

# WHAT TO DO IF YOU RECEIVE A DEFICIENCY NOTICE

## Tenured Teachers

### What to Do If You Receive a 30-Day (or Longer) Warning Letter

1. Let your UniServ director know immediately.
2. Make sure the letter meets the requirements of the law and your district's policies (warning in writing stating specifically the causes that, if not removed, may result in charges of incompetence, inefficiency or insubordination).
3. Make sure the superintendent or a designee specifies arrangements to meet and confer in an effort to resolve the matter.
4. If the language of the letter is so general that the communication does not clearly state your deficiencies, write a letter to the superintendent stating that the letter does not meet the legal requirements of RSMo. 168.116 because it does not specifically state what causes must be removed. Work with your UniServ director in writing this letter.
5. If the letter is specific, in conjunction with your UniServ director, write a letter to the superintendent indicating that while you don't feel you are incompetent or deficient in the area cited, you will nonetheless attempt to improve your performance in the areas they believe to be of concern and will attempt to follow their suggestions. Include in your letter a rebuttal of points that you believe are not correct.
6. Make sure you are accompanied by an Association representative at all meetings regarding your deficiencies.
7. Make notes on all visits or lack of visits by administrators or evaluators in their attempts to assist you. See if the help/assistance forthcoming is as specified in the 30-day letter.
8. Suggest the evaluator view your lessons so that he or she may see improvements in your alleged deficiencies. Document these observations, make note of evaluator comments, in particular praiseworthy ones, by period of time and date.
9. Take pictures of your room to demonstrate visual improvements.
10. Make sure lesson planning is apparent in your plan book and that it is detailed.
11. Make sure that you make all of your duty assignments and provide the administration no opportunity to further criticize you.
12. Keep records of all of your attempts to improve in the areas in which you've been cited as deficient. Make sure your administrator is aware of your activities.
13. If you need help, ask a colleague, the Association leader, or the UniServ director to assist you with an instructional problem you might have.
14. If you believe the 30-day letter contains constitutionally impermissible accusations or is against your contract or district's policy, put this in a personal record, and document instances of such discrimination or policy violations.
15. If, at the end of the 30-day period, you've heard nothing, write your superintendent a letter indicating what you've done and that you believe you've met the requirements of the letter and that you've corrected the problem.
16. If you receive notice that you're to be terminated, contact your UniServ director and ask for a hearing on your termination.
17. Always be ready to grieve any violation of your rights.



## Probationary Teachers

### What to Do If You Receive a 90-Day Letter

1. Let your UniServ director know immediately.
2. Make sure the letter meets the requirements of the law and your district's policies (i.e., the letter delineates specific charges or criticisms, which can be rectified and that there are listed suggested improvements for correcting these deficiencies or that it delineates what form of assistance will be forthcoming and from whom).
3. Make sure the superintendent or a designee specifies arrangements to meet and confer in an effort to resolve the matter.
4. If the language of the letter is so broad that it does not clearly state your deficiencies, write a letter to the superintendent and tell him or her that the 90-day letter does not meet the legal requirements of RSMo. 168.126 (if probationary) or RSMo. 168.116 (if tenured) because the letter does not clearly set forth your alleged incompetence.
5. If the letter is specific, in conjunction with your UniServ director, write a letter to the superintendent indicating that while you don't feel you are incompetent or deficient in the area cited, you will nonetheless attempt to improve your performance in the areas they believe to be of concern and will attempt to follow their suggestions. Include in your letter a rebuttal of points that you believe are not correct.
6. Be accompanied by an Association representative at all meetings regarding your deficiencies.
7. Make notes on all visits or lack of visits by administrators or evaluators in their attempts to assist you. See if the help/assistance forthcoming is as specified in the 90-day letter.
8. Suggest the evaluator view your lessons so that he/she may see improvements in your alleged deficiencies. Document these observations, make note of evaluator comments, in particular praiseworthy ones, by period of time and date.
9. Take pictures of your room to demonstrate visual improvements.
10. Make sure lesson planning is apparent in your plan book and that it is detailed.
11. Make sure that you make all of your duty assignments and provide the administration no opportunity to further criticize you.
12. Keep records on all of your attempts to improve in the areas in which you've been cited as deficient. Make sure your administrator is aware of your activities.
13. If you believe the 90-day letter contains constitutionally impermissible accusations or is against your contract or district's policy, put this in a personal record and document instances of such discrimination or policy violations.
14. If you need help, ask a colleague, the association leader or the UniServ director to assist you with an instructional problem you might have.
15. If at the end of the 90-day period, you've heard nothing, write the superintendent a letter indicating what you've done and indicate that you believe you've met the requirements of the letter and that you've corrected the problem.
16. If you receive notice that you're to be fired or nonrenewed, contact your UniServ director and ask for a hearing on your termination or non-renewal.
17. Always be ready to grieve any violation of your rights.