concern about the confusing directions provided for class assignments and your failure to provide clear understanding of due dates for assignments. He will further testify that you deducted points for a "late" project, which was in fact completed and submitted on time.
18. _____, student, _____ School, will testify that he led a group of four representative students who went to the administration in (month,year) regarding concerns about your losing an entire set of student test papers, your frequently spilling water on papers and materials, your confusing grading procedures, and the lack of discipline in your classroom.
19. _____, student, _____ School, will testify that he felt in danger in your classroom due to your failure to establish behavior management strategies in your classroom. He will state that his personal belongings were stolen and destroyed while he was in your classroom. He will also testify that he was eventually removed from your homeroom because of concerns about his safety.
20. _____, parent, will testify that she and her husband sent two letters (copies attached) to the administration at _____ School during the 20__ school year regarding their concerns about their child's safety in your classroom and your lack of response to his reporting problems in your class to you.

21. _____, Supervisor of Language Arts for the Cobb County School District, will testify that she observed your class on (date) and later met with you to review her concern. She will testify that she noted concerns regarding written errors on the test given to students, a need for clear procedures for distribution of materials, and confusion as to when work was to be finished.

22. _____, Assistant Superintendent, Human Resources, will testify that she met with the administration of _____ School to review their concerns about your failure to implement appropriate classroom procedures. She will further testify that school district records reveal that you participated in seven staff development classes from 20__ to 20__ designed to improve your classroom instruction and behavior management techniques. She will further testify that you received payment for participation in many of these classes.

You will be furnished with subpoenas requiring the attendance of witnesses and the production of documents and other papers upon request as provided by law. If you have questions, you should have your attorney contact _____.

Memoranda and correspondence attached to this notice are to fully apprise you of the charges and do not represent all of the documentary evidence to be used in the hearing.

Sincerely,

(Superintendent)

Attachments

F. D. Toth, Executive Secretary
Georgia Professional Standards Commission
Two Peachtree Street, Suite 6000
Atlanta, GA 30303-3141

www.gapsc.com

Gary Walker, Director
Educator Ethics Division
404-232-2700
800-537-5996
Fax: 404-232-2720
ethics@gapsc.com

THE CODE OF ETHICS FOR EDUCATORS

Effective August 15, 2005

Introduction

The Code of Ethics for Educators defines the professional behavior of educators in Georgia and serves as a guide to ethical conduct. The Professional Standards Commission has adopted standards that represent the conduct generally accepted by the education profession. The code protects the health, safety and general welfare of students and educators, ensures the citizens of Georgia a degree of accountability within the education profession, and defines unethical conduct justifying disciplinary sanction.

Definitions

“Certificate” refers to any teaching, service, or leadership certificate, license, or permit issued by authority of the Professional Standards Commission.

“Educator” is a teacher, school or school system administrator, or other education personnel who holds a certificate issued by the Professional Standards Commission and persons who have applied for but have not yet received a certificate. For the purposes of the Code of Ethics for Educators, “educator” also refers to paraprofessionals, aides, and substitute teachers.

“Student” is any individual enrolled in the state’s public or private schools from preschool through grade 12 or any individual between and including the ages of 3 and 17.

“Complaint” is any written and signed statement from a local board, the state board, or one or more individual residents of this state filed with the Professional Standards Commission alleging that an educator has breached one or more of the standards in the Code of Ethics for Educators. A “complaint” will be deemed a request to investigate.

“Revocation” is the invalidation of any certificate held by the educator.

“Denial” is the refusal to grant initial certification to an applicant for a certificate.

“Suspension” is the temporary invalidation of any certificate for a period of time specified by the Professional Standards Commission.

“Reprimand” admonishes the certificate holder for his or her conduct. The reprimand cautions that further unethical conduct will lead to a more severe action.

“Warning” warns the certificate holder that his or her conduct is unethical. The warning cautions that further unethical conduct will lead to a more severe action.

“Monitoring” is the quarterly appraisal of the educator’s conduct by the Professional Standards Commission through contact with the educator and his or her employer. As a condition of monitoring, an educator may be required to submit a criminal background check (GCIC). The Commission specifies the length of the monitoring period.

Standards

Standard 1: Criminal Acts - An educator should abide by federal, state, and local laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude. As used herein, conviction includes a finding or verdict of guilty, or a plea of *nolo contendere*, regardless of whether an appeal of the conviction has been sought; a situation where first offender treatment without adjudication of guilt pursuant to the charge was granted; and a situation where an adjudication of guilt or sentence was therwise withheld or not entered on the charge or the charge was otherwise disposed of in a similar manner in any jurisdiction.

Standard 2: Abuse of Students - An educator should always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes but is not limited to:

1. committing any act of child abuse, including physical and verbal abuse;
2. committing any act of cruelty to children or any act of child endangerment;
3. committing or soliciting any unlawful sexual act;
4. engaging in harassing behavior on the basis of race, gender, sex, national origin, religion or disability;
5. soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student; and
6. furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student or allowing a student to consume alcohol, or illegal/unauthorized drugs.

Standard 3: Alcohol or Drugs - An educator should refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes but is not limited to:

1. being on school premises or at a school-related activity involving students while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
2. being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing, or consuming alcoholic beverages. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum i.e. Foreign Language trips, etc).

Standard 4: Misrepresentation or Falsification - An educator should exemplify honesty and integrity in the course of professional practice. Unethical conduct includes but is not limited to:

1. falsifying, misrepresenting, omitting or erroneously reporting professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history when applying for employment and/or certification or when recommending an individual for employment, promotion, or certification;
2. falsifying, misrepresenting, omitting or erroneously reporting information submitted to federal, state, and other governmental agencies;
3. falsifying, misrepresenting, omitting or erroneously reporting information regarding the evaluation of students and/or personnel;
4. falsifying, misrepresenting, omitting or erroneously reporting reasons for absences or leaves; and
5. falsifying, misrepresenting, omitting or erroneously reporting information submitted in the course of an official inquiry/investigation.

Standard 5: Public Funds and Property - An educator entrusted with public funds and property should honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes but is not limited to:

1. misusing public or school-related funds;
2. failing to account for funds collected from students or parents;
3. submitting fraudulent requests for reimbursement of expenses or for pay;
4. co-mingling public or school-related funds with personal funds or checking accounts; and
5. using school property without the approval of the local board of education/governing board.

Standard 6: Improper Remunerative Conduct - An educator should maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes but is not limited to:

1. soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by the local board of education/governing board;
2. accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
3. tutoring students assigned to the educator for remuneration unless approved by the local board of education/governing board or superintendent; and
4. coaching, instructing, promoting athletic camps, summer leagues, etc. that involves students in an educator's school system and from whom the educator receives remuneration unless approved by the local board of education/governing board or the superintendent. These types of activities must be in compliance with all rules and regulations of the Georgia High School Association.

Standard 7: Confidential Information - An educator should comply with state and federal laws and local school board/governing board policies relating to the confidentiality of student and personnel records, standardized test material and other information covered by confidentiality agreements. Unethical conduct includes but is not limited to:

1. sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status and/or income, and assessment/testing results—unless disclosure is required or permitted by law;
2. sharing of confidential information restricted by state or federal law;
3. violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or state directions for the use of tests or test items, etc.;
4. violation of other confidentiality agreements required by state or local policy.

Standard 8: Abandonment of Contract - An educator should fulfill all of the terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes but is not limited to:

1. abandoning the contract for professional services without prior release from the contract by the employer, and
2. willfully refusing to perform the services required by a contract.

Standard 9: Failure to Make a Required Report - An educator should file reports of a breach of one or more of the standards in the Code of Ethics for Educators, child abuse (O.C.G.A. §19-7-5), or any other required report. Unethical conduct includes but is not limited to:

1. failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission.
2. failure to make a required report of a violation of one or more standards of the Code of Ethics for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner.
3. failure to make a required report of any violation of state or federal law soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder, voluntary manslaughter, aggravated assault, aggravated battery, kidnapping, any sexual offense, any sexual exploitation of a minor, any offense involving a controlled substance and any abuse of a child if an educator has reasonable cause to believe that a child has been abused.

Standard 10: Professional Conduct - An educator should demonstrate conduct that follows generally recognized professional standards. Unethical conduct is any conduct that impairs the certificate holder's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

Reporting

Educators are required to report a breach of one or more of the Standards in the Code of Ethics for Educators as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. Educators should be aware of local policies and procedures and/or the chain of command for reporting unethical conduct. Complaints filed with the Professional Standards Commission must be in writing and must be signed by the complainant (parent, educator, personnel director, superintendent, etc.). The Commission notifies local and state officials of all disciplinary actions. In addition, suspensions and revocations are reported to national officials, including the NASDTEC Clearinghouse.

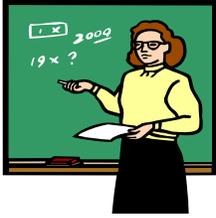
Disciplinary Action

The Professional Standards Commission is authorized to suspend, revoke, or deny certificates, to issue a reprimand or warning, or to monitor the educator's conduct and performance after an investigation is held and notice and opportunity for a hearing are provided to the certificate holder. Any of the following grounds shall be considered cause for disciplinary action against the holder of a certificate:

1. unethical conduct as outlined in The Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
2. disciplinary action against a certificate in another state on grounds consistent with those specified in the Code of Ethics for Educators, Standards 1-10 (PSC Rule 505-6-.01);
3. order from a court of competent jurisdiction or a request from the Department of Human Resources that the certificate should be suspended or the application for certification should be denied for non-payment of child support (O.C.G.A. §19-6-28.1 and §19-11-9.3);
4. notification from the Georgia Higher Education Assistance Corporation that the educator is in default and not in satisfactory repayment status on a student loan guaranteed by the Georgia Higher Education Assistance Corporation (O.C.G.A. §20-3-295);
5. suspension or revocation of any professional license or certificate
6. violation of any other laws and rules applicable to the profession (O.C.G.A. §16-13-111); and
7. any other good and sufficient cause that renders an educator unfit for employment as an educator.

An individual whose certificate has been revoked, denied, or suspended may not serve as a volunteer or be employed as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of his or her revocation, suspension or denial for a violation of The Code of Ethics.

Authority O.C.G.A. § 20-2-200; 20-2-981 through 20-2-984.5



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Nonrenewal Information

The Fair Dismissal Act of the Official Code of Georgia Annotated governs the dismissal, demotion, and suspension of professional certified school district employees in Georgia. It also governs the suspension and termination of school district employees who have a contract for a definite term. Each school year, contracts of certified employees are not renewed for several reasons.

The eight specific reasons for nonrenewal of a certified employee's contract are:

- 1. Incompetency**
- 2. Insubordination**
- 3. Willful neglect of duties**
- 4. Immorality**
- 5. Inciting, encouraging, or counseling students to violate any state law, municipal ordinance, or policy or rule of the local board of education**
- 6. To reduce staff due to the loss of students or cancellation of programs**
- 7. Failure to secure and maintain necessary educational training**
- 8. Any other good and sufficient cause**

Conferences, documentation, evaluations, observations and a Professional Development Plan must show the employee's contract should not be renewed based on one or more reasons from the Fair Dismissal Act.

Ask yourself these questions before recommending a certified employee for nonrenewal of their contract next school year:

1. Am I recommending the nonrenewal of a certified employee's contract due to at least one reason under the Fair Dismissal Act?
2. Have I clearly and completely documented the deficiencies of the certified employee?
3. Have I given written direction to the certified employee?
4. Have I offered assistance to this employee; e.g., literature, mentor teacher, staff development, observation of other certified employees?
5. Have I given the certified employee sufficient time to improve?
6. Have I, or will I, document this employee's substandard performance and/or misconduct in his/her annual evaluation?



If you are able to answer "yes" to all of the questions, please refer to the nonrenewal time line and proceed with your recommendation.



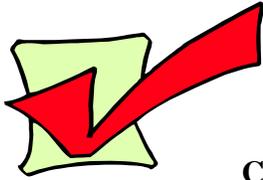
**COBB COUNTY SCHOOL DISTRICT
HUMAN RESOURCES**

Nonrenewal Timeline for SY 2008-2009

DATE	PROCEDURE
October 24, 2008	Nonrenewal information provided to all Principals by Human Resources in HR Weekly (e.g. Timeline, Checklist, Justification Packet)
October 31, 2008	Employees “at risk” for nonrenewal and/or in need of improvement identified, usually via first PAI observation by an administrator evaluator (AP, AA, or Principal)
November 21, 2008	Principal places certified employee(s) in need of remediation on a Professional Development Plan, and sends signed copy of beginning PDP to Human Resources (See “Nonrenewal Checklist for Principals” for steps to take during PDP)
December 19, 2008	Principal personally completes at least one PAI observation near the beginning of the PDP period, with post-conference
January 23, 2009	Principal completes at least a second formal observation near the end of the PDP period, with post-conference
February 2, 2009	Nonrenewal Proposals due to Area Assistant Superintendent; Area Assistant forwards to Human Resources
February 9-13, 2009	Area Assistant Superintendent, Human Resources, Attorney, and Principals meet to review Nonrenewal Proposals
February 16-March 6, 2009	Human Resources and Principal meet with employee(s) recommended for nonrenewal; employee(s) given option to resign in lieu of proposed nonrenewal
March 26, 2009	Chief Human Resources Officer presents recommended nonrenewals to the Board of Education for formal approval
March 27, 2009	Period of report for annual evaluation closes. Annual Evaluation ratings should be consistent with nonrenewal recommendation. Letters sent by HR to certified employees whose contracts will not be renewed

The Professional Development Plan and instructions are located on P.A.S.S. at <http://www.cobbk12.org/departments/hr/hremployeerelations/pass/ConductEthics.htm>

For assistance with the nonrenewal process, please feel free to contact your Area Assistant Superintendent or the Employee Relations Office of Human Resources at (770) 420-4958.



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Certified Employee Nonrenewal Checklist for Principals

Teacher: _____ Date: _____

School: _____ Principal: _____

Required:

- _____ Initial Performance Assessment Instrument (PAI) observation by evaluator, with post-observation conference
- _____ Principal places certified employee on a written Professional Development Plan (PDP)
- _____ PAI observations by principal with post-observation conferences (at least two during course of the PDP, one near beginning and one near end)
- _____ Documented meetings with employee, evaluator, and/or principal regarding performance during PDP
- _____ Letters of direction from administrators to teacher (as needed)
- _____ Additional PAI observations by other administrator(s) i.e. APs and/or AAs, with post-observation conferences during PDP
- _____ Other evidence as needed (e.g., documents, e-mails, grade profiles, etc.)
- _____ "Proposal for Nonrenewal of a Certified Employee" completed and forwarded to Area Assistant Superintendent, along with supporting documentation, by February 2, 2009
- _____ "Nonrenewal Recommendation Summary" letter from principal following final meeting

Evidence to Support Remediation:

- _____ Employee meetings with a mentor teacher
- _____ Employee meetings with Area Lead Teacher (ALT) regarding informal observations
- _____ Employee given release time to observe model teachers
- _____ Employee sent to relevant staff development to address deficiencies

Other Documentation:

- _____ Documentation of parent concerns or complaints
- _____ Documentation of staff concerns or complaints

Documentation

Please attach a copy of any written documentation

Date of Communication:	Type of Communication: (Written, verbal, etc.)	From:
Subject of Communication:		
Date of Communication:	Type of Communication: (Written, verbal, etc.)	From:
Subject of Communication:		
Date of Communication:	Type of Communication: (Written, verbal, etc.)	From:
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Date of Communication:	Type of Communication: (Written, verbal, etc.)	From:
Subject of Communication:		
Date of Communication:	Type of Communication: (Written, verbal, etc.)	From:
Subject of Communication:		

Sample Letter
Nonrenewal Recommendation Summary

Date

Name
Address

Dear _____:

This correspondence is to summarize the conference held on (date) about your performance as a teacher at _____ School. During this conference we discussed the following concerns:

- Preparation and submission of lesson plans.
- Tardiness to work.
- Classroom management.
- Physically redirecting students.
- (List all key areas of concerns discussed during conference)

It is my responsibility as Principal to act in the best interests of _____ School and its students. Previous meetings and efforts to remediate your performance (Professional Development Plan, mentor teacher, staff development) have failed to produce the desired results. Therefore, I will be recommending nonrenewal of your contract for the 2008-2009 school year to Human Resources.

If you have any questions regarding this correspondence, please contact me immediately.

This correspondence may be considered a part of your annual evaluation.

Sincerely,

Principal's name
School name

C: Human Resources
Principal's file



COBB COUNTY SCHOOL DISTRICT HUMAN RESOURCES

Suggestions for Written Communication

1. Date all correspondence
2. Be timely in completing correspondence
3. Be specific not vague
 - Vague
 - Numerous
 - Frequently Tardy
 - Unsatisfactory relationships with other staff members
 - Specific
 - Ten times
 - More than ten minutes late on September 2, 4, 6 and 12
 - Refused to consult with team teachers during monthly meetings
4. Use employee's statements
5. Reference and quote the policy manual, staff handbook, and administrative correspondence
6. Use "I am directing"
7. Indicate "All employees are expected to adhere to the same standards" or similar phrase
8. Offer assistance
9. Check grammar and spelling and even have another administrator proofread
10. Sign the correspondence
11. Place a copy in the employee's file and indicate it on the correspondence by adding, "this written documentation may become a part of your annual evaluation."

Contact your Area Assistant Superintendent or the Employee Relations Office of Human Resources (770) 420-4958 for assistance. Please do not call Human Resources Hiring Supervisors for advice on the documentation process.

Sample Letter Conference Summary

Date

Name
Address

Dear _____:

The purpose of this correspondence is to summarize the conference held (date). In attendance at the conference were _____, Principal; _____, (title); and you.

The purpose of the conference was to discuss the following:

- your negative interaction with students
- lack of cooperation with staff members

Elaborate on the discussion about the negative interaction with students

Elaborate on the discussion about the lack of cooperation with staff members

The conference ended with your agreement to interact more positively with students and to be more cooperative with the staff and administration of _____ School. *Elaborate on the discussion from the end of the conference*

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

If you have any questions regarding this correspondence or if I can be of any assistance to you, please contact me.

This correspondence may become a part of your annual evaluation.

Sincerely,

Principal's name
School name

C: Principal's file

Sample Letter of Direction

Date

Name

Address

Dear _____:

This letter is to summarize the conference held on (date). The purpose of the meeting was to discuss an incident that occurred on (date) in which you may have acted unprofessionally toward a parent at Open House.

Please be reminded, in the future you should conduct yourself in a professional manner in the presence of parents and students.

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

You must adhere to the following directives in the future:

- 1.
- 2.
- 3.

Failure to comply with these directives may result in suspension without pay or the termination of your employment. This document may become part of your annual evaluation.

If you have any questions regarding this correspondence or if I can be of any assistance to you, please contact me.

This correspondence may become a part of your annual evaluation.

Sincerely,

Principal's name

School name

C: Principal's file

Sample Letter of Direction Inappropriate Physical Contact

Date

Name
Address

Dear _____:

I continue to have concerns about your performance as a teacher at _____ School. Specifically, I am concerned about your use of physical contact with students as a disciplinary measure.

On (date), I received a report that you used physical force while disciplining (or redirecting) a student. It is my opinion that you did not demonstrate acceptable methods for dealing with a disciplinary situation. When you use physical contact as a method of disciplining (or redirecting) students, you place yourself, your students and the Cobb County School District at risk.

I am directing you to review page ___ of the Faculty Handbook, which I have enclosed, to ensure you understand our performance standards and expectations for all staff and faculty at _____ School. I am also directing you to discontinue this practice immediately. Failure to follow this directive could result in disciplinary action up to and including suspension without pay or termination of your employment.

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

If you have any questions regarding this correspondence or if I can be of any assistance to you, please contact me.

This correspondence may become a part of your annual evaluation.

Sincerely,

Principal's name
School name

C: Principal's file

I accept the terms and conditions listed above.

(Employee's Name) _____

Date _____

Sample Letter of Direction Tardies/Leaving Without Notification

Date

Name
Address

Dear _____:

I continue to have concerns about your tardiness and your leaving school without notifying an administrator. This correspondence is to review our conference of (date).

You are directed to review page ____ of the Faculty Handbook, which I have enclosed, to ensure you understand our performance standards and expectations for all staff and faculty at _____ School. You are also directed to:

- Arrive at work by _____ a.m. and be at your workstation before your students arrive
- Follow school procedures for being late
- Follow school procedures for seeking permission to leave school early

Since the first day of the _____ school year, you have been tardy to work ____ times: (dates).

Failure to follow these directives or any other misconduct could result in disciplinary action up to and including suspension without pay or termination of your employment.

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

If you have any questions regarding this correspondence or if I can be of any assistance to you, please contact me.

This correspondence may become a part of your annual evaluation.

Sincerely,

Principal's name
School name

Enclosure
C: Principal's file

I accept the terms and conditions listed above.

(Employee's Name) _____

Date _____

Sample Letter of Concern

Date

Name
Address

Dear _____:

The purpose of this correspondence is to notify you of my continuing concerns regarding your performance as a teacher at _____ School. You have been notified in conference and in written correspondence of our concerns regarding your performance. The administration's concerns are as follows:

CONCERNS (Areas for Improvement)

1. Your lack of adequate lesson planning and classroom organization.
(Since (date), you have received (number) letters regarding this concern.)
2. Your teaching methodology.
 - a. Your lack of enthusiasm for your students and teaching responsibilities.
 - b. Your lack of personal enthusiasm for your students, which is perceived by students, staff and parents as your not enjoying your chosen profession.
 - c. Your lack of warmth and friendliness.
 - d. Your failure to consistently provide appropriate instruction for different instructional levels.
3. Your lack of professionalism in handling confidential information.
The administration has received numerous letters from parents expressing their concerns about your lack of professionalism in handling confidential information about students. It was reported that you shared confidential information with other parents.
4. Your lack of professional credibility with staff and parents.
The administration has received (number) letters of complaint from parents regarding your lack of providing adequate instruction for students, your lack of a positive attitude with students and your lack of personal enthusiasm. In approximately (number) conferences or letters, parents have requested that their child not be placed in your classroom.
5. Your lack of teaming and working cooperatively with the teachers in your grade level.
The team leader reported that you are not working toward the team's goals of improvement in instructional levels.

PREVIOUS ASSISTANCE OFFERED BY THE ADMINISTRATION

In an effort to assist you in correcting these deficiencies, the administration has:

- 1. Informed you in conferences and in written correspondence of their concerns related to your performance.
- 2. Provided materials on effective teaching.
- 3. Provided materials on creating an environment conducive to learning and, more specifically, on teacher enthusiasm.
- 4. Recommended that you consult with the lead teacher regarding the year curriculum program.
- 5. Directed you to complete two staff development courses entitled "Improving Teacher Performance" and "Learning Centers Unlimited" to improve matching instruction to learners.
- 6. Honored your request to change your teaching assignment from _____ grade to _____ grade.
- 7. Intentionally assigned you fewer students than other teachers. Our records reflect that you have ____ students in your class and other teachers average ____ students in their classes.
- 8. Provided directed leave for you to observe three role-model elementary teachers in other elementary schools in the _____ School District. The absences were not charged against your short-term leave.
- 9. Offered their continued support and assistance.

_____, although you have made some improvements during the _____ school year, the administration continues to have the same concerns about your performance. In an effort to assist you in correcting your deficiencies, I am directing you to adhere to the attached Professional Development Plan previously provided to you.

As we have stated on numerous occasions, the administration, including _____ and _____, is available to assist you in any way. Your immediate attention to these matters is essential. Failure to do so could result in other disciplinary actions including a recommendation for nonrenewal of your contract, suspension without pay, or termination of your employment.

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

This correspondence may become a part of your annual evaluation.

Sincerely,

Principal's name
School name

Attachment
C: Principal's file

I accept the terms and conditions listed above.

(Employee's Name) _____

Date _____

Sample “Last Chance” Letter

Date

Name
Address

Dear _____:

The purpose of this correspondence is to notify you of continued concerns regarding your job performance. We have had several conversations regarding your duties and responsibilities as a teacher. We have met to discuss the following areas:

- attendance and punctuality
- professional appearance
- turning in work complete and on time

Throughout the year you have met with the administration and your department head. In each meeting you were provided suggestions and expectations for performing each of your duties. Recently it was brought to my attention that _____

Your performance impedes your success, undermines (school name)'s efforts to achieve our goals and damages our relationship with our students and parents. Your current performance is unacceptable and must be corrected. The seriousness of this matter cannot be overstated. Based on the information I have available, I could support terminating your employment at this time.

However, I am willing to continue your employment if you agree to, and satisfactorily meet, all of the requirements outlined below for the remainder of the school year:

- follow established school procedures for signing in and out
- notify your department head of absences
- maintain a professional appearance
- satisfactorily perform other duties and responsibilities as assigned

You are expected to perform your job to the same standards we expect of all (position) here at _____ School. My expectations for your performance and professional behavior are no different than for others and I know you will continue to do your best to meet these expectations.

If you agree to the above terms and conditions, please sign below and return a copy of this letter to me within the next three days.

It is my responsibility as Principal to act in the best interests of ___ School and its students. These actions are not always easy. (Employee's first name), we remain willing to work with you and promote your success – however, it is your responsibility to improve your performance and again become a valuable member of the (school name) team.

Thank you for your attention to this matter. Please feel free to see me if you have questions or concerns.

Sincerely,

Principal's name
School name

I accept the terms and conditions listed above.

(Employee's Name) _____

Date _____

Cobb County School District

Professional Development Plan – Instructions

If an employee's performance or behavior is less than satisfactory, the principal or supervisor should consider placing the employee on a Professional Development Plan to address specific deficiencies. The purpose of the plan is to help the employee achieve satisfactory performance or behavior using a structured approach within a specific timeframe. The supervisor and employee should establish specific objectives for improvement which are supported by various activities over a specified time period. Roles and responsibilities of both the supervisor and employee should be identified so that both individuals work together for success. Finally, criteria describing incremental steps towards the goal(s) help measure improvement or lack of progress.

I. IDENTIFICATION

Name, SSN, Location, Position / Job Title: Self-Explanatory.

Tenure: This section applies only to certified employees. Circle "N/A" for all Classified employees.

Teachers are normally tenured if they were hired by CCSD before July 1, 2000 and have accepted their 4th consecutive contract from the same Board of Education (BOE), or, have transferred to CCSD from another District where they were tenured before July 1, 2000 and have accepted their 2nd consecutive contract from the CCSD BOE.

Tenure laws in Georgia for teachers will change effective July 1, 2004. These instructions will be updated.

Administrators are normally tenured if they were hired as an administrator by CCSD before April 7, 1995 and have accepted their 4th consecutive contract from the same BOE, or, have transferred to CCSD from another District where they were tenured administrators and have accepted their 2nd consecutive contract from the CCSD BOE.

If you have any questions about an individual's tenure status, please contact Human Resources.

Dates employee was hired:

Important information to put current performance or behavior issues into context.

Date PDP Begins and Ends:

Start and end dates should be established and agreed upon by the principal / supervisor and employee before the PDP takes effect. PDPs should last at least 60 days, and may extend up to 180 days.

II. SPECIFIC OBJECTIVES FOR PERFORMANCE IMPROVEMENT

Identify several specific objectives that describe a successful outcome for the PDP. Describe specific behaviors, capabilities, knowledge, skills, etc. that must be acquired and consistently demonstrated to reflect genuine changes in performance and/or behavior. Be specific, but also be realistic. Your goal should be successful performance or behavior that meets District standards required of other employees in similar positions. Similarly, your goal may be to eliminate specific unsatisfactory or substandard performance or behavior.

III. ACTIVITIES TO COMPLETE DURING PDP

List several specific activities the employee should do to improve his/her job performance or modify his/her behavior. For example, attending additional training, observing a model employee's performance in his/her field, providing evidence of timely attendance, lesson plans, parent communications, research, taking advantage of offered assistance, etc. are specific steps that can be required by the supervisor / principal to bring about changes in behavior or improve performance. Periodic progress meetings between the employee and supervisor / principal are strongly encouraged.

Each activity listed on the left side of the block should have a corresponding time measure on the right. For example, specify daily or weekly review of lesson plans, completing a particular task on a weekly basis or by a particular time of day, or having a project, document, or product completed and delivered by a specific date.

IV. ROLES AND RESPONSIBILITIES

Determine who should be responsible for what. Both the employee under the PDP and the supervisor / principal should share responsibilities for reaching a successful outcome. Responsibilities for each should be separate and distinct. For example, it would be the employee's responsibility to comply with the provisions of the PDP, to take advantage of any and all assistance and suggestions made by the supervisor / principal within the context of the PDP, and to make a genuine attempt to address and correct the substandard performance or behavior issues.

The supervisor / principal, on the other hand, should be responsible for creating the opportunities to allow the employee to improve, to make available additional training, resources, etc. required to assist the employee during the PDP. Failure to provide access to assistance, or direct assistance, can make it difficult for the employee to improve. Failure to take advantage of assistance provided is the employee's fault.

V. CRITERIA FOR MEASURING PROGRESS

Specify how the supervisor / principal will measure progress under the PDP. For example, indicate how often follow-up meetings between the supervisor / principal and employee will occur to discuss progress. Determine a benchmark starting point for performance or behavior at the beginning of the PDP and what performance or behavior will look like in a successfully completed PDP. This could take the form of specific standards from the PAI for teachers, or other performance standards for other fields.

VI. SIGNATURES *(At beginning of PDP period)*

Once the above sections of the form are completed, the employee and supervisor / principal will date and sign. This occurs on or just before the "PDP Begins" date in Section I. The supervisor / principal keeps the original of the PDP form and gives a copy to the employee.

VII. IMPROVEMENT OBJECTIVES STATUS AT END OF PDP PERIOD

Within 5 work days after the "Date PDP Ends" date in Section I, the supervisor / principal completes this section by circling the appropriate rating for each of the objectives listed in Section II. Each objective should be evaluated as being "Met" or "Not Met", and Comments provided for each. If there are four objectives in Section II, there must be four ratings in this section.

VIII. STATUS OF OVERALL PDP AT END OF PDP PERIOD AND FUTURE ACTION(S) NEEDED, IF ANY

Supervisor / Principal completes this section by summarizing progress of employee towards meeting the PDP goals and recommends any additional training, reflection, or experience needed to sustain improvements.

IX. SIGNATURES *(At conclusion of PDP period)*

Self explanatory. Supervisor / Principal provides copy to employee and sends original to Human Resources for filing in employee's record.

Cobb County School District Professional Development Plan

(Use this form to address specific deficiencies in employee performance. Refer to the Professional Development Plan Instructions for guidance on how to complete this form.)

I. IDENTIFICATION

Name Doe Jane I. SSN 123-45-6789 Location Apple Elementary
(Last Name First M.I.)

Position / Job Title Teacher/1st Grade

If PDP is on a Teacher or Administrator, is the employee tenured? Yes _____ No X N/A

Dates employee was hired: In this position 07/31/2008 In CCSD 07/31/2008
(mm/dd/yyyy) (mm/dd/yyyy)

Date PDP Begins: 11/26/2008 Date PDP Ends: 02/01/2009
(mm/dd/yyyy) (mm/dd/yyyy)

II. SPECIFIC OBJECTIVES FOR PERFORMANCE IMPROVEMENT

1. To improve skills in planning for content development
2. To improve skills in planning for students' transfer of knowledge
3. To improve skills in monitoring students' progress and responding to students' performance

III. ACTIVITIES TO COMPLETE DURING PDP

TIMELINE /FREQUENCY/DUE DATE(S)

1. Lesson plans will be submitted to Ms. Smith, ILT.
2. You will meet with the principal and ILT in the front office to write lesson plans for the following week. You will bring appropriate materials with you to write the plans.
- 3a. An administrator will observe your class once a week with a lesson plan to be used as a guide for observation.
- 3b. Demonstrate appropriate opportunities for transfer of knowledge in written lesson plans.
- 3c. Demonstrate effective monitoring of student's progress and responding to student performance during observations.

1. Thursdays, no later than 3:00 P.M.
2. Thursdays, 10:00 A.M.
- 3a. Weekly
- 3b. Weekly
- 3c. Weekly

VI. Roles and Responsibilities

Employee

- 1. Comply with provisions of the PDP.
- 2. Seek assistance from Principal, ILT, and mentor teacher.
- 3. Be prompt and prepared to lesson plan meetings.

Principal and/or Supervisor

- 1. Be available to assist employee.
- 2. Allow other supervisors, ILT, and mentor teacher to assist employee.
- 3. Provide sample lesson plans to employee.

V. CRITERIA FOR MEASURING PROGRESS

- 1a. Accurate lesson planning evident in written plans
- 1b. Prompt attendance at the meetings with appropriate materials.
- 1c. Cobb County School District observation/evaluation process used weekly during unannounced administrative visit.
- 2a. Opportunities for transfer of knowledge demonstrated during weekly observations
- 2b. Opportunities for transfer of knowledge demonstrated in written lesson plans.
- 3. Effective monitoring of student progress and response to student performance during weekly observations by administrator.

VI. SIGNATURES *(At beginning of PDP period)*

Employee _____

Date _____

Principal or Supervisor _____

Date _____

VII. IMPROVEMENT OBJECTIVES STATUS AT END OF PDP PERIOD *(Circle one and explain)*

- | | | | |
|------|-----|---------|-----------|
| 1. | Met | Not Met | Comments: |
| 2. | Met | Not Met | Comments: |
| 3. | Met | Not Met | Comments: |
| etc. | | | |

VIII. STATUS OF OVERALL PDP AT END OF PDP PERIOD AND FUTURE ACTION(S) NEEDED, IF ANY

IX. SIGNATURES *(At conclusion of PDP period)*

Employee _____

Date_____

Principal or Supervisor_____

Date_____

Created 4/03

Cobb County School District

Teacher Performance Report – Instructions

I. IDENTIFICATION

Name, SSN, Location: Self-Explanatory. Be sure to put Last Name first.

Period of Report:

From: Date supervision began this School Year. Normally, the first day of school for teachers employed from the beginning of the school year. For teachers that arrive anytime after the first day, enter the date they begin teaching.

To: For Annual reports enter March 31st; all others, last day of supervision. All reports must cover at least 30 calendar days.

Reason for Report:

Annual: Report which closes out March 31st.

Departure: Supervisor or Teacher departs before March 31st.

Directed: Report is directed by Principal or CCSD Human Resources.

Years Teaching: Enter whole number (.5 and above, round up) years teacher has taught as of the "From" date above, at this school, within CCSD and total. Numbers will not add to total if teacher has years outside CCSD.

II. JOB DESCRIPTION

Teaching Responsibilities: Indicate grade level(s) and subject area(s) taught. Specify if teacher teaches any special classes, such as Honors, Special Education, Remedial, Gifted, etc. Also state if teacher shares class responsibilities with a paraprofessional or another teacher.

Additional Duties & Responsibilities: List significant additional duties and responsibilities over and above primary teaching responsibilities.

III. PERFORMANCE FACTORS

1. Using the Teacher Performance Report Standards for each of the five Performance Factors, rate the teacher by placing an "X" in the appropriate block for each Performance Factor.
2. A "Meets Standards" rating does not require written justification. Ratings of either "Does Not Meet Standards" or "Exceeds Standards" require specific written comments explaining the rating in the space provided.
3. Compare each teacher to the Teacher Performance Standards, rather than to each other. Base rating on classroom observation, evidence reviewed (if required or requested), non-classroom observation, etc. throughout the reporting period.

IV. OVERALL PERFORMANCE ASSESSMENT

1. Describe overall teacher performance during the period of this report using short sentences or bullet-style phrases to show how this teacher impacted the students, the school's mission and the School Improvement Plan (SIP).
2. Comment on any unique awards, recognition, or achievements for this teacher, either in his/her primary or significant additional duties.
3. Finally, include any significant efforts at professional development completed during this period.

V. OVERALL PERFORMANCE RATING

1. Place an "X" in the appropriate block.
2. List date(s) formal Classroom Observation and Feedback / Conference occurred.

VI. SIGNATURES

1. Evaluator signs and dates form the day it is signed. Enter current position title of Evaluator.
2. If the Evaluator is not the Principal, give completed form to Principal for signature and date signed.
3. Principal provides completed form to Teacher, preferably in a private meeting, for Teacher to review, sign and date.

VII. TEACHER'S COMMENTS

Teacher may write comments in the space provided. Use a plain sheet of paper if additional space is necessary, and attach to report. While teacher comments are optional, they must be received by the Principal within 10 school days of the day the Teacher received the report.

Report may be typed or hand-written. Teacher, Evaluator and School Personnel file each receive a copy of the completed report. Original report is sent to CCSD Human Resources and filed in teacher's District Personnel Folder. Annual reports due May 15th.

Cobb County School District Teacher Performance Report

(Use this form to evaluate Teacher performance. Refer to the Teacher Performance Report Standards and Teacher Performance Report Instructions for guidance on how to complete this form.)

I. IDENTIFICATION

Name Doe John D. SSN 123-45-6789 Location Bell High School
(Last Name First M.I.)

Period of Report: From August 3, 2008 To March 31, 2009

Reason for Report: Annual Departure Directed

(Circle One)

<u> Years Teaching </u>	
This School	<u> 2 </u>
Other School(s)	
In CCSD	<u> </u>
Outside CCSD	<u> 2 </u>
Total Years Teaching	<u> 4 </u>

II. JOB DESCRIPTION

Teaching Responsibilities: Ninth and Tenth Grade Literature and Composition

Significant Additional Duties and Responsibilities

III. PERFORMANCE FACTORS *(Any rating other than "Meets Standards" requires written comments / explanation.)*

	Does Not Meet Standards	Meets Standards	Exceeds Standards
1. Planning and Preparation <i>(Knows material and student needs. Effectively organizes instructional plans and efficiently manages resources.)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Classroom Environment <i>(Sets and enforces student learning and behavior expectations. Ensures classroom safety and cleanliness. Effectively uses space, time and materials.)</i> Classroom environment is perceived as not supportive or positive by evaluators and students at Bell High School. Expectations are not clear for the behavior or academics of students. Mr. Doe has not shown sufficient improvement in this area despite numerous efforts by administration to provide assistance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Instruction <i>(Demonstrates effective teaching techniques. Displays flexibility, initiative and creativity. Primary focus is on student engagement and learning. An "Exceeds Standards" in Instruction is <u>required</u> for an overall "Exceeds Standards" rating.)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Administrative Responsibilities <i>(Demonstrates accuracy and timeliness in grading, record keeping and other administrative tasks. Effective parental and co-worker relationships.)</i> Mr. Doe had numerous issues with accuracy of grades. He also admitted to allowing students to input grades during two grading periods. He has received a letter of concern when previous efforts to provide counseling and assistance did not remedy the situation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Professional Qualities <i>(Listens, speaks and writes effectively. Accepts personal responsibility; exhibits loyalty and integrity; fosters teamwork and professional development.)</i> Mr. Doe did not regularly attend weekly team meetings. He also fails to cooperate with other staff members and school administration. Mr. Doe has been counseled verbally and in writing concerning this matter.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. OVERALL PERFORMANCE ASSESSMENT *(Required. Focus on what the teacher did, how well he or she did it, and how the teacher contributed to the overall success of the school.)*

Mr. Doe jeopardized components of Bell High School's Improvement Plan when he failed to require students to complete the necessary writing assignments. In addition, his classroom was not conducive to support student learning in a positive manner. The administration has held numerous meetings with Mr. Doe to discuss the classroom concerns of parents and students.

Mr. Doe failed to meet standards in three areas despite ongoing mentoring, administrative guidance, and staff development.

V. OVERALL PERFORMANCE RATING *(Required. Three "Does Not Meet Standards" ratings on front require overall "Does Not Meet Standards". At least three "Exceeds Standards" and no "Does Not Meet Standards" ratings are required for an overall "Exceeds Standards". Additionally, an "Exceeds Standards" in Instruction is required for an overall "Exceeds Standards" rating.)*

Does Not Meet
Standards

X

Meets
Standards

Exceeds

Standards

Date(s) of Classroom Observation: 11/21/07, 1/13/08, and 2/13/08

Dates(s) of Feedback / Conferences: 11/25/07, 12/12/07, 1/20/08, 2/2/08, 2/21/08, and 3/1/08

VI. SIGNATURES *(Required)*

Evaluator _____

Date _____

Position Assistant Principal

Principal (If not Evaluator) _____

Date _____

Teacher _____

Date _____

(Receipt acknowledged. Signature does not indicate agreement or disagreement.)

VII. TEACHER'S COMMENTS *(Optional. Principal must receive Comments, if provided, within 10 school days of receipt date above.)*

Created 7/01; Revised 8/02; 8/04