

# **APPR Summary/Overview**

## **Marathon Central School District Annual Professional Performance Review Plan (APPR) revised for 2020-2024**

### **I. Introduction**

On May 28, 2010, the Governor signed Chapter 103 of the Laws of 2010, which added a new section 3012-c to the Education Law, establishing a comprehensive evaluation system for classroom teachers and building principals.

In September 2015, Governor Andrew Cuomo formed the Common Core Task Force which was charged with “comprehensively reviewing and making recommendations on reforming the current Common Core system and the way we teach and test our students.” Following multiple meetings, the Task Force made a number of recommendations regarding the implementation of the Common Core Standards. On December 10, 2015, the Task Force released their report affirming that New York must have rigorous, high quality education standards to improve the education of all of our students and hold our schools and districts accountable for students’ success but recommended that the Common Core standards be thoroughly reviewed and revised to reflect higher learning standards consistent with the report and that the State assessments be amended to reflect such revisions. In addition, the Task Force recommended that until the new system is fully phased in, the results from the grades 3-8 English language arts (ELA) and math State assessments and the use of any State-provided growth model based on these tests or other State assessments shall not have consequence for teachers or students. Specifically, Recommendation 21 from the Task Force’s Final Report provides as follows: “...State-administered standardized ELA and Mathematics assessments for grades three through eight aligned to the Common Core or updated standards shall not have consequences for individual students or teachers. Further, any growth model based on these Common Core tests or other state assessments shall not have consequences and shall only be used on an advisory basis for teachers. The transition phase shall last until the start of the 2019-2020 school year.” In an effort to implement the Task Force’s recommendation, sections 30-2.14 and 30-3.17 of the Rules of the Board of Regents were adopted by the Board of Regents at its December 2015 meeting.

The superintendent, in collaboration with teachers, pupil personnel professionals and administrators, developed this professional performance review plan. Once approved by the governing body of the school district, the plan will be filed in the district office and posted to the district website no later than September 10th of each year. If work on the development of the plan needs to continue after September 10th, revisions to the plan will be posted as approved by the governing body.

The Board of Education shall ensure that the performance of all teachers providing instructional services or pupil personnel services is reviewed annually.

### **II. Applicability**

Section 3012-d applies to K-12 certified teachers. All other represented employees will be evaluated pursuant to the provisions of that employee’s collective bargaining agreement. Non-represented employees will be evaluated pursuant to procedures approved by the District

Superintendent or his/her designee.

### **III. Data Verification and LINKAGE**

Working with the Central New York Regional Information Center, the Marathon Central School District will provide all of the data elements described by SED. Data will be submitted to the SED through the portal each year. This information includes a comprehensive course catalog, assessment scores, student enrollment information, and evaluation component score.

The District shall provide accurate data to the State Education Department in a format and timeline prescribed by the Commissioner. The District shall also provide access to teachers so they may verify the student rosters assigned at the beginning of each school year and prior to the administration of State assessments.

The designated Data Coordinator shall be in charge of collecting the required data, overseeing changes in and maintenance of the local data management systems, and ensuring the accuracy of the data. The Data Coordinator shall have the authority to assign tasks and deadlines, as required.

The Data Coordinator shall be responsible for reporting to the SED the individual subcomponent scores and the total composite effectiveness score for each covered classroom teacher in the District, and shall do so in a format and timeline prescribed by the Commissioner.

### **IV. New York Teaching Standards**

The professional performance review plan for teachers is based on the *New York State Teaching Standards*. These, therefore, are the criteria that will be used to evaluate teachers:

- **Knowledge of Students and Student Learning:** Teachers acquire knowledge of each student, and demonstrate knowledge of student development and learning to promote achievement for all students.
- **Knowledge of Content and Instructional Planning:** Teachers know the content they are responsible for teaching, and plan instruction that ensures growth and achievement for all students.
- **Instructional Practice:** Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.
- **Learning Environment:** Teachers work with all students to create a dynamic learning environment that supports achievement and growth.
- **Assessment for Student Learning:** Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction. This includes assessment techniques based on appropriate learning standards designed to measure students' progress in learning and that he or she successfully utilizes analysis of available student performance data (for example: State test results, student work, school-developed assessments, teacher-developed assessments, etc.) and other relevant information (for example: documented health or nutrition needs, or other student characteristics affecting learning) when providing instruction
- **Professional Responsibilities and Collaboration:** Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and

learning. This includes the development of effective collaborative relationships with students, parents or caregivers, as needed, and appropriate support personnel to meet the learning needs of students; and

- **Professional Growth:** Teachers set informed goals and strive for continuous professional growth.

## V. Teacher Effectiveness

Annual professional performance reviews shall differentiate teacher effectiveness using a composite effectiveness score. Based on such a composite effectiveness score a classroom teacher shall be rated as Highly Effective, Effective, Developing, or Ineffective.

All teachers who primarily have a regents exam must create a SLO (Appendix G or J) based on the results of the state test.

For all other teachers their SLO will be the same as the principal or building score (these are one in the same).

Appleby Elementary will be calculated based on the median SGP scores of all student who were assessed using STAR Early Literacy, STAR reader and STAR math. The SGP will be converted to a HEDI Score using Appendix B.

Marathon Junior/Senior High School will be based on the median SGP for 7<sup>th</sup> and 8<sup>th</sup> grade STAR literacy and STAR math scores and the % of students that reach proficiency in the following four regents: Algebra 1, English 11, US History and Living Environment.

SLO's for teachers with regents will be calculated using the regents. Teachers with regents scores that consistently (over the past 5 years) have greater than 75% of their students pass the regents, the percentage of students that pass the regents will be used to determine their HEDI rating. Teachers who have below a 75% passing rate in the past 5 will have a choice of creating a SLO with a pre and post assessment. These SLO's must be agreed upon by the administrator and be approved by the state

**Other Measures of Effectiveness** – 50% will be based on the NYSUT rubric (Appendix A).

Administration will focus on the following indicators within the NYSUT rubric during walkthroughs. 1.1B, 2.6 A, 3.1A, 3.1C, 3.2A, 3.2B, 3.2C, 3.2D, 3.4A, 3.6B, 3.6C, 4.1A, 4.1C, 4.2B, 4.3A, and 4.3B.

Evidence collected for rubric completion will be as follows:

Tenured Teachers	Non-tenured teachers
<ul style="list-style-type: none"> <li>● <b>1</b> announced and <b>2</b> unannounced walkthroughs</li> </ul>	<ul style="list-style-type: none"> <li>● <b>2</b> announced and <b>3</b> unannounced walkthroughs</li> </ul>

<ul style="list-style-type: none"> <li>• The principal will conduct the announced and one unannounced walkthrough.</li> <li>• An outside observer will conduct the second unannounced walkthrough.</li> <li>• The announced walkthrough done by the principal will include a post conference.</li> <li>• The teacher can request a post conference after any other walkthrough</li> <li>• All walkthroughs will be 15-20 minutes long.</li> </ul>	<ul style="list-style-type: none"> <li>• The principal will do 2 announced walkthroughs and 2 unannounced walk through.</li> <li>• An outside observer will conduct the third unannounced walkthrough</li> <li>• The announced walkthrough done by the principal will include a post conference.</li> <li>• The teacher can request a post conference after any other walkthrough.</li> <li>• All walkthroughs will be 15-20 minutes long.</li> </ul>
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- The administrator will strive to observe the beginning or end of a lesson. If an administrator conducts a walk though during the mid-portion of a lesson, the teacher is encouraged to request a post conference to provide the administrator with information on the procedural portions of the lesson. The administrator will strive to space out observations throughout the year.
- Post conferences that are done in addition to the required post conferences must be scheduled within 5 days of the lesson. Changes can be made to the walkthrough score if they are agreed to by both the teacher and the administrator.
- An additional walk-through may be requested by the teacher or administrator when the teacher has received a score of ineffective or developing on an observation. Such request must be made in writing within five (5) school days following the post conference write up or receipt of the walk through feedback. Teachers may request the same or different administrator for the observation. The score from the additional walk through will be averaged into the overall composite score. (The score of the requested walkthrough will not replace the original walk through score.)
- Time line for announced walk throughs:
  - Walk through evidence collection summary (Appendix K) due to the teacher within five work days following the announced walk through.
  - A post conference meeting will be scheduled to discuss evidence collected.

- Lesson reflection questions have been provided as a guide for the teacher (Appendix M). A written copy of the reflection questions is not required to be submitted for the APPR process.
  - Post conference summary (Appendix L) is due to the teacher within ten school days of the announced walk through. Write ups may be delivered via e-mail or hard copy.
  - Walk through forms (Appendix K and L) must be signed and returned to the main office within 10 school days of receipt.
- Time line for unannounced walk-throughs:
    - Walk through feedback will be given to teachers in the form of a walk through evidence summary (Appendix N) within five (5) school days of the walk through either by e-mail or hard copy. Teachers wishing to discuss the walk through should make an appointment within five (5) school days to meet with the administrator. Walk through forms (Appendix N) must be signed and returned to the main office within 10 school days of receipt.
    - A post conference can be requested after any unannounced walk though. A post conference must be scheduled within 5 days of the walk though. Changes can be made to the walkthrough score if they are agreed to by both the teacher and the administrator.
- Principal walk throughs vs. outside evaluator walk throughs:
    - In accordance with 3012d regulations, an outside observer is required to observe all staff affected by 3012d.
    - All principal scores will be given a weight of 80%. All outside evaluator will be given a weight of 20%.
    - The principal will be responsible for one (1) announced and one (1) unannounced walkthrough for tenured teachers. He or she will be responsible for two (2) announced and two (2) unannounced walk throughs for non-tenured teachers.
    - The outside evaluator will be responsible for one (1) unannounced walk through for tenured teachers. He or she will be responsible for one (1) unannounced walk through for non-tenured teachers.

## **VI. Composite Score Rating**

The District will use NYSUT's Teacher Effects Conversion Scale for 50% of the composite score (Appendix B). Points will be summarized in OASIS, the teacher's evaluation portion of My Learning Plan.

## **VIII. Timely Provision of Feedback**

Feedback from the classroom walk throughs will be provided to the teacher within the time limits specified above. Teachers will also be responsible for returning signed forms back within the time limits specified.

The summative evaluation, including composite effectiveness score, will be provided by September 1, or upon receipt of the State score, if after September 1. The scores will be provided electronically or in writing to teachers with the opportunity for the teacher to meet with the Lead Evaluator.

## **IX. Evaluator Training**

The “Lead Evaluators, evaluators and independent observers” are the administrators who are responsible for a teacher’s evaluation. The term “evaluator” shall include any administrator who conducts an observation or evaluation of a teacher as a lead evaluator, evaluator or independent observer. The District will utilize BOCES evaluator training and lead evaluator training for a minimum of two half day trainings. Evaluator training will include all required elements in Regents Rules 30-3.10.

### **The District’s process for certifying and recertifying lead evaluators and for maintaining inter-rater reliability:**

The Board of Education, upon presentation of evidence that a lead evaluator, evaluator or independent observer has satisfactorily completed appropriate evaluator training (as detailed above) shall certify the evaluator as qualified to conduct Annual Professional Performance Review evaluations. Once each year thereafter, the Board of Education shall review and recertify lead evaluators for the district. The District utilized BOCES training for evaluating inter-rater reliability, as required by law.

### **The District’s process for certifying and recertifying lead evaluators and for maintaining inter-rater reliability:**

The Board of Education, upon presentation of evidence that a lead evaluator has satisfactorily completed appropriate evaluator training (as detailed above) shall certify the evaluator as qualified to conduct Annual Professional Performance Review evaluations. Once each year thereafter, the Board of Education shall review and recertify lead evaluators for the district. The District will develop a process for evaluating inter-rater reliability, as required by law.

## **X. Training for Staff**

All professional staff subject to the district’s APPR will be provided with an orientation and/or training on the evaluation system that will include: a review of the content and use of the evaluation system, the NYS Teaching Standards, the mutually selected teacher practice rubric, form and the procedures to be followed consistent with the approved APPR plan. Training for current staff will be conducted at the beginning of each school year with continued training as needed. Training will be conducted prior to the beginning of each subsequent school year for newly hired staff.

## **XI. Professional Improvement Plans**

If the overall teacher performance score at the end of a year is evaluated as “ineffective” or “developing,” a Teacher Improvement Plan (TIP) (Appendix O) will be developed by the superintendent or another trained administrator with feedback from the teacher. A TIP must be developed by October 1<sup>st</sup>. The plan shall include, but not be limited to, an

identification of the areas in need of improvement, a timeline for achieving improvement, suggestions for improvement, support to be provided, and measurable outcomes to be evaluated. The artifacts that will be used to support improvement in specified areas will be described and could include items such as lesson plans, student work, or unit plans. If a teacher has filed an appeal of his or her effectiveness as evidenced in the composite score, a TIP must be completed in accordance with the above, regardless of any pending appeal.

## **XII. Appeals of Annual Professional Performance Reviews**

A teacher who receives an effectiveness composite score rating of “ineffective” or “developing” may appeal his or her performance review. Ratings of “highly effective” or “effective” cannot be appealed.

### **Types of Appeals:**

- 1. Procedural Appeal** – can be filed for procedurally flawed walk through observations, or the annual professional performance review process if the execution of the walk through observation or annual professional performance review do not adhere to the standards and methodologies required by Education Law 3012-d, adhere to the Commissioner’s regulations or are not compliant with the locally negotiated procedures regarding the annual professional performance reviews or implementation plans listed above.
- 2. Substantive Appeal** – can be filed based on the following evaluative criteria categories that were measured in the evaluation process:
  1. Knowledge of Students and Student Learning
  2. Knowledge of Content and Instructional Planning
  3. Instructional Practice
  4. Learning Environment
  5. Assessment for Student Learning
  6. Professional Responsibilities and Collaboration
  7. Professional Growth
- 3. Teacher Improvement Plan Appeal** – can be filed when the teacher feels that a portion or portions of their Teacher Improvement Plan is inappropriate or unobtainable.

### **Who Can Appeal?**

1<sup>st</sup> year non-tenured teachers may submit a procedural appeal or a teacher improvement plan appeal only.

Second year non-tenured teachers, third year non-tenured teachers and tenured teachers can file a procedural appeal, substantive appeal or teacher improvement plan appeal as long as the effectiveness composite score rating is “ineffective” or “developing.”

A teacher may not file multiple appeals regarding the same performance review. All grounds for appealing a particular performance review must be raised within the same appeal. Any grounds not raised at the time the appeal may not be included in a second appeal.

Process:

- A teacher has the right to appeal based on any of the grounds listed in education law 3012d. 1st year non-tenured teachers may submit a procedural appeal or a teacher improvement plan appeal only. All others may appeal under any of the grounds. Appeal must be filed by September 10th or 10 school days following the date the rating was released to the teacher, whichever is later. A teacher improvement plan appeal must be filed within ten school days of the issuance of the teacher improvement plan.
- A teacher wishing to initiate an appeal must submit an appeal to the Superintendent and the President of the Teachers Union. A detailed description of the precise point(s) of disagreement over his or her performance review, along with any and all additional documents or written materials that he or she believes are relevant to the resolution of the appeal.
- Under this appeals process, the teacher bears the burden of proving by substantial evidence the merits of his or her appeal.
- The Superintendent or his/her designee will notify the evaluating administrator and the Appeal Committee and facilitate scheduling a meeting with the teacher, the administrator in question and the Appeal Committee within ten (10) school days of the receipt of the appeal or a mutually agreed upon extension that remains timely and expedition in accordance with education law 3012d.
- The appeal committee will consist of two members selected by the MTA and two administrators selected by the Superintendent. The selected committee members cannot be the person appealing the decision or the administrator that scored the observation or created the TIP in question.
- At this meeting the Appeal Committee will review the documents provided and ask for clarifying statements/information. The committee reserves the right to look at additional information provided by the teacher or the administrator during or after the scheduled meeting if this information will help with the determination of the appeal. If additional information is requested, the committee must reconvene within 10 days at which time all requested information must be present. A decision will be rendered within ten school days of the reconvened meeting. Each committee member will have one vote and the vote will be determined by a majority (three out of four votes). The committee will be responsible for giving the decision of the appeal as well as supporting reasoning to the Superintendent within one (1) school day of the appeal decision.
- If the Appeal Committee becomes deadlocked (two votes for the appeal and two votes against the appeal), the final decision would fall to the Superintendent. In this case, the Superintendent will notify the appellant of the deadlock and an additional ten (10) school days would be allotted for the Superintendent to re-interview the appellant and the administrator. The Superintendent reserves the right to look all information/documents supplied to the Appeal Committee and any additional requested information provided by the teacher or the administrator during or after the scheduled meeting if this information will help with the determination of the appeal. Additional information will need to be provided within 10 days of the request.
- The Appeal Committee's decision or the Superintendent or his/her designee's decision in the case of a deadlock will be final and binding. The Superintendent will notify the appellant of

the decision in writing within ten (10) school days of the meeting or final submittal of information.

## **Administrator Evaluation**

### **ISLLC (2008) Leadership Standards**

The professional performance review plan for administrators is based on the NYS ISLLC Standards.

- **Vision, Mission, and Goals:** An education leader promotes the success of every student by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by all stakeholders.
- **Teaching and Learning:** An education leader promotes the success of every student by advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.
- **Managing Organizational Systems and Safety:** An education leader promotes the success of every student by ensuring management of the organization, operation, and resources for a safe, efficient, and effective learning environment.
- **Collaborating with Families and Stakeholders:** An education leader promotes the success of every student by collaborating with faculty and community members, responding to diverse community interests and needs, and mobilizing community resources.
- **Ethics and Integrity:** An education leader promotes the success of every student by acting with integrity, fairness, and in an ethical manner.
- **The Education System:** An education leader ensures the success of all students by influencing interrelated systems of political, economic, legal and cultural contexts affecting education to advocate for their teachers' and students' needs.

### **Administrator Effectiveness**

Annual professional performance reviews shall differentiate administrator effectiveness using a composite effectiveness score. Based on such a composite effectiveness score an administrator shall be rated as Highly Effective, Effective, Developing, or Ineffective (HEDI). The composite score is determined as follows:

For administrators, Student Learning Objective will be used to measure growth.

The principal score at Appleby Elementary will be calculated based on the median SGP scores of all student who were assessed using STAR Early Literacy, STAR reader and STAR math. The SGP will be converted to a HEDI Score using Appendix B in the teachers APPR plan.

The principal score at the Marathon Junior/Senior High School will be based on the median SGP for 7<sup>th</sup> and 8<sup>th</sup> grade STAR literacy and STAR math scores and the % of students that reach proficiency in the following four regents: Algebra 1, English 11, US History and Living Environment.

**1. Multiple Measures of Effectiveness (50%)**

The remaining 50% (or 50 out of the total 100 point composite score) of the composite effectiveness score is based on other measures of administrator effectiveness consistent with standards prescribed by the Commissioner in regulation. The Multidimensional Administrator Performance Rubric will be used to determine score based on observable evidence (Appendix A for principals, Appendix B for non-principals.)

**Timely Provision of Feedback**

Following each supervisory visit, the supervisor will provide feedback (Appendix E) to the administrator and when possible have a brief follow-up conversation about any of the rubric dimensions that were observed at that time. Evidence collected for rubric completion will be as follows:

Non-Tenured Administrators	Tenured Administrators
<ul style="list-style-type: none"> <li>• 1 Site Visits/Building Walkthrough</li> </ul>	<ul style="list-style-type: none"> <li>• 1 Site Visits/Building Walkthrough</li> </ul>
<ul style="list-style-type: none"> <li>• 2 Classroom Visits (1 Announced and 1 unannounced)</li> </ul>	<ul style="list-style-type: none"> <li>• 1 Classroom Visit (Unannounced)</li> </ul>
<ul style="list-style-type: none"> <li>• 1 Data Visit</li> </ul>	<ul style="list-style-type: none"> <li>• 1 Data Visit</li> </ul>
<ul style="list-style-type: none"> <li>• Meeting/Event visits</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting/Event visits</li> </ul>

**Site Visits/Building Walkthrough:**

- Administrator will do a building walk-through with the superintendent, identifying areas of strength, areas for consideration and possible areas for

- growth. Following the walkthrough, the administrator will review procedures/documentation used for discipline (school, bus, bullying), attendance, parent/staff communication, observation write ups, etc
- The superintendent will collect documents presented (copies) and evidence during the visit. Evidence will be placed on the visit evidence collection document and scored according to the rubric. Evidence and rubric information will be forwarded electronically or on paper to the administrator within ten (10) working days of the visit. The administrator can request a meeting to review the visit write up.

#### Classroom Visit:

- Administrator will do a formal walkthrough with the superintendent. After the observation(s), the administrator will review any material from the lesson with the superintendent, identifying areas of strength, areas for consideration and possible areas for growth for the teacher(s). A copy of the observation write up will be forwarded to the superintendent after it has been completed by the administrator along with any notes the administrator may want to share with the superintendent.
- The superintendent will collect evidence during the classroom visit, the post observation discussion and from the observation summary/notes. Evidence will be placed on the visit evidence collection sheet and scored according to the rubric. Evidence and rubric information will be forwarded electronically or on paper to the administrator within ten (10) working days of the observation write up and note submission. The administrator can request a meeting to review the visit write up.

#### Data Visit:

- Administrator will review pertinent data from their building. Data may include classroom AIMS Web (ELA and/or math), STAR (ELA and/or math), AIS or RTI, failure list, attendance or discipline data. Any other data the administrator feels is pertinent to his or her building/program should also be reviewed. Data review should include a reflection identifying areas of strength, areas for consideration and possible areas for growth for the teacher(s) or grade levels/departments. Possible professional development to promote increased achievement should also be discussed.
- The superintendent will collect evidence during the data review. Evidence will be placed on the visit evidence collection sheet and scored according to the rubric. Evidence and rubric information will be forwarded electronically or on paper to the administrator within ten (10) working days of the data review. The administrator can request a meeting to review the visit write up.

#### Meeting/Event Visits:

- The superintendent will attend various meetings and events. Evidence will be collected and placed in the rubric. As more evidence is collected, scoring will change to reflect the new information. The administrator will be alerted when new evidence is collected and added to the rubric. The administrator can request a meeting to review the visit write up.

The superintendent will meet with each administrator to review the summative evaluation, including composite effectiveness score by July 31<sup>st</sup> or upon receipt of the state scores if scores are provided after July 31<sup>st</sup>.

### **Composite Score Rating**

The District will use NYSUT's Teacher Effects Conversion Scale for 50% of the composite score (Appendix F). Points will be summarized using Marathon point summary sheet for tenured administrators (Appendix G) and the Marathon point summary Sheet for non-tenured administrators (Appendix H).

### **Principal Evaluator Training**

The "Principal Evaluator" is the administrator who is primarily responsible for a principal's evaluation under Chapter 103. The term "evaluator" shall include any administrator who conducts an observation or evaluation of an administrator. The District will utilize BOCES Network Team evaluator training in accordance with SED procedures and processes. Evaluator training will include training on the Annual Professional Performance Review (APPR) regulations of the Board of Regents provides that, in order to be certified as principal evaluators, administrators must be trained in the following nine elements: 1. ISLLC 2008 Leadership Standards 2. Evidence-based observation 3. Application and use of Student Growth Percentile and VA growth Model data 4. Application and use of the State-approved Multidimensional Principal Performance Rubrics (Training provided by Joanne Picone-Zochia, co-author of the rubric) 5. Application and use of any assessment tools used to evaluate principals 6. Application and use of State-approved locally selected measures of student achievement 7. Use of the Statewide Instructional Reporting System 8. Scoring methodology used to evaluate principals 9. Specific considerations in evaluating principals of ELLs and students with disabilities Additionally, the following components were addressed: 10. State-determined district-wide student growth goal setting process (Student Learning Objectives) 11. Effective supervisory visits and feedback 12. Soliciting structured feedback from constituent groups 13. Reviewing school documents, records, state accountability processes and other measures 14. Principal contribution to teacher effectiveness 15. Goal Setting and Attainment, using the Multidimensional Principal Performance Rubric tool (Training provided by Joanne Picone-Zochia, co-author of the rubric),

The Board of Education, upon presentation of evidence that a principal evaluator has satisfactorily completed appropriate evaluator training (as detailed above) shall certify the evaluator as qualified to conduct Annual Professional Performance Review evaluations. Once each year thereafter, the Board of Education shall review and recertify principal evaluators for the district. The District will develop a process for evaluating inter-rater reliability, as required by law.

### **Professional Improvement Plans**

If the overall administrator performance score at the end of a year is evaluated as “ineffective” or “developing,” an Administrator Improvement Plan (AIP – Appendix I) will be developed by the superintendent with feedback from the administrator. An AIP must be developed by October 1<sup>st</sup>. The plan shall include, but not be limited to, an identification of the areas in need of improvement, a timeline for achieving improvement, suggestions for improvement, support to be provided, and measurable outcomes to be evaluated. The artifacts that will be used to support improvement in specified areas will be described and could include items such as observation reviews, data analysis, changes to procedural documents, evidence of communication, etc. If an administrator has filed an appeal of his or her effectiveness as evidenced in the composite score, an AIP must be completed within 10 days regardless of any pending appeal.

### **Appeals of Annual Professional Performance Reviews**

An administrator who receives an effectiveness composite score rating of “ineffective” or “developing” may appeal his or her performance review in writing using Appendix J. Ratings of “highly effective” or “effective” cannot be appealed.

### **Types of Appeals:**

**Procedural Appeal** – can be filed for procedurally flawed (a) site visits, (b) classroom visits, (c) data review visit or (d) outside evaluator visit during the annual professional performance review process if the execution of the visit does not adhere to the standards and methodologies required by Education Law 3012-c, adhere to the Commissioners’ regulations or are not compliant with the locally negotiated procedures regarding the annual professional performance reviews or implementation plans listed above.

**Substantive Appeal** – can be filed based on the following evaluative criteria categories:

8. Shared Vision of Learning
9. School Culture and Instructional Program
10. Safe, Efficient, Effective Learning Environment
11. Community
12. Integrity, Fairness, Ethics
13. Political, Social, Economic, Legal and Cultural Context

Administrator Improvement Plan Appeal – can be filed when the administrator feels that a portion or portions of their Administrator Improvement Plan is inappropriate or unobtainable.

#### Who Can Appeal?

1<sup>st</sup> year non-tenured administrators may submit a procedural appeal or an administrator improvement plan appeal only.

Second year non-tenured administrators, third year non-tenured administrators and tenured administrators can file a procedural appeal, substantive appeal or administrator improvement plan appeal as long as the effectiveness composite score rating is “ineffective” or “developing.”

An administrator may not file multiple appeals regarding the same performance review. All grounds for appealing a particular performance review must be raised within the same appeal. Any grounds not raised at the time of the appeal may not be included in a second appeal.

#### Process:

- A procedural or substantive appeal must be filed by August 15<sup>th</sup>. An administrator improvement plan appeal must be filed within ten days of the completion of the administrator improvement plan.
- An administrator wishing to initiate an appeal must submit a completed evaluation’s appeals form (Appendix J) to the Superintendent and the President of the Administrative Union. A detailed description of the precise point(s) of disagreement over his or her performance review, along with any and all additional documents or written materials that he or she believes are relevant to the resolution of the appeal.
- Under this appeals process, the administrator bears the burden of proving by substantial evidence the merits of his or her appeal.
- The Superintendent will notify the designated appeals superintendent (a superintendent from a neighboring school district) and schedule a meeting with the administrator and the superintendent in question within twenty (20) school days of the receipt of the appeal. At this meeting the appeals Superintendent will review the documents provided and ask for clarifying statements/information. The appeals Superintendent reserves the right to look at additional information provided by the administrator or the superintendent during or after the scheduled meeting if this information will help with the determination of the appeal.

- The Superintendent or his/her designee will render a decision in writing within twenty (20) school days of the meeting or final submittal of information. The appeals Superintendent's decision will be final and binding.