

Memorandum of Understanding

between

**Edwards-Knox Central School District
Principals/Instructional Administrators**

and

Edwards-Knox Central School District

Regarding Annual Professional Performance Review

The provisions of this Memorandum of Understanding shall be in effect July 1, 2012 and shall be subject to annual review by the parties.

In compliance with Chapter 103 of the Laws of 2010, as amended by Chapter 21 of the Laws of 2012, the parties agree to a revised principal/instructional administrator evaluation procedure, the primary components of which are outlined below.

1. Definition of Covered Principal/Instructional Administrators

For the 2012-13 school year and beyond, these revisions will apply to principals/instructional administrators supervising all classroom teachers.

2. Ensuring Accurate Principal/Instructional Administrator, Teacher and Student Data

The District shall provide accurate data to the State Education Department (the "SED") in a format and timeline prescribed by the Commissioner. The District shall also provide an opportunity for every covered principal/instructional administrator to verify the roster of teachers supervised by him/her. The District shall designate a Data Coordinator who 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.

3. **Reporting Individual Subcomponent Scores**

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 and principal/instructional administrator in the District, and shall do so in a format and timeline prescribed by the Commissioner.

4. **Development, Security and Scoring of Assessments**

The Data Coordinator shall be responsible for overseeing the assessment development, security, and scoring processes utilized by the District and shall take steps to ensure that any assessments and/or measures used to evaluate teachers and principals/instructional administrators are not disseminated to students before administration, and that teachers and principals/instructional administrators do not have a vested interest in the outcome of the assessments they score.

Local Assessment Determination

The teacher and administrative created state SLO's and local SLO's will be submitted to the Superintendent no later than October 17, 2014.

A small group of teachers and administration have convened and created districtwide state and local SLO's for those staff who are eligible to participate. All other staff will write individual SLO's in conjunction with their state tests and specified course load.

Final approval of the assessment system must come from the superintendent in the form of official certification to the state.

Each principal's/instructional administrator's local assessment score will be converted to a 1-4 rating using a method mutually developed by the District and the Principals/Instructional Administrators. This score will be the HEDI rating. The HEDI rating categories are:

1.0-1.2	Ineffective
1.3-1.8	Developing
1.9-3.0	Effective
3.1-4.0	Highly Effective

The final HEDI rating will then be converted to a 20-point score using the chart in Appendix A. This converted score will be the local assessment portion of the principal's/instructional administrator's APPR.

If a Student Learning Objective (SLO) is utilized for a local assessment, score conversion shall be mutually agreed upon.

5. Details of the District's Evaluation System

Multiple measures will be used to assess a principal's/instructional performance. The rubric will be the McRel Principal Evaluation System), anchored by and aligned with the ISLLC 2008 Educational Leadership Policy Standards. The McRel tool and goals will be tallied to come up with the 60 point calculation.

The 60 points shall be based on broad assessment of principal leadership and management actions based on the practice rubric by the superintendent of schools or other trained evaluator. The weight of the remainder of the evidence will be determined locally and the District's evaluation score will be converted to a 1-4 HEDI rating with categories as follows:

1.0-1.4	Ineffective
1.5-2.4	Developing
2.5-3.4	Effective
3.5-4.0	Highly Effective

This HEDI rating will then be converted to a 60-point score using the chart in Appendix C and this converted score will be District's evaluation portion of the principal's/instructional administrator's APPR.

The evaluation must incorporate multiple school visits by the superintendent of schools or other trained evaluator, at least one of which must be from a supervisor, and at least one of which must be unannounced.

Any remaining points shall be assigned based on results of one or more ambitious and measurable goals set collaboratively with principals/instructional administrators and their superintendents as follows:

- At least one goal must address the principal's/instructional administrator' contribution to improving teacher effectiveness, based on one or more of the district initiatives for the school year. These may include but are not limited to : Data Driven Instruction, Regional interim assessment creation/scoring, planning of professional development, lesson plan templates and building of TCM's/LCM's.
 - o Improved retention of high performing teachers;
 - o Correlation of student growth scores to teachers granted vs. denied tenure; or
 - o Improvements in proficiency rating of the principal on specific teacher effectiveness standards in the principal practice rubric.

- Any other goals shall address quantifiable and verifiable improvements in academic results or the school's learning environment (e.g., student or teacher attendance, increased professionalism and collegiality by providing supportive data).

Goals shall include at least two other sources of evidence from the following options:

- structured feedback from teachers, students, and/or families using a State-approved tool (each constituency is one source);
- review of school documents, records, such as Weekly Staff Update Memo, Faculty Meetings/Agendas/Minutes, Annual Scheduling, Facilitation of Committees at the appropriate grade levels and participation in district-wide committees. (all documents are one source)

Any remaining leadership standards not addressed in the assessment of the principal's/instructional administrator's leadership and management actions must be assessed at least once a year.

6. **Details of Timely and Constructive Feedback Provided to Principals/ Instructional Administrators**

Professional Development

The district will support each principal/instructional administrator's development and ensure that all individuals receive appropriate professional development. Everyone within the system should focus on the goal of student achievement (as per APPR regulations). The district will identify in a timely manner standard areas that need improvement and will provide opportunities for growth.

7. **Appeals of Annual Professional Performance Reviews**

To the extent that a Principal/Instructional Administrator wishes to challenge a performance review and/or improvement plan under the new evaluation system, the following appeals procedure is established in accordance with Section 3012-c of the Education Law.

- I. Appeals will be limited to the following situations:
 - a. A Principal/Instructional Administrator completing the first year of a three-year probationary appointment may appeal only an ineffective APPR composite rating;
 - b. Any other Principal/Instructional Administrator may appeal only an ineffective or a developing APPR composite rating;
 - c. Any Principal/Instructional Administrator may appeal an improvement plan if and only if the plan was generated as the result of an ineffective or developing composite rating.

- II. The scope of any appeal will be limited to the following subjects:

- a. The substance of the individual's annual professional performance review;
 - b. The District's adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-c;
 - c. The adherence to the Commissioner's regulations, as applicable to such reviews;
 - d. Compliance with any applicable locally negotiated procedures regarding annual professional performance reviews or improvement plans, as limited by Section I, above; or,
 - e. The District's issuance and/or implementation of the terms of the Principal/Instructional Administrator improvement plan under Education Law 3012-c in connection with an ineffective or developing rating.
- III. A Principal/Instructional Administrator may not file multiple appeals regarding the same performance review or Principal/Instructional Administrator improvement plan. All grounds for appeal must be raised with specificity within one appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.
- IV. In an appeal, the Principal/Instructional Administrator has the burden of demonstrating a right to the relief requested and the burden of establishing the facts upon which petitioner seeks relief.
- V. The following timelines will be strictly adhered to unless extended by mutual agreement. Failure of the petitioner to meet a timeline will nullify the appeal; failure of the respondent to meet a timeline will allow movement of the appeal to the next level.

Level 1 - Evaluator

(Informal) Following a qualifying event, as defined in Sections I and II, above, the Principal/Instructional Administrator shall be encouraged and shall be entitled to schedule a follow up meeting to informally discuss with the evaluator any and all related issues.

(Formal) Any appeal must be submitted to the evaluator in writing no later than fifteen (15) calendar days of the date when the Principal/Instructional Administrator receives his/her annual professional performance review. If a Principal/Instructional Administrator is challenging the issuance or implementation of a Principal/Instructional Administrator improvement plan, the appeal must be submitted in writing within fifteen (15) calendar days of issuance or of the time when the Principal/Instructional Administrator knew or should have known of an alleged implementation breach of such plan.

When filing an appeal, the Principal/Instructional Administrator must submit a detailed written description of the specific grounds for the appeal as well as the performance review and/or improvement plan being challenged. Along with the appeal, all supporting documentation must be submitted, or specifically noted if pending, as well as the remedy sought by the Principal/Instructional Administrator if the appeal is sustained. Any grounds for appeal or any supporting documentation/information not submitted or noted at the time the appeal is filed shall not be considered.

Within fifteen (15) calendar days of receipt of an appeal, the evaluator responsible for the issue(s) being appealed must submit a detailed written response to the appeal. Along with the response, all supporting documentation must be submitted, or specifically noted if pending, as well as any additional documents or materials relevant to the response. Any supporting documentation/ information not submitted or noted at the time the response is issued shall not be considered in the deliberations related to the resolution of the appeal. The Principal/Instructional Administrator initiating the appeal shall receive copies of the response and any and all additional information submitted with the response.

Level 2 – Panel

Within ten (10) calendar days of receipt of the Level 1 determination, if a Principal/Instructional Administrator is not satisfied with such determination, the Principal/Instructional Administrator must submit the appeal to a bipartisan panel* comprised of two (2) superintendents and two (2) other administration representatives. The panel will be provided the entire appeals record; however, any information identifying the appellant or the appellant's district will be redacted prior to receipt by the panel. Further, the anonymity of the panel members will be protected to the extent possible throughout this procedure.

Within ten (10) calendar days of receipt of the Principal/Instructional Administrator's appeal, the panel will jointly conduct a brief hearing, a paper review, and deliberation of the matter, and will issue a written recommendation for resolution to the Principal/Instructional Administrator and the Superintendent of Schools. The recommendation may be to deny the appeal, to sustain the appeal and grant the remedy sought, or to sustain the appeal and modify the remedy; further, reasoning for the recommendation, as well as dissenting opinions, if any, will be included with the recommendation.

**Upon the District's acceptance (of this appeals procedure, the parties will designate at least one and not more than two administrative representatives as SLL regional panelists. Those individuals will be provided training regarding APPR legislation and regulations and will be expected to be available to serve on panels as needed for appeals in other SLL districts that utilize this appeals procedure. The SLL BOCES will maintain a computerized listing of all representatives from which a random selection of panelists can be obtained. Whenever such a panel is convened, the four panelists must be from four different districts and none can be from the appellant's district.*

Level 3 – District Superintendent (St. Lawrence-Lewis BOCES CEO)

Within ten (10) calendar days of receipt of the Level 2 recommendation for resolution, if either the Principal/Instructional Administrator or the Superintendent of Schools is not satisfied with such recommendation, the dissatisfied party must submit the entire appeals record to the District Superintendent or designee.

Within ten (10) calendar days of receipt of the appeals record, the District

Superintendent or designee will issue a final and binding decision to the Principal/ Instructional Administrator and the Superintendent of Schools. Whether the appeal is denied or sustained, such decision will set forth the reasons and factual basis for each determination on each of the specific grounds raised in the appeal. If the appeal is sustained, the District Superintendent or designee may set aside or modify a rating or improvement plan if it has been affected by substantial error or defect, or order a new evaluation or improvement plan if procedures have been violated.

- VI. This appeals procedure constitutes the exclusive means for initiating, reviewing, and resolving any and all challenges and appeals related to a Principal/Instructional Administrator's performance review and/or improvement plan generated as the result of an ineffective or developing rating.
- VII. Nothing in this appeals procedure will restrict the right of the District or the obligation of the Principal/Instructional Administrator to proceed in accordance with otherwise standard practice, e.g., implementation of an improvement plan or denial/granting of tenure, while an appeal is pending.

8. **Duration and Nature of Training Provided to Evaluators and Lead Evaluators**

- a) The "lead evaluator" is the administrator who is primarily responsible for a teacher's APPR composite rating. The term "evaluator" shall include any administrator who conducts an observation or evaluation of a teacher.
- b) All evaluators shall successfully complete a training course that meets the minimum requirements prescribed by the law and shall include application and use of teacher practice rubrics selected for use by the parties in evaluations.
- c) To be deemed a district certified lead evaluator one must successfully complete a training course meeting the minimum requirements prescribed in the law and regulations.
- d) Other details of the District's training for evaluators, lead evaluators, and appeals panel members, including the duration and nature of such training, the process for certifying lead evaluators, and issues related to the particular practice rubrics selected by the parties, may need to be determined at a later time.
- e) Nothing herein shall be construed to prohibit an evaluator who is properly certified by the State as a school administrator from conducting classroom observations or school visits as part of an annual professional performance review under Chapter 103 prior to completion of the training required by said Chapter or the regulations thereunder, as long as such training is successfully completed prior to completion of the annual professional performance review.

9. **Hold Harmless Provision**

The Regulations of the NYS Commissioner of Education state, tenured teachers and principals with a pattern of ineffective teaching or performance – defined by law as two consecutive annual “ineffective” ratings – may be charged with incompetence and considered for termination through an expedited hearing process.

Therefore, the parties agree to a “hold harmless” provision for APPR to enable all teachers and district administrators to learn from their individual experiences, and make necessary modifications for a fair and valid system. For the 2012-13 school year all principals and instructional administrators who have an Ineffective overall APPR rating will be held harmless for the 2012-13 school year only. The phrase “hold harmless” shall mean that the District shall not use an Ineffective rating as a means for an expedited hearing process or as evidence in a hearing process. A principal/instructional administrator receiving an Ineffective rating is still subject to a TIP.

This plan has been reviewed by the principal/s and superintendent and all terms within are acceptable. The Board of Education has approved this document on 12/15/14 acknowledging the terms and conditions.

Suzanne Kelly 12/11/14
Superintendent of Schools Date

Raymond L. LaPort
Board of Education Representative Date

Amy Delynes 12/11/14
Principal Date

Laura Hughes 12-11-14
Principal Date

Appendix A HEDI Conversion Chart-20% Local Measure

	Category	Conversion for Local Assessment Score
Ineffective		
1		0
1.1		1
1.2		1
1.3		2
1.4		2
Developing		
1.5		3
1.6		4
1.7		5
1.8		5
1.9		6
2		6
2.1		7
2.2		7
2.3		8
2.4		8
Effective		
2.5		9
2.6		10
2.7		11
2.8		12
2.9		13
3		14
3.1		15
3.2		16
3.3		17
3.4		17
Highly Effective		
3.5		18
3.6		18
3.7		19
3.8		19
3.9		20
4		20

APPENDIX B
HEDI Conversion Chart – 15% Local Measures

	Category	Conversion for Local Assessment Score
Ineffective		
1		0
1.1		1
1.2		1
1.3		2
1.4		2
Developing		
1.5		3
1.6		3
1.7		4
1.8		4
1.9		5
2		5
2.1		6
2.2		6
2.3		7
2.4		7
Effective		
2.5		8
2.6		8
2.7		9
2.8		10
2.9		10
3		11
3.1		11
3.2		12
3.3		13
3.4		13
Highly Effective		
3.5		14
3.6		14
3.7		14
3.8		15
3.9		15
4		15

APPENDIX C - CONVERSION CHART – 60% OTHER MEASURES

	Category	Conversion for 60% Other Measures Score
Ineffective 0-49		
1		0
1.1		12
1.2		25
1.3		37
1.4		49
Developing 50-56		
1.5		50
1.6		50.7
1.7		51.4
1.8		52.1
1.9		52.8
2		53.5
2.1		54.2
2.2		54.9
2.3		55.6
2.4		56.3
Effective 57-58		
2.5		57
2.6		57.2
2.7		57.4
2.8		57.6
2.9		57.8
3		58
3.1		58.2
3.2		58.4
3.3		58.6
3.4		58.8
Highly Effective 59-60		
3.5		59
3.6		59.3
3.7		59.5
3.8		59.8
3.9		60
4		60.25 (round to 60)

Appendix D

PRINCIPAL/INSTRUCTIONAL ADMINISTRATOR IMPROVEMENT PLAN

A Principal's/Instructional Administrator's Improvement Plan and process for developing and monitoring an individual educator's PIP must be in place for principals/instructional administrators with a Developing or Ineffective rating within ten (10) school days from the opening of classes in the school year following the performance year.

Principal/Instructional Administrator

Composite Score

Building/Area of Supervision

Score Breakdown

Supervisor

Date(s) of Observation(s)

Differentiated Activities to Support Improvement

Needed Areas of Improvement	Action(s) to be Taken	Supervisor's Responsibilities	Principal/Instructional Administrator's Responsibilities	Timeline for Achieving Improvement	The Manner in which Improvement will be Assessed	Progress Documentation

Supervisor's Signature: _____

Date: _____

Principal/Instructional Administrator's
Signature: _____

Date: _____