

POLICY SERVICES

ALERT

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POLICY ALERT

Policy GCO, Evaluation of Professional Staff Members

Senate Bill 1165 (Fifty-fifth Legislature, First Regular Session, 2021), an act relating to performance evaluations during the 2020-2021 school year, was approved by the Governor and filed in the office of the Secretary of State March 18, 2021. It is copied below. It is an emergency measure which applies retroactively to from and after June 30, 2020 and is repealed from and after December 31, 2022.

Senate Bill 1165 temporarily removes the statutory mandate for performance evaluations. Districts still have the authority to undertake the evaluations if they so choose.

Senate Bill 1165 does not require any change to policy language; however, governing boards should be aware of the bill's substantive language. District administrators should appropriately train staff and make referrals to the School District Attorney for advice as necessary to avoid any complications relating to Policy GCO and performance evaluations, dismissal, non-renewal, performance pay, and similar issues.

Policies other than GCO which may discuss performance evaluations, dismissal, non-renewal, performance pay, and similar issues may also be covered by Senate Bill 1165. Be cautious to not conflict with the law in the application of these policies.

Senate Bill 1165 states the following:

Section 1. Schools; performance evaluations; 2020-2021 school 3 year; delayed repeal

A. Notwithstanding section 15-189.06, Arizona Revised Statutes, a charter school governing body is not required to conduct teacher performance evaluations in the 2020-2021 school year.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.

B. Notwithstanding section 15-341, subsection A, paragraph 41, Arizona Revised Statutes, and section 15-537, Arizona Revised Statutes, a school district governing board is not required to conduct performance evaluations of principals or certificated teachers in the 2020-2021 school year. For a teacher who was designated in the lowest performance classification for the 2019-2020 school year, the absence of an evaluation in the 2020-2021 school year may not be used to enforce dismissal or nonrenewal procedures pursuant to section 15-537, subsection D, Arizona Revised Statutes.

C. Notwithstanding section 15-977, Arizona Revised Statutes, a regular evaluation for effectiveness in the 2020-2021 school year is not required for a teacher to be eligible to receive performance pay from the classroom site fund established by section 15-977, Arizona Revised Statutes.

D. This section is repealed from and after December 31, 2022.

Sec. 2. Retroactivity

This act applies retroactively to from and after June 30, 2020.

Sec. 3. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

This is an Alert only and there are no plans yet to release as a policy advisory.

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