

**Annual Professional Performance Review  
(APPR)**

**Principal Evaluation Agreement  
Between the  
Marcellus Administrators Association  
and the  
Marcellus Central School District**

Effective September 18, 2012-June 30, 2013

## 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. The Board of Education shall adopt a plan which may be a multi-year plan, for the annual professional performance review of teachers providing instructional services and building principals. The Marcellus Central Schools have determined that the Teacher and Principal Evaluation Process will be reviewed annually and presented to the BOE for approval at its annual re-organization meeting.

## Statement of Purpose

The overarching goal of the principal evaluation system is to promote student learning and improve teaching and professional practice. The APPR encourages professional growth and development through a process that is based on current research on best practice and aligned with the Interstate School Leaders Licensure Consortium (ISLLC) Standards for School Leaders. It assures a common language and common expectations among all teachers, principals and evaluators.

## Process

### SECTION I: GENERAL AGREEMENT

#### **APPR Addendum to the collective bargaining agreement between the Marcellus Administrators Association and the Marcellus Central School District**

Whereas the parties above are obligated to negotiate APPR provisions for principals consistent with Education Law 3012-c and subsequent NYSED regulation, they hereby agree to the following:

1. Application:
  - This provision shall apply only to the title of principal.
  - This provision shall sunset on June 30, 2013 with implementation to begin on September 18, 2012.
  - Should the law (3012-c) of 2012, the corresponding regulations or NYSED guidance regarding 3012-c change from what was in place at the time of this agreement, the agreement shall be renegotiated to be consistent with further changes in law, regulation or NYSED guidance.
  - For evaluations in 2012-13 done under this agreement, no ineffective rating shall be utilized in the expedited 3020-a process outlined in 3012-c.
2. The superintendent shall be the lead evaluator for principals.
3. **Student Growth Measures:** The 20 or 25 points for student growth measures shall be the state provided score. Where there is no state score generated, the principal shall develop Student Learning Objectives (SLO) for approval by the superintendent for the 20 points comparable measure. They shall be developed by October 3rd. The superintendent shall meet with the principals and provide the decision on approval within 5 days of submission by the principal.

4. **Locally Selected Measures of Student Achievement:** The 15 or 20 points for locally selected measures of student achievement shall be based on an achievement target setting process to produce annual Local Achievement Targets (LAT) to be mutually agreed upon between the principal and superintendent. This plan developed shall include what approved assessment measures will be utilized, what expectations will be set and how points will be earned regarding achievement in relation to the targets. LATs will be consistent with established district goals. The superintendent shall verify comparability and rigor in the utilization of this achievement target-setting process as required by regulation. For all measures, the cohort of students utilized shall only include those continuously enrolled from BEDS Day to June 15 annually. For the 2012-13 school year, the Local Achievement Target will be based on the percentage of students scoring mastery on the 5 required Regents for graduation. The point allocation for the local achievement score is as follows:
5. **Measures of Leadership and Management:** The district shall utilize the LCI Multidimensional Principal Performance Rubric for principal evaluation as the basis for the 60 “Other” points allocated to measures of leadership and management. The superintendent’s assessment will be based on observations, visitations, and conferences with the principal. The superintendent will complete at least 2 observations for tenured principals and 3 visits for non-tenured principals of 30 minutes or more to the school, while in session. One will be as agreed to between the superintendent and principal, one (two for non-tenured) will be unannounced. Visits are to be completed no later than April 1<sup>st</sup>. See below for additional timeline information.

The three additional sources of information for the superintendent’s consideration in utilizing the rubric shall be:

- A portfolio of school documents and/or the school building report with information related to components of the rubric. These shall be provided to the superintendent by April 1<sup>st</sup>.
- The superintendent shall consider the following discussions and reviews in assessing performance of the principal in leadership and management: 1.) The principal and superintendent shall conduct a joint critical analysis of the NYS School Report Card (or other similar NYS accountability report) no later than October 15, including identification of actions to be taken to address components and district resources to be made available to the principal and building. 2.) No later than May 31, the principal and superintendent shall meet to review the related initiatives and actions of the principal over the year as well as the availability and utilization of district provided resources.
- The principal’s self-analysis on the rubric for the superintendent’s consideration and discussion.

The superintendent is responsible for 56 of the 60 points on the rubric in the 6 Domains while the principal is responsible for the 4 points allocated to Goal Setting and Attainment. The principal will have the opportunity to submit evidence to substantiate any portion of the rubric not observed by the superintendent. The points in the rubric will be allocated as follows:

Domain	Total Points	Number of indicators/points assigned
1	8	4 worth 2 points each
2	20	10 worth 2 points each
3	10	5 worth 2 points each
4	3	3 worth 1 point each
5	12	6 worth 2 points each
6	3	3 worth 1 point each
Goal Setting/Attainment	4	1 point per area
	60 points total	

The overall Performance Level for the 60 points will follow the rubric below:

<b>Rubric Performance Levels and Score Scale</b>	
<b><u>Performance Level</u></b>	<b><u>Points ranges negotiated (subject to negotiated revision should NYSED ranges change)</u></b>
Highly Effective	59-60
Effective	57-58
Developing	55-56
Ineffective	0-54

**Timeline:**

The Principals will submit SLO for Student Growth by September 17<sup>th</sup>.

Superintendent will hold an initial meeting with the principal to discuss SLOs and Goal Setting by October 3<sup>rd</sup>.

The superintendent will complete the first observation by December 15<sup>th</sup>.

A mid-year review will be held between the superintendent and the principal between January 1<sup>st</sup> and January 31<sup>st</sup>. After which, the principal will have 5 days to submit any additional evidence.

The principal may request another review in March.

The superintendent will complete the second (and third) observation(s) by April 1<sup>st</sup>.

The superintendent will complete a final evaluation meeting between May 1<sup>st</sup> and May 24<sup>th</sup>. The principal will have 5 days after this meeting to submit any additional evidence.

Principals will be given their completed evaluation and rating no later than September 1<sup>st</sup>.

**6. Evaluator and Staff Training**

The superintendent will ensure that all evaluators have been trained and certified in accordance with regulation. The district will utilize BOCES Network Team principal evaluator training and certification in accordance with SED procedures and processes. Principal evaluator training will include training on the Interstate School Leaders Licensure Consortium (ISLLC) Standards which include:

- 1) 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;
- 2) 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;
- 3) 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;
- 4) An education leader promotes the success of every student by collaborating with faculty, community members, responding to diverse community interests and needs, and mobilizing community resources;
- 5) An education leader promotes the success of every student by acting with integrity, fairness, and in an ethical manner; and
- 6) An education leader promotes the success of every student by understanding, responding to, and influencing the political, social, economic, legal, and cultural context.

The superintendent will ensure that principal evaluators participate in annual training and are re-certified on an annual basis. The BOCES Network Team will be utilized to provide the principal evaluator training and recertification.

Any evaluation or APPR rating that is determined in part or whole by an administrator who is not fully trained and certified by the end of the school year in which the APPR rating was completed shall upon appeal by the

subject of the evaluation or APPR rating, be deemed to be invalid and shall be expunged from the principal’s record and will be inadmissible as evidence in any subsequent disciplinary proceeding. The invalidation of a principal evaluator for an evaluation or APPR rating for this reason shall also preclude its use in any and all other employment decisions.

- As per NYSED regulation, the method for assigning subcomponent points will identify how points will be awarded within four performance levels (HEDI) for the “local measures of student achievement” and the “other measures of effectiveness” subcomponents using the following standards:

Level	Achievement Growth Measures	Local assessment of growth or achievement	Other Measures (principal standards)
<b>Highly Effective</b>	Results are well-above state average for similar students. (Or district goals if no state test).	Results are well-above District or BOCES -adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results exceed standards.
<b>Effective</b>	Results meet state average for similar students. (Or district goals if no state test).	Results meet District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results meet standards.
<b>Developing</b>	Results are below state average for similar students. (Or district goals if no state test).	Results are below District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results need improvement in order to meet standards.
<b>Ineffective</b>	Results are well-below state average for similar students (or district goals if no state test).	Results are well-below District or BOCES-adopted expectations for growth or achievement of student learning standards for grade/subject.	Overall performance and results do not meet standards.

***(SEE SECTION II)***

- Final evaluations** shall be provided to principals no later than September 1 annually. Scores and ratings on Locally Selected Measures of Achievement and the “Other Measures” of Effectiveness shall be provided no later than June 30 annually. If data for the Locally Selected Measures of Achievement is not available by June 30, that score and rating shall be provided within 10 business days of receipt of those achievement results. ***(SEE SECTION II).***
- Improvement plans** for principals with developing or ineffective ratings shall be according to the attached format and process. Such plans shall be mutually agreed upon within 10 school days at the beginning of the year annually. ***(SEE SECTION III)***
- An **appeal** of a principal’s evaluation shall be only for ineffective and developing ratings or any rating tied to compensation. The reasons for appeal shall be those identified in 3012-c. The attached appeal process shall be utilized. An appeal of an evaluation may NOT be initiated prior to the issuance of the final composite score and rating. ***(SEE SECTION IV)***

11. That the parties agree to enter into negotiations for a successor addendum no later than May 1, 2013.

\_\_\_\_\_/\_\_\_\_\_  
Association President                      Date

\_\_\_\_\_/\_\_\_\_\_  
Superintendent                              Date

**SECTION II: OVERALL EVALUATION SUMMARY**

**Marcellus Central School District**

**Principal Annual Professional Performance Review Summary**

Principal's Name \_\_\_\_\_

Position/Site \_\_\_\_\_

School Year \_\_\_\_\_

Evaluator's Name \_\_\_\_\_

Evaluator's visit dates \_\_\_\_\_

Date of Evaluation \_\_\_\_\_

Evaluation Component	Points Range (check one in each of 1 <sup>st</sup> 2 boxes)	Points Earned	HEDI RATING	Comments
State (or comparable) student achievement growth score	__ 0 – 20 <b>or</b> __ 0 – 25			
Locally selected measures of student achievement Score	__ 0 – 20 <b>or</b> __ 0 – 15			
Other Measures of Performance: Supervisor's Assessment of Leadership and Management: LCI Multidimensional Rubric	(0 – 60)			
<b>OVERALL TOTAL POINTS</b>	<b>0-100</b>			

<b>HEDI Composite Scale (2011-12, 2012-13)</b>	
Highly Effective	91-100
Effective	75-90
Developing	65-74
Ineffective	0-64

**APPR Overall Rating (HEDI):** \_\_\_\_\_

Supervisor's Signature and date \_\_\_\_\_

Principal's Signature and date \_\_\_\_\_

### SECTION III: IMPROVEMENT PLAN

## **Marcellus Central School District Principal Improvement Plan Process**

Upon rating a principal as ineffective or developing, an improvement plan designed to rectify perceived or demonstrated deficiencies must be developed and commenced no later than ten (10) school days after the start of a school year. The superintendent or designee, in conjunction with the principal, must develop an improvement plan that contains:

1. A clear delineation of the deficiencies that resulted in the ineffective or developing assessment.
2. Specific improvement goal/outcome statements.
3. Specific improvement action steps/activities.
4. A reasonable time line for achieving improvement.
5. Required and accessible resources to achieve goal.
6. A formative evaluation process documenting meetings strategically scheduled throughout the year to assess progress. These meetings shall occur at least twice during the year: the first between December 1 and December 15 and the second between March 1 and March 15. A written summary of feedback on progress shall be given within 5 business days of each meeting.
7. A clear manner in which improvement efforts will be assessed, including evidence demonstrating improvement.
8. A formal, final written summative assessment delineating progress made with an opportunity for comments by the principal.

# Principal Improvement Plan

Name of Principal \_\_\_\_\_

School Building \_\_\_\_\_ Academic Year \_\_\_\_\_

Deficiency that promulgated the “ineffective” or “developing” performance rating:

Improvement Goal/Outcome:

Action Steps/Activities:

Timeline for completion:

Required and Accessible Resources, including identification of responsibility for provision:

Dates of formative evaluation on progress (lead evaluator and principal initial each date to confirm the meeting):

December:

March:

Other:

Evidence to be provided for Goal Achievement:

Assessment Summary: Superintendent is to attach a narrative summary of improvement progress, including verification of the provision of support and resources as outlined above no later than 10 days after the identified completion date. Such summary shall be signed by the superintendent and principal with the opportunity for the principal to attach comments.

## SECTION IV: APPEAL PROCESS

# **Marcellus Central School District Principal APPR Appeal Process**

### **CHALLENGES IN AN APPEAL:**

Appeals are limited to those identified by Education Law §3012-c, as follows:

- (1) The substance of the annual professional performance review;
- (2) The school district's or board of cooperative educational services' adherence to the standards and methodologies required for such reviews;
- (3) The adherence to the Commissioner's regulations, as applicable to such reviews;
- (4) Compliance with any applicable locally negotiated procedures applicable to annual professional performance reviews or improvement plans; and
- (5) The school district's or board of cooperative educational services' issuance and/or implementation of the terms of the principal improvement plan.

### **RATINGS THAT MAY BE APPEALED:**

Appeals of annual professional performance reviews may be brought for ineffective developing or any rating tied to compensation. An appeal may only be initiated once a principal receives the overall composite score and rating.

### **PROHIBITION AGAINST MORE THAN ONE APPEAL**

A principal may not file multiple appeals regarding the same performance review. The issuance of an improvement plan may prompt an appeal independent of the performance review. The implementation of an improvement plan may be appealed upon each alleged breach thereof. All grounds for appeal must be raised with specificity within such appeal. Any grounds not raised shall be deemed waived.

### **BURDEN OF PROOF**

The principal bears the burden of proving by substantial evidence the merits of his or her appeal.

### **TIME FRAME FOR FILING APPEAL**

All appeals shall be filed in writing. The act of mailing the appeal, as evidenced by the postmark, shall constitute filing.

An appeal of a performance review must be filed no later than fifteen (15) business days of the date when the principal receives their final and complete annual professional performance review. If a principal is challenging the issuance of a principal improvement plan, appeals must be filed with fifteen (15) business

days of issuance of such plan. An appeal of the implementation of an improvement plan shall be within fifteen (15) business days of the failure of the district to implement any component of the plan.

The failure to file an appeal within these timeframes shall be deemed a waiver of the right to appeal and the appeal shall be deemed abandoned. An extension of the time in which to appeal may be granted by the Superintendent upon written request.

When filing an appeal, the principal must submit a written description of the specific areas of disagreement over his or her performance review, or the issuance and/or implementation of the terms of his or her improvement plan. Supportive evidence about the challenges may also be submitted with the appeal. Any additional documents or materials relevant to the appeal must be provided by the district upon written request for same. The performance review and/or improvement plan being challenged must also be submitted with the appeal.

### **TIME FRAME FOR DISTRICT RESPONSE**

Within ten (10) business days of receipt of an appeal, the district must submit a detailed written response to the appeal. The response must include all additional documents or written materials relevant to the point(s) of disagreement that support the district's response. Any such information that is not submitted at the time the response is filed shall not be considered on behalf of the district in the deliberations related to the resolution of the appeal. The principal initiating the appeal shall receive a copy of the response filed by the school district, and all additional information submitted with the response, at the same time the school district files its response. Additional material supporting the challenges may be submitted by the principal up to the date of the hearing.

### **DECISION PROCESS FOR APPEAL**

The decision will be rendered by a three person review panel for an appeal concerning a principal's performance review. The panel will be comprised of one administrator appointed by the Marcellus Administrators Association, a district-level (non-MAA) administrator appointed by the superintendent and a third party mutually agreed upon by the MAA and the superintendent. To determine the third party, the MAA and the Superintendent will submit a list of three individuals of their choice. If there is a common individual on the two lists, that person will be selected. If there is no common individual on the two lists, each side will rank order the six individuals (1 indicating the highest preference) and the person with the lowest combined score will be selected. The panel shall issue a written decision on the merits of the appeal no later than thirty (30) calendar days from the date when the principal filed his or her appeal.

The decision of the panel shall be final and an appeal shall be deemed completed upon the issuance of that decision. The decision of the panel shall not be subject to any further appeal. 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 within fifteen (15) calendar days of the alleged failure of the District to comply with such requirements.

### **EXCLUSIVITY OF SECTION 3012-C APPEAL PROCEDURE**

This appeal procedure shall constitute the means for initiating, reviewing and resolving challenges to a principal performance review or improvement plan. A principal may not resort to any other contractual grievance procedures for the resolution of challenges and appeals related to a professional performance review and/or improvement plan.