

# 6. Additional Requirements - Teachers

Created Monday, September 10, 2012

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### 6.1) Assurances -- Improvement Plans

Please check the boxes below:

6.1) Assurances -- Improvement Plans   Assure that teachers who receive a Developing or Ineffective rating will receive a Teacher Improvement Plan (TIP) within 10 school days from the opening of classes in the school year following the performance year	Checked
6.1) Assurances -- Improvement Plans   Assure that TIP plans shall include: identification of needed areas of improvement, a timeline for achieving improvement, the manner in which the improvement will be assessed, and, where appropriate, differentiated activities to support a teacher's improvement in those areas	Checked

### 6.2) Attachment: Teacher Improvement Plan Forms

As a required attachment to this APPR plan, upload the TIP forms that are used in the school district or BOCES. For a list of supported file types, go to the Resources folder (above) and click Technical Tips.

*assets/survey-uploads/5265/174370-Df0w3Xx5v6/TIP Template.doc*

### 6.3) Appeals Process

Pursuant to Education Law section 3012-c, a teacher may only challenge the following in an appeal:

(1) the substance of the annual professional performance review

(2) the school district's or BOCES' adherence to the standards and methodologies required for such reviews, pursuant to Education Law section 3012-c

(3) the adherence to the regulations of the Commissioner and compliance with any applicable locally negotiated procedures, as well as the school district's or BOCES' issuance and/or implementation of the terms of the teacher or principal improvement plan, as required under Education Law section 3012-c

Describe the procedure for ensuring that appeals of annual performance evaluations will be handled in a timely and expeditious way:

*Pursuant to Education Law section 3012-c, a teacher may only challenge the following in an appeal:*

*(1) the substance of the annual professional performance review*

*(2) the school district's or BOCES' adherence to the standards and methodologies required for such reviews, pursuant to Education Law section 3012-c*

*(3) the adherence to the regulations of the Commissioner and compliance with any applicable locally negotiated procedures, as well as the school district's or BOCES' issuance and/or implementation of the terms of the teacher or principal improvement plan, as required under Education Law section 3012-c*

*Describe the procedure for ensuring that appeals of annual performance evaluations will be handled in a timely and expeditious way:*

#### **APPEALING THE RESULTS OF THE**

#### **ANNUAL PROFESSIONAL PERFORMANCE REVIEW**

*Who May Appeal?*

*Appeals shall be limited to those evaluations which have resulted in a rating of developing or ineffective for tenured teachers.*

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*On What Grounds May an Appeal Be Made?*

*1. Appeals shall be limited to:*

- the substance of the annual professional performance review;*
- the school district's adherence to the standards and methodologies required for such reviews pursuant to Section 3012(c) of the Education Law;*
- the school district's adherence to the Regulations of the Commissioner and compliance with any applicable locally negotiated procedures; and*
- the school district's issuance and/or implementation of the terms of a Teacher Improvement Plan (TIP).*

*2. It is understood that the appeal process in no way limits the authority of the Board of Education and Superintendent regarding employment decisions of probationary employees.*

*3. The burden of proof rests with the appealing party.*

*How Many Appeals May Be Filed?*

*A teacher may not file multiple appeals regarding the same performance review or teacher improvement plan. All grounds for appeal must be raised within one appeal. Any issue not raised in the written appeal shall be deemed waived.*

*What is the Procedure for Making an Appeal?*

*Level 1: Appeal to Lead Evaluator*

*A teacher may appeal the annual evaluation to the appropriate Lead Evaluator within 12 school days of its receipt. The appeal shall be in writing and shall articulate in detail the basis of the appeal.*

*The Lead Evaluator shall hold an informal conference with the appealing teacher and render a written determination in response within 10 school days of receipt of the appeal.*

*Level 2: Appeal to Superintendent*

*If the issues of the appeal are not resolved through Level 1, the teacher may appeal to the Superintendent of Schools or his/her designee within 5 school days of receipt of the Lead Evaluator's determination. The appeal must be submitted in writing, and must include the Lead Evaluator's written determination. The Superintendent of Schools or his/her*

*designee shall render a written determination in response within 10 school days of receipt of the appeal. In the event that the Superintendent was also the Lead Evaluator or played a significant role in the observation a superintendent from another Madison-Oneida BOCES component district, which is mutually agreed upon by the teacher and superintendent within 5 school days of the appeal will be selected to hear the appeal and render a decision.*

*The determination of the Superintendent of Schools or his /her designee as to the substance of the annual professional performance review shall not be grievable, arbitrable, or reviewable in any other forum. The time frames referenced above may be extended by mutual agreement of the District and MEFA. This in no way diminishes employee rights as defined in Education Law 3020 and 3020A. Furthermore, the district may only terminate a probationary teacher without regard to the APPR for statutorily and constitutionally permissible reasons other than the performance of the teacher, including but not limited to misconduct. It may also only terminate or deny tenure to a probationary teacher during the pendency of an APPR appeal where such determination does not rely upon the performance that is being appealed (the subject of the appeal.)*

## **6.4) Training and Certification of Lead Evaluators and Evaluators**

*Describe the process by which evaluators will be trained and the process for how the district will certify and re-certify lead evaluators. Describe the process for ensuring inter-rater reliability. Describe the duration and nature of such training.*

*Upon gathering ample documentation that evaluators and lead evaluators have been properly trained, the Superintendent will make the recommendation for the Board of Education to certify each evaluator to conduct evaluations. The in-district activities outlined and participation in regional meetings and trainings will be ongoing, and documentation of training will continue in order for all evaluators to be recertified each year. Through bi-monthly meetings with the superintendent, the lead evaluators will continue working to build inter-rater reliability. We will seek out additional opportunities through BOCES and other resources to continue to build this.*

## **6.5) Assurances -- Evaluators**

Please check the boxes below:

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- Checked
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(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 the value-added growth model as defined in section 30-2.2 of this Subpart

(4) application and use of the State-approved teacher or principal rubric(s) selected by the district or BOCES 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 school district or BOCES utilizes to evaluate its classroom teachers or building principals, including but not limited to, structured portfolio reviews; student, parent, teacher and/or community surveys; professional growth goals and school improvement goals, etc.

(6) application and use of any State-approved locally selected measures of student achievement used by the school district or BOCES 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 or BOCES to evaluate a teacher or principal under this Subpart, including how scores are generated for each subcomponent and the composite effectiveness score and application and use of the scoring ranges prescribed by the Commissioner for the four designated rating categories used for the teacher's or principal's overall rating and their subcomponent ratings

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

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- Checked
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## 6.6) Assurances -- Teachers

Please check all of the boxes below:

6.6) Assurances -- Teachers   Assure the entire APPR plan will be completed for each teacher as soon as practicable, but in no case later than September 1 of the school year next following the school year for which the classroom teacher's performance is being measured.	Checked
6.6) Assurances -- Teachers   Assure that the district or BOCES will provide the teacher's score and rating on the locally selected measures subcomponent, if available, and on the other measures of teacher and principal effectiveness subcomponent for a teacher's annual professional performance review, in writing, no later than the last school day of the school year for which the teacher or principal is being measured.	Checked
6.6) Assurances -- Teachers   Assure that the APPR will be put on the district website by September 10 or within 10 days after approval, whichever is later.	Checked
6.6) Assurances -- Teachers   Assure that the evaluation system will be used as a significant factor for employment decisions.	Checked
6.6) Assurances -- Teachers   Assure that teachers will receive timely and constructive feedback as part of the evaluation process.	Checked
6.6) Assurances -- Teachers   Assure the district has appeal procedures that are consistent with the regulations and that they provide for the timely and expeditious resolution of an appeal.	Checked

## 6.7) Assurances -- Data

Please check all of the boxes below:

6.7) Assurances -- Data   Assure that SED will receive 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 regulations, in a format and timeline prescribed by the Commissioner.	Checked
6.7) Assurances -- Data   Certify that the district provides an opportunity for every classroom teacher to verify the subjects and/or student rosters assigned to them.	Checked
6.7) Assurances -- Data   Assure scores for all teachers will be reported to NYSED for each subcomponent, as well as the composite rating, as per NYSED requirements.	Checked