

Rebutting Negative Evaluations

An Introduction - Confronting Reality

Probably the most important and most difficult aspect of the whole evaluation process is for one to understand that, notwithstanding the administrator's shortcomings, some flaws may exist in one's teaching. It is vital to come to this realization without becoming immobilized or psychologically devastated. After all, we all have room for some improvement- In other words, even though 1) the evaluation may have been unfair, unskillfully executed or unrealistic, or 2) the evaluator may be inexperienced, it is probably time to be very honest. Ask what realistically can be done to improve performance. If sincere about improving, there are many available resources. It is important that you take care of both the short term threat by writing a good response and that you reflect on the long term picture, seeking improvements or updating current skills and practices. Given that context, the purpose of this paper is to provide a means of concurrently improving performance and minimizing the potential impact of negative evaluations.

WRITING REBUTTALS TO NEGATIVE STAFF EVALUATIONS

There is an art to answering negative staff member evaluations. Failure of a staff member under increased scrutiny to employ that art, or at least to be aware of the Association resources available, can be costly. Unrebutted negative evaluations and poorly fashioned answers increase your vulnerability and could lead to your eventual dismissal. Ill-considered responses also may confirm whatever suspicions are raised by your evaluator that your performance is less than satisfactory.

Should my evaluation be answered ¹?

If your observation and/or evaluation are negative, or contain misleading statements, or reflect a decline in the level of report to which you have become accustomed, it should be answered.

Answering tends to put the administration on notice that:

- ☞ You know your rights,
- ☞ You are in touch with the Association, and that
- ☞ You are not one to be bullied.

But, your answer must be skillfully prepared. If it isn't:

- ☞ You will make things worse,
- ☞ You will appear argumentative and inflexible
- ☞ You will confirm management's concerns
- ☞ You risk raising new issues.

Should I get help?

YES, if you want to succeed and keep your job. A weak evaluation is an early warning sign from your administrator that you are about to have problems. It is not too late to protect yourself, however, but you must act quickly and decisively. You have paid dues to an Association whose job it is to help protect your rights. This is one of the times you should seek help. If you don't, you are not only wasting money; you are gambling with your professional future.

¹ It is important that you understand that the advice offered herein is for observations and evaluations that are no more than mildly to moderately negative. Seriously negative reports, including those potentially leading to probation and/or dismissal should be handled only with the direct advice and counsel of your UniSery Director, early on.

Where to get help:

FROM YOUR LOCAL — You need to maintain a positive, businesslike relationship with your evaluator. You should not be involved in attacking him/her. This is where your local President, Grievance Committee, and/or Building Representative can help.

FROM UNISERV — Staff members are so embarrassed when they receive a negative evaluation that they often keep it secret. A different, but equally damaging response, is overreacting by asking that a blistering rebuttal be attached to the evaluation. Both extremes must be resisted. Your best, first step when receiving a negative evaluation is to contact your Building Rep to begin the rebuttal process.

EDITING — Staff members normally write and edit well. However, the important element of objectivity is often lost when dealing with one's own evaluation. It is a rare person who can be objective when his/ her professional competence is being questioned. And it is during such times that, more than ever, one must demonstrate objectivity.

Therefore, never submit anything in writing to the administration without first having someone you trust check your work,

SOME TIPS ON WRITING THE BUTTAL

Understand the Evaluator

- ❖ Knowing the evaluator will aid in fashioning the proper response. Is this the person's first year? Is s/he experiencing a time crunch? Had s/he been asked to tighten up on the staff?

Create a Positive and Professional Tone

- ❖ Be positive, brief, concise, accurate, professional, crisp and clear. You are writing for a neutral third party, not the evaluator.
- ❖ Reinforce-any positive comments from the observation. If need be, draw a positive implication from the evaluator's written or spoken remarks. Then incorporate it into your response.
- ❖ Write from a broader perspective. If the evaluation is mean spirited or personal, don't assume the same level or tone as the evaluator.
- ❖ Resist being negative or micro focused on each detail.
- ❖ Always profess past, current and future cooperation with the evaluator.
- ❖ Rather than attacking the evaluator, express your "disappointment with" something, or his failure to "notice that..." etc.
- ❖ Acknowledge any suggestions offered. If you can, claim that you are already incorporating them and will continue to do so. It is critical that you follow through, however. Even if you think the suggestion is bad advice, do it. Remember, your objective is not to win an argument; it is to avoid a professional catastrophe.

SOME TIPS ON WRITING THE BUTTAL (cont.)

Tighten up Your Format

- ❖ Always request that the response be attached to the observation/evaluation and made a part of your personnel file.
- ❖ Provide a copy of the response to your Local Association,
- ❖ Check your grammar, spelling and punctuation scrupulously.
- ❖ Never, under any circumstance, send a response without having a trusted colleague or an Association official check it for you.

Length

- ❖ Keep it short and simple. It would be extremely unusual for a response to justify more than one page. This means that you cannot respond to each and every citation. Focus on the big picture.
- ❖ Long responses tend to portray you as argumentative, aid in making the administration's case against you, are too personal and less objective in appearance than what is required, and potentially raise new issues upon which the evaluator may attack you.²

Use of Words and Terms

- ❖ Don't indulge in personal characterizations of the evaluator, even if accurate. Instead, write your response skillfully enough so that a neutral third party reading the evaluation report and your response two years later will conclude that the evaluator did not have a true picture of you and your abilities.
- ❖ Use words like inaccurate, misjudged, misunderstood, error, misread, out of context, etc. when referring to the evaluation. As an example, indicate you are disappointed that the evaluator didn't have the opportunity to confer with you before and/or after the evaluation; or that, you are disappointed that he wasn't able to observe (something), or that he didn't have the time to notice (something), or that he didn't have an opportunity for (whatever).

Summary: Your response should look more thoughtful and professional than the evaluation report which generated it. A neutral third party examining the rebuttal should conclude that you are knowledgeable, professional, calm, competent, and rational.

² On the other hand, it is sometimes a very good idea to write out the whole ten or 12 pages of response that is in your heart. Get it all out. Then, let it sit. Move on to obtain assistance and write the professional response. You may want to share the long version with your building rep, grievance chair or UniSery representative. They are your advocates. A lengthy recitation of the circumstances may help them better understand the background. But, please, don't send it.

SAMPLE

Attached is a sample answer to an observation report. The staff member felt that the report, while, not overwhelmingly negative, did contain some negative elements that needed a response.

Please notice that it is short, non-apologetic, and not negative. It asserts staff member strengths and cooperation and it affirms positive comments from the observation report.

TO: XXXXXXXXXXXXXXXXXXXXXXXX

FROM: XXXXXXXXXXXXXXXXXXXXXXXX

RE: EVALUATION OBSERVATION DATE: NOVEMBER 24, 2011

Please consider this my formal response to your Post Observation Summary Report, dated November 24, 2011.

I am pleased that you noted that I am caring with my students and that I am positive and supportive with other staff members. I took particular pleasure in that you observed my use of new motivational ideas, that I am conscientious with assignments and that I am sincere in my desire to do a good job.

Each of the strategies you asked me to adopt as improvements, however, is already in use. I regret that you were not able to also observe them. I do smile and I am friendly with students and parents. I am not only in my room at 8:30, as you request, I am usually there by 7:30, and with my teaching materials prepared. I do communicate well with my students.

I am particularly concerned, however, that you would make written reference in this or any observation report to unfounded rumors. It is appropriate to verbally inform me if you hear "rumors" that may affect me. I thank you for so informing me. But to make written reference to such matters in a fashion that will include the reference in my file is, I believe, inappropriate and potentially damaging to my reputation.

I am requesting that any such reference be deleted from your written observation report. If you elect not to remove said reference, I respectfully request that this rebuttal be attached to the observation report and made a part of my file.

I work very hard to do a good job of teaching and will continue to do so. I will follow through on the suggestions you have made for improvement and invite you to observe their implementation any time you wish. Thank you.