

Annual Professional Performance Review
APPR Addendum to the collective bargaining agreement between the
Maine-Endwell Central School District

AND

Maine-Endwell Administrators' Association

July 1, 2016

Reference in contract: Article XX: Evaluation

Article I: OVERVIEW: Student Performance and Principal Observation Components

There are two components to the new APPR system (3012-d) for principals:

1. Student Performance Component
2. Principal Observation Component

Each Principal's final rating is based on a matrix that takes into consideration the HEDI rating for each principal on both categories above. The matrix is as follows:

Overall Rating		Principal Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D	D	I	I

Article II: STUDENT PERFORMANCE COMPONENT:

- For principals with **at least 30%** of their students covered under a State-provided growth measure, such principal shall have a State-provided growth score.
- For principals where **less than 30%** of their students are covered under a State-provided growth measure, such principals shall have a SLO consistent with a goal setting process determined or developed by the Commissioner that results in a student growth score.

Transition Period: sections 30-2.14 and 30-3.17

- i. During the 2016-17 through 2018-19 school years For the required subcomponent of the Student Performance Category: 1) For principals who receive a State-provided growth score (i.e., principals of buildings that include grades 4-8 or all of grades 9-12), the growth score shall be excluded from the scores and ratings used to calculate the transition score and rating. Additionally, during the 2016-17 through 2018- 19 school years, the requirement that back-up SLOs be developed for grades 4-8 ELA/math principals of buildings that include those grade levels is being suspended and such measures do not need to be developed. ***Provided, however, that alternate SLOs must continue to be developed in instances where there are no remaining student performance measures for purposes of calculating transition scores and ratings.***

- ii. For principals of buildings that include all of grades 9-12, while the State-provided growth score shall not be used to calculate the transition score and rating, SLOs based on Regents assessments may still be used for this purpose.
- iii. For principals who do not receive their own State-provided growth scores (principals of K-2 buildings, etc.), the results of the grades 3-8 ELA and math State assessments and any State-provided growth scores must be excluded when calculating the transition score and rating. If a measure is based only in part on the grades 3-8 ELA/math State assessments or State-provided growth scores (e.g., an SLO based on a group measure using results from the 3-8 ELA State assessments and results from Regents assessments), ***districts/BOCES must determine whether to use the measure with the remaining assessments.***
- iv. All Building Principals will receive their Student Performance rating based on the following:

Highly Effective			Effective			Developing		Ineffective												
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
97-100%	93-96%	90-92%	85-89%	80-84%	75-79%	67-74%	60-66%	55-59%	49-45%	44-48%	39-43%	34-38%	29-33%	25-28%	21-24%	17-20%	13-16%	9-12%	5-8%	0-4%

Overall Student Performance Category Score and Rating

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	18	20
Effective (E)	15	17
Developing (D)	13	14
Ineffective (I)	0	12

NYS Regents Examination	65-100%
Algebra	100%
Geometry	100%
Algebra II / Trigonometry	100%
English	100%
Global History	100%
United States History	100%
Earth Science	100%
Living Environment	100%
Chemistry	100%
Physics	100%

$$\frac{\text{Total \# of NYS Regents Examinations Scoring a 65\% or Higher}}{\text{Total \# of NYS Regents Examinations Taken}} = \text{Target of 100\% at 65\% or Higher}$$

EXAMPLE:

NYS Regents Examination	School Year			
	65-100%	# of Exams at 65% or Higher	Total # of Exams Taken	% at 65%
<i>Algebra</i>	100%	150	160	94%
<i>Geometry</i>	100%	142	160	89%
<i>Algebra II / Trigonometry</i>	100%	80	92	87%
<i>English</i>	100%	190	200	95%
<i>Global History</i>	100%	170	190	89%
<i>United States History</i>	100%	185	200	93%
<i>Earth Science</i>	100%	140	160	88%
<i>Living Environment</i>	100%	155	160	97%
<i>Chemistry</i>	100%	90	110	82%
<i>Physics</i>	100%	75	75	100%
TOTALS	100%	1377	1507	91%

Total # of NYS Regents Examinations Scoring a 65% or Higher

=

Target of
100% at 65%
or Higher

$\frac{1377}{1507}$

=

91%

In this example, an average of 91%, when referenced with the HEDI scales equates to an 18, which translates to a rating of Highly Effective (H).

Article III: PRINCIPAL OBSERVATION COMPONENT:

- i. The Superintendent shall be the lead evaluator for the principals and the Assistant Superintendent will conduct independent evaluations in accordance with this agreement.

In order to implement the principal's Annual Professional Performance Review (APPR) the district agrees to share with the Association the following New York State requirements, (§30-3) annually.

- Verification of the courses and student rosters assigned to the principal.
- Method to be used for reporting to SED the individual subcomponent scores and the total composite effectiveness score.
- Assessment development (if applicable), security, and scoring processes utilized by the district.

- Assurance that assessments are not disseminated to students before dissemination to administration.
 - Name(s) of evaluator(s), evaluator's certification and guarantees that evaluator has sufficient time/resources to complete his/her commitments.
- ii. The Marzano rubric will be the state approved principal's practice rubric and will be the basis for all observations/visits by the superintendent and the outside evaluator as well as the school records/reports review.
- iii. Training and Certification of Lead Evaluators, Evaluators, and Independent Evaluators
- The district ensures that all evaluators, including impartial, independent evaluators, are appropriately trained. The Board of Education will annually approve the certification of evaluators.

Any individual who fails to receive required training or achieve certification or re-certification, as applicable shall not conduct or complete an evaluation.

- The district participates in training for lead evaluators provided by Broome-Tioga BOCES lead evaluators, impartial/independent observers, and peer observers in accordance with the requirements of Education Law 3012-d.

Learning opportunities are aligned to all nine required elements for lead evaluators training:

- (1) The New York State Teaching Standards and their related elements and performance indicators and the Leadership standards and their related functions, as applicable;
- (2) Evidence-based observation techniques that are grounded in research;
- (3) Application and use of the student growth percentile model and any other growth model approved by the Department as defined in section 30-3.2 of this Subpart;
- (4) Application and use of the State-approved teacher or principal rubric(s) selected by the district for use in evaluations, including training on the effective application of such rubrics to observe a teacher or principal's practice;
- (5) Application and use of any assessment tools that the district utilizes to evaluate its classroom teachers or building principals;
- (6) Application and use of any locally selected measures of student growth used in the optional subcomponent of the Student Performance Category used by the district to evaluate its teachers or principals;
- (7) Use of the statewide instructional reporting system;
- (8) The scoring methodology utilized by the department and/or the district to evaluate a teacher or principal under this Subpart, including the weightings of each subcomponent within a category; how overall scores/ratings are generated for each subcomponent and category and application and use of the evaluation matrix (is) prescribed by the commissioner for the four designated rating categories used for the teacher's or principal's overall rating and their category ratings; and

(9) Specific considerations in evaluating teachers and principals of English language learners and students with disabilities.

- The district participates in **training for independent evaluators is provided by Broome Tioga BOCES**. The training is a minimum of eighteen (18) hours and includes:
 1. NYS Teaching Standards and their related elements and performance indicators and the Leadership standards and their related functions, as applicable
 2. Evidence-based observation techniques that are grounded in research; and
 3. Application and use of the State-approved teacher or principal rubric(s) selected by the district for use in evaluations, including training on the effective application of such rubrics to observe a teacher or principal's practice
- **Initial training of lead evaluators and evaluators** consists of a minimum of twenty one (21) hours of instruction. In addition to participating in learning opportunities consistent with the nine required elements listed in section B, participants will demonstrate inter-rater reliability and inter-rater agreement by:
 - Collecting evidence of teacher/principal practices
 - Aligning the evidence with the rubric
 - Scoring the teacher/principal performance
 - Conducting a “post conference/coaching session” with a teacher/principal

Additionally, evaluators have the opportunity to participate in customized on site visits, which include shadowing and coaching the evaluator in the observations, evidence collection, rubric alignment and scoring process.

- **Annual Refresher training for previously certified evaluators** will consist of a minimum of nine (9) hours of training provided by the Broome-Tioga BOCES and the district which include, but is not limited to:
 - Data analysis of scoring trends within districts
 - Review of subcomponents of the rubrics
 - Use of videos/simulations to collect evidence and “recalibrate”
 - individual or team “coaching the evaluator”
 - Facilitated “observation rounds”
 - Training and coaching on providing quality feedback to teachers/principals
 - Training and coaching on quality TIP and PIP processes
- v. It is imperative that the principal receive constructive feedback from the superintendent or assistant superintendent. Constructive feedback will be sent to the principal in writing within 10 school days of the superintendent’s or assistant superintendent’s observation/visit unless mutually agreed to.

Constructive feedback will minimally consist of:

- Evidence collected and applied to the Marzano Rubric.
- Areas of needed improvement will be completed in writing and will:

- Correlate any improvement with the Marzano practice rubric
- Include directions for correcting any ineffective or developing ratings with sufficient specificity to present the principal with a clear path for improvement.
- Observations/visits will be completed no later than May 31 unless mutually agreed to.

Article IV: PRACTICE RUBRIC AND WEIGHTING

Based on its inclusion of the SED-approved list of rubrics, the Marzano rubric will be used to evaluate principals. Principals will be evaluated on the five (5) principal standards in the rubric. All standards will be weighted equally.

- The lead evaluator shall be the Superintendent of Schools. The independent evaluator shall be the Assistant Superintendent.
- There will be a minimum of two (2) observations. One (1) observation will be an announced observation and will be conducted by the Superintendent of Schools. The Superintendent and Principal will collaboratively discuss the date of the visit. One (1) observation will be unannounced. This observation will be conducted by the Assistant Superintendent.
- Weighting of observations will be:

Announced = 90% - Lead Evaluator (Superintendent)
 Unannounced = 10% - Independent Evaluator (Assistant Superintendent)

If the Superintendent or Assistant Superintendent conduct additional observations, the score for each additional observation shall be averaged to determine the final score.

Article IV: SCORING OF OBSERVATIONS

	Unannounced School Visit 10 Pts.	Announced School Visit 90 Pts.
1		3
2		4
3		3
4	2	
5		2
Subtotal	2	12

Subtotal divided by number of domains evaluated (round to nearest tenth)	$2/1 = 2.0$	$12/4 = 3.0$
Weighting Value	$10/100 = .10$	$90/100 = .90$
Value of Weighted Scores	$2.0 \times .10 = .20$	$3.0 \times .90 = 2.70$
Sum of Weighted Scores		$.20 + 2.70 = 2.90$
HEDI Rating (Other Measures of Effectiveness)		Effective

Overall Rubric Score Conversion Principal Observation

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

Article V: DETERMINATION OF OVERALL RATING:

Determination of a principal's overall rating will be computed as follows:

- HEDI Score on Student Performance Component
- HEDI Score on Principal Observation Component

Overall Rating		Principal Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D	D	I	I

EXAMPLE:

HEDI Score on Student Performance Component = Highly Effective
HEDI Score on Principal Observation Component = Effective

Overall Rating		Principal Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D	D	I	I

Overall Rating = Highly Effective

Article VI: PRINCIPAL IMPROVEMENT PLANS

- i. If a principal's performance is evaluated as "ineffective" or "developing", the Superintendent shall be required to develop a Principal Improvement Plan (PIP) in consultation with the principal. Such Plan will be shared with the principal and implemented within ten (10) calendar days of the first day of scheduled classes within the year which the Plan will be applied.

The Plan shall include, but not be limited to;

- specific, measurable and realistic goals
- timeline for achieving goals
- suggestions and strategies for reaching the goals
- when and how progress will be measured; and,
- resources and support.

The district will provide a list of all teachers who receive a rating of "developing" or "ineffective" to the association president by the first day of classes each school year.

The Superintendent is expected to collaborate with the principal in developing the plan. In those cases in which there is disagreement, the principal may make an appeal to the Appeal Committee.

- ii. PIP Appeals Procedure: The procedures outlined in Article VI. will also be used for any and all appeals of Principal Improvement Plans that are issued in accordance with the annual professional performance review plan. Appeals related to the issuance of an improvement plan are limited to issues regarding compliance with the requirements prescribed in applicable law and regulations for the issuance of improvement plans, and must be initiated by September 30th.

The terms of a PIP will remain in effect pending the outcome of an appeal.

The minimum period for the PIP is the end of the school year in which the PIP is created.

Once the PIP has been completed or the time for completion has passed, the Superintendent will determine, in a discussion with the principal, followed by written documentation, that either:

- identified goals have been achieved and the educator is no longer considered “in Need of Improvement” specific to the Principal Improvement Plan
- the goals have not been satisfactorily achieved and the educator will still be considered “in Need of Improvement” with revised goals; or,
- the goals have not been satisfactorily achieved and the educator may be subject to the provisions of the law.

Article VII: PROCEDURES FOR APPEALING AN ANNUAL PROFESSIONAL PERFORMANCE REVIEW

The following procedures are the exclusive means for initiating, reviewing and resolving any and all challenges and appeals related to a principal’s annual professional performance review.

The grievance and/or arbitration procedures in any negotiated agreement shall not be used to appeal or review a principal’s annual professional performance review. To the extent that a conflict exists between a negotiated agreement and this procedure, the terms and conditions of this procedure shall prevail and be applied.

Changes to the appeals process must be both agreed to by the parties and approved by the Commissioner as part of a material change request – see: §30-3.3(a)(1).

A principal who receives a rating of “ineffective” or “developing” may appeal his or her performance review. Ratings of “highly effective” or “effective” cannot be appealed.

- i. A principal may appeal only the substance of his or her performance review, the school district’s adherence to standards and methodologies required for such reviews, adherence to applicable regulations of the commissioner of education, and compliance with the procedures for the conduct of performance reviews set forth in the annual professional performance review plan.
- ii. A principal may not file multiple appeals regarding the same annual performance review. All grounds for appealing a particular annual performance review must be raised within the same appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.

- iii. Appeals concerning a principal's annual performance review must be received in the office of the Superintendent of Schools no later than September 10th. The failure to submit an appeal to the Superintendent of Schools within this time frame shall result in a waiver of the teacher's right to appeal that performance review.
- iv. An appeal committee will be convened consisting of 3 members: the district will select one (1) member, the association president will select one (1) member and (1) member will be selected from a mutually agreed pool of evaluators who have been properly trained and certified. The Superintendent or person who issued the APPR or PIP shall not be part of the committee.
- v. Under this appeals process the principal has the burden of proving a clear legal right to the relief requested and the burden of establishing the facts upon which he/she seeks relief. The burden of proof shall be by the preponderance of the credible evidence.
- vi. A principal wishing to initiate an appeal must submit a detailed description of the precise point(s) of disagreement over his or her performance review on the APPR Appeals Form, along with any and all additional documents or written materials that he or she believes are relevant to the resolution of the appeal to the Superintendent or his/her designee. E-mail or other electronic submissions are not permitted.
- vii. Any additional information not submitted at the time the appeal is filed shall not be considered in the deliberations related to the resolution of the appeal.
- viii. The principal's failure to comply with the requirements of these procedures shall result in a waiver and/or denial of the appeal.
- ix. The appeal committee will meet by September 25th to hear the appeal.
- x. The appeals committee shall issue a written decision on the merits of the appeal no later than October 5th.
- xi. If the majority of the appeals committee dismisses or denies the appeal, the principal's score and evaluation shall remain unchanged, the appeal process shall end, and the principal shall be notified. The appeals committee's decision shall be final and binding and may not be reviewed or appealed further.
- xii. If the appeals committee sustains the appeal, the committee shall issue a recommendation for an appropriate remedy to the Superintendent or his/her designee. The appeals committee's decision shall be final and binding and may not be reviewed or appealed further. The Superintendent will make a decision and respond in writing within five (5) school days.
- xiii. Administrators may request to have an informal meeting with the Superintendent to discuss negotiated APPR procedures. A request must be made within five days of the alleged violation. The meeting will be conducted and, if necessary, a decision made to rectify the situation within five days of receipt of each request.

- xiv. The completed HEDI Score on Principal Observation Component of the Principal APPR must be presented to the principal by the last day of school year.
- xv. The final overall rating must be presented to the principal as soon as practicable but in no case later than September first of the school year next following the school year for which the building principal's performance is being measured.

Article VIII: AVAILABILITY OF DISTRICT'S APPR PLAN

The District will file with SED, by regular mail, its APPR Plan, and revisions to the Plan, not later than September 10 of each school year. In addition, the District will make its Plan available to employees and members of the public by placing an electronic copy of the Plan on its website. The District will also provide notice of the availability of its Plan in its District newsletter during each school year.

Article IX: MISCELLANEOUS PROVISIONS

In the event of a conflict between the provisions contained within this memorandum and those established in Education Law §3012-d rules promulgated by the Board of Regents, regulations promulgated by the Commissioner of Education or federal statutory or regulatory requirements relating to teacher evaluation or performance, such federal statute and regulations shall govern.

In the event there is a conflict between the provisions contained within this Agreement and the collective bargaining agreement between the parties, the terms and conditions contained in this Agreement shall supersede and prevail.

If any provision of this Agreement or any application of the agreement to any employee or group of employees shall be found contrary to law, or would tend to impinge upon or reduce in any way the duties or responsibilities of the Board of Education as defined in Section 1709, 1711, or other sections of the Education Law pertaining to the duties and responsibilities of the Board of Education, then such provision or application shall not be deemed valid or subsisting, except to the extent permitted by law, but all other provisions or applications will continue.

FOR THE ASSOCIATION

Julie Gallagher
ASSOCIATION PRESIDENT
MAINE-ENDWELL ADMINISTRATOR'S ASSOCIATION

DATE

FOR THE DISTRICT

Jason R. Van Fossen
SUPERINTENDENT OF SCHOOLS
MAINE-ENDWELL CENTRAL SCHOOL DISTRICT

DATE

MAINE-ENDWELL CENTRAL SCHOOL DISTRICT
PRINCIPAL IMPROVEMENT PLAN (PIP)

The District's **Annual Professional Performance Review process (APPR)** is designed to recognize, support, and improve the teaching-learning process. Principals will be well served by the APPR process and will find it to be a valuable experience for professional growth. There may be a small number of individuals, however, who need additional support. That support will come through a mutually developed plan related to the Annual Professional Performance Review process.

The **PIP ~ Principal Improvement Plan ~** is designed to recognize, support, and improve the teaching-learning process. The PIP also is designed to help principals address areas in need of improvement based on one or more of the six ISLLC standards of New York State Criteria for Evaluation.

THE PURPOSES OF THE PIP

- To demonstrate the commitment of the district to the professional growth and development of all teachers;
- To improve the performance of principals who are identified by the Superintendent as needing improvement in any of the six-criteria for evaluation;
- To implement a process that is a good faith effort to provide a supportive and structured plan for improvement within a certain timeframe.

THE PIP PROCEDURES

The PIP procedures are guidelines for the Superintendent and principal involved in the PIP process. The principal may involve a selected representative, such as a veteran administrator, mentor, or a MEAA representative.

THE PIP PLAN

The principal and the superintendent will draft and complete a PIP document using the district's model to guide the development of the PIP language. The PIP document will be signed by the principal and the Superintendent. Every effort will be made to ensure confidentiality. The plan will include:

- Goal(s)
- Action Steps
- A Timeline
- Monitoring Steps
- Resources and Support
- Assessment Criteria and Evaluation

**MAINE-ENDWELL CENTRAL SCHOOL DISTRICT
PRINCIPAL IMPROVEMENT PLAN**

Area(s) of Concern:

Goal(s):

Action Steps:

Timeline:

Monitoring Steps:

Resources and Support:

Assessment Criteria and Evaluation:

Principal

Signature

Date

Superintendent

Signature

Date

PRINCIPAL OBSERVATION COMPONENT

Maine-Endwell Central School District

Principal's Leadership and Management

Assessment Summary: Marzano Rubric

Using the rubric, the superintendent will circle the descriptor for each item that best matches the principal's performance. Using a holistic approach, a HEDI rating shall then be determined for each domain and overall on the rubric. Based on the overall rating on the rubric, points will be assigned according to the ranges below.

Name of Principal _____

School Year _____

School Visit	Value of Weighted Scores
Unannounced School Visit - 10 of 100 Pts.	
Announced School Visit - 90 of 100 Pts.	
Sum of Weighted Scores	
Weighted Score converted to HEDI	

Overall Rating: Highly Effective Effective Developing Ineffective
(Circle one)

OVERALL EVALUATION SUMMARY

Maine-Endwell Central School District

Principal Annual Professional Performance Review Summary

Principal's Name _____

Position/Site _____

School Year _____

Lead Evaluator's Name _____

School Visit dates _____

Date of Evaluation _____

:

HEDI Score on Student Performance Component = _____

HEDI Score on Principal Observation Component = _____

Overall Rating		Principal Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D	D	I	I

Overall Rating = _____

Lead Evaluator Signature: _____

Date: _____

Article VII: PROCEDURES FOR APPEALING AN ANNUAL PROFESSIONAL PERFORMANCE REVIEW

Memorandum of Agreement:

The following is a variance to the Maine-Endwell Administrator's Association (MEAA) APPR Agreement.

This Memorandum of Agreement, is made by and between Jason Van Fossen, Superintendent on behalf of the Maine-Endwell Central School District (hereinafter "District") and Julie Gallagher, President on behalf of the Maine-Endwell Administrator's Association (hereinafter "Association"). The District and the Association agree as follows:

1. WHEREAS, the Parties conducted negotiations concerning the APPR Plan requirements contained in section 3012-d of the Education Law and the Rules of the Board of Regents as contained within 8 NYCRR ¶30-2 and ¶30-3, and have reached a negotiated agreement to implement those APPR requirements; and

2. WHEREAS, the Parties realized that subsequent to those negotiations the language agreed to in Article VII, Item xiii, and reading as follows;

Procedural Appeal: In the event the lead evaluator fails to follow negotiated APPR a principal may file an immediate "Procedural Appeal" in writing to the Superintendent or his/her designee within five (5) school days of the alleged violation using the APPR Appeals Form. The Superintendent or his/her designee will make a decision and respond in writing within five (5) school days. The superintendent or his/her designee may not make a final decision regarding a procedural appeal if he or she participated in the event which is being appealed.

may lack clarity; and

3. WHEREAS, the Parties thereafter discussed the purpose, meaning and the intent of the aforesaid agreed to language and wish to clarify the way in which it should be applied;

NOW THEREFORE, the District and the Association agree as follows pertaining to the purpose, meaning and the intent of the way in which Article VII, Item xiii, should be applied moving forward;

1. In the event an administrator fails to follow the negotiated APPR procedures, probationary and tenured teachers may file an immediate "Procedural Appeal" in writing to the Superintendent of Schools within five (5) school days of the alleged violation.
2. The Superintendent of Schools will make a decision and respond in writing within five (5) school days of the receipt of the "Procedural Appeal".

It is understood that this agreement does not alter any other provisions of the APPR Plan agreed to between the Parties.

FOR THE ASSOCIATION

Julie Gallagher
ASSOCIATION PRESIDENT
MAINE-ENDWELL ADMINISTRATOR'S ASSOCIATION

DATE

FOR THE DISTRICT

Jason R. Van Fossen
SUPERINTENDENT OF SCHOOLS
MAINE-ENDWELL CENTRAL SCHOOL DISTRICT

DATE