

*Effectively Addressing Employee Behavior and Performance
Concerns*

Taking Action



District School Board of Pasco County

Office for Employee Relations

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Introduction

Taking Action

Effective schools have effective administrators who readily recognize effective and ineffective teaching and educational support practices and behavior. It is expected that all employees function at a high level of performance and behavior; however, there may be times when the performance or professional behavior of an employee reduces his/her effectiveness in the classroom, school, worksite, and/or community.

It is imperative that an administrator has a skilled professional who is committed to providing quality education for each student in every position – instructional or noninstructional. Therefore, it is important that the administrator take corrective action when behavioral or performance deficiencies arise. It is equally important that the action be appropriate to the situation. If possible, the action should focus on continuous professional growth by providing guidance, support, supervision, and resources.

The purpose of this manual is to provide administrators with assistance in making timely decisions and prescribing the appropriate action to be taken.

Due to some of the inherent differences between instructional and noninstructional staff, this manual has been divided into sections for templates and information appropriate for all categories of employees, instructional employees, and other non-instructional staff, including School Related Personnel (SRP) and Noninstructional Nonbargaining Employees (NNB).

Defining the Problem

Walking through the Steps

Step 1: Determine if the concern should be addressed with the employee.

In most cases the report or existence of a concern will create the need for some type of investigation and ultimately a discussion with the employee. There are some cases, however, where the concern will be so small and/or isolated that a simple notation of the concern, paired with a future monitoring plan, will suffice.

Example: A teacher who has been on time to work, every day for 12 years, is five minutes late to school on a given day. As long as the tardiness is not habitual, and there is nothing to indicate that the tardiness is a symptom of a larger problem, simply keeping note of the occurrence (see Action Log - http://www.pasco.k12.fl.us/library/er/er_action_log.pdf) and monitoring arrival time should be sufficient. However, if the tardiness is more frequent, or the teacher is 15-20 minutes late, additional action may be required.

Use your best professional judgment in answering this question. If you are unsure, call Employee Relations for assistance.

Step 2: Select and execute data gathering activities.

The type of concern that you are dealing with will often dictate the types of data gathering techniques most appropriate in addressing the concern.

Example: If you have concerns with a teacher's effectiveness in the classroom, a combination of classroom observations, student assessment data review, and lesson plan evaluation will probably be most helpful. However, if you are dealing with a teacher who has been accused of inappropriate language with a student, the staff member and student interview will probably prove most helpful.

Regardless of your data collection method, you should document it.

Step 3: Classify the problem(s).

Identify the general category of problem that you are encountering. These categories include:

- **Work Habits** (Missing paperwork deadlines or consistently arriving late to work.)
- **Personal Behavior At Work** (Gossiping about others, or being uncooperative.)
- **Classroom Performance** (Students off-task or a high number of students performing unsatisfactorily.)
- **Personal Behavior Away From School** (Discussing confidential student information within the community.)
- **Outside Agency Referral** (Child abuse allegation, or arrest by law enforcement.)

It is quite possible that a concern might fall into more than one of these categories, or that you will be dealing with multiple concerns that fall into a variety of categories.

Step 4 – Review information and formulate a written statement of the problem(s).

Use the data you have collected to develop an effective statement of the problem. Summarize the information that supports your conclusions. Ensure that the statement is clear, precise, and unambiguous. Your statement should stick to the facts you have collected as much as possible and should provide a detailed explanation of what the problem is and why it is a problem.

Examples:

Incomplete Problem Statement: The teacher does not maintain a classroom environment conducive to effective learning.

Add Detail to Complete the Statement: Students interfere with the teacher's instructional presentation by speaking out during the lesson. Students get out of their seats without permission and wander around the classroom during classroom activities. During a fifteen (15) minute observation, five (5) students spoke out during the lesson without being redirected and four (4) students were wandering around the classroom without the teacher noticing or addressing.

Step 5 – Select the appropriate corrective process.

Now that the problem has been defined, the administrator must now determine what action to take. There are two general categories of corrective action, the performance process and the behavioral/reprimand process.

Performance Problem – A concern that is best addressed through the District's performance evaluation process.

Behavioral Problem – Usually a single incident that occurs requiring some form of immediate administrative action. Inappropriate interactions with others, verbal outbursts, and other judgment-related issues highlight behavior problems.

The corrective action processes for performance and behavior are not always exclusive of one another. In many cases they interact with one another and multiple corrective actions may need to be taken to address a single concern or incident.

Step 6 – Select appropriate corrective action based on progressive discipline.

The final step involves analyzing the problem or concern and deciding what is the least severe, yet still appropriate, action that should be taken. Making this decision involves looking at not only the severity of the immediate problem or concern, but also looking at whether or not the employee has had difficulties in this same area in the past.

Progressive discipline does not require that you always start with the least severe consequence, or that you follow every step on the progressive discipline continuum, and there is no guarantee that progressive discipline will be appropriate in every situation. The administrator should evaluate all the facts and context involved to make an informed decision. Employee Relations can provide guidance in this area if needed.

Progressive Discipline Model

Verbal Warning

Conference Summary

Informal Letter
(Informal NEAT Letter or Informal Letter of Reprimand/Letter of Caution)

Formal Letter
(NEAT Letter or Formal Reprimand)

Unsatisfactory Evaluation
or
Suspension Without Pay

Termination
of
Employment

Utilizing Effective Progressive Discipline

Plan the Discussion. Review the problem statement, existing files, policy guidelines, notes from previous meetings with the employee, and any other available information. Make preliminary decisions on appropriate disciplinary action well ahead of time. Brainstorm and research any strategies that may be suggested when you are problem-solving with the employee.

Usually Follows Previous Discussions. A disciplinary discussion usually follows several previous informal discussions about a performance or work habit problem.

Can Be First Discussion. However, an initial discussion can be disciplinary when there has been a serious employee behavior that requires immediate disciplinary action.

No Surprise to Employee. In some cases the employee will already know that disciplinary action has to be taken and knows his/her action was inappropriate and serious. In other cases, you will need to explain and describe the unsatisfactory performance or poor work habit and outline the consequences for continued lack of improvement.

Be Prepared for Hostility. No one likes to be disciplined. The employee may become very angry or hostile during the discussion. Be prepared for this response but do not let it deter you from your obligation to conference with the employee.

Work on Solutions. This is still a problem-solving effort. You need to work on solutions for correcting the situation. Ask for the employee's ideas and use them whenever possible, helping the employee overcome roadblocks.

Indicate Support. Make sure the employee knows he/she still has your support. This could be a turning point in an employee's career. Indicate that you see the discussion as an opportunity for the employee to correct the problem and move forward.

Keep Written Record. Although you have probably been keeping an informal log of your discussions, this is usually the first discussion in which a formal, written record is made of the disciplinary action.

Increasing Severity. Discipline is typically a progressive process. If the problem doesn't improve, the action you will have to take will become more severe with each subsequent discussion until either improvement or termination results.

Be Firm and Fair. In any disciplinary discussion, you need to come across as being firm and fair. This means offering your support, working together on solutions, and indicating confidence in the employee and at the same time taking the appropriate disciplinary action.

Calling a Meeting with an Employee

The right of employees to have representation during an investigatory interview was established by the United States Supreme Court in a 1975 case, *National Labor Relations Board v. Weingarten*. Employees have what is now known as “Weingarten rights” during investigatory interviews. An investigatory interview occurs when a supervisor or member of management, e.g. the Principal or a representative from the Office for Employee Relations, questions an employee to obtain information which could be used as basis for discipline or asks an employee to defend or explain his or her conduct.

If an employee has a reasonable belief that discipline or other adverse consequences may result from his or her answers, the employee has the right to request representation of his or her choosing. A good rule of thumb is that if the employee thinks that the meeting could lead to discipline and requests representation, honor the request.

Please remember that an employee does not have to be a member of the union to be entitled to representation. Additionally, the representative does not need to be a union representative and can be a family member, friend, co-worker or attorney. That being said, remember that you have the right to suspend any meeting if an employee’s representative, union or otherwise, is rude or disruptive during a meeting. When calling a meeting with a bargaining unit (Instructional or SRP) employee that could lead to discipline the supervisor has two options:

1. **Inform the employee of the purpose of the meeting and let the employee make a decision about requesting representation; or,**
2. **Not inform the employee about the purpose of the meeting, but inform the employee at the meeting that he/she has the right to representation.**

In cases where the supervisor is conducting an investigation into the employee’s behavior and the investigation might be compromised by informing the employee of the meeting topic, the second option (not informing the employee about the purpose of the meeting, but informing the employee at the meeting that he/she has the right to union representation) may be appropriate.

Although there is no contractual or legal requirement to allow an employee to have representation at a meeting in which the employee is given an unsatisfactory evaluation and/or a N.E.A.T. letter, the District has generally permitted employees to have representation of their choice at such meetings.

It usually works to the advantage of a supervisor to inform the employee of the purpose of a meeting at the time the employee is notified. If the supervisor wants to seek help in solving a problem, it will help the employee to prepare for the meeting. If the subject of the meeting is a complaint or allegation which could lead to disciplinary action, the supervisor, and the District, will be in a better position if the employee later raises a question about a violation of due process rights if the supervisor is candid about the purpose of the meeting in the beginning.

It is not necessary to go into great detail when informing an employee about the purpose of a meeting. For example:

“I’m having trouble understanding _____ and I need your help. Please bring me the information you have regarding _____.”

“I’ve received a complaint from a parent and I’d like to talk with you about it.”

“I need to meet with you regarding a matter which could lead to disciplinary action (or suspension).”

For additional assistance, please call the Office for Employee Relations.

Child Protective Investigations and Law Enforcement

Child Protective Investigations

Teachers, support staff, and other school personnel play a critical role in forming a trusting relationship with children and helping to protect them from abuse and neglect. Per Chapter 39 of Florida Statutes, school personnel are obligated to know and follow procedures for reporting suspected child abuse, abandonment, or neglect to Department of Children and Families/Child Protective Investigations (CPI). At the moment there is suspicion, school personnel, as mandatory reporters, are required to call CPI immediately without delay, without investigation, and without need for approval.

This requirement applies to all suspicions, including allegations against parents or other family members, co-workers/school staff, or other students. Best practice is for the person with the most firsthand knowledge to call CPI to make the report. You may not contact the alleged person or persons regarding whom you are reporting alleged abuse, abandonment, or neglect or conduct an investigation. However, if reports are communicated to school personnel from parents or community members, school personnel should first encourage the reporter to call, but then also to call it in themselves.

There are 4 ways to report child abuse, abandonment, or neglect:

- Call the hotline at 1-800-96-ABUSE
- Call TDD (for the hearing impaired) at 1-800-453-5145
- Fax the completed reporting form (from Child Abuse sourcebook on pages 110-11 of <http://www.fldoe.org/ese/pdf/chiabuse.pdf>) to 1-800-914-0004
- Completed the online web report at <http://www.dcf.state.fl.us/abuse/report/>

Please notify the Office for Employee Relations immediately if you report a concern to the hotline regarding an employee or once you become aware that CPI and/or law enforcement is investigating an employee. Please remember that reporting suspected abuse, abandonment or neglect on the part of an employee to the Office for Employee Relations does not satisfy your obligation as a mandatory reporter. The Office for Employee Relations is available for support if you have any questions.

Law Enforcement

If you learn of allegations or evidence of criminal behavior, you should report the matter to law enforcement. Please notify the Office for Employee Relations immediately if you report a matter to law enforcement regarding an employee. You are also welcome to consult the Office for Employee Relations prior to contacting law enforcement.

Addressing Performance Deficiencies The NEAT Process

The NEAT process is generally appropriate for all categories of employees who are not performing satisfactorily. Templates for the categories of employees are included in the sections at the end of this manual.

1. **NEAT: Notice of the performance deficiencies:**

The Notice component specifies the exact area(s) of the evaluation form in which the employee's performance is deficient/unsatisfactory.

Good examples of Notice of the performance deficiencies:

- *I am writing to inform you that your performance in the area of "Attendance" is unsatisfactory at this time.*
- *I am writing to inform you that your performance in the area of "Quality of Work" is unsatisfactory at this time.*
- *I am writing to inform you that your performance in the area of "Withitness" is unsatisfactory at this time.*

The above examples are concise and list the specific area that will be addressed.

Poor examples of Notice of the performance deficiencies:

- *I am writing to inform you that your job performance is unsatisfactory at this time.* This notice is not specific as to the area of assessment which is unsatisfactory.
- *I am writing to inform you that you have displayed a very negative attitude which has contributed to your terrible performance.* In addition to starting off on a "very negative" tone, terms such as "terrible" are difficult to define.
- *I've told you time and time again that your performance needs to improve in the area of "Quality of Work."*

Although it may be implied, this notice is not very specific regarding unsatisfactory performance. Also, the "...time and time again..." should be saved for the section where specific examples and dates can be given of notices and/or conferences regarding performance concerns.

2. **NEAT: Explanation of the performance deficiencies and suggested corrections:**

The Explanation component provides a "full and complete" explanation of performance deficiencies and suggested corrections. The explanation follows the exact area(s) in which the employee's performance is deficient/unsatisfactory, and in which the employee has been given Notice.

In determining how to explain performance deficiencies, the administrator should review the area(s) in which the employee is deficient/unsatisfactory, and refer to definitions of the area(s) on the evaluation. The administrator may also refer to specific rules or procedures established (and explained to employees) by a school or department, or to other items which coincide with the areas of the domains of the instructional evaluation form.

This explanation should include specific information, including times, dates, places, context or setting, related to performance deficiencies, such as: projects not completed; timelines not met; numbers of absences within certain time frames; examples of uncooperativeness, for example. This part of the letter

also needs to specify suggestions to correct the deficiencies and to bring performance to a satisfactory level. This is the area of the assessment process that most often comes under attack. However, complete and accurate information will sustain most critical reviews of the administrator's explanation of the performance deficiencies.

Good example of Explanation of the performance deficiencies #1:

The dimension of "QUANTITY OF WORK" has been defined as follows:

Quantity of Work

Satisfactory performance is characterized by the accomplishment of essential job tasks which have been set or which are expected for the position. Quantity of work may be measured in the completion of specific numbers of tasks on a routine basis, or the completion of specific tasks to which the individual has been assigned, and may include the completion of tasks within specific timeframes. Quantity of work may also be measured by time-on-task behavior during work hours, as opposed to non-work-related or social activities.

As of this date in the school year, you have missed the payroll deadline on five (5) occasions, which has resulted in our school requesting assistance from the Office for Finance Services. On two (2) occasions, your delay in submitting payroll has resulted in employees not being paid timely and properly.

On (Date) I gave you a copy of the evaluation instrument and an explanation of what was satisfactory performance in the area of quality of work. I have spoken to you on a number of occasions about your absences last school year as well, specifically on _____, _____ and _____, and have given you written reminders about what constitutes satisfactory performance in the area of quantity of work. I pointed out to you the importance of completing your work in a timely manner and if not to notify administration immediately, and informed you that if your performance did not improve you might receive an unsatisfactory evaluation.

Good example of Explanation of the performance deficiencies #2:

Since our meeting on _____, I met with you on the following dates to discuss concerns with planning:

On (date) - Lesson plans are not being completed appropriately. When plans are returned to you for correction and specific direction from administration, you are to make such corrections. Your lesson plans dated _____, were returned to you with written notes for improvement. Administration noted that you needed more objective areas covered, six specific content areas needed to be covered, and activities were unbalanced and without enough variety. On _____, your plans were returned to you with specific notations that you were using inappropriate objectives as well as too much time on _____. Both plans had a specific direction for you to correct the deficiencies and return them. You failed to follow through on this.

On (date) - Your plans lack enrichment and do not meet the needs of your students. You continue to discard direct requests to revise your plans from your administration. Your plans were returned to you for the week of _____. I noted on the lesson plan check sheet that you were to delete one activity that was done the day before, there were no samples for children, you did not have the necessary equipment on hand, and you needed to prepare an activity noted by _____. In addition, you had an activity with no written instruction for completing the activity in the plan. On _____, your plans were again returned with specific corrections and notations for additional activities, appropriate supplies needed and repetitive activities. You were told to correct and return these plans. You were asked two times by _____ for the corrections and you failed to provide them.

In order to improve in the area of planning, you must complete lesson plans appropriately, include the sufficient number of objective and content areas, and provide activities that are balanced and include variety. You must also make sure that your lesson plans include enrichment activities and meet the needs of the children. Your plans must reflect materials and equipment which are available, include written instructions for completing the activities, and provide examples for students. In addition, you must follow directions when lesson plans are returned to you with notations for improvement.

3. NEAT: Assistance:

In this component the employee's supervisor offers assistance to the employee, and may detail what assistance has already been offered and/or provided.

Good examples of Assistance:

I will provide you with the opportunity to visit other classrooms to observe proper techniques which may be used in the discipline of EBD students. In addition, I have asked Ms. _____, Supervisor of SSPS, ESE division, to schedule an appointment with you in order to observe you in the classroom and to make some specific suggestions.

I can provide you with some materials which give examples of positive phrasing in response to requests from other employees. I am also willing to meet with you and review some specific terms you have used which others found offensive.

The Plant Manager will provide you with a recording which demonstrates tips and techniques for cleaning floors. You should view this by _____ and discuss what you learn with the Plant Manager.

Each of the examples provides or offers specific assistance to the employee. The important thing to remember in this component is that "reasonable" offers of assistance need to be made. Few administrators have ever lost a complaint over an unsatisfactory evaluation because too much assistance was offered or provided to the employee.

At the very least, the following statement is an example which meets the minimum contractual requirement to offer assistance:

If I can be of assistance to help you improve your attendance and reduce your tardiness to work, please let me know.

4. NEAT: Time: The time frame in which improved performance or correction of the deficiency is to be expected. Both the SRP and the Instructional Master Contract specify that the administrator will "...provide reasonable time for correction of deficiencies."

Good examples of Time:

I will review your progress in meeting these performance objectives on _____.

Within one week after you have attended the two training sessions, schedule an appointment with me and we will review your performance in this area.

By the middle of next month, I expect to see correct balances in the budget reports.

Each example provides some time frame in which improved performance or correction of the deficiency is to be expected.

5. Signature Block: For a formal NEAT letter, following your signature and title, there is a space for the employee's signature (or witness if the employee refuses to sign) and the statement below. If you plan to issue a formal NEAT letter, please contact the Office for Employee Relations for assistance.

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

Signature of Employee or Witness

Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

Please contact the Office for Employee Relations for guidance if you have any teacher, regardless of contract status, who receives a Needs Improvement or Unsatisfactory status score or a summative evaluation of Needs Improvement or Unsatisfactory.

COMMON MISTAKES WITH NEAT LETTERS

- **Not seeking assistance from the Office for Employee Relations before giving the NEAT letter to the employee.**
- Submitting a NEAT letter that does not contain one or more of the four components (Notice, Explanation, Assistance, Time), or is deficient in one or more of the components.
- Submitting a NEAT letter with information contained in it that has not been discussed with the employee.
- Submitting a NEAT letter that is the result of a "knee jerk" reaction to some event, as opposed to the result of a continual pattern of assessing performance.
- Submitting a NEAT letter that cannot be supported by documented information, or is vague as to dates and/or events.
- Submitting a NEAT letter which has irrelevant information attached.
- Submitting a NEAT letter that contains threats that cannot be supported, e.g., "If you come to work late one more time for any reason, your employment will be terminated."
- Submitting a NEAT letter regarding attendance¹ or tardiness issues without the following language, "If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Section of the Office for Human Resources and Educator Quality at 42353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 42366."
- Submitting a NEAT letter without the following language, "My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws."
- Submitting a formal letter of reprimand without the signature of the employee (or a note indicating refusal to sign) to the Director of the Office for Human Resources and Educator Quality.
- Submitting a NEAT letter that lists as recipients of copies individuals who do not have supervisory authority over the employee (e.g., department chairs, grade level chairs, and the like).

¹ Attendance is typically addressed through the performance route for Noninstructional employees and through the behavior route for Instructional employees. Please contact the Office for Employee Relations for more information.

Addressing Behavioral Concerns

All assessment of performance, including the issuance of a letter of reprimand should be discussed privately with the employee, and should not be discussed with any other employees except those who by nature of their jobs need to be informed.

Singular incidents of unsatisfactory or unacceptable performance may be handled by means of:

1. Informal conference
2. Documented informal conference
3. Informal written warning
4. Formal letter of reprimand
5. Other disciplinary actions including recommendation for suspension or dismissal (after consultation with the Office for Employee Relations).

The action that is taken depends on the severity of the incident and the judgment of the administrator in determining which action is most appropriate for both the specific situation and the employee.

The Letter of Reprimand

An **informal written warning** is a written letter to an employee that addresses the employee's performance/behavior that is considered to be unsatisfactory, unacceptable, or inappropriate. An informal written warning serves to bring a concern about the employee's behavior to the attention of the employee, states what needs to be done immediately to eliminate the concern, and specifies the possible further disciplinary consequences of a repeat of the behavior.

An informal written warning is an informal disciplinary action. An informal written warning is usually issued when an administrator has reason to believe that such a warning will be sufficient to bring an end to the behavior that is addressed.

A **formal letter of reprimand** is a written letter that documents the employee's performance /behavior that is considered to be unsatisfactory, unacceptable, or inappropriate. A formal letter of reprimand serves to bring a concern about the employee's behavior to the attention of the employee, states what needs to be done immediately to eliminate the concern, and specifies the possible further disciplinary consequences of a repeat of the behavior. The formal letter of reprimand memorializes the incident in written form by issuing a formal letter of reprimand to the employee with the original to be placed in the employee's personnel file in the Office for Human Resources and Educator Quality.

In making a determination as to whether an **informal written warning** or a **formal letter of reprimand** should be used instead of a NEAT letter, the primary consideration should be whether some aspect of **job performance** is at issue, or whether a **specific incident(s) of inappropriate behavior** needs to be addressed. Performance problems are best handled through the informal and formal NEAT process, while specific instances of inappropriate behavior are usually best handled with warning letters and letters of reprimand.

For example:

Performance - An employee takes too much time to complete tasks. Typically, this type of unsatisfactory behavior would involve informal conferences with the object being to correct the behavior. Continued unsatisfactory work behavior could lead to the issuance of a NEAT letter.

Inappropriate behavior - Leaving the worksite during a break or leaving early from work also would involve informal conferences with the object being to correct the unacceptable behavior. Continued behavior after being warned, or behaviors such as sneaking off campus after being warned would call for a formal letter of reprimand as a minimal disciplinary action.

Essential Components of a Letter of Reprimand

A **letter of reprimand** contains these main components in the body of the letter:

1. Notice of concern. *This letter will serve as an official letter of reprimand for your actions on (date) and explanation of the behavior/incident.*
2. A statement of what needs to be done to eliminate the concern. *You are reminded that you have a professional obligation to follow School Board Policy regarding _____.*
3. A statement that specifies the possible consequences of a repeat of the behavior. *Any future occurrence of this nature will result in further disciplinary action, which may include a recommendation for suspension without pay or the termination of your employment.*
4. Also add this language for letters regarding attendance or tardiness issues: "If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Section of the Office for Human Resources and Educator Quality at 42353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 42366."
5. Your signature and title follow the body of the letter. For a formal letter of reprimand, following your signature, there is a space for the employee's signature (or witness if the employee refuses to sign) and the statement below:

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

Signature of Employee or Witness

Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

COMMON MISTAKES WITH REPRIMANDS

- **Not seeking assistance from the Office for Employee Relations before giving the letter of reprimand to the employee.**
- Not conducting a thorough investigation and not meeting with the employee to discuss the situation prior to issuing a letter of reprimand.
- Writing a letter of reprimand that is the result of a "knee jerk" reaction to some event, as opposed to careful thought as the result of a thorough investigation.
- Writing a letter of reprimand that cannot be supported by documented information, or is vague as to dates and/or events.
- Submitting a formal letter of reprimand with irrelevant information attached.
- Writing a letter of reprimand that contains threats of employment action that cannot be supported: *"If you _____ one more time, your employment will be terminated."*
- Submitting a letter regarding attendance² or tardiness issues without the following language, "If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Section of the Office for Human Resources and Educator Quality at 42353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 42366."
- Submitting a formal letter of reprimand without the following language, "My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.
- Submitting a formal letter of reprimand without the signature of the employee (or a note indicating refusal to sign) to the Director of the Office for Human Resources and Educator Quality.
- Submitting a formal letter of reprimand that lists as recipients of copies individuals (such as department chairs or grade level chairs) who do not have supervisory authority over the employee.

² Attendance is typically addressed through the performance route for Noninstructional employees and through the behavior route for Instructional employees. Please contact the Office for Employee Relations for more information.

Attendance Monitoring

The Principal or Supervisor has a responsibility to take action when it is necessary and that the action is appropriate to the situation. If possible, this action should focus on professional growth and improved performance while providing assistance in the form of guidance, support, supervision, and other resources.

An Employee Assistance Program (EAP) is available to all employees to assist them with issues that may or may not be work related. It may be particularly helpful when non-work factors are having a negative effect on job performance. Don't pry or be judgmental, but do not hesitate to discuss the program and encourage the employee to use the services if it may be helpful.

Problems with attendance cannot always be simply measured by the number of hours or days an employee is absent. A planned absence of twenty (20) consecutive days for an employee to have surgery has a much different impact than twenty (20) days of sporadic unscheduled absences. Employees with different lengths of annual work calendars earn different amounts of leave time. Employees in vacation earning positions earn vacation leave time based on length of service. Absences that are part of an American with Disabilities Act (ADA) accommodation or absences that are classified as leave under provisions of the Family and Medical Leave Act (FMLA) cannot be used to justify a negative employment action. Injury-in-Line-of-Duty, Workers Compensation, Judicial, Military, etc. are not indicative of poor performance.

What is satisfactory attendance?

In very general terms, if an employee's absences during a school year do not exceed the combined amount of sick and vacation time earned by the employee during an annual period, the overall attendance is satisfactory.

The following statement is used to generally describe satisfactory attendance.

ATTENDANCE: *Satisfactory performance is characterized by being at work a sufficient number of days to accomplish the essential tasks of the position without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number of sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.*

Identifying an Attendance Problem

Maintaining an accurate record of each employee's attendance and reviewing it on a regular basis is a good method of identifying questionable attendance before it becomes a problem. This early identification of a potential problem allows timely intervention that might avoid a more serious problem later.

A **record of attendance calendar** is to be used to document individual employee attendance. Use of this form (on the Office for Employee Relations website <http://www.pasco.k12.fl.us/er/evaluations/>) will allow a quick review of attendance and early detection of problems. It will not only show numbers and types of absences, it will also show patterns of absences that may cause concern. This visual representation of an employee's record of attendance will make it easy to share this information with the employee.

Using the absence codes listed at the top of the form makes it easy to record the different types of absences. If the absence is for less than a full day, there is room in each cell to list the number of hours absent. Always verify the accuracy of an attendance record before discussing concerns with an employee that might lead to disciplinary action. Contact the Leaves Section of the Office for Human Resources and Educator Quality if you need assistance with this.

What would indicate an attendance problem?

A Principal or Supervisor should suspect there is a performance problem in the area of attendance when an employee has used all available paid leave and absences continue, or if an employee is incurring absences at a rate that will far exceed the amount of paid leave the employee will earn in the annual period. Periods of extended absence for expressed documented reasons are not generally an indication of poor performance. Please remember that absences that are part of an American with Disabilities Act (ADA) accommodation or absences that are classified as leave under provisions of the Family and Medical Leave Act (FMLA) or other approved district leave cannot be used to justify a negative employment action. Absences of a suspicious nature, e.g. patterns of Monday or Friday absences, may also be addressed.

It is a good idea to look at all of your employees' attendance and set some form of a threshold to use when considering whether employees have an attendance problem. For example, you could meet with each employee who has missed five (5) days as of November 1 in a school year. When doing so, please remember not to count absences that are part of an ADA accommodation or FMLA or other district leaves. Additionally, five (5) absences due to one situation or illness can be quite different from missing five (5) Fridays. There are many factors and nuances to consider, so please call the Office for Employee Relations if you have any questions.

How to Address an Attendance³ Problem

Informal Action

1. Conference or Verbal Warning - Conference summary

Principal or supervisor would have an informal conference with the employee with a view toward assisting the employee to improve his/her attendance. A conference summary would be completed after the conference. This form would not be submitted to the Director of the Office for Human Resources and Educator Quality to be included in the employee's official personnel file.

2. Written Warning - Informal NEAT letter or informal letter of reprimand ("Notice Explanation Assistance Time").

If poor attendance continues, an informal written warning or informal NEAT letter may be given notifying the employee of administrative concern. This would not be submitted to the Director of the Office for Human Resources and Educator Quality to be included in the employee's official personnel file.

Formal Action

3. Written Warning - Formal NEAT letter or formal letter of reprimand.

If poor attendance continues, a formal NEAT letter or formal letter of reprimand may be given. This document would be signed by the employee or a witness and the original would be submitted to the Director of the Office for Human Resources and Educator Quality.

4. Summative Evaluation - Use of District Assessment Instrument and NEAT letter.

³ Attendance is typically addressed through the performance route for Noninstructional employees and through the behavior route for Instructional employees. Please contact the Office for Employee Relations for more information.

If poor attendance continues, an unsatisfactory evaluation may be given. A formal NEAT letter must be issued in conjunction with an unsatisfactory evaluation. The assessment instrument and the NEAT letter must be signed by the employee or a witness. The original of each of these documents would be submitted to the Director of the Office for Human Resources and Educator Quality.

When using “Corrective Progressive Discipline,” any step of the procedure may be repeated at any time if circumstances warrant. Be certain to keep a log of interventions or actions used with an employee. Please contact the Office for Employee Relations as soon as you have identified an employee with an attendance problem, and we will assist with developing a strategy for addressing the problem.

Do not forget to discuss leaves options and the Employee Assistance Program (EAP) with the employee when appropriate. Any letter that you issue regarding tardiness or attendance should contain this language:

“If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Section of the Office for Human Resources and Educator Quality at 42353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 42366.

Please see the attendance letter found in the section for templates appropriate for any category of employee. Please remember to call the Office for Employee Relations for guidance if an employee’s attendance does not improve.

Templates for any category of employee

Sample Letter
Employee Conference Summary

Note: Generally, the purpose of a conference summary is to document a conference and expectations. You can also insert probationary language, if appropriate.

Date

Name

Title

Re: Conference Summary

Dear Name:

On _____, we met to discuss _____. Specifically, we discussed that I noticed/_____ reported to me that _____. We also discussed the need for you to _____.

Recommendations and Outcomes:

You agreed that you will _____ by (date). I offered you assistance (describe assistance).

Please let me know if you have any questions or if there is anything else that I can do to assist you.

Sincerely,

Name

Title

Sample Letter – Attendance

Note: Please contact the Office for Employee Relations with questions or if you have already issued more than one attendance letters and need to issue a formal letter. You can also insert probationary language, if appropriate.

Date

Name
Title

Re: Notice of Attendance Concerns

Dear Name:

Thank you for meeting with me on _____ to discuss my concern regarding your attendance. As we discussed, satisfactory performance in the area of attendance is generally defined by being at work a sufficient number of days to accomplish the essential tasks of the position, without having to distribute to other employees or to delay those essential tasks. Satisfactory performance is generally characterized by not exceeding during an annual period the combined number or sick or vacation days which are earned by an employee during that period with the exception of approved FMLA or other district leaves. While unexpected illnesses or other circumstances which may entail prolonged absences are understandable, frequent absences and/or questionable absences which result in hardship to other employees or which result in the delay of essential tasks can result in documentation of unsatisfactory performance.

During our meeting on _____, I shared with you the summary of your absences for the last ___ years (if attendance issue is a pattern). You stated that _____. Below is a summary of the hours that you have missed since the _____ school year:

School Year	Hours	School/Work Days

We also discussed the importance of completing assigned tasks in a timely manner and that your co-workers rely on you. [For instructional: You cannot rely on your teammates to constantly pull together lesson plans for your substitute. That is your responsibility unless there is an emergency situation. We also discussed how your excessive absences hinder the quality of instruction in your classroom. Your students need consistency and have the right to be taught by a highly qualified teacher. Due to your absences, your students did not have consistency and were constantly being taught by others who did not know their instructional needs. It is imperative that we provide consistency to our students.]

_____, we know how important it is to be at work. I will continue to monitor your attendance closely. If your attendance does not improve, further administrative action, which could include a formal documentation and/or a recommendation for the termination of your employment⁴, may result.

If I can be of assistance, please do not hesitate to contact me. If you have any questions regarding leave eligibility under provisions of the Family and Medical Leave Act (FMLA), please call the Leaves Division of the Office for Human Resources and Educator Quality at 42353. If you believe that the Employee Assistance Program may be of assistance to you, please call extension 42366.

Sincerely,

Name
Title

Cc: Director, Office for Employee Relations

⁴ You may not want to include language regarding termination if it is your first letter to an employee.

Sample Letter

Letter of Caution - Behavior Concern

Note: Please contact the Office for Employee Relations with questions or if you have already issued more than one letter of caution and/or feel that you need to issue a formal letter. You can also insert probationary language, if appropriate.

Date

Name
School

Re: Letter of Caution

Dear Name:

A concern was reported to me regarding (insert behavioral concern). When an allegation of this nature is brought forth, the District must take action to investigate.

During my investigation I talked with (identify sources of information – does not need to be a list of witness names). My findings indicate (describe allegation(s) and findings related to the employee’s behavior).

In our meeting you stated that (describe employee’s statements, including any acceptance of responsibility or pledge to change behavior).

(If applicable) We have already met regarding (identify behavioral concern) in the past. On (date) we discussed (describe past conferences on same issue). You agreed to (describe changes employee was to make).

(Name), your recent behavior is unacceptable. You must ensure that this behavior does not occur again. (Identify steps to be taken by employee).

I will continue to monitor your behavior in the coming months. In the meantime, if there is any assistance that I can provide you in order to help you take the steps described above, please do not hesitate to let me know. Please be advised that future concerns may result in additional disciplinary action, which could include formal documentation, a recommendation for suspension without pay, or a recommendation for the termination of your employment.

Sincerely,

Name
Title

Cc: Director, Office for Employee Relations

Sample Letter

Formal Letter of Reprimand - Behavior Concern

Note: Please contact the Office for Employee Relations before issuing. You can also insert probationary language, if appropriate.

Date

Name
School

Re: Formal Letter of Reprimand

Dear Name:

This letter serves as a formal letter of reprimand for your actions on _____, when you _____. We met on _____ to discuss this situation and for me to gain your perspective.

In our meeting you stated that (describe employee's statements, including any acceptance of responsibility or pledge to change behavior).

(If applicable) I am particularly concerned because we have already met regarding (identify behavioral concern) in the past. On (date) we discussed (describe past conferences on same issue). You agreed to (describe changes employee was to make).

(Name), your recent behavior is unacceptable. You must ensure that this behavior does not occur again. (Identify steps to be taken by employee).

I will continue to monitor your behavior in the coming months. In the meantime, if there is any assistance that I can provide you in order to help you take the steps described above, please do not hesitate to let me know. Please be advised that future concerns may result in additional disciplinary action, which could include a recommendation for suspension without pay or a recommendation for the termination of your employment.

Sincerely,

Name
Title

Original: Personnel File
Cc: Learning Community Executive Director
Director, Office for Human Resources and Educator Quality
Director, Office for Employee Relations

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

Signature of Employee or Witness

Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

**Sample Letter
Job Abandonment**

Note: This template is to be used when an employee does not show for work or call in for more than one day and the employee does not respond to your attempts to contact him/her. Please contact the Office for Employee Relations if you are planning to send this letter to an employee.

Via Certified Mail Return Receipt Number: (Insert number)

Date

Name
Address

Dear Name:

You have been absent from your position as (a/an insert job title) at (insert worksite) beginning (insert date) to the present. During this time, you have not contacted me to explain your absences. I have attempted to contact you on (give complete history of your attempts to contact the employee during period of absence). To date, you have not returned my attempts to contact you.

This letter is to inform you that you are absent without approved leave. Accordingly, I must conclude that you have abandoned your position with the District and wish to resign for personal reasons. Therefore, I have asked the Office for Human Resources and Educator Quality to process your termination, effective (insert date).

(Note to Administrator: Please contact the Office for Employee Relations if you do not hear from the employee by the date indicated.)

Please contact me within two days of receipt of this letter if you have any questions relative to this matter.

Sincerely,

Name
Title

Cc: Human Resources Staffing Specialist
Director, Office for Employee Relations

Instructional Employees

Probationary Teacher Concerns

Please ensure that you are aware of your instructional employees who are probationary and who are employed pursuant to an annual contract, as the documentation process has some key differences from that for instructional employees who are employed pursuant to a professional services or continuing contract.

How long is the probationary period? Starting with the 2011-2012 school year, the probationary period for newly hired teachers is to the end of the school year for which the teacher was hired. In many cases, this represents an increase in the amount of time teachers are considered to be on probation. Importantly, for teachers hired during second semester, it may actually represent a decrease in the time a teacher is on probation.

An employee on a probationary contract may resign or be dismissed without creating a breach of the contract. If you are observing performance problems, monitor the performance of your new hires carefully, especially those teachers hired closer to the end of the school year.

If you have ongoing concerns or questions about the behavior or performance of any teacher in his/her probationary period, please contact the Office for Employee Relations for assistance as soon as the need is identified. The templates on the following three pages are appropriate for probationary or annual contract teachers. Please select the language appropriate for the category of teacher referenced. Remember that we are available to assist you with a plan to support probationary teachers as well as the appropriate documentation.

Annual Contract Teacher Concerns

An employee cannot be dismissed during the term of the contract (196 days) without “just cause.” Florida Statute 1012.34 defines “just cause” to be, but not limited to, misconduct in office, incompetency, gross insubordination, willful neglect of duty, or conviction of a crime involving moral turpitude. Instructional employees may also be dismissed based upon the results of evaluation process. Legislation provides that two consecutive annual performance evaluation ratings of unsatisfactory or two annual performance evaluation ratings of unsatisfactory within a 3-year period or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory may result in dismissal.

Additionally, annual contract teachers may be nonreappointed for the following school year. An annual contract teacher must be notified of his/her nonreappointment for the following school year by April 1.

The templates on the following three pages are appropriate for probationary or annual contract teachers. Please select the language appropriate for the category of teacher referenced.

Professional Services Contract or Continuing Contract Teacher Concerns

An employee cannot be dismissed during the term of the contract (196 days) without “just cause.” Florida Statute 1012.34 defines “just cause” to be, but not limited to, misconduct in office, incompetency, gross insubordination, willful neglect of duty, or conviction of a crime involving moral turpitude. Instructional employees may also be dismissed based on the results of the evaluation process. Legislation provides that two consecutive annual performance evaluation ratings of unsatisfactory or two annual performance evaluation ratings of unsatisfactory within a

3-year period or three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory may result in dismissal.

Though the process for addressing performance and behavior concerns for teachers employed pursuant to a professional services or continuing contract is typically more comprehensive than that for a probationary teacher or annual contract teacher, the Office for Employee Relations can assist you with a plan to support these teachers as well as the appropriate documentation if there are performance or behavioral concerns.

Please contact the Office for Employee Relations for guidance if you have any teacher, regardless of contract status, who receives a Needs Improvement or Unsatisfactory status score or a summative evaluation of Needs Improvement or Unsatisfactory. We can assist with the proper support and documentation.

Sample Letter – Probationary or Annual
First Notice

Note: This can be used after a conference summary if no improvement is observed.

Date

Name
Title

Re: Notice of Concerns

Dear Name:

This letter is to inform you of my concerns relative to your performance/behavior as a classroom teacher at (School). We have had several conferences on _____ related to your performance/behavior and recently on (dates) we met and reviewed specific teacher behaviors that you need to make your focus at this time. We specifically discussed the following concerns with your performance/behavior:

(Identify teacher performance/behavior concerns)

(Name), if you are to receive an effective evaluation and continue your employment, you need to show progress in demonstrating improvement in the above-referenced areas.

I will continue to observe your classroom and meet with you to provide feedback and suggestions. I encourage you to immediately address these concerns so that your students will receive the educational experiences that will enhance their learning opportunities.

I am reminding you that your work status is probationary during your first year of employment with our District/you are employed with the District on an annual contract. Accordingly, it is critical that you address the concerns we discussed and that are summarized above. It is my expectation that you will _____.

Please do not hesitate to contact me for assistance.

Sincerely,

Name
Title

Sample Letter
Probationary or Annual Contract Teacher
Letter if concerns persist

Note: Please contact the Office for Employee Relations with questions or if you have already issued more than one similar letter and feel that you need to issue a formal letter.

Date

Name
Title

Re: Notice of Continuing Concerns

Dear Name:

This letter is to inform you of my continued concerns relative to your performance/behavior as a classroom teacher at (School). We have had several conferences on _____related to your performance/behavior and recently on (dates) we met and reviewed specific teacher behaviors that you need to make your focus at this time. We specifically discussed the following concerns with your performance/behavior:

I have observed your classroom on the following dates: (dates).

We met on (dates) in an effort to provide corrective feedback, suggestions, and assistance for improving your performance; however, I continue to observe deficiencies which reduce your effectiveness as a classroom teacher.

You fail to (identify and describe deficiencies and cite examples that you have observed).

Provide suggestions that can have immediate impact on the behavior.

Please note that you must implement the above suggestions immediately. I will continue to observe your classroom. Should you have any specific date and time you would like me to observe a class, please contact me. If I or any of our staff can be of assistance, feel free to call me.

I am reminding you that your work status is probationary during the first year of your employment/you are employed with the District on an annual contract. Accordingly, it is critical that your performance/behavior improve to a satisfactory level. It is my expectation that you will _____. If it does not, I may recommend that you be released during your probationary period/that you be nonreappointed.

Sincerely,

Name
Title

Cc: Director, Office for Employee Relations

Sample Letter
Informal NEAT Letter - Performance Concern

Note: This can be used for any instructional employee, most appropriately after a conference summary if no improvement is observed.

Date

Name
Title

Re: Notice of Performance Concerns / NEAT Letter

Dear Name:

This letter is to inform you of my concerns with your performance as a _____ at (School) in the areas of (identify categories/domains), to delineate the deficiencies, to again offer assistance, and to establish a time line in which you will be expected to demonstrate improvement in these areas.

I have observed your classroom on the following dates: (dates).

We met on (dates) in an effort to provide corrective feedback, suggestions, and assistance for improving your performance; however, I continue to observe deficiencies that reduce your effectiveness.

Your deficiencies are as follows:

(Identify and describe deficiencies. Cite examples that you have observed).

My suggestions that may assist you with improving your performance are:

(Provide suggestions.)

Please begin to implement the above suggestions immediately. I will continue to monitor your performance. Should you have any specific date and time you would like me to observe a class, please contact me. If I can be of assistance, please contact me. If your performance does not improve, further administrative action, which could include formal documentation or a recommendation for the termination of your employment may result.

Sincerely,

Name
Title

Sample Letter
Formal NEAT Letter – Performance Concern

Note: Please contact the Office for Employee Relations before issuing this letter.

Date

Name

Title

Re: Formal Notice of Performance Concerns / NEAT Letter

Dear Name:

This letter is to formally notify you of my concerns with your performance as a _____ at (School) in the areas of (identify categories/domains), to delineate the deficiencies, to again offer assistance, and to establish a time line in which you will be expected to demonstrate improvement in these areas.

I have observed your classroom on the following dates: (dates). In an effort to provide corrective feedback, suggestions, and assistance, we have met on the following dates: (dates). I also issued a letter to you on _____ to outline my concerns. These deficiencies are still apparent, as described below.

Your deficiencies are as follows:

(Identify and describe deficiencies and cite examples that you have observed.)

Examples:

In the area of Classroom Management, you have failed to:

1. *Establish and maintain a set of routines and procedures for the use and care of materials in your classroom. Example: Students continue to leave their books on the floor. Students using computers play with the keyboards by simply banging on the keys at random.*
2. *Establish and monitor a standard for student behavior in the classroom. Example: In my recent observation on (insert dates) students continued to wander about the classroom without purpose. They were not following your direction of raising their hand to request permission to leave their seat.*
3. *Identify causes of student misbehavior and employ strategies to correct them.*
4. *Be aware that student misbehavior is occurring.*
5. *Demonstrate the ability to use class time efficiently.*
6. *Maintain instructional pace.*
7. *Maintain a classroom environment that is conducive to learning.*

In the area of Delivery of Instruction, you have failed to:

1. *Present clear and appropriate directions for carrying out instructional activities.*
2. *Respond to student talk in ways that encourage participation and maintain academic focus.*
3. *Disseminate materials and equipment in an orderly and efficient manner.*
4. *Use a variety of instructional techniques and media consistent with the needs and capabilities of the students.*

My suggestions that may assist you with improving your performance are:

(Provide suggestions.)

Examples:

Classroom Management:

1. *Make routine classroom procedures as smooth as possible.*
2. *Circulate around the classroom.*
3. *Position yourself at potential problem areas.*
4. *Let students know your expectations. Expectations for behavior should be supported by a set of fair, workable, enforceable consequences.*
5. *Attend Professional Development.*

Delivery of Instruction:

1. *Check student comprehension by asking questions, clarifying, and/or reviewing individual work.*
2. *Provide learning related directions and explanations and provide discussions with students.*
3. *Do not unnecessarily repeat procedural or substantive instructions.*
4. *Use various modes of presenting using simple and complex cognitive levels.*
5. *Provide several opportunities with various activities for students to practice the concept.*
6. *Attend Professional Development.*

As you will recall, we have previously discussed the above deficiencies by providing you with specific examples of teacher and student behavior. Should you need further clarification concerning these deficiencies and/or suggestions for improvement, please contact (Mr./Ms. Administrator's name) or me immediately.

(Identify observing administrators) will continue to monitor your performance in an effort to provide assistance. If I can be of assistance, please contact me. If your performance does not improve, further administrative action, which could include a recommendation for the termination of your employment may result.

Sincerely,

Name
Title

Original: Personnel File
Cc: Learning Community Executive Director
Director, Office for Human Resources and Educator Quality
Director, Office for Employee Relations

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

Signature of Employee or Witness

Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.

Noninstructional Employees

Sample Letter
Probationary SRP or NNB

Note: The SRP probationary period is sixty (60) workdays and the NNB probationary period is ninety-seven (97) workdays. Please contact the Office for Employee Relations if you continue to have concerns after issuing this letter.

Date

Name

Title

Re: Notice of Concerns

Dear Name:

This letter is to inform you of my concerns relative to your behavior/performance as a/an (position) at (worksite). *(If applicable)* We have had several conferences relative to your performance and recently on (date) we met and reviewed specific improvements you needed to make. We specifically discussed the following performance deficiency/behavior concern:

(Identify area from performance assessment and specific behaviors observed).

Identify expectations for future behavior/performance.

(Employee name), if you are to continue your employment, you must show satisfactory performance/behavior as described above.

I will continue to observe your performance and meet with you to provide feedback and suggestions. I encourage you to immediately address these concerns.

I am reminding you that your employment status is probationary during the first sixty (60)/ninety-seven (97) workdays of your employment. During this probationary period you may be dismissed without cause or resign without notice and be released without prejudice. It is essential that your performance/behavior improve to a satisfactory level as described in this letter immediately.

Please do not hesitate to contact me for assistance.

Sincerely,

Name

Title

Sample Letter - Non-Probationary SRP or NNB
Informal NEAT Letter - Performance Concern

Note: This can be used for any noninstructional employee, most appropriately after a conference summary if no improvement is observed. Please contact the Office for Employee Relations if you are issuing this letter to an NNB.

Date

Name
Title

Re: Notice of Performance Concerns / NEAT Letter

Dear Name:

This letter is to inform you that your progress as a/an (position) at (worksite) is unsatisfactory in the areas of (identify categories from evaluation instrument).

We previously met on (dates) in an effort to provide corrective feedback, suggestions, and assistance for improving your performance. (If applicable) On _____, I issued a conference summary/letter to you outlining my concerns and suggestions for improvement. I continue to observe deficiencies that reduce your effectiveness as a/an (position).

Your deficiencies are as follows:

(Identify and describe deficiencies from the evaluation instrument. Cite examples.)

My suggestions that may assist you with improving your performance are:

(Provide suggestions.)

Please begin to implement the above suggestions immediately. I will continue to monitor your performance in an effort to provide assistance. If I can be of assistance, please contact me. If your performance does not improve, further administrative action, which could include an unsatisfactory evaluation, may result.

Sincerely,

Name
Title

Sample Letter - Non-Probationary SRP or NNB
Formal NEAT Letter - Unsatisfactory Evaluation

Note: Please contact the Office for Employee Relations before issuing this letter. This letter is typically accompanied by an unsatisfactory evaluation.

Date

Name

Title

Re: Formal Notice of Performance Concerns / NEAT Letter

Dear Name:

The purpose of this letter is to notify you of your unsatisfactory performance in (insert categories from evaluation instrument), to delineate the deficiencies, to again offer assistance, and to establish a time line in which you will be expected to demonstrate improvement in these areas.

We previously met on (dates) in an effort to provide corrective feedback, suggestions, and assistance for improving your performance. On _____, I issued a letter(s) to you outlining my concerns and suggestions for improvement. I continue to observe deficiencies that reduce your effectiveness as a/an (position).

Your deficiencies are as follows:

(Identify and describe deficiencies from the evaluation instrument. Cite examples.)

My suggestions that may assist you with improving your performance are:

(Provide suggestions.)

As you will recall, we have previously discussed the above deficiencies and what the expectations are relative to your improvement in the identified areas. Should you need further clarification concerning these deficiencies and/or suggestions for improvement, please contact me immediately. I will continue to monitor your performance in an effort to provide assistance. We will meet again to discuss your performance within _____ days from now to check your progress. Should significant improvement not occur, additional administrative action, which may include the issuance of a second unsatisfactory evaluation and a recommendation for the termination of your employment, may result.

Sincerely,

Name

Title

Original: Personnel File

Cc: Learning Community Executive Director

Director, Office for Human Resources and Educator Quality

Director, Office for Employee Relations

My signature indicates that I received this letter and understand that any written statement I wish to make regarding this letter will be attached to the copy filed in my official personnel file located in the Office for Human Resources and Educator Quality. My signature also indicates that I understand that this letter is subject to disclosure under Florida's public records laws.

Signature of Employee or Witness

Date

This document is subject to review under provisions of F.S. 1012.31 and 119.07.