

EVALUATIONS & INSUBORDINATION

What To Do If You Receive a Bad Evaluation

1. Attempt to get the evaluator to modify his/her marking in any pre-evaluation conference by making him/her justify the marking that was given. You'll more likely be successful if you have data or notes that would contradict the marking.
2. After getting the evaluator to justify each mark that you feel is unjust or misleading, take notes on each justification. These notes will be valuable in formulating any written rebuttal.
3. Avoid being pressured into signing any evaluation immediately upon its presentation to you, if you feel it is unjust. Attempt to take a few days to review it. Tell the evaluator you need time to consider the marking.
4. If you disagree with the marking, even a little, attempt to get the evaluator to change it. If he/she will not change the evaluation, then write a rebuttal to the specific charges. (Your notes on justification of marking will come in handy). Never let an evaluation that you disagree with go unrebuted. See that the rebuttal is attached to the evaluation.
5. Prior to any evaluation, keep notes and/or observation reports on any observations of your classes by the evaluator, making notes on the lack of visits by the evaluator as well. Time of day or period and length of observation are equally important.
6. Know your district policy on evaluation and see if it is being followed. Grieve the evaluation and the evaluation process if you are not satisfied with the result.
7. If the evaluation will or may result in your termination, discipline or other adverse action, contact your faculty representative and association leader for assistance.
8. Attempt to have a representative with you in an evaluation conference.
9. Insist that the evaluator tell you specifically what areas of your performance need improvement and what assistance (if any) he or she will provide you. Make notes of these specific deficiencies and improvements for future reference and make sure that the evaluator agrees that these are the only deficiencies.
10. Ask for assistance from your colleagues, building representatives, or association, if you believe you need it.
11. Attempt to correct any alleged deficiency by overt activity on your part (e.g. if poor performance has been emphasized, you might request that your employer provide a mentor to shadow you. Make sure that you log dates, times and how you are modifying your work to reflect that of the employer's recommended mentor.)
12. If other adverse action occurs, know your policy/law regarding your rights and contact your association leaders for assistance.
13. Many evaluations indicate your signature does not mean agreement with this content, so employees should not be hesitant to sign the document. Usually, this is correct. However, remember an evaluation that you do not agree with should be rebuted before you sign it. It is often wise to write next to your signature something like: "My signature does not mean I agree with this. I will submit my rebuttal within five working days." (This will allow you time to gather your thoughts and contact your UniServ director for assistance. It is usually not wise to write your rebuttal on the spot.)
14. A stock disagreement phrase is, "This evaluation is not correct and does not reflect my true performance or my abilities for the [year] school year." Then add specific rebuttals to markings.

Responding to an Inaccurate Evaluation

Here is an example of how to respond to your supervisor's observation of an incident that was taken out of context or not reflective of what your daily routine/performance would normally be.

October 14, 2017

Name: _____

Anecdotal Remarks: Student disruption was evident during entire period of observation.

Signed _____
Principal

October 15, 2017

Dear Mr. Fields:

Thank you for your interest in observing the teaching of my second period class yesterday. I welcome your comments and suggestions.

Next time you observe my class, I hope your schedule will allow you to stay more than the five minutes to which you were limited yesterday. I would very much have liked you to see, for example, what I consider to be some very positive and interesting group activities on map study that followed your departure.

The students whom you observed speaking out of turn in Group B were, I believe, tense about your being in the room. I have since spoken to them about the necessity for their principal to have knowledge about how all students in the school are learning. Next time I feel confident they will respond better to your presence in the room.

Please feel free to confer with me at our mutual convenience on any concern relating to my students' progress in social studies.

Sincerely,
John Palmer

What Constitutes Insubordination?

Probably one of the least understood concepts in employment is insubordination. The dictionary defines insubordination as "unwilling to submit to authority."

It may be difficult to acknowledge sometimes, but usually everyone has a boss. Being "boss" gives the person some supervisory rights. Any manager is expected to exert some leadership to direct the institutional operations. Those rights are, however, limited by law, the contract, and board policies. The boss has the right to issue reasonable orders and directions so long as they conform to the contract and are:

- not injurious to health;
- clear and unambiguous;
- applied uniformly; and
- justly administered.

If you, as an employee, think that the administrator or supervisor has given an order that violates some board policies, the contract, or a law, the best advice is to carry out the order to the extent possible and necessary while, at the same time, pursuing those remedies available to you—namely, a grievance.

Insubordination is probably one of the easiest charges to prove against an employee. You must be aware of a rule or directive, although it need not be written, to be guilty of insubordination.

Furthermore, the rule of reason dictates that your noncompliance be brought forcefully to your attention, probably through a verbal warning and/or a written reprimand, before you can be dismissed for insubordination.

A good rule to follow with respect to insubordination is "DON'T DO IT."