

special medical knowledge, nursing judgment and nursing assessment.

4. There should be no liability for civil damages as a result of administration of such medication and/or medical service when the person administering such procedure acts as an ordinarily reasonable prudent person would have acted under the same or similar circumstances.
5. Licensed medical support service professionals in this unit will follow pertinent Florida Statute, provisions of the Nurse Practice Act, and Board Policy.

ARTICLE XIII EVALUATION PROCEDURE

A. Evaluation Procedure

It is the philosophy of this Agreement that evaluation is a developmental process. All evaluations shall be directed to identifying strengths as well as weaknesses. Evaluations shall be the responsibility of the administration and shall not be delegated to any non-managerial employee. However, nothing contained herein shall preclude the administrator from receiving input from appropriate personnel in gathering data for evaluation purposes. All evaluation conferences shall be confidential and no adverse comments shall be made in the presence of pupils or staff. PESPA will be involved in the formation of any new evaluation system which impacts bargaining members.

1. Each formal evaluation of an employee, if such occurs, shall be followed by a written evaluation report and conference between the employee and his/her appropriate administrator/supervisor. All formal observations of the work performance of an employee shall be conducted with the knowledge of the employee.
 - a. An employee shall be given a copy of each written evaluation report which he/she shall acknowledge. No employee shall be required to acknowledge a blank or incomplete evaluation form.

- b. An employee's signature on an evaluation does not necessarily mean he/she agrees with the statements presented, but indicates that an employee has seen said evaluation.
 - c. If an employee does not agree with the evaluation report given to him/her, he/she shall be allowed a conference with the evaluator if requested. The conference shall occur within ten (10) days of the request. The employee may submit a written response to the evaluation which must occur within ten (10) days.
- 2. **Responsibility of Employer to Employee** - Should the administration determine the need for remediation, specific recommendations, including timelines and training for areas of improvement shall be communicated to the employee through an interim evaluation. Specific documentation shall be maintained and shall be given to the employee in the event no improvement is evidenced.
- 3. **Communication of Comments** - All comments regarding an employee's professional performance shall be communicated directly to the affected employee, verbally and in writing. Unsatisfactory ratings shall be based only on documentation shared with the employee and documented within a timely manner not to exceed 20 working days of the occurrence or knowledge of event.
- 4. Personnel records and files shall be maintained in compliance with appropriate Florida Statutes and Board administrative procedures. An employee shall have the right to make an appointment to review the contents of his/her personnel file at the work site and/or the county office providing such review can be accomplished without interference with the employee's performance of his/her duties. An employee shall be entitled to have a representative of the Association accompany him/her during

this review. A representative of the Board shall also be present. Nothing shall be permanently removed from the file in the course of such review. However, the employee may request and receive copies of documents contained within. No secret files shall be maintained either in the worksite or in Central Administration. Material that has not been brought to the attention of the employee shall not be admissible in any disciplinary action against the employee.

B. Confidentiality

All matters related to an employee's performance or status shall be confidential except as otherwise required by law.

ARTICLE XIV PROTECTION OF EMPLOYEES

A. Conditions of Work

Employees shall not be required to work under unsafe or hazardous conditions. An employee shall be required to report, in writing, any unsafe conditions to the responsible administrator for review and appropriate action.

B. Worker's Compensation

The Board provides Worker's Compensation Insurance for all employees. Payment for sick leave salary by the Board and the payment for compensation under Worker's Compensation Insurance provided by the Board shall not be made to result in double payment for any period of service or disability.

C. Use of Reasonable Force

An employee may use reasonable force as is necessary to protect himself/herself from attack.

D. Cases of Assault/Battery

1. If an employee shall be assaulted while acting within the scope of his/her employment and pursuant to the Board policy and administrative direction, the Board shall give full support to such employees in dealing with the appropriate authorities in criminal cases.