

ANNUAL PROFESSIONAL PERFORMANCE REVIEW OF TEACHERS

Elmira Heights Central School District

I. Background:

New Evaluation Paradigm:

New York State Education Law Section 3012-c and the regulations implementing that statute (Commissioner's Regulations Subpart 30-2) establish fundamental changes to the manner by which teachers are to be evaluated in New York State Public Schools.

Requirements of the Statute and the Regulations:

1. By September 1, 2011, the Board of Education is required to adopt an APPR plan. However, to the extent that any of the items required to be included in the plan are not finalized by September 1, 2011 as a result of pending collective bargaining negotiations, the plan shall identify those specific parts of the plan and the school shall file an amended plan upon completion of such negotiations. [30-2.3(a)(1)]; (SED Guidance Document, C1 and C3)
2. The plan shall be approved by the Board and filed in the district offices and made available on the district's website no later than September 10th of each school year, or within ten days after adoption, whichever shall later occur. [30-2.3(a)(2)]; (SED Guidance Document, C2).

Compliance with the Statute and the Regulations:

The herein document constitutes the plan document required by the statute and regulations. **Further negotiations with the Teachers' Association are necessary to complete this document.** The specific items as to which negotiations are ongoing are indicated below.

II. Duration and Applicability:

Duration: This plan shall be effective September 1, 2011 and shall remain in effect until June 30, 2012 or until a successor APPR plan shall be established, whichever is later.

Dual Systems of Evaluation:

1. This APPR plan shall apply to Classroom Teachers of Record of common branch subjects or English language arts or Mathematics in grades four through and including eight, provided further that:
 - a. At least 50% of such teacher's students are in ELA and/or Math in grades four through eight and there are "enough such students with sufficient State assessment data to enable the State to generate a student growth score. (SED Guidance Document, B7). This requirement applies likewise to special education teachers in self-contained classrooms. (SED Guidance Document, B9).
 - b. Push-in and Pull-out teachers will not be evaluated under this APPR plan in 2011-2012. (SED Guidance Document, B11).
 - c. Paragraphs a and b immediately above are based upon Departmental guidance, which guidance may be supplemented from time to time. The Parties recognize the authority of The Department to re-interpret the

mandatory scope of the herein APPR plan, and will defer to Departmental guidance.

2. This APPR plan document is understood to have no effect whatsoever on the manner of evaluation applicable to any other unit member. Rather, the evaluation of all other unit members shall be conducted in accordance with separate evaluation procedures. [30-2.1(a)]

Evaluation of Probationary Teachers for Tenure: Nothing in this APPR plan document shall be construed to affect the right of the district to terminate a probationary teacher or to restrict the district's discretion in making tenure determinations pursuant to law. [30-2.1(d)]

Definitions:

1. "The Department" is The New York State Department of Education.
2. "The Commissioner" is the Commissioner of the Department.
3. "The Parties" refers collectively to the Elmira Heights Central School District and the Elmira Heights Teachers Association.
4. The following terms as used in this plan are defined as provided in Section 30-2.2 of the Commissioner's APPR Regulations: Composite Effectiveness Score, Lead Evaluator, Locally Selected Measure, Teacher of Record; and Highly Effective, Effective, Developing and Ineffective.

Savings Clause:

1. If any provision of this APPR plan is or shall be at any time determined to be contrary to the law, Commissioner's regulations, Requirements of The Department, Decision or Order of any Court of competent jurisdiction or other binding authority, then the conflicting authority shall be given force and effect and the conflicting provision of this agreement shall not be given force or effect. In that event, further, the remainder of this APPR plan, to the extent practicable, shall nonetheless continue with full force and effect.
2. Any dispute as to the meaning or applicability of this APPR plan shall be resolved in such a manner as to facilitate meaningful compliance with the letter and intent of all applicable laws, regulations and Department guidance.

Negotiability:

1. The Parties recognize that certain aspects of the APPR are mandatorily negotiable while other plan aspects are determined at the management prerogative of the district.
2. In order to articulate the district's APPR plan as a comprehensible and coherent whole, this document articulates mandatorily negotiated aspects of the plan as well as aspects that may be determined at the management prerogative of the district. The Parties agree that in so doing neither this plan nor the process by which it was developed shall have the effect of converting a non-mandatory subject of bargaining into a mandatory subject of bargaining.

III. Evaluator Training and Inter-Rater Reliability:

Evaluator Training:

1. The district will certify lead evaluators as qualified to conduct teacher evaluations under 3012-c and Commissioner's Regulation 30-2. [30-2.9(a)]
2. The District will provide training to evaluators and lead evaluators through the GST BOCES RTTT Evaluator Training program with multiple training dates to be held throughout the 2011-2012 school year.
2. However, classroom observations required by this APPR plan may be conducted immediately and prior to such training, provided of course, that the administrator performing such classroom evaluations are properly credentialed school administrators for such purpose. [30-2.9(a)]

Inter-Rater Reliability:

Lead evaluators will maintain inter-rater reliability over time. Evaluators and lead evaluators will be trained through the GST BOCES RTTT Evaluator Training Program in maintaining inter-rater reliability over time. See 30-2.9(b)(5)

IV. Teacher Evaluation Process:

Data Submission to The Department (See Commissioner's Regulation 30-2.3(b)(1)):

The district will ensure that The Department receives accurate teacher and student data, including enrollment and attendance data and any other student, teacher, school, course and teacher/student linkage data necessary to comply with Commissioner's Regulations 30-2 in a format and on a timeline prescribed by the Commissioner. [30-2.3(b)(1)] More

particularly, the School Tool Student Management and Clear Track systems will be used, and the Chief Information Officer, employed through the GST BOCES, will be responsible for submitting appropriate data as prescribed by law.

Teacher Verification of Subjects Taught and Students Assigned (See Commissioner's Regulation 30-2.3(b)(1)):

Classroom teachers to whom this plan applies shall be provided an opportunity to verify the subjects and students assigned to them. [30-2.3(b)(1)] More particularly, the attendance records kept by the teacher for each class will constitute verification of subjects taught and students assigned.

Reporting Teachers' Subcomponent and Composite Scores to the Department (See Commissioner's Regulation 30-2.3(b)(2)):

The District will report to The Department the individual subcomponent scores and the composite effectiveness score for each teacher to whom this plan applies in a format and on a timeline prescribed by the Commissioner. [30-2.3(b)(2)]. More particularly, the District plans to use the current student data and personnel management software systems to establish and track the teacher/student course linkage as required by law and said data will be uploaded when the NYSED system is ready to receive the data.

The assessment development, security, and scoring processes utilized to ensure that assessments and measures used to evaluate teachers are not disseminated to students and that teachers do not have a vested interest in the outcome of the assessments they score follow: (See Commissioner's Regulation 30-2.3(b)(3)):

The District will follow the security procedures in the New York State school administrators' manual to ensure a secure scoring process.

The Details of the Evaluations System (See Commissioner's Regulation 30-2.3(b)(4)):

1. State Assessment Subcomponent (20%) – For each teacher to whom this plan applies, the Department will provide a score between 0 and 20 for use in calculating the teacher’s composite effectiveness score. The Parties anticipate that The Department will provide this composite score by June 15, 2012. (SED Guidance Document, D9).

2. Locally Selected Measures of Student Achievement (20%)
 - a. The local measure of student achievement that will be used for the evaluation of teachers has yet to be determined. Discussions will occur during the 2011-12 school year before a final determination is made.

 - b. This measure of student achievement will result in a score between 0 and 20 for use in calculating the teacher’s composite effectiveness score.

3. Other Measures of Teacher Effectiveness (60%) –
 - a. 60% of a teacher’s evaluation will be based on other multiple measures aligned with the New York State Teaching Standards.

 - b. The district will use an approved teacher rubric for the remaining 60 points, for use in calculating the teacher’s composite effectiveness score. This has yet to be determined. Once selected, a copy of that rubric will be attached as Appendix A.

4. Scoring Ranges for the State Assessment, Local Measures and the Other 60% of Teacher Effectiveness follow:

	State Assessment	Local Measure	Remaining 60%
Highly Effective	18-20	18-20	Scoring ranges are locally determined
Effective	12-17	12-17	
Developing	3-11	3-11	
Ineffective	0-2	0-2	

5. Composite Effectiveness Scoring Bands:

- a. The composite effectiveness score shall be based on a 100 point scale. The State Assessment will account for 20% of the teacher’s composite effectiveness score. The locally selected measure shall also account for 20%. The other measures of teacher effectiveness shall account for the remaining 60%.
- b. Based upon the composite effectiveness score, classroom teachers shall be given a HEDI rating; that is, they shall be rated as **H**ighly Effective, **E**ffective, **D**eveloping or **I**neffective, as follows

<u>Rating</u>	<u>Corresponding Composite Scoring Range</u>
H ighly Effective	91-100
E ffective	75-90
D eveloping	65-74
I neffective	0-64

Timely and Constructive Feedback to classroom teachers on their APPR (See Commissioner’s Regulation 30-2.3(b)(5)):

Teacher evaluation shall include timely and constructive feedback to teachers on their annual professional performance review. More particularly, each evaluator shall discuss the

teacher evaluation upon completion of classroom observations, and at the conclusion of the school year during an annual evaluation.

The Evaluation Appeals Procedure (See Commissioner's Regulation 30-2.6 and 30-2.11):

The District will process appeals of a teacher's evaluation under this APPR process under a procedure to be negotiated with the Teachers Association.

Required Certifications to be Included In This Plan (See Commissioner's Regulations 30-2.3(b)(7):

[TBD]

IV. Teacher Improvement Plans:

Requirement:

A Teacher Improvement Plan shall be developed and commenced for any teacher determined by the herein evaluation system to be in the Developing or Ineffective classification. [30-2.10]

Elements of the Plan:

1. The plan may include but shall not necessarily be limited to identifying areas of needed improvement, a timeline for achieving improvement, the manner in which improvement will be assessed and, where appropriate, differentiated activities to support a teacher's improvement in those areas.
2. The TIP must be implemented as soon as practicable and not later than 10 days after the date on which teachers

are required to report to work for the new school year. [30-2.10]; (SED Guidance Document, K1.)

3. Any teacher for whom a TIP shall be developed under the requirements of this APPR plan shall have notice of same; shall have an opportunity to discuss and suggest elements of the required TIP; and shall have the right to union representation at the time of said discussion. The Parties agree, however, that the district retains final discretion as to the elements of individual TIPs, the exercise of which shall be neither grievable under the Parties collective bargaining agreement nor appealable under this APPR plan.

V. Rights Preserved/Successor Agreement
This plan reserves rights to negotiate all negotiable items as required by law. Conflicting provisions of collective bargaining agreements in effect on July 1, 2010 are not abrogated and remain in effect until there is a successor agreement. Upon entry into a successor agreement , the provisions of Education Law §3012-c apply and the successor agreement shall be consistent with the provisions of this section.

IN WITNESS WHEREOF the Parties have caused the Annual Professional Performance Plan document to be executed by their duly authorized representatives on the _____ day of August, 2011.

Elmira Heights Central School District

Mary Beth Fiore, Superintendent of Schools

* Carol Cady, EHTA President
* (Not required)

Admin1/SMM/BOCES/Appr (3.8.11)