The District has a firm commitment to ameliorate the performance of each employee in the district, whatever their category and level, through the medium of a formalized system. Although the primary purpose of evaluation is to assist personnel in professional development and in achieving District goals there are employees who should be placed on probation or who should be terminated. The procedures for probation or termination outlined in this document apply to certificated personnel on renewable contract status only.

Before the board can determine not to renew a contract for reasons of an unsatisfactory report of the performance of any certificated person, whose contract would otherwise automatically be renewed, or to renew the contract of an employee at a reduced salary, the employee shall be entitled to a reasonable period of probation defined as no less than 56 calendar days. The period of probation shall be preceded by a written notice from the board with reasons for such probationary period and with provisions for adequate supervision and evaluation of the person’s performance during the probationary period. The period of probation shall not affect the person’s renewable contract status.

Placement on probation is viewed as one part of the evaluation process intended to improve the individual performance of a single employee and the overall excellence of the educational program.

The specific procedure established for formal probation is:

1. The Superintendent will recommend to the Board of Trustees that a certificated employee be placed on probation. The recommendation should include the general basis for the recommendation and the proposed terms and conditions of the probation.
2. Consideration of probationary status for certificated personnel may be held in executive session. If the consideration results in probationary status, the individual on probation shall not be named in the minutes of the meeting. A record of this decision shall be placed in the teacher’s personnel file.
3. The employee will be informed in writing by the Board of Trustees, or designee, that he/she is being placed on probation.
4. The employee will receive in writing the reasons for the probation and the terms and conditions to be met during the probation. This will be prepared by the superintendent or building principal.
5. The time frame of the probation period will be clearly defined in writing as outlined in Idaho Code 33-515.
6. During the period of probation a survey will be given to parents of that teacher’s students as one part of the evaluative process. This survey will be given twice, once at or near the midway point and a second time near the end of the probationary period.
7. Upon completion of the probation period, the Board of Trustees may make one of the following recommendations: (a) discontinue probation, (b) continue probation, or (c) non-renewal of contract.

**Hearing**

In the case of a recommendation for non-renewal of contract, the certified person has the right to a hearing before the Board. (State code specifies time frames to be observed in this process.) Because of its role as a hearing body, the Board will be unavailable for discussion of the specifics of the probation with either the administrative staff or the certified staff involved outside of the formal proceedings. Probation is considered a confidential matter. The Board will not be free to discuss specifics of the probation with either the administrative or certified staff involved outside of the formal proceedings.

The hearing shall be scheduled to take place not less than six (6) days nor more than twenty one (21) days after receipt of the notice by the employee. The date of the hearing may be changed by mutual consent.

The hearing shall be public unless the employee requests in writing that it be in executive session.

All testimony at the hearing shall be given under oath or affirmation. Any member of the board, or the clerk of the board, may administer the oath or affirmation.

There will be an electronic record kept of the hearing proceedings.

The employee may file written briefs and arguments within three (3) days of the close of the hearing.

Within fifteen (15) days following the close of the hearing the Board shall notify in writing the employee of its decision and whether the employee is to be retained, immediately discharged, or discharged upon termination of the current contract.

Legal Reference: I.C. § 33-513 Professional Personnel

I.C. § 33-514 Issuance of Annual Contracts – Support programs – Categories of Contracts – Optional Placement

I.C. § 33-515 Issuance of Renewable Contracts

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