

CATTARAUGUS-ALLEGANY-ERIE-WYOMING BOCES (BOCES)
ANNUAL PROFESSIONAL PERFORMANCE REVIEW PLAN (APPR):
TEACHER EVALUATION

2016-17 and Beyond

In accordance with 3012-d of the New York State Education Law, the evaluation process described herein is intended to meet the legislative and regulatory requirements for teacher evaluations in New York State.

New York State Teaching Standards

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

- I 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.
- II 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.
- III Instructional Practice: Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.
- IV Learning Environment: Teachers work with all students to create a dynamic learning environment that supports achievement and growth.
- V Assessment for Student Learning: Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction.
- VI Professional Responsibilities and Collaboration: Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and learning.
- VII Professional Growth: Teachers set informed goals and strive for continuous professional growth.

Teacher Effectiveness: Composite Effectiveness Rating

Commencing in 2016-17, all classroom teachers will receive a Composite Effectiveness Rating as a result of the annual professional performance review in alignment with Education Law 3012-d. Based upon the state-mandated Composite Rating Matrix, teachers will be rated as Highly Effective (HE), Effective (E), Developing (D) or Ineffective (I).

The Composite Rating will be calculated based on the state-mandated matrix, cross-referencing the Student Performance Subcomponent Rating and the Teacher Observation Subcomponent Rating.

		Teacher Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D*	D*	I	I

*If a teacher is rated Ineffective on the Student Performance category, and a State-designed supplemental assessment was included as an Optional subcomponent of the Student Performance category, the teacher can be rated no higher than Ineffective overall (see Education Law §3012-d (5)(a) and (7)).

Student Performance Subcomponent Rating

A rating of Highly Effective (HE), Effective (E), Developing (D) or Ineffective (I) shall be based upon the teacher’s students’ growth on State assessments compared to similarly achieving students. The State will assign each teacher a Student Growth score on a scale of 0-20 as follows:

Growth Score	Rating
18-20 points	Highly Effective
15-17 points	Effective
13-14 points	Developing
0-12 points	Ineffective

2016-2017 through 2018-2019:

During the 2016-2017 through 2018-2019 school years, NYS Education Law prohibits the use of state provided growth scores or scores derived from NYS 3-8 Math/ELA tests. During this time period, teachers with scores derived

from those measures will have those components replaced with SLO's from a NYS approved third party assessment, such as the relevant STAR exam. Per law, both original and transition scores will be reported to NYS.

Where No State Assessment Exists:

If no state assessment exists, or the teacher does not have the minimum number of student scores required, the Student Growth subcomponent of the APPR composite rating will be based upon Student Learning Objectives (SLO's). A student Learning Objective (SLO) is an academic goal for a teacher's students set at the start of a course. SLO's are specific and measurable, based upon prior student learning data, and aligned to Common Core, State, or National standards, as well as to any other school and district priorities. Teachers' ratings are based upon the degree to which their goals are obtained. SLO's will include the following eight basic elements, as required by NYSED:

- Student Population;
- Learning Content;
- Interval of Instructional Time;
- Evidence;
- Baseline;
- Target and HEDI Criteria;
- HEDI Criteria; and
- Rationale.

SLO Development Process:

- Establish baseline data for students in courses by October 15th;
- Identify who will have State-provide growth measures and who must have SLO's by October 15th;
- Develop SLO's and submit electronically by November 1st;
- The appropriate supervisors in each division will review SLO's for approval;
- When disagreements around the content of the SLO's, including growth targets occur, the first conversation toward resolution will be between the teacher and his/her supervisor;
- In the case of unresolved disagreements around content of the SLO's, including growth targets, the Assistant Superintendent will be the point of resolution;
- SLO's will be monitored throughout the year by the appropriate supervisors and concerns will be passed along to the Assistant Superintendent of the Division, and when warranted, to the District Superintendent;
- Establish expectations for scoring SLO's and determining teacher ratings for this subcomponent; and
- Score and Rate SLO's by June 30th. To the extent practicable, no teacher should administer or score an evaluation in which he/she has a vested interest.

Assessments to be used for SLOs:

- For subjects associated with a State assessment or Regents exam (or, in the future, with any new State assessments), State/Regents assessment(s) must be used as the evidence for the SLO where they exist.

- For other grades/subjects where no State assessment or Regents exam currently exists, SLOs will be based on district-determined assessments from the options below.
 - State-approved assessment consisting of the following:
 - State-approved third-party assessment;
 - State-approved district, regional, or BOCES-developed assessment; or
 - School- or BOCES-wide, group, team, or linked results based on State/Regents assessments.

Student Performance Scoring Ranges/Ratings: SLOs

Highly Effective	Effective	Developing	Ineffective
<i>18-20 points</i>	<i>15-17 points</i>	<i>13-14 Points</i>	<i>0-12 Points</i>
90-100% of students meeting or exceeding expected growth targets determined by the superintendent	75-89% of students meeting or exceeding expected growth targets determined by the superintendent	60-74% of students meeting or exceeding expected growth targets determined by the superintendent	0-59% of students meeting or exceeding expected growth targets determined by the superintendent

- Each performance measure must result in a score between 0-20.
- Multiple measures will be combined using a weighted average to produce an Overall Student Performance category score between 0-20.
- The Overall Student Performance score will be converted into a HEDI rating based on the ranges listed below:

	Overall Student Performance Category Score and Rating	
	<i>Minimum</i>	<i>Maximum</i>
<i>H</i>	18	20
<i>E</i>	15	17
<i>D</i>	13	14
<i>I</i>	0	12

Teacher Observation Subcomponent Rating

The *Framework for Teaching* (2007) by Charlotte Danielson rubric will be used to evaluate teachers. All personnel serving as evaluators shall be trained on the Charlotte Danielson (2007) *Framework for Teaching* Rubric.

In order to support continuous professional growth, multiple classroom observations will be conducted, which may consist of a combination of “long” (minimum 30 minutes) and

“short” (maximum 30 minutes). At least one of the observations must be unannounced. The announced observation may be completed in person or through live video. The unannounced observation must be completed in person.

For the longer observations, a pre- and post- observation conference will occur. The pre-conference shall occur no more than five (5) school days prior to the observation, unless the teacher and supervisor mutually agree upon a longer timeline. In order to provide feedback, the evaluator will briefly discuss the performance observation with the unit member within two (2) workdays after the longer observation (s), if possible. A post-conference meeting will occur within fifteen (15) workdays to discuss the longer performance observation.

Consideration should be given when selecting the time of a performance observation, i.e., observations should be avoided the day before/after holidays or during the first or last two (2) weeks of the school year. Before observations are conducted by an Independent Evaluator, he/she should consult with the appropriate supervisor to ensure timing and situations are appropriate.

Each Division within BOCES will be responsible for providing members of its administrative team, including the Assistant Superintendent of the Division, to perform Independent Evaluations. In rare and unforeseen circumstances, and with UBTA approval, provisions may be made for Independent Evaluators to cross divisions to assist with evaluations.

First Year, Non-Tenured Teachers will have a minimum of two (2) “long” observations, at least one of which will be unannounced. The unannounced observation will be completed by an Independent Evaluator as defined by regulations. Additional short or long observations will be conducted based upon the evaluator’s discretion. The evaluator will inform the teacher at the onset of any observation that the teacher is being formally observed. The first long observation will occur within the first five (5) months of employment, and the second will occur and be submitted by the evaluator by June 1st. The observations by the supervisor will carry a weight of 90% toward the Teacher Observation Subcomponent Rating, while the Independent Evaluator’s rating will carry a weight of 10%.

Second Year and Beyond Teachers will have a minimum of two (2) observations each year. One “long” observation will be completed by the supervisor. One “short” will be an unannounced and will be completed by an Independent Evaluator, as defined by regulations. Additional short or long observations will be conducted based upon the evaluator’s discretion. The evaluator will inform the teacher at the onset of any observation that the teacher is being formally observed. Observations will occur and be submitted by June 1st. The observations by the supervisor will carry a weight of 90% toward the Teacher Observation Subcomponent Rating, while the Independent Evaluator’s rating will carry a weight of 10%.

Evidence in Support of Domains 1 and 4

Conversations in support of scoring components within Domains 1 and 4 will occur during the observation cycle (preconference, observation, postconference), which will be submitted by the evaluator on My Learning Plan within 15 school days of the observation. Two (2) focus components in Domain 1 will be selected each year by the Assistant Superintendent of each Division, while the third focus component of Domain 1 will be selected each year by the UBTA for each Division. One (1) focus component in Domain 4 will be selected each year by the Assistant Superintendent of each Division, while the second focus component of Domain 4 will be selected each year by the UBTA for each Division. Focus indicators will be selected by June 30th of the previous school year. All components will be scored over the course of a 3 year period. Nothing limits the discretion of the supervisor to score all observed components within Domain 1 and Domain 4. Similarly, teachers may initiate conversations toward the scoring of the non-focus components. Questions that prompt teachers to think about the components within Domains 1 and 4 will be available for teachers to complete on the preconference form.

Final Observation Rating

Each set of observations/school visits (by supervisor/other trained administrator, or independent evaluator) will be completed using a rubric with rating categories that are aligned to HEDI ratings and 1-4 levels. Each observation/school visit will be score between 1 and 4.

- All observable domains of the teaching rubric will be assessed at least once a year across the total number of observations.
- Once all evaluations are complete, the different types of observations/school visits will be combined using a weighted average, producing an Overall Teacher Observation Subcomponent score between 1-4.
- In the event that a teacher earns a score of 1 on all rated components in a domain of the practice rubric across all observations, a score of 0 will be assigned.
- The Overall Teacher Observation Subcomponent Score will be converted into a HEDI rating based on locally determined ratings listed below.

	Overall Teacher Observation Subcomponent Score and Rating	
	Minimum	Maximum
H	3.5	4.0
E	2.5	3.49
D	1.5	2.49
I	0	1.49

***Teachers will receive their Final Observation Rating through My Learning Plan by the end of the school year in which the rating was conducted.**

Composite Effectiveness Rating (Final Rating):

Based upon the Overall Teacher Observation Subcomponent Rating and the Overall Student Performance Subcomponent Rating, teachers will receive a Composite Effectiveness Rating as Highly Effective (HE), Effective (E), Developing (D) or Ineffective (I).

The Composite Effectiveness Rating will be calculated based on the state-mandated matrix, cross-referencing the Student Performance Subcomponent and the Teacher Observation Subcomponent.

		Teacher Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D*	D*	I	I

*If a teacher is rated Ineffective on the Student Performance category, and a State-designed supplemental assessment was included as an Optional subcomponent of the Student Performance category, the teacher can be rated no higher than Ineffective overall (see Education Law §3012-d (5)(a) and (7)).

***Teachers will receive their Final Composite Rating through My Learning Plan by September 1st of the following school year.**

Use and Submission of APPR Data

Enrolled students in accordance with teacher of record policies will be included and may not be excluded from the evaluation process.

Every classroom teacher will be given an opportunity to verify the subjects and/or student rosters assigned to them.

BOCES will be responsible to ensure 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 regulations, including providing scores for all teachers for each category, as well as the overall rating.

Both BOCES and teachers will be responsible for following procedures for ensuring data accuracy and integrity are being utilized.

Pupil Personnel Procedures

For all Pupil Personnel not covered by 3012-d (Social Workers, Behavioral Specialists, Counselors, Speech Language Pathologists/Therapists, OT, PT, Psychologists, Math Coach, Literacy Coach, CSE Chairpersons, Preschool Teachers, and Teacher Assistants) at least one supervisor's evaluation, or multiple evaluations if not tenured, will be completed using the appropriate Danielson rubric/form.

Procedures for scoring Domains 1 and Domain 4 for Pupil Personnel will be similar to those outlined in this agreement for teachers under 3012-d, with focus areas selected.

Teacher Improvement Plans (TIPs)

Teachers earning an overall Composite Effectiveness Rating of Developing or Ineffective will enter into a Teacher Improvement Plan (using form in Appendix A). The Supervisor will be responsible for formulating and developing the TIP in collaboration with the Assistant Superintendent of the Division. The TIP should begin no later than October 1st following the school year for which the teacher's performance was rated Developing or Ineffective.

Appeal Procedure

Teachers may only appeal an Ineffective rating of an overall APPR composite rating. All appeals must be based upon at least one of the following grounds:

1. the substance of the annual professional performance review, pursuant to Education Law 3012-d;
2. the BOCES adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-d.

Teachers may not file multiple appeals regarding the same performance review. The appeal procedure contained in this APPR plan is the exclusive means for initiating, reviewing and resolving challenges related to teacher performance reviews. A teacher may not resort to any other contractual grievance procedure for the resolution of challenges and appeals related to professional performance review, except as provided by law. Any deviations in the timelines of the stages will be mutually agreed upon by the association and the district and will be in compliance with the timeliness provisions found in 3012-d of NYS Education Law.

In the event the teacher chooses to initiate an appeal of a State Provided Growth Score with the NYS Education Department, all regulations of that appeal process must be followed. In addition, the appeals process contained herein will only go into effect at the conclusion of that appeal. Within seven (7) days of notification to the BOCES of a decision by the NYS Education Department, the BOCES will regenerate and deliver to the teacher the adjusted score. The teacher will then have seven (7) days to begin the local appeals process, as described below.

Stage 1:

A teacher wishing to appeal an ineffective rating on an overall APPR composite rating must file their appeal in writing to the Evaluating Administrator within seven (7) calendar days of receiving their appealed rating or any other ineffective composite rating. A copy of the appeal must also be provided to the Association President. The appeal must include the grounds for the appeal. Any grounds not raised at the time the appeal is filled will be deemed waived. The teacher must submit all supporting information with the appeal. Information not submitted at the time the appeal is filed will not be considered.

Within five (5) calendar days of receiving the appeal, the Evaluating Administrator must submit a response to the appeal and hold a conference with the teacher. If the appeal is upheld, the updated evaluation related to the appeal and/or Teacher Improvement Plan to be implemented as a result of the upheld appeal will be forwarded to the District Superintendent for confirmation, and a copy will be placed in the teacher's personnel file.

Stage 2:

If a teacher is not satisfied with the outcome at Stage 1 and wishes to appeal, the teacher must file their appeal, in writing, to the APPR Review Committee within two (2) calendar days of the conference with the Evaluating Administrator. The APPR Review Committee will be comprised of three (3) individuals; one representative chosen by the Association; one representative chosen by the District; and a third representative mutually chosen by the parties. Should the parties not be able to agree to a third member, one shall be chosen at random from a list of names (not to exceed 3) provided by each of the first two (2) committee members.

Appeals to the Committee must be concluded and a final recommendation rendered, based on consensus, within eight (8) calendar days from receipt of the appeal at Stage 2. The decision shall be based upon the written record, which records include: any evaluation impacting the appealed rating; supporting documentation submitted by the teacher and Evaluating Administrator; and the appeal record. The APPR Review Committee shall forward to the District Superintendent its written recommendation on the appeal. A copy of the recommendation shall also be given to the teacher.

Stage 3:

The District Superintendent or his/her designee shall review the recommendation of the APPR Review Committee and issue a written response to the teacher within eight (8) calendar days of receipt of the committee's decision. The decision of the District Superintendent or his/her designee shall be final and binding and not subject to the grievance process. However, BOCES failure to abide by the negotiated appeal process is subject to the grievance procedure. The District Superintendent or his/her designee has the right to affirm, modify or rescind the evaluation in question. The District Superintendent or his/her designed may also order a new observation and evaluation to take place using a different evaluator.

Copies of the decision of the District Superintendent or his/her designee will be sent to the original evaluator and to the members of APPR Review Committee. A copy of the written appeal and relevant documentation shall be given to the teacher and placed in the teacher's personnel file.

Process for Training Lead Evaluators/Evaluators/Independent Observers:

The CA BOCES Instructional Support Services Evaluator Program will provide training, consisting of 1 day/6 hours of instruction, to Lead Evaluators/Evaluators and will address all 9 elements required for certification according to subpart 30-3.10(b) of the Rules of the Board of Regents:

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 any other growth model approved by the Department as defined in section 30-3.2 of this Subpart;
4. Application and use of the State-approved teacher rubric(s) selected by the district/BOCES for use in evaluations, including training on the effective application of such rubrics to observe a teacher's practice;
5. Application and use of any assessment tools that the school district/BOCES utilizes to evaluate its classroom teacher;
6. Application and use of any locally selected measures of student growth used in the Optional subcomponent of the Student Performance category used by the district/BOCES to evaluate its teachers;
7. Use of the Statewide Instructional Reporting System;
8. The scoring methodology utilized by the Department and/or the district/BOCES to evaluate a teacher under this Subpart, including the weightings of each subcomponent within a category; how overall scores/ratings are generated for each subcomponent and category and application and use of the evaluation matrix(es) prescribed by the Commissioner for the four designated rating categories used for the teacher's overall rating and their category ratings and;
9. Specific considerations in evaluating teachers of English language learners and students with disabilities.

The CA BOCES Instructional Support Services Evaluator Program will provide required training, consisting of 1 day/6 hours of instruction, for Independent Evaluators and will address all 3 elements required for certification according to subpart 30-3.10(c) of the Rules of the Board of Regents:

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 and;
3. Application and use of the State-approved teacher rubric(s) selected by the district/BOCES for use in evaluations, including training on the effective application of such rubrics to observe a teacher's practice.

Process for ensuring inter-rater reliability:

The CA BOCES Instructional Support Services Evaluator Program will provide required training, consisting of 1 day/6 hours of instruction, for all Evaluators related to inter-rater reliability.

Process for the certification and re-certification of lead evaluators:

Certification of Evaluators:

The BOCES District Superintendent will certify

Lead Evaluators/Evaluators/Independent Evaluators qualified to conduct teacher evaluations under 3012-d and the Rules of the Board of Regents after they have completed 1 training, at least 1 full day/6 hours of instruction, per school year offered by CA BOCES Instructional Support Services Evaluator Program AND after they have complete at least 1 required training, consisting of 1 day/6 hours of instruction, related to inter-rater reliability.

Recertification of Evaluators:

The BOCES District Superintendent will recertify Lead Evaluators/Evaluators/Independent Evaluators qualified to conduct teacher evaluations under 3012-d and the Rules of the Board of Regents after they have completed 1 training, at least 1 full day/6 hours of instruction, per school year offered by CA BOCES Instructional Support Services Evaluator Program AND after they have complete at least 1 required training, consisting of 1 day/6 hours of instruction, related to inter-rater reliability.

Appendix A

Teacher Improvement Plan – (TIP)

Educator:

Position:

Evaluator:

Date:

Domains in which the educator is in need of improvement:

Area Needing Improvement	Domain	Priority	Performance Goal (s)

Professional improvement activities and anticipated dates for follow-up meetings/progress check:

Professional Development/Materials/Resources Supports	Timeline/Follow-up Date

Evidence that will be used to determine if performance indicators have been achieved:

Educator/Administrator Meetings re: TIP

Meeting Date:

Administrator Comments:	Educator Comments:
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Meeting Date:

Administrator Comments:	Educator Comments:
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Meeting Date:

Administrator Comments:	Educator Comments:
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My administrator and I have discussed this improvement plan. My signature does not endorse nor refute this plan.

_____	_____
Signature of Educator	Date
_____	_____
Signature of Administrator	Date

Recommendations/Results of : TIP

- Educator has met performance goals identified
- Educator has not met performance goals identified. Recommendation:

_____	_____
Signature of Educator	Date
_____	_____
Signature of Administrator	Date

Appendix B

**APPR Evaluation Appeals Form
Cattaraugus-Allegany BOCES**

You must submit this form to the evaluating administrator within 7 days of receiving your summative APPR Evaluation Score. Please review the APPR Evaluation appeals process for guidance and timelines.

Evaluation Appeal Information

I request review of the attached evaluation to determine in the evaluation rating should be affirmed or overturned.

Educator Name (print): _____

Educator Title: _____ Job Placement/Location: _____

Evaluating Administrator: _____ Administrator Title: _____

Evaluation Date: _____ Date Summative Results Received from Administrator: _____

Date Appeal Submitted: _____

Indicate grounds for appeal. If there are several, all must be indicated within one appeal. **Any grounds not raised at the time the appeal is filed shall be deemed waived.** Please check all that apply:

_____ The BOCES adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-d.

_____ The adherence to the Commissioner's regulations, as applicable to such reviews.

_____ Compliance with any locally negotiated procedures applicable to annual professional performance reviews or improvement plan.

_____ The BOCES issuance and/or implementation of the terms of the teacher improvement plan under Education Law 3012-d.

Appeal Justification. Explain why you believe the evaluation should be reviewed/overturned. **Please note: Attach the evaluation being appealed and any supporting documentation for the Review Panel. Information not submitted at the time the appeal is filed will not be considered.**

Appeals Process – Stage 1 – Evaluator Respons

This process much be completed within 5 days of receipt of appeal.

Date received by administrator: _____

Evaluator Response:

Supporting Documentation:

Conference with evaluator and teacher date: _____ Outcome: ____ Affirmed ____ Overturned

Teacher Signature: _____ Evaluator Signature: _____

If the evaluation is affirmed, the teacher has 2 calendar days to decide to send the appeal to Phase 2.

Appeals Process – Stage 2 – APPR Review Committee

This process must be completed within 8 days of receipt following Phase 1 decision.

Date received by review committee: _____

Review Committee Comments:

Review Committee Resolution Date: _____ Outcome: ____ Affirmed ____ Overturned

If the evaluation is affirmed, the teacher has 2 calendar days to decide to send the appeal to Phase 3.

____ APPR Accepted – Teacher Signature: _____ Date: _____

____ Phase 3 Appeal Requested – Teacher Signature: _____ Date: _____

Appeals Process – Stage 3 – Superintendent’s Final Decision

The process must be completed within 6 days of receipt following Phase 2 decision.

Date received by Superintendent/Designee: _____

Superintendent/Designee Comments:

Final Decision Date: _____ Outcome: ____ Affirmed ____ Overturned