

Annual Professional Performance Review (APPR) Plan for Teachers pursuant to Education Law §3012-c and Subpart 30-2 of the Commissioner's Regulations

East Aurora Union Free School District

Adopted August 16, 2011

I. Introduction

The goal of this document is to present an initial APPR plan for the District which is consistent with Education Law §3012-c and Subpart 30-2 of the Commissioner's Regulations. This plan is set forth by the East Aurora Union Free School District in order to comply with the mandates of the law and regulations.

This APPR procedure will result in teachers of the District, represented by the East Aurora Faculty Association receiving a single composite effectiveness score and a rating of highly effective, effective, developing, or ineffective. The composite score is determined as follows:

- **20% based on student growth** on State assessments or other comparable measures of student growth, increased to 25% upon implementation of a value-added model.
- **20% based on locally-selected measures** of student achievement, decreased to 15% upon implementation of a value-added model. The locally selected option includes use of State assessments.
- **60% based on other measures** of teacher effectiveness consistent with the requirements of the law and regulations and the selected scoring rubric.

The following points are incorporated into the District's APPR Plan for the 2011- 2012 school year:

1. Any existing and previously approved APPR procedures pursuant to Section 100.2(o) of the Regulations of the Commissioner of Education remain in effect for teachers who are not subject to New York State Education Law §3012-c.
2. For the 2011-2012 school years, this APPR Plan and the procedures and methods described herein shall apply to all classroom teachers of common branch subjects or English language arts or mathematics in grades 4 to 8.
3. Beginning in the 2012-2013 school year, the evaluation system shall include all classroom teachers and building principals. The District recognizes that the State Education Department (SED) recommends that, to the extent possible, the District begin the process of rolling this system out for the evaluation of all classroom teachers and building principals in the 2011-2012 school year so that New York can quickly move to a comprehensive teacher and principal evaluation system. The District endeavors to do this.

4. Consistent with the Commissioner's Regulations (§30-2.1(d)), nothing in this Plan shall affect or be construed to affect the rights of the Board of Education to terminate a probationary teacher or restrict the discretion of the Superintendent and/or the Board of Education to make a determination on the status of a probationary teacher and/or to deny tenure. Education Law §3012-c(1) states that the APPR shall be used as a "significant factor" for employment decisions including but not limited to promotion, retention, tenure determination, termination, and supplemental compensation. The District shall use the APPR for this purpose.
5. This Plan shall be in effect for the 2011- 2012 school year and modified for 2012-13 and beyond in accordance with Education Law and Commissioner Regulations.
6. Tenured teachers will be evaluated on an annual basis based on multiple measures of teacher effectiveness. The evaluation will be comprised of more than one classroom observations. Probationary teachers with less than 3 years of service will be observed three times per year.
7. The Education Law and regulations require negotiation of four (4) major areas of the APPR. These areas shall be negotiated as required by law and include:
 - The procedures for selecting the 20% local measure of student achievement, but not the substance of those measures or the assessment chosen (see V(E) herein);
 - The 60% subjective or other measures of teacher effectiveness subcomponent, however, 40 of the 60 points must be based on multiple classroom observations (see VI(D) herein);
 - The Teacher Improvement Plan (TIP) (see IX(B) herein); and
 - The Appeals process (see X herein.)

II. Availability of the District's APPR Plan

- A. This Plan shall be available to the public in the District office and on the District's web site by September 10th of each year, or within 10 days after adoption of the Plan by the Board, whichever occurs later.
- B. Elements required to be included in the Plan which are not completed by September 1, shall be identified herein and the District shall file an amended Plan upon completion of those remaining elements.

III. Data Management and Sharing

- A. This Plan includes the process for ensuring that SED 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 the State APPR requirements. SED will issue a timeline and format for data linkage and management. This process also provides an opportunity for every classroom teacher to verify the subject and/or student rosters assigned to them.
- B. “Teacher of record” data elements shall be collected and verified by the teachers and their principals. SED will be providing ongoing guidance for the student-teacher link verification process. This Plan includes the obligation of the District to continue to monitor the latest guidance from SED’s Student Information Repository System (SIRS) at www.p12.nysed.gov/sirs.
- C. The District shall develop a process for teachers, principals and the superintendent to verify the data submitted to the State is complete and accurate. The State will provide roster verification reports to assist this process using a yet to-be-determined distribution process.
- D. The District shall empower a data coordinator to provide leadership on the collection of data, oversee needed changes in the local data management systems, and work with the school’s BOCES and Regional Information Center (RIC) to ensure coordination with SED.
- E. The District, in conjunction with Erie 1 BOCES shall collect and report student and teacher data to ensure compliance with State requirements.

IV. Measures of Student Growth - State Assessments (20 Points)

- A. For school year 2011-2012, twenty (20) points of a teacher's composite effectiveness score shall be based on the results of their students' growth on state assessments compared to similarly achieving students. The District understands the State shall select an expert provider through competitive bidding in 2011 who will determine how to estimate student growth using the State's existing assessment programs in these subjects and produce the resulting scores for each educator along with detailed reports that will provide clear and useful information to interpret the results.
- B. For the 2011-2012 school year, the State shall calculate a "student growth percentile" (SGP) for each student who takes the ELA and/or mathematics State assessment in grades 4-8. The SGP score is a measure of a student's progress compared to other students with similar past academic performance on the assessment. The District shall rely on the SGP provided to it by SED.
- C. The growth score provider shall adjust the students' SGP score before assigning the teacher a score for this subcomponent so that a teacher's SGP result takes into account one or more of the following characteristics: student poverty, students with disabilities, and English language learners. This result shall be the teacher student growth percentile score (TSGPS).
- D. Where necessary, results from different tested grades and/or subjects will be combined according to a formula to be determined by the Commissioner of Education.
- E. SED shall assign a score of 0 - 20 for this subcomponent, which shall contribute to the educator's composite effectiveness score using the standards and scoring ranges for this subcomponent as prescribed in Commissioner's Regulations Subpart 30-2.
- F. In subsequent years, SED will be changing the SGP to a "value-added score" when (if) the Board of Regents approves the use of a value added State assessment system. The current State assessment system is a student growth system, not a value added indicator. If this conversion takes place, educators shall receive from 0 - 25 points on their evaluations based on their teacher value added (VA) score.

V. Measures of Student Achievement - Locally Selected Assessment (20 Points)

- A. Twenty (20) points of the teacher's composite effectiveness score shall be based upon locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms.
- B. The procedures for the selection of this measure are a negotiable matter. The District shall negotiate those procedures with the East Aurora Faculty Association. Such procedures shall be added to and made part of this Plan when negotiations are completed.
- C. The substance of the measure selected is a local decision, not subject to negotiations.
- D. The options for local assessment include the following:
 - 1. Assessments from a list of SED approved 3rd party developed tests;
 - 2. District, regional, or BOCES developed assessments whose rigor and comparability is verified by the district or BOCES;
 - 3. School-wide group, or team metrics using State assessments or a District, regional or BOCES developed assessment;
 - 4. Student achievement on State assessment, Regents examinations and/or Department approved alternative examinations (AP,IB, SAT II, etc.); and
 - 5. Structured district-wide goal setting process with any State or other school or teacher created assessment agreed to by an evaluator and teacher.
- E. The District may use State assessments for this portion of the evaluation to create the 20% locally selected objective measure. This would result in 40% of a teacher's evaluation being based on State assessments¹.

VI. The Other Measures of Teacher Effectiveness - (60 Points)

- A. Sixty (60) points of a teacher's composite effectiveness score shall be based on multiple measures aligned with the New York State Teaching Standards.
- B. Under the 60% Other Measures subcomponent of the evaluation, the Districts shall assess its teachers using one of the practice rubrics approved by the Department.
- C. The District shall review the SED list, contact the appropriate vendors/providers from that list, and negotiate which rubric it will use for its APPR Plan (SED link to the approved rubrics: <http://usny.nysed.gov/rttt/teachers-leaders/practic RUBRICS>.)
- D. At least 40 of the 60 points shall be based on multiple (two or more) classroom observations. The District may perform these in person or by video by a principal or other trained administrator. It is the District's intention and plan that such observations be conducted in person. The District may, as permitted by the regulations rely on observations by trained independent evaluators or in-school peers.
- E. The remaining points of this measure are to be based on the following criteria:
 - 1. Structured review of student work;
 - 2. Teacher artifacts using portfolios or evidence binder processes;
 - 3. Feedback from students, parents, and/or other teachers using structured survey tools; and
 - 4. Teacher self reflection and progress on professional growth goals (this criteria cannot be more than 5 points).
- G. Appendix A is the District's current rubric which shall be used and to the extent necessary, modified upon completion of negotiations, as required, with the East Aurora Faculty Association.

VII. Scoring and Rating of Evaluations

- A. Each classroom teacher shall be rated Highly Effective, Effective, Developing, or Ineffective (HEDI) based on a single composite effectiveness score that is calculated based on the scores received by the teacher in each of the subcomponents set forth herein.
- B. For the 2011-2012 school year, the Commissioner of Education has set the scoring ranges for the overall rating categories and the rating categories for the State assessment and the locally selected measures subcomponents. The District shall employ these scoring ranges and rating categories as follows (per SED):

Level	Student Growth on State Assessments or Other Comparable Measures	Locally Selected Measures of Student Achievement	Other 60 Points	Overall Composite Score
Ineffective	0-2	0-2	Scoring ranges locally determined	0-64
Developing	3-11	3-11		65-74
Effective	12-17	12-17		75-90
Highly Effective	18-20	18-20		91-100

- C. The District is required and shall negotiate the point ranges for each level for the 60 points measuring the subjective (or “Other”) areas of Teacher Effectiveness.
- D. The District is required and shall negotiate and set specific scoring ranges for each performance level within the Subjective Measure of the Teacher Effectiveness subcomponent. The District is committed to making the process by which these points are assigned and the scoring ranges transparent and available to all teachers being rated.
- E. Appendix B is the District’s current APPR plan shall be enhanced as required by law and shared with the teaching staff.

VIII. Training of Evaluators and Lead Evaluators

- A. The District must ensure evaluators have appropriate training before conducting evaluations as part of the Other Measures of Teacher Effectiveness. All evaluators should be appropriately trained on the new APPR requirements, but only lead evaluators need to be certified. The District shall provide appropriate training and certify lead evaluators.
- B. The lead evaluator is the primary person responsible for a teacher's evaluation. Typically, the lead evaluator is the person who completes and signs the summative APPR. To the extent possible, the principal or his/her designee shall be the lead evaluator of a classroom teacher.
- C. 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 may be a principal or other trained administrator, or an independent trained evaluator or in-school peer teachers.
- D. Districts shall either choose to use the SED training program issued through the network teams for their certification process or develop or contract for their own training and evaluator certification program.
- E. Training shall be linked to the selected rubric. The District shall coordinate with the selected rubric provider in regards to the training and certification of evaluators and lead evaluators.
- F. In order to address the issue that there may not be a sufficient number of certified evaluators for the 2011-2012 school year, the APPR regulations were adjusted to allow for certified school administrators and superintendents of schools to conduct classroom observations as part of an APPR. The certified school administrator, however, must be enrolled in the training and successfully complete the program prior to the completion of the teacher's evaluation.
- G. The District works in concert with Erie 2 BOCES to provide approved training for the District's lead evaluators in the fall 2011.

IX. Teacher Improvement Plan (TIP)

- A. Upon a teacher rating of “Ineffective” through the APPR, the District shall develop and commence implementation of a Teacher Improvement Plan (TIP) for the individual teacher.
- B. The TIP shall be developed locally. The District acknowledges it is required by law to negotiate the format of such TIPs and it shall do so. Any TIP developed through this process shall be implemented no later than 10 days after the date on which teachers are required to report prior to the opening of classes for the school year.
- C. In accordance with Commissioners regulations, each individual TIP shall include at least:
 - 1. Identification of needed areas of improvement;
 - 2. A timeline for achieving improvement;
 - 3. The manner in which improvement will be assessed; and
 - 4. Where appropriate, differentiated activities to support the individual’s improvement in those areas.
- D. Each individual TIP shall describe the professional learning activities the educator is expected to complete and these shall be connected to the areas needing improvement.
- E. “Artifacts” such as lessons, student work, or unit plans shall be described so that the individual can produce benchmarks of improvement and evidence for the final stage of his/her improvement plan.
- F. The TIP shall state the additional support and assistance that the educator will receive.
- G. In the final stages of the TIP, the teacher shall meet with his/her supervisor to review the plan alongside any artifacts and evidence from evaluations in order to provide a final, summative rating for the teacher.
- H. The District is negotiating with the East Aurora Faculty Association to agree upon the necessary format of the TIP. Upon completion of such negotiations, the general form of the TIP shall be appended to this APPR Plan.

X. The Appeals Process

To the extent a teacher wishes to challenge his/her performance review and/or improvement plan (TIP) under the new APPR system, the District has developed an appeals procedure. This appeals procedure does not diminish the authority of the East Aurora Union Free School Board of Education and Superintendent to terminate probationary teachers during their probationary term.

While the APPR shall be a “significant factor” in tenure and other employment decisions, nothing herein requires an appeal be exhausted before a tenure determination can be made. In addition, appeal procedures shall not cause a teacher to acquire tenure by estoppel when an evaluation appeal is pending.

In accordance with the law, for purposes of disciplinary proceedings under Education Law §3020-a, a “pattern” of ineffective teaching or performance shall be defined as two consecutive annual ineffective ratings received by a teacher through the APPR process.

Immediately following is the appeals procedure for the East Aurora Union Free School District in accordance with Education Law §3020-c and Commissioner’s Regulations 30-2 regarding annual professional performance reviews of teachers. This appeals process shall not be subject to grievance through the grievance process set forth in the collective bargaining agreement between the East Aurora Faculty Association and the East Aurora Union Free School District.

The appeals process itself must be negotiated with the East Aurora Faculty Association and the District is in the process of such negotiations. Upon completion of such negotiations, such appeals process shall be added to and made part of this APPR Plan document.