

Whitesville Central School District  
and the  
Whitesville Teachers' Association

ANNUAL PROFESSIONAL PERFORMANCE  
REVIEW PLAN  
(APPR)

The authorized representatives of the parties subscribe their names on this Annual Professional Performance Review document.

\_\_\_\_\_

For the Whitesville Teachers' Association

\_\_\_\_\_

Date

\_\_\_\_\_

For the Whitesville Central School District

\_\_\_\_\_

Date

# **ANNUAL PROFESSIONAL PERFORMANCE REVIEW (APPR)**

## **Introduction**

The Whitesville Teachers' Association and the Whitesville Central School District (the parties) agree to implement the following Annual Performance Review Plan (APPR) as negotiated by the parties. It is agreed that this APPR plan will be in compliance with NYS Education Law, Board of Regents and Commissioner of Education regulations. The parties also agree that in the event of a conflict between the provisions contained in this APPR plan and applicable laws and/or regulations, such laws and/or regulations shall govern and the parties agree to negotiate those APPR plan segments which are not in compliance.

The Board of Education of the Whitesville Central School District shall ensure that the performance of all classroom teachers providing instructional services is reviewed annually.

The Whitesville Central School and the Whitesville Teachers Association will form a joint labor-management APPR Committee. This Committee will be responsible for reviewing the policies and procedures related to the APPR. It is understood and agreed that the APPR will continue in effect until such time as there is mutual agreement on any change. Either party may request that the joint committee review specific aspects of the APPR. Any changes to the evaluation procedures of teachers recommended by the APPR Committee would only be effective upon mutual written agreement of the Association and the District. The APPR final composite score form will be placed in the unit member's personnel file upon completion of the review process. The District will be in compliance with New York State Privacy Law regarding the release of any teacher's evaluative information to any other party.

## **Plan Requirements**

Under Education Law §3012-c, each teacher must receive an APPR resulting in a single composite effectiveness score and a rating of "highly effective," "effective," "developing," or "ineffective." The composite score will be determined as follows:

- 20 percent student growth on state assessments or a comparable measure of student growth (25 percent upon implementation of a value-added growth model);
- 20 percent other locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms (15 percent following implementation of a value-added model), which are to be developed locally through collective bargaining; and
- 60 percent based on multiple measures of effective teaching practice aligned with the state's teaching standards. The measures are to be established locally through collective bargaining. Evidence of teacher effectiveness will be based on the teacher-practice NYSUT Rubric version 2010 (NYSUT hereafter refers to 2010 version of NYSUT rubric) which is aligned with the seven New York State Teaching Standards:

1. Knowledge of Students and Student Learning

2. Knowledge of Content and Instructional Planning
3. Instructional Practice
4. Learning Environment
5. Assessment of Student Learning
6. Professional Responsibilities and Collaboration
7. Professional Growth

## Teacher Scoring Components

In addition to those measures determined by the rules and regulations promulgated by the New York Department of Education, the Association and the District have agreed to use the following measures for determining a classroom teacher's overall composite score:

Level	Measures of student growth	Local Measures of student achievement	Measures of Teacher Effectiveness	Overall Composite Score
Ineffective	0-2	0-2	0-49	0-64
Developing	3-8	3-8	50-56	65-74
Effective	9-17	9-17	57-58	75-90
Highly Effective	18-20	18-20	59-60	91-100
<b>Total</b>	<b>20</b>	<b>20</b>	<b>60</b>	<b>100</b>

1. 40 Points Measure of Student Growth and Achievement
  - a. Measures of Student Growth\* 20 Points of the teacher's evaluation to be based on measures of student growth on State assessments or other comparable measures.
  - b. Local Measures of Student Achievement\* 20 points of the teacher's evaluation to be based on other locally negotiated measures of student achievement
    - 1) State assessment data (must be different than the State's measure)
    - 2) State approved 3<sup>rd</sup> party assessments
    - 3) District or BOCES developed assessment (locally negotiated).

\*(The 20/20 point model above will change to 25/15 upon implementation of the state value-added growth model. The parties agree to negotiate any changes to the local measures of student achievement when/if the value-added growth model is adopted.)

2. Measure of Teacher Effectiveness based on New York State Teaching Standards using the NYSUT Rubric.
  - a. Classroom Observations: Per NYSED regulations at least 31 out of the 60 points must be from classroom observations:

- 1) Must be multiple observations 2 or more
  - 2) At least one observation must be unannounced
- b. Other Measures of Teacher Effectiveness may be derived from both:
- 1) Portfolio of teacher artifacts
  - 2) Teacher professional growth goals
3. An APPR Composite Score Summary Sheet (Appendix A) will be provided to each teacher upon completion of his or her annual review.

### **Procedures for Reporting Accurate Teacher and Student Data to the NYS Department of Education**

The District shall notify teachers as early as possible in the school year when their data (student roster and teacher/student linkage data) is available for review. Teachers will review their information for accuracy. If necessary, teachers will notify the CIO via email of any corrections to be made. The district CIO will ensure the data is submitted according to the established NYSED deadlines in collaboration with our local RIC center. The district will follow the NYSED reporting requirements for transfer of this information.

### **Assessment Development, Security and Scoring Process:**

Local assessments, developed for the purpose of measuring student growth and achievement as defined by the Commissioner's regulations on teacher evaluation, will be aligned to the Common Core Standards (CCS) and established NYS guidelines. Locally developed assessments will be reviewed certified rigorous by the Superintendent. Local assessment will be in accordance with APPR regulations.

### **Training for Evaluators and Staff**

- A. Any evaluator who participates in the evaluation of teachers for the purpose of determining an APPR rating shall be trained and/or certified as required by Education Law 3012-c and the implementing Regulations of the Commissioner of Education prior to conducting a teacher evaluation.
- B. All classroom teachers subject to the District's APPR will be provided with an orientation and/or training on all components of the teachers' evaluation system by the commencement of the school year in which the teachers shall be evaluated.
- C. Newly hired staff will be trained within 20 school days of his/her commencement of professional duties.

- D. Under no circumstances will Whitesville Teachers' Association unit members evaluate other Whitesville Teachers' Association unit members.
- E. The lead evaluator is the primary person responsible for a teacher evaluation. The lead evaluator is the person who completes and signs the summative annual professional performance review.

An evaluator is any individual who conducts an evaluation of a teacher, including any person who conducts an observation or assessment as part of a teacher evaluation. For teachers, an evaluator will be a district administrator

- F. The role and purpose of the evaluator in the classroom is to collect evidence. Evaluators should not interfere with or participate in lesson delivery or student activities.

## **Local Measures of Student Achievement**

### ***Scoring Procedure for Local Measure of Student Achievement***

The classroom teachers' 20% Local Measure of Student Achievement process shall be developed by an APPR committee of teachers and administrators and subject to approval by the negotiations teams of both parties. Teachers, representing various subjects and grade levels who participate in this committee, shall be appointed to this committee by the Association.

As defined in the following process, the points associated with the Local Measure of Student Achievement portion for the APPR will be negotiated by the parties and will be derived from student assessment data. The APPR committee shall determine which assessment(s) are to be used by grade level/subject area and/or teacher. In compliance with NYS Education Law 3012-c The committee has the freedom to modify the choice of assessment if desired. However any other changes to the remainder of this process in its entirety may only be changed upon mutual written agreement of the Association and the District.

The specific percentage goal(s) to be measured will be determined by the teacher and the evaluator. Once the APPR committee has determined which assessments are to be used by grade level/subject area, the grade level/subject area teachers will choose which assessment should be used as the primary assessment if more than one assessment is available as determined by the APPR committee. A teacher may choose a second measure from either the primary assessment or a second measure from the secondary assessment if one is available as described above. If multiple measures are chosen, the teacher's final score shall be based on an average of the two measurement scores. The measure will reflect Building or District goals and will comply with Education Law 3012-c and the Commissioner's Regulations. Locally developed assessments will be reviewed by appropriate District personnel and certified rigorous and comparable by the Superintendent.

The committee shall meet by the end of each school year to make recommendations for change for the following year. Any changes to the evaluation procedures of teachers recommended by

this committee would only be effective upon mutual written agreement of the Association and the District.

The parties recognize that the Local Measure of Student Achievement score may be dependent on the timely return of assessment data from external sources. Subsequently, teachers will not be penalized in any way because of any data not being received in a timely manner and the parties agree to negotiate any alternative measures should assessment data be unavailable or unusable.

A teacher's Local Measure of Student Achievement will be calculated using only the data from his/her classroom students. Teachers and evaluators may consider student population factors when setting teacher goals and calculating teacher scores. No student's score may be excluded however.

Each teacher and his/her evaluator shall set a mutually agreed-upon performance growth goal for the students assessed. At the request of the teacher, the evaluator and the teacher may mutually agree to revise the percentage growth goal during the school year. A detailed description of the calculation appears below. If the teacher and the evaluator are unable to agree to a performance growth goal, they may appeal to the Association and District APPR committee leadership for resolution.

### ***Calculating the Local Measure of Student Achievement***

As described below, the evaluator and the affected teacher shall meet to review the teacher's student performance with the purpose of setting a mutually agreed-upon percentage growth goal. The growth goal shall serve as the foundation for measurement and definitive calculation for determining the teacher's Local Measure of Student Achievement. The superintendent shall certify the rigor and comparability of the measure.

Regardless of the chosen assessment(s), the following process shall be used for calculating the classroom teacher's Local Measure of Student Achievement:

**Step 1** No later than November 1<sup>st</sup> of each school year the teacher and the evaluator shall meet to set the Local Measure of Student Achievement goal(s) for the school year. If both agree the evaluator and the teacher may set multiple goals for the year. The teacher goal(s) shall be based on the overall class improvement or achievement average for the given assessment. The evaluator and teacher shall discuss student/classroom performance expectations and then set a rigorous classroom average goal for each chosen assessment.

As an example, let's assume Teacher A and his evaluator are using Teacher A's previous year's regents exam as the assessment from which Teacher A's goal will be set. The evaluator and the teacher meet to discuss general student performance on the pre-assessment and other student information and determine that Teacher A's goal will be that 85% of Teacher A's students' post-assessment scores shall be higher than their pre-assessment scores. (In this instance, it was agreed that the pre- and post-assessment would be last year's regent's exam for the subject.)

**Step 2** After the post-assessment chosen in Step 1 is administered and scored the teacher and the evaluator will meet to determine to what level the teacher achieved his or her goal(s) which were set at the beginning of the school year. The actual class percentage of overall class performance increase for the chosen assessment shall be calculated and compared to the teacher’s student percentage goal for his or her class. This comparison shall be in the form of a calculated Achievement Index as illustrated below.

Using Teacher A as the example, the goal for Teacher A was that 85% of his students’ post-assessment scores would be higher than the same students’ pre-assessment scores. Once the assessment was scored, it was determined that 71% of Teacher’s A’s students did better on the post-assessment. Using these two percentages, the Achievement Index is calculated accordingly:

$$\frac{\text{Actual Final Exam Class Average}}{\text{Goal for Final Exam Class Average}} = \text{Achievement Index (\%)}$$

Teacher A Example:

$$\frac{71\% \text{ Actual Class Average}}{85\% \text{ Goal}} = 83.5\% \text{ Achievement Index}$$

**Step 3** SED requires a HEDI score and rating points be assigned to each of the subcomponents. To accomplish this, the Achievement Index must first be converted to a value between 1 and 4 to determine which of the following HEDI ratings will apply:

Level	HEDI Rating	Rating Scale (0 – 20 points)	Rating Scale (0 – 15 points)
Ineffective	1.0 – 1.4	0-2	0-2
Developing	1.5 – 2.4	3 - 8	3-7
Effective	2.5 – 3.4	9 - 17	8-13
Highly Effective	3.5 - 4	18 - 20	14-15

Using Chart 1 on page 10, the Achievement Index is converted to a value between 1 and 4. In this example, Teacher A’s Achievement Index of 83.5% converts to a HEDI rating between 3.3 and 3.4, or “Effective”. The percentage will be rounded down if it is .4 or below and up if it is .5 or higher before it is put into the HEDI rating chart using normal rounding.

**Step 4** The Local Measure of Student Achievement subcomponent is worth a maximum of 20 points. Therefore, the Achievement Index must be converted to a value between 0 and 20. The final step in this process is completed by using the second conversion chart found on p. 10. The HEDI value calculated in step 3 is converted to a point value between 0 and 20.

In our example, Teacher A had a HEDI value of approximately 3.4. Therefore, using chart 2 on p. 10, the HEDI value of 3.4 converts to a subcomponent score of 17.1 out of a possible 20 points.

For classroom teachers for whom there is an approved Value-Added measure for student growth in the State Assessment, 15% of his/her Composite score shall come from the Local Measure of Student Achievement. For these classroom teachers, the HEDI score and point conversion shall be calculated using the 15 point conversion charts found on p. 11.

***Recording the Local Measure of Student Achievement Score***

The Local Measure of Student Achievement score will be recorded on the Final Composite Score form (Appendix H) as illustrated below.

Subcomponent	Score
A. Student Growth Score or comparable measure (SLO) – a number between 0-20 will be recorded here.	
B. Locally selected measures of student achievement – a number between 0-20.	
C. Measure of Teacher Effectiveness – a number between 0-60.	
D. Final Score Between 0 – 100 Add A+B+C	
Maximum score 100 points	



## 20 % Local Measure of Student Achievement Conversion Charts

### Chart 1

<b>Converting the Percentage 0-100 Point Scale Conversion Chart*</b>	
Growth/Achievement Index	Converted to 1-4 Rating
0	1
15	1.1
28	1.2
41	1.3
54	1.4
55	1.5
56	1.6
57	1.7
58	1.8
59	1.9
60	2
61	2.1
62	2.2
63	2.3
64	2.4
65	2.5
67	2.6
69	2.7
71	2.8
73	2.9
75	3
77	3.1
79	3.2
82	3.3
84	3.4
85	3.5
88	3.6
91	3.7
94	3.8
97	3.9
100	4



### Chart 2

<b>Converting the 1-4 rating to a score of 0- 20 points.</b>	
Based on a 1-4 Rubric Rating	20 Point Conversion
1	0
1.1	1
1.2	1.5
1.3	2.0
1.4	2.5
1.5	3
1.6	3.6
1.7	4.2
1.8	4.8
1.9	5.4
2	6
2.1	6.6
2.2	7.2
2.3	7.8
2.4	8.4
2.5	9
2.6	9.9
2.7	10.8
2.8	11.7
2.9	12.6
3	13.5
3.1	14.4
3.2	15.3
3.3	16.2
3.4	17.1
3.5	18
3.6	18.4
3.7	18.8
3.8	19.2
3.9	19.6
4	20

Chart 2 – 20 point conversion column will be rounded to the nearest whole number.

**15 % Local Measure of Student Achievement Target  
Conversion Charts for Teachers with VAM**

<b>0-100 Point Scale Conversion Chart For Student Achievement Target</b>	
Growth/Achievement Index	Converted to 1-4 Rating
<b>Ineffective</b>	
0-14	1
15-27	1.1
28-40	1.2
41-53	1.3
54	1.4
<b>Developing</b>	
55	1.5
56	1.6
57	1.7
58	1.8
59	1.9
60	2
61	2.1
62	2.2
63	2.3
64	2.4
<b>Effective</b>	
65-66	2.5
67-68	2.6
69-70	2.7
71-72	2.8
73-74	Chart 2 –15 point conversion column will be rounded to the nearest whole number.
75-76	
77-78	
79-81	
82-83	3.3
84	3.4
<b>Highly Effective</b>	
85-87	3.5
88-90	3.6
91-93	3.7
94-96	3.8
97-99	3.9
100	4

<b>Converting the 1-4 rating to a score of 0- 15 points.</b>	
Based on a 1-4 Rubric Rating	15 Point Conversion
<b>Ineffective</b>	
1	0
1.2	1
1.4	2
<b>Developing</b>	
1.5	3
1.7	4
2.0	5
2.2	6
2.4	7
<b>Effective</b>	
2.5	8
2.7	9
2.9	10
3.0	11
3.2	12
3.4	13
<b>Highly Effective</b>	
3.5	14
4	15



## Measures of Teacher Effectiveness Based on New York State Teaching Standards using the NYSUT Rubric

The APPR committee has selected the NYSUT Rubric from the list of state approved rubrics. The parties agree to negotiate the choice of rubric and any changes to the teacher effectiveness sub-component of the APPR process.

Each of the seven **NY State** standards in the rubric are to be measured each school year using the NYSUT rubric. No fewer than two elements from each of the seven standards will be annually measured. In accordance with NYS Education Law 3012-c, the APPR committee shall determine which elements from each of the seven standards shall be measured each school year.

A classroom teacher will be measured for teacher effectiveness and shall receive a score between 0 and 60 points in this APPR sub-component. The teacher shall also receive a HEDI score of “Highly Effective,” “Effective,” “Developing” or “Ineffective” for this component.

The following will be sources of evidence (for points) for measuring effective teaching:

1. Observation
2. Portfolios and/or artifacts
3. Professional development activities and accomplishments

Forms to be used for this sub-component are found in Appendix B, C, and D.

### *Observation Process*

Observations and monitoring of the performance of all teachers will be conducted openly, with the full knowledge of the teacher. In accordance with Education Law 3012-c, classroom teachers are to be observed multiple times including at least one unannounced observation and observation shall count for no fewer than 31 out of a total 60 points available in this sub-component.

Classroom teachers will be observed accordingly:

1. Probationary teachers shall receive a minimum of 1 unannounced and 2 announced observation's. (by the principal)
2. Tenured teachers shall have 1 unannounced and 1 announced observations unless the teacher and/or evaluator mutually agree to additional observations
3. The evaluator will inform the teacher at the onset of any type of observation when the teacher is being formally observed.

In addition:

1. For all teachers, the unannounced observation shall be done between the 2<sup>nd</sup> week of school and December break, and shall precede the announced observation.
2. Prior to the announced observation, teachers will meet with evaluator(s) for a preconference to discuss the instruction that will be observed. The evaluator will then observe the instruction and schedule a post-conference meeting to discuss

- strengths and weaknesses of the instruction and indicate areas for improvement and growth.
3. No observations shall take place on the day before or the day after a holiday break.
  4. Observation must be full class period in length however the parties recognize that mitigating circumstances may require some flexibility
  5. All formal observations shall be reduced to writing and discussed with the teacher within ten (10) school days following the observation. A copy of the written observation will be provided to the teacher and shall include a place for the teacher's comments, if any.
  6. All copies shall be signed by both parties involved. A teacher's signature does not indicate the teacher agrees or disagrees with the evaluation; it only indicates that the teacher has reviewed the document. A copy shall be placed in the teacher's personnel folder.
  7. These formal observations will be completed by the District administration; Under no circumstances shall an Whitesville Teachers' Association unit member observe another Whitesville Teachers' Association unit member.

### ***Evidence Based Portfolio/Artifacts***

Evidence-based portfolios and other artifacts may be used to demonstrate and/or illustrate teaching effectiveness based on New York State teaching standards. All teaching standards must be measured each year. In some instances classroom observations will be the primary source of evidence. Evidence-based portfolios and artifacts, however, can be used to support classroom observation where applicable. In some instances classroom observation is not applicable and therefore the only source of evidence will be portfolio and/or artifacts. Advance planning and careful review of the elements to be measured should take place early in the school year by the teacher to ensure all standards and chosen elements will be measured. Failure to plan accordingly could result in 0 points being earned by the teacher.

All evidence must be submitted to the evaluator no later than May 15<sup>th</sup> of each school year in order to be considered for the teacher's evaluation for that school year. It is at the evaluator's discretion whether evidence may be accepted past this date for consideration in the same school year.

A portfolio may include, but is not limited to:

- Evidence of Professional Development during the past year.
- Implemented lesson plans, handouts and notes.
- Graded student work such as tests, quizzes, student portfolios and class projects.
- Photographs of bulletin boards, chalkboards, projects or classroom activities.
- Mentor Forms.
- Written reflections on teaching.
- Video of teaching performance.
- Communication Logs with families

- Evidence of service to school and/or community
- Teacher web pages, blogs, and other electronic means of keeping in contact with students and families.
- Student Agendas
- Parent Newsletters
- Attendance at after-school activities
- Membership in professional organizations

The teacher portfolio will be evaluated using the rubrics established for the formative and summative process and will provide evidence for scoring the NYSUT Rubric using the methodology as defined in the Scoring Methodology - Measures of Teaching Effectiveness sections below.

### ***Professional Development***

Professional growth goals shall be agreed upon between the evaluator and the teacher. The teacher and evaluator will complete the Professional Goal Setting form found in Appendix TBD no later than November 1 of each school year. At the end of the school year, the teacher and evaluator shall review the teacher's professional growth goals and the evaluator shall award points accordingly.

The District and the Association shall cooperate in designing professional development activities that are appropriate for and responsive to the individual needs of each individual teacher as identified in his/her APPR.

All costs associated with the provision of District approved professional development will be borne by the District. Every effort will be made to provide professional development within the teachers' contractual day or during contractual after-school meeting time or on days within the contractual work year that are designated for professional development. In the event that professional development must occur outside of the teachers' contractual day or on days other than contractual work days, teachers will be compensated at the contractual rate.

### ***Scoring Methodology – Measures of the Teacher Effectiveness***

Each classroom teacher subject to APPR shall receive a sub-component score of teaching effectiveness which will be calculated by the evaluator using the following process. The parties agree to negotiate any changes to this process. The Measure of Teacher Effectiveness score shall be derived from points earned in the following areas:

1. Observation
2. Portfolios and/or artifacts
3. Professional development activities and accomplishments

By the end of each school year each teacher will participate in a meeting/conference with the evaluator to review the evidence gathered throughout the school year, assess progress on the teacher's professional growth activities and accomplishments, and to discuss how the evaluator determined the teacher's effectiveness score (0-60 points).

A teacher’s performance for each of the seven standards will be rated by assigning points for each standard using a range between 1 and 4 using the HEDI ratings illustrated below.

Level	Overall rubric average score	60 point distribution for composite
Ineffective	1-1.4	0-49
Developing	1.5-2.4	50-56
Effective	2.5-3.4	57-58
Highly Effective	3.5-4	59-60

The rating for each standard shall be calculated by first averaging the indicators under each of the elements to be measured as chosen by the teacher and evaluator at the beginning of the year, resulting in an element score. Next, the element scores under a single standard shall then be averaged resulting in a single standard score. The seven standard scores shall be averaged resulting in a single effectiveness subcomponent HEDI score between 1 and 4. The teacher’s measure of teacher effectiveness shall be rated as “Highly Effective”, “Effective”, “Developing”, or “Ineffective” according to the chart on the previous page, as required by SED.

As the final step, this score between 1 and 4 shall be converted to a point value between 0 and 60 for each teacher, using the locally negotiated conversion chart found on p. 15. This number between 0 and 60 shall be the teacher’s effectiveness score and shall be recorded on the Composite Score Form as shown below along with the subcomponent’s HEDI rating.

### Final Composite Score

Subcomponent	Score	HEDI Rating
<b>A. Student Growth Score – a number between 0-20 will be provided by the state.</b>		
<b>B. Locally selected measures of student achievement – a number between 0-20.</b>		
<b>C. Measure of Teacher Effectiveness – a number between 0-60.</b>		
<b>D. Final Score Between 0 – 100 Add A+B+C</b>		
<b>Maximum score 100 points</b>		

At the conclusion of the aforementioned meeting the teacher shall sign the teacher effectiveness score sheet. This signature does not indicate acceptance or rejection of the contents of the evaluation. The signed teacher effectiveness form as well as any written comments of the teacher shall become a part of the personnel file. A teacher shall receive his

or her Measure of Teacher Effectiveness score no later than the end of the school year for which the performance is being measured.

**Converting the Measure of Teacher Effectiveness HEDI Score for Use in the Composite Score**

<b>Conversion Chart for Measure of Teacher Effectiveness Composite Score</b>	
<b>Ineffective 0-49</b>	
1.000	0
1.008	1
1.017	2
1.025	3
1.033	4
1.042	5
1.050	6
1.058	7
1.067	8
1.075	9
1.083	10
1.092	11
1.100	12
1.108	13
1.115	14
1.123	15
1.131	16
1.138	17
1.146	18
1.154	19
1.162	20
1.169	21
1.177	22
1.185	23
1.192	24
1.200	25
1.208	26
1.217	27
1.225	28
1.233	29
1.242	30
1.250	31
1.258	32
1.267	33
1.275	34
1.283	35
1.292	36
1.300	37
1.308	38
1.317	39
1.325	40
1.333	41
1.342	42
1.350	43
1.358	44
1.367	45
1.375	46
1.383	47
1.392	48
1.400	49

<b>Developing 50-56</b>	
1.5	50
1.6	50.7
1.7	51.4
1.8	52.1
1.9	52.8
2	53.5
2.1	54.2
2.2	54.9
2.3	55.6
2.4	56.3
<b>Effective 57-58</b>	
2.5	57
2.6	57.2
2.7	57.4
2.8	57.6
2.9	57.8
3	58
3.1	58.2
3.2	58.4
3.3	58.6
3.4	58.8
<b>Highly Effective 59-60</b>	
3.5	59
3.6	59.3
3.7	59.5
3.8	59.8
3.9	60
4	60.25 (round to 60)

## **The Composite Score**

The three subcomponent scores (Teacher Effectiveness score, Student Growth score and Local Measure of Student Growth score) shall be added together resulting in an overall composite effectiveness score. Using this numerical score, the teacher will be rated either “Highly Effective, “Effective, “Developing” or “Ineffective”.

The teacher will receive his or her final, written, composite effectiveness score no later than September 1<sup>st</sup> of the school following the year in which the teacher was evaluated. If Student Growth and/or Local Measure of Student Effectiveness scores are not available the teacher shall at least receive his or her final Teacher Effectiveness and Local Measure of Student Effectiveness scores if available. No teacher shall be penalized in the event a composite score cannot be calculated. If data is not available to finalize a teacher’s composite score, the Association and the District shall meet to negotiate resolutions.

The form found in Appendix A shall be completed and signed by the lead evaluator and the teacher. This signature does not indicate acceptance or rejection of the contents of the evaluation. The signed teacher effectiveness form, as well as any written comments of the teacher if requested by the teacher, shall become a part of the personnel file. As negotiated by the parties, a classroom teacher is eligible to appeal his or her composite score according to the Appeal Process found in this plan.

## **Teacher Improvement Plan (TIP)**

Upon rating a teacher as Developing or Ineffective through an annual professional review, the school district shall develop and commence implementation of a teacher improvement plan for such teacher as soon as practicable, but in no case later than 10 days after the date on which teachers are required to report prior to the opening of classes for the school year. The TIP shall be developed in consultation with the teacher and Association representation shall be afforded at the teacher’s request. The Association president will be notified when a unit member is placed on a TIP and shall be provided with a copy of the TIP.

The Teacher Improvement Plan process is developed locally through negotiations pursuant to Article 14 of the Civil Service Law and shall include, but not be limited to, identification of needed areas of improvement, a timeline for achieving improvement, the manner in which the improvement will be assessed, and where appropriate differentiated activities to support a teacher’s improvement in those areas. The District will utilize the TIP form found in Appendix (F).

All District pre-approved costs associated with the implementation of a TIP including, but not limited to: tuition, fees, books and travel, shall be borne by the District in their entirety. No disciplinary action predicated upon ineffective performance shall be taken by the District against a teacher until a TIP has been fully implemented and its effectiveness in improving the teacher’s performance has been evaluated.

The TIP will include the identification of areas that need improvement, a timeline for achieving improvement, the manner in which improvement will be assessed, and, where appropriate, differentiated activities to support improvement in these areas.

The TIP plan will clearly describe the professional learning activities that the educator must complete. These activities will be connected directly to the areas needing improvement. The artifacts that the teacher or principal must produce that can serve as benchmarks of their improvement and as evidence for the final stage of their improvement plan will be described and could include items such as lessons, student work, or unit plans. The supervisor must clearly state in the plan the additional support and assistance that the educator will receive. In the final stage of the improvement plan, the teacher should meet with his/her principal to review the plan alongside any artifacts and evidence from evaluations in order to provide a final, summative rating for the teacher.

#### Teacher Improvement Plan Assessment:

- 1) The Building Principal and the teacher will meet on a bi-weekly basis for the purpose of reviewing the agreed upon TIP goals and the lesson plan book for the up-coming week, or until sufficient progress is made that the Building Principal and the teacher agree that bi-weekly meetings may be reduced in frequency.
- 2) The Building Principal will recommend research based instructional strategies. The teacher and Building Principal will discuss and decide upon the implementation of one or more strategies.
- 3) The teacher may select a teacher mentor, in collaboration with the principal, who would be willing to assist the teacher by providing the teacher with insight and ideas. Under no circumstances will the mentor formally observe or evaluate the teacher on the TIP plan. Information gathered by the mentor will not be shared with anyone except the teacher on the TIP plan.
- 4) The teacher will, in conjunction with the Building Principal, attend agreed upon available workshops and/or seminars that address prescribed competency needs. All costs for such pre-approved workshops and/or seminars shall be borne by the District.
- 5) The teacher will be observed monthly by a lead evaluator or until sufficient progress is made that the Building Principal and the teacher agree that classroom observations may be reduced in frequency.
- 6) At the conclusion of the TIP plan, the teacher and the evaluator shall meet to assess the effectiveness and appropriateness of the TIP in assisting the teacher to achieve the goals set forth in the TIP. The teacher shall be afforded Association representation at his or her request. The evaluator shall make a recommendation for the teacher based on whether the TIP performance goals were achieved. The evaluator will recommend “next steps” if appropriate.

### **Termination and Tenure Determinations for Probationary Teachers**

By law, the APPR is required to be a significant factor in employment decisions such as promotion, retention, tenure determinations, termination, and supplemental compensation, as

well as a significant factor in teacher professional development. Nothing in the statute or regulations shall be construed to affect the statutory right of the district to terminate a probationary teacher for statutorily or constitutionally permissible reasons other than the performance of a teacher in the classroom, including but not limited to misconduct.

Nothing in the statute or regulations shall be construed to alter or diminish the authority of the governing body of the District to grant or deny tenure to or terminate the probationary teacher during the pendency of an appeal pursuant to this section for statutorily and constitutionally permissible reasons other than the teacher's performance that is the subject of the appeal.

## **Appeals Procedures**

To the extent that any teacher wishes to appeal a performance review and/or improvement plan under this evaluation system, the law requires the establishment of an appeals procedure, the specifics of which are to be locally negotiated pursuant to article XIV of the Civil Service Law. The parties agree to reopen negotiations regarding the appeals process should either party request to do so.

A unit member shall have Association representation at any time during the appeal process upon the unit member's request.

### **A. Appeals of "ineffective" and "developing" ratings only**

Appeals of annual professional performance reviews will be limited to those that rate a teacher's composite score as "ineffective" or "developing" only.

Ratings of "effective" may not be appealed, however a teacher may write a rebuttal to an effective rating. Such rebuttal will be attached to the APPR and placed in the teacher's personnel file.

### **B. What may be challenged in an appeal:**

Appeal procedures should limit the scope of appeals under Education Law §3012-c to the following subjects:

- a. The substance of the Annual Professional Performance Review.
- b. The District's adherence to the standards and methodologies required for the Annual Professional Performance Review, pursuant to Education Law 3012-c and applicable rules and regulations.
- c. The District's compliance with either the applicable regulations of the Commissioner of Education, or locally negotiated procedures.
- d. The District's issuance and/or compliance with the terms of the Teacher Improvement Plan, where applicable, as required under Education Law §3012-c.

### C. Prohibition against more than one appeal

A teacher may not file multiple appeals regarding the same performance review. All grounds for appeal must be raised with specificity within one appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.

### D. Burden of proof

In an appeal, the teacher has the burden of demonstrating clear and the burden of establishing the facts upon which petitioner seeks relief.

### E. Timeframe for filing appeal

1. All appeals must be submitted in writing (using the form found in Appendix F) no later than 10 school days after the date when the teacher received his/her annual professional performance review composite score. In the event that composite scores are not available before the end of the normal school year and are issued during the summer months, the aforementioned appeal must be submitted in writing no later than the end of the second full week of school assuming the teacher has been issued his or her composite score. The failure to file an appeal within these timeframes shall be deemed a waiver of the right to appeal and the appeal shall be deemed abandoned. In accordance with Education Law 3012-c, the timelines set forth in the appeal process as negotiated between the parties may be extended upon mutual agreement by both parties but will be timely and expeditious. A school day is defined as a day when students are present during the normal school year.
2. When filing an appeal in accordance with the timelines set forth in item one above, the teacher must submit to his or her lead evaluator (via email) a detailed written description of the specific areas of disagreement over his or her performance review using page one of the Appeals form found in Appendix (F). The Superintendent and Association Co-Presidents must also be copied on the emailed appeal. The performance review and/or improvement plan being challenged must be submitted with the Any information not submitted at the time the appeal is filed shall not be considered. The teacher and the lead evaluator will meet to discuss the issue within 7 school days after the lead evaluator receives the written appeal and supporting documentation. The purpose of this meeting is to resolve the appeal. Should the parties resolve all issues regarding the appeal; the appeal will be considered resolved.
3. If the meeting between the teacher and the lead evaluator fails to result in a resolution, the teacher may submit his or her appeal and all supporting documentation to the Superintendent or his/her designee for review by a 3-person panel within 7 school days after the meeting in step 2. The panel shall consist of 2 tenured Association unit members, chosen by the Association and

1 trained Administrator to be chosen by the Superintendent and/or his/her designee. The trained Administrator chosen must not be the original evaluator.

Within 7 school days after receipt of the appeal, the 3-person panel will meet to consider the appeal and make a recommendation, based on consensus, on the appeal's merits. The affected teacher may present any relevant evidence or argument to the panel, with union representation present if requested by the teacher.

The panel shall forward to the Superintendent a written recommendation on the appeal within 7 school days of the panel meeting.

4. The Superintendent shall review the recommendation of the panel and issue a written response to the teacher within 7 school days of receipt of the panel's appeal decision. The Superintendent's decision shall be final and binding.

The Superintendent has the right to affirm, modify or rescind the evaluation in question. The Superintendent may also order a new observation to take place using a different evaluator.

Copies of the Superintendent's written decision will be sent to the teacher, the original evaluator, to the members of the panel and the Association President. A copy of the written appeal and relevant documentation shall be placed in the teacher's personnel file.

