

**CINCINNATUS CENTRAL SCHOOL**  
**ANNUAL PROFESSIONAL PERFORMANCE REVIEW PLAN (APPR)**  
**2016 - 2019**

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**THIS MEMORANDUM OF AGREEMENT** is made and entered into this 29th day of September, 2016, by and between the **CINCINNATUS CENTRAL SCHOOL DISTRICT** and the **CINCINNATUS EDUCATION ASSOCIATION**. Both parties agree to meet annually, beginning in September of 2017 for the purpose of ongoing review and possible adjustment of this MOA.

**RECITALS:**

**WHEREAS**, the Superintendent of Schools and the Cincinnatus Education Association have met to conduct collective negotiations for a new Annual Professional Performance Review (APPR) Plan as required in §3012-d of the Education Law and the Rules of the Board of Regents as contained within 8 NYCRR ¶30-2 and ¶30-3 ; and

**WHEREAS**, the parties subsequently conducted negotiations concerning the APPR Plan requirements contained in §3012-d of the Education Law and the Rules of the Board of Regents as contained within 8 NYCRR ¶30-2 and ¶30-3, and have reached a negotiated agreement to implement the APPR requirements, were fully represented in such deliberations, and had all the terms and conditions herein contained thoroughly explained and fully understand the meaning thereof; and

**WHEREAS**, the parties have determined that a number of the existing provisions of the APPR agreement are not in compliance with §3012-d of the Education Law and the rules of the Board of Regents as contained within 8 NYCRR ¶30 and ¶30-3, the parties agree the provisions negotiated herein will apply; and

**NOW, THEREFORE**, in consideration of the mutual undertakings and covenants herein contained, the parties stipulate and agree that the following terms and conditions shall set forth the agreements between them and shall be the APPR Plan for the Cincinnatus Central School District for

bargaining unit members covered by §3012-d of the Education Law and the rules of the Board of Regents as contained within 8 NYCRR ¶30 and ¶30-3:

## **ARTICLE I INTRODUCTION**

On April 13, 2015, the Governor signed Chapter 56 of the Laws of 2015, to add a new Education Law §3012-d, for the purpose of establishing a new evaluation system for classroom teachers and building principals.

As such the governing body of each school district and BOCES was required to adopt a plan, which may be an annual or multi-year plan, for the annual professional performance review of its teachers providing instructional services or pupil personnel services.

This plan, jointly developed by the CEA and the District, was designed to meet all required elements of Chapter 56 for the 2016-2017 school year. Once approved by the governing body of the school district, the plan will be filed in the district office and posted to the district website. Should the parties modify the plan in the future, the new version will be posted on the district website.

In the 2016-2017 school year, the new law will apply to all classroom teachers. Other members of the Cincinnatus Education Association shall be covered by the preexisting evaluation system found in the collective bargaining agreement.

## **ARTICLE II GENERAL CONDITIONS**

**2.1 Modifications to Negotiated Agreement.** Effective on the date this Agreement is approved and executed by both parties, this Agreement shall supersede any provision of the collective bargaining agreement between the District and the Cincinnatus Education Association pertaining to the observation and the evaluations of teachers.

**2.2** Nothing in this APPR Plan shall abrogate the rights of the Cincinnatus Central School District, its Board of Education and Superintendent of Schools to:

Identify and implement additional or different criteria for the evaluation of teachers, or principals or other individuals subject to the requirements of Education Law §3012-d, its amendments and implementing rules and regulations;

Discontinue the employment of a probationary teacher or in accordance with Education Law §3012 and §3031 or restrict or limit the discretion of the Superintendent of Schools or Board of Education in making a determination on the status of a probationary teacher, principal or administrator and/or to deny tenure;

Apply the requirements of Education Law §3012-d, its amendments and implementing rules and regulations; or

Discontinue this APPR Plan and the provisions of this Agreement should Education Law §3012-d, its amendments and implementing rules and regulations be repealed or modified so that the APPR Plan is no longer required or is voluntary.

2.3 The inclusion of the APPR Plan elements in this memorandum that are not required subjects of negotiations shall not constitute a waiver of the right of the Superintendent of Schools and Board of Education to: (1) decline to negotiate such elements and/or (2) to make unilateral decisions and changes with respect to such elements. The inclusion of such elements in this memorandum is for informational purposes only and any decisions or actions with respect to such elements shall not be subject to the appeal procedures contained within this memorandum.

2.4 **Test Integrity.** The District will ensure that no teacher shall score or administer any examination where the teacher has a vested outcome in the results of that examination (used to determine the teacher's composite score, or any part thereof). The District will house assessments in a secure location until the time when the assessment will be administered to students. To the extent possible, local assessments will be regionally developed.

The District's Superintendent shall be responsible for ensuring that all security requirements set forth in the SED Administrative Manuals are strictly followed for NYS Assessments administered in the district. The established protocols for storage, distribution, and administration of the assessments prohibit the possible dissemination to students before administration of the assessments.

The Superintendent is also responsible for organizing scoring procedures in order to ensure that district scorers are trained to score the assessments and that they have no vested interest in the outcome of the assessments they score and to ensure that students have no knowledge of assessment tasks.

### **ARTICLE III TEACHER EVALUATION**

#### **3.1 New York Teaching Standards**

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

- **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.
- **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.

- **Instructional Practice:** Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.
- **Learning Environment:** Teachers work with all students to create a dynamic learning environment that supports achievement and growth.
- **Assessment for Student Learning:** Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction.

This includes assessment techniques based on appropriate learning standards designed to measure students’ progress in learning and that he or she successfully utilizes analysis of available student performance data (for example: State test results, student work, school-developed assessments, teacher-developed assessments, etc.) and other relevant information (for example: documented health or nutrition needs, or other student characteristics affecting learning) when providing instruction.

- **Professional Responsibilities and Collaboration:** Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and learning. This includes the development of effective collaborative relationships with students, parents or caregivers, as needed, and appropriate support personnel to meet the learning needs of students; and
- **Professional Growth:** Teachers set informed goals and strive for continuous professional growth.

#### **ARTICLE IV TEACHER EFFECTIVENESS**

4.1 Faculty will be evaluated as per NYS requirements under regulation §3012-d. Annual professional performance reviews shall differentiate teacher effectiveness using a composite effectiveness rating. Based on the teacher’s composite effectiveness score a classroom teacher shall be rated as either:

Highly Effective	(H)
Effective	(E)
Developing	(D)
Ineffective	(I)

The composite effectiveness rating shall be comprised of two (2) components:

- A. Student Performance
- B. Principal Observation

Each Teacher’s final rating is based on a matrix that takes into consideration the HEDI rating for each teacher on both categories above. The matrix is as follows:

Overall 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

**A. STUDENT PERFORMANCE COMPONENT:**

**Transition Period: Sections 30-2.14 and 30-3.17**

- i. During the 2016-2017 through 2018-2019 school years for the required subcomponent of the Student Performance Category: For teachers and principals who receive a State provided growth score (i.e., grades 4-8 ELA and math teachers and principals of buildings that include grades 4-8 or all of grades 9-12), the growth score shall be excluded from the scores and ratings used to calculate the transition score and rating. Additionally, during the 2016-2017 through 2018-2019 school years, the requirement that back-up SLOs be developed for grades 4-8 ELA/math teachers and principals of buildings that include those grade levels is being suspended and such measures do not need to be developed. Provided, however, that alternate SLO’s must continue to be developed in instances where there are no remaining student performance measures for purposes of calculating transition scores and ratings.
- ii. For teachers and principals who do not receive their own State-provided growth scores (e.g., grade 3ELA and math teachers, 6-8 science and social studies teachers, principals of K-2 buildings, etc.), the results of the grades 3-8 ELA and math State assessments and any State-provided growth scores must be excluded when calculating the transition score and rating. If a measure is based only in part on the grades 3-8 ELA/math State assessments or State-provided growth scores (e.g., an SLO based on a group measure using results from the 3-8 ELA State assessments and results from Regents assessments, districts/BOCES must determine whether to use the measure with the remaining assessments.
- iii. During the Transition Period, teachers, under §3012-d, will receive their Student Performance rating based on the following:

Highly Effective			Effective			Developing		Ineffective												
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
97-100%	93-96%	90-92%	85-89%	80-84%	75-79%	67-74%	60-66%	55-59%	49-45%	44-48%	39-43%	34-38%	29-33%	25-28%	21-24%	17-20%	13-16%	9-12%	5-8%	0-4%

**Overall Student Performance Category Score and Rating**

<b>HEDI Rating</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Highly Effective (H)	18	20
Effective (E)	15	17
Developing (D)	13	14
Ineffective (I)	0	12

Performance Measure

<b>NY State Regents Examinations</b>	<b>65% -100%</b>
Algebra (Common Core)	100%
Earth Science	100%
US History	100%
Living Environment	100%
Geometry (Common Core)	100%

Total # of NYS Regents Examinations Scoring a 65% or Higher  
(55% or Higher for Students with IEP's or 504's)

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Total # of NYS Regents Examinations Taken

=

**Target of 100% at  
65% or Higher  
(55% or Higher for  
Students with IEP's  
or 504's)**

**EXAMPLE:**

*School Year*

<i>NYS Regents Examination</i>	<b>65-100%</b>	<i># of Exams at 65% or Higher (55% or Higher for Students with IEP's or 504's)</i>	<i>Total # of Exams Taken</i>	<i># of Exams at 65% or Higher (55% or Higher for Students with IEP's or 504's)</i>
<i>Algebra</i>	100%	47	50	94%
<i>Geometry</i>	100%	46	52	89%
<i>United States History</i>	100%	49	55	89%
<i>Earth Science</i>	100%	47	48	98%
<i>Living Environment</i>	100%	46	50	92%
<b>TOTALS</b>	100%	235	255	92%

Total # of NYS Regents Examinations Scoring a 65% or Higher (55% or Higher for Students with IEP's or 504's)	=	<b>Target of 100% at 65% or Higher</b> (55% or Higher for Students with IEP's or 504's)	=	<table style="margin: auto;"> <tr> <td style="text-align: right;">235</td> <td style="border-bottom: 1px solid black; width: 20px;"></td> <td style="text-align: left;">255</td> </tr> <tr> <td colspan="3" style="text-align: center;">92%</td> </tr> </table>	235		255	92%		
235		255								
92%										
Total # of NYS Regents Examinations Taken				<table style="margin: auto;"> <tr> <td style="text-align: center; width: 40px;"><b>92%</b></td> </tr> </table>	<b>92%</b>					
<b>92%</b>										

In this example, an average of 92%, when referenced with the HEDI scales equates to an 18, which translates to a rating of Highly Effective (H).

- iv. Subsequent to the Transition Period, teachers, under §3012-d with a State provided growth measure, will receive their Student Performance rating based upon the two following components:

Component #1: State issued Student Performance Rating (25%)

Component #2: Locally developed and issued Student Performance Rating (25%) based on the following;

Highly Effective			Effective			Developing		Ineffective												
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
97-100%	93-96%	90-92%	85-89%	80-84%	75-79%	67-74%	60-66%	55-59%	49-45%	44-48%	39-43%	34-38%	29-33%	25-28%	21-24%	17-20%	13-16%	9-12%	5-8%	0-4%

Overall Student Performance Category Score and Rating

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(55% or Higher for Students with IEP's or 504's)

Total # of NYS Regents Examinations Taken

=

**Target of 100% at  
65% or Higher  
(55% or Higher for  
Students with IEP's  
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**EXAMPLE:**

*School Year*

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235								
255								
Total # of NYS Regents Examinations Taken								

In this example, an average of 92%, when referenced with the HEDI scales equates to an 18, which translates to a rating of Highly Effective (H).

- v. Subsequent to the Transition Period, teachers, under §3012-d without a State provided growth measure, will receive their Student Performance rating based upon the two following components:

Component #1: District issued Student Performance Rating (25%) based on District determined assessments using Student Learning Objectives (SLO's)

Component #2: Locally developed and issued Student Performance Rating (25%) based on the following;

Highly Effective			Effective			Developing		Ineffective												
20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
97-100%	93-96%	90-92%	85-89%	80-84%	75-79%	67-74%	60-66%	55-59%	49-45%	44-48%	39-43%	34-38%	29-33%	25-28%	21-24%	17-20%	13-16%	9-12%	5-8%	0-4%

Overall Student Performance Category Score and Rating

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Earth Science	100%
US History	100%
Living Environment	100%
Geometry (Common Core)	100%

Total # of NYS Regents Examinations Scoring a 65% or Higher  
(55% or Higher for Students with IEP's or 504's)

Total # of NYS Regents Examinations Taken

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65% or Higher  
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**EXAMPLE:**

<i>NYS Regents Examination</i>	<i>School Year</i>			
	<b>65-100%</b>	<i># of Exams at 65% or Higher (55% or Higher for Students with IEP's or 504's)</i>	<i>Total # of Exams Taken</i>	<i># of Exams at 65% or Higher (55% or Higher for Students with IEP's or 504's)</i>
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<b>TOTALS</b>	100%	235	255	92%

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235	/	255											
=													
<b>92%</b>													
Total # of NYS Regents Examinations Taken													

In this example, an average of 92%, when referenced with the HEDI scales equates to an 18, which translates to a rating of Highly Effective (H).

**B. PRINCIPAL OBSERVATION COMPONENT**

Based on its inclusion of the SED-approved list of rubrics, the NYUST rubric (It is acknowledge by the parties that only the following elements can be observed in a classroom setting; Element I, 1, B, Element II., 6, A & C, Element III, 1, A & C, Element III, 2, A, B, C & D, Element III, 4, A, Element III, 6, B & C, Element IV, 1, A & C, Element IV, 2, B & C, Element IV, 3, A & B. Other elements may become observable during any pre or post observation meeting where conversation between the observer and the classroom teacher take place.) will be used to evaluate classroom teachers. Teachers shall be evaluated annually on the seven (7) teaching standards of the rubric.

- i. The lead evaluator shall be the building principal. The independent evaluator shall be any other certified administrator within the Cincinnatus CSD.

ii. Observations

- a. There will be a minimum of two (2) observations for all tenured teachers. One (1) observation will be an announced formal observation and will be conducted by the building principal. This observation will be a full teaching period observation. One (1) observation will be unannounced. The unannounced observation will be a walk through observation and be a minimum of fifteen (15) minutes in duration. This observation will be conducted by any other certified administrator within the Cincinnatus CSD.
  
- b. There will be a minimum of four (4) observations for all untenured teachers. One (1) observation will be an announced formal observation and will be conducted by the building principal. This observation will be a full teaching period observation. One (1) observation will be an unannounced formal observation conducted by the building principal. This observation will be a full teaching period observation. One (1) observation will be an unannounced walk through observation conducted by any other certified administrator within the Cincinnatus CSD. This observation will be a minimum of fifteen (15) minutes in duration. One (1) observation will be unannounced walk through observation conducted by the building principal. This observation will be a minimum of fifteen (15) minutes in duration.

iii. Weighting of observations will be:

- a. Tenured Teachers (must be agreed to by the Parties)

Announced Observation = 90% - Building Principal  
Unannounced Observation = 10% - Independent Evaluator

or

Announced Observation = 90% or 80% - Building Principal  
Unannounced Observation = 10% or 20% - Independent Evaluator

\*(The decision of the weighting of the [90% & 10 % or 80% & 20%] observations will be made by the affected teacher subsequent to the scoring of both observations.)

- b. Untenured Teachers

Announced Observation (class period) = 40% Building Principal  
Unannounced Observation (class period) = 40% Building Principal  
Unannounced Observation (walk-thru) = 10% Independent Evaluator  
Unannounced Observation (walk-thru) = 10% Building Principal

**SCORING OF OBSERVATIONS (Example: Tenured Teacher - 10 pts./90pts.)**

NYS Standards	Unannounced (walk through) 10 pts. Independent Evaluator * see page #21	Announced (full period) 90 pts. Principal * see page #21
1		3
2		4
3		3
4	2	
5		2
6	3	
7		3
Subtotal	5	15
Subtotal divided by number of domains evaluated (round to nearest tenth)	$5/2 = 2.5$	$15/5 = 3.0$
Weighting Value	$10/100 = .10$	$90/100 = .90$
Value of Weighted Scores	$2.5 \times .10 = .25$	$3.0 \times .90 = 2.70$
Sum of Weighted Scores		$.25 + 2.70 = 2.95$
HEDI Rating (Other Measures of Effectiveness)		Effective

**Overall Rubric Score Conversion Teacher Observation**

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

**SCORING OF OBSERVATIONS (Example: Tenured Teacher - 20 pts./80pts.)**

NYS Standards	Unannounced (walk through) 20 pts. Independent Evaluator * see page #21	Announced (full period) 80 pts. Principal * see page #21
1		3
2		4
3		3
4	2	
5		2
6	3	
7		3
Subtotal	5	15
Subtotal divided by number of domains evaluated (round to nearest tenth)	$5/2 = 2.5$	$15/5 = 3.0$
Weighting Value	$20/100 = .20$	$80/100 = .80$
Value of Weighted Scores	$2.5 \times .20 = .50$	$3.0 \times .80 = 2.40$
Sum of Weighted Scores		$.50 + 2.40 = 2.90$
HEDI Rating (Other Measures of Effectiveness)		Effective

**Overall Rubric Score Conversion Teacher Observation**

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

**SCORING OF OBSERVATIONS (Untenured Teacher Example)**

NYS Standards	Unannounced (walk through) 10 pts. Independent Evaluator	Announced (full period) 40 pts. Principal	Unannounced (full period) 40 pts. Principal	Unannounced (walk through) 10 pts. Principal
1		3	3	3
2		4	3	3
3		3	3	2
4	2			
5		2	3	
6	3		3	
7		3		
Subtotal	5	15	15	8
Subtotal divided by number of domains evaluated (round to nearest tenth)	$5/2 = 2.5$	$15/5 = 3.0$	$15/5 = 3.0$	$8/3 = 2.7$
Weighting Value	$10/100 = .10$	$40/100 = .40$	$40/100 = .40$	$10/100 = .10$
Value of Weighted Scores	$2.5 \times .10 = .25$	$3.0 \times .40 = 1.20$	$3.0 \times .40 = 1.20$	$2.7 \times .10 = .27$
Sum of Weighted Scores				$.25 + 1.20 + 1.20 + .27 = 2.92$
HEDI Rating (Other Measures of Effectiveness)				Effective


**ARTICLE V  
PROFESSIONAL DEVELOPMENT**

Professional development objectives for the teacher will be based on the evaluation, in addition to school and/or district priorities.

**ARTICLE VI  
TIMELY PROVISION OF FEEDBACK**

**TENURED TEACHERS**

Each tenured teachers' announced formal observation shall include both a pre and post conference.

For announced formal observations for tenured teachers, a pre-observation conference will occur at which time the teacher will have the option of presenting lesson/unit plans and other artifacts of evidence.

Each tenured teacher's unannounced walk-thru observation shall include a post observation conference.

The post observation conferences referenced above for tenured teachers can be waived by a mutual consent of both the administrator and the tenured teacher. Tenured teachers wishing to move forward with the post-observation conference will present evidence of student work, reflections on lessons observed, or other artifacts. The evaluator will present evidence from lesson observed. The teacher and evaluator will discuss ratings and next steps for professional growth. The evaluator shall provide the teacher with a copy of the completed observation form. The evaluator will provide the teacher with the rubric score within four (4) days of the post-conference.

**UNTENURED TEACHERS**

Each untenured teachers' formal announced observation, shall include both a pre and post observation conference.

For announced formal observations, a pre observation conference will occur at which time the untenured teacher will present lesson/unit plans and other artifacts of evidence.

Each untenured teacher's unannounced formal observation and walk-thru observations shall be followed by a post observation conference. There shall be no pre observation conference for untenured teacher's unannounced formal observation and walk-thru observations.

Following a formal observation (announced or unannounced) a post observation conference will be held with the untenured teacher and the administrator. The teacher will present evidence of student work, reflections on lessons observed, or other artifacts. The evaluator will present evidence from lesson observed. The teacher and evaluator will discuss ratings and next steps for professional growth. The evaluator shall provide the teacher with a copy of the completed observation form. The evaluator will provide the teacher with the rubric score within four (4) days of the post conference.

Post observations conferences for both tenured and untenured teachers should ideally be completed within two (2) weeks of the observation, except for special circumstances.

Pre and post observation conferences must be conducted by the administrator who conducted the observation.

Each teacher's score and rating on any Locally determined Student Performance Component (if available) and on the Principal Observation Component must be computed and provided to the teacher or principal in writing no later than the last day of the school year.

The final composite rating must be completed and provided to 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.

## **ARTICLE VII EVALUATOR TRAINING**

The superintendent will ensure that all evaluators have been trained and that all lead evaluators have been trained and certified in accordance with regulation. The district will utilize BOCES Network Team evaluator training and lead evaluator training and certification in accordance with SED procedures and processes.

The superintendent will ensure that lead evaluators participate in annual training and are re-certified on an annual basis. The BOCES Network Team will be utilized to provide the training and recertification. Any individual who fails to achieve required training or certification or re-certification, as applicable, shall not conduct evaluations. Any Lead evaluator who does not complete certification may not train local evaluators. Training shall include the following:

- 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;
- 4) Application and use of the teacher or principal rubric(s), 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 locally selected measures of student achievement used by the district to evaluate its teachers or principals;
- 7) Use of the Statewide Instructional Reporting System;
- 8) The scoring methodology including how scores are generated for each subcomponent and the composite effectiveness score and application and the use of the scoring ranges prescribed by the

Commissioner for the four (4) designated rating categories used for the teacher's or principal's overall rating and their subcomponent ratings; and

- 9) Specific considerations in evaluating teachers and principals of English language learners and students with disabilities.

## **ARTICLE VIII DATA LINKAGE**

Working with the Central New York Regional Information Center, the Cincinnatus Central School District will provide all of the data elements described by SED. Data will be submitted to the SED through the portal each year. This information includes a comprehensive course catalog, assessment scores, student enrollment information, and evaluation component score.

The District shall provide accurate data to the State Education Department in a format and timeline prescribed by the Commissioner. The District shall also provide access to teachers so they may verify the student rosters assigned at the beginning of each school year and prior to the administration of State assessments.

The designated Data Coordinator 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.

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 in the District, and shall do so in a format and timeline prescribed by the Commissioner.

## **ARTICLE IX PROCEDURES FOR APPEALING AN ANNUAL PROFESSIONAL PERFORMANCE REVIEW**

9.1 The following procedures are the exclusive means for initiating, reviewing and resolving any and all challenges and appeals related to a tenured teacher's annual professional performance review. The procedures contained herein are not available to probationary teachers, with the exception of claims of procedural violations.

9.2 The grievance and/or arbitration procedures in any negotiated agreement shall not be used to appeal or review a tenured teacher's annual professional performance review. To the extent that a conflict exists between a negotiated agreement and this procedure, the terms and conditions of this procedure shall prevail and be applied.

9.3 This procedure shall be in effect unless changed by the parties or until the requirement to have such a procedure under Education Law §3012-d is repealed by law, regulation or a valid ruling by a court or administrative agency with jurisdiction.

- (a.) A teacher who receives an overall rating of "ineffective" or "developing" may appeal his or her annual performance review. Ratings of "highly effective" or "effective" cannot be appealed.

- (b.) A teacher may appeal only the substance of his or her performance review, the school district's adherence to standards and methodologies required for such reviews, adherence to applicable regulations of the commissioner of education, and the compliance with the procedures for the conduct of performance reviews set forth in the annual professional performance review plan.
- (c.) A teacher may not file multiple appeals regarding the same performance review. All grounds for appealing a particular performance review must be raised within the same appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.
- (d.) Appeals concerning a teacher performance review must be received in the office of the Superintendent of Schools no later than ten (10) work days after the date when the teacher receives his/her performance review. The failure to submit an appeal to the Superintendent of Schools within this time frame shall result in a waiver of the teacher's right to appeal that performance review.
- (e.) A teacher wishing to initiate an appeal must submit, in writing (e-mail or other electronic submissions are not permitted), to the Superintendent or his/her designee, with a detailed description of the precise point(s) of disagreement over his or her annual performance review, along with any and all additional documents or written materials that he or she believes are relevant to the resolution of the appeal. Any such additional information not submitted at the time the appeal is filed shall not be considered in the deliberations related to the resolution of the appeal.
- (f.) Generally, the Superintendent or designee, other than the Supervisor who authored the original document, will meet with the teacher within fifteen (15) work days of the Superintendent's receipt of an appeal to hear the appeal. The teacher may have a union representative present at the appeal hearing.
- (g.) The Superintendent shall issue a written decision on the merits of the appeal no later than ten (10) work days from the date the appeal hearing ends. If the Superintendent sustains the appeal he/she shall issue an appropriate remedy. If the Superintendent dismisses or denies the appeal, the teacher's score and evaluation shall remain unchanged and the appeal process shall end. The Superintendent's decision shall be final and binding and may not be reviewed or appealed further.
- (h.) The teacher's failure to comply with the requirements of this procedure shall result in a waiver and/or denial of appeal.

## **ARTICLE X TEACHER IMPROVEMENT PLANS**

10.1 If a teacher's performance is evaluated as "ineffective" or "developing", the administrator shall be required to develop a Teacher Improvement Plan (TIP) in consultation with the staff member. Such Plan will be shared with and implemented within ten (10) work days of the start of the school year within which the Plan will be applied. The Plan shall include an identification of the areas in need of improvement, a timeline for achieving improvement, suggestions for improvement, support to be provided, and measurable outcomes to be evaluated.

10.2 The procedures outlined in Article IX will also be used for any and all appeals of Teacher Improvement Plans that are issued in accordance with the annual professional performance review plan. 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 ten (10) work days of the alleged failure of the District to comply with such requirements.

10.3 The forms to be used for a TIP are attached to this APPR.

### **10.4 Teacher Improvement Plan Procedures**

The District's **Annual Professional Performance Review** process (APPR) is designed to recognize, support, and improve the teaching-learning process. The majority of teachers (as defined in the CEA contract) will be well served by the APPR process and will find it to be a valuable experience for professional growth. There may be a small number of individuals, however, who need additional support. That support will come through a mutually developed plan related to the Annual Professional Performance Review process.

The TIP ~ (**Teacher Improvement Plan**) ~ is designed to recognize, support, and improve the teaching/learning process. The TIP also is designed to help the teachers address areas in need of improvement based on one or more of the eight (8) New York State Criteria for Evaluation. The eight Criteria are: (1) content knowledge; (2) preparation; (3) instructional delivery; (4) classroom management; (5) student development; (6) student assessment; (7) collaboration; and (8) reflective and responsive practice.

### **The Purposes Of The TIP**

- To demonstrate the commitment of the District to the Professional growth and development of all teachers;
- To improve the performance of teachers who are identified by the administration as needing improvement in any of the eight (8) criteria for evaluation;
- To implement a process that is a good faith effort to provide a supportive and structured plan for improvement within a certain timeframe.

**The TIP Procedures**

The TIP procedures are guidelines for the administrator and teacher involved in the TIP process. The teacher may involve a selected representative, such as the Instructional Leader, veteran teacher, mentor, or an CEA representative.

- Document incidents related to the area(s) of concern;
- Identify the area(s) of concern;
- List the members of the support team;
- Develop a TIP.

**The TIP**

The teacher and the administrator will draft and complete a TIP document using the District’s model to guide the development of the TIP language. The TIP document will be signed by the teacher, the administrator, and a CEA representative. Every effort will be made to ensure confidentiality. The plan will include:

- Goal(s)
- Action Steps
- Members of the Support Team
- A Timeline
- Monitoring Steps
- Assessment Criteria and Evaluation

The Parties agree to the terms and conditions of this document.

FOR THE ASSOCIATION

FOR THE DISTRICT

\_\_\_\_\_  
 LINDA LAUDIG  
 Association President  
 Cincinnatus Education Association

\_\_\_\_\_  
 STEVEN HUBBARD  
 Superintendent of Schools  
 Cincinnatus Central School District

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

## Form Usage Documents

	<u>Tenure</u>	<u>Probationary</u>
<u>Announced Observation</u>	A, B, C or D	A, B, E, F, G, H
<u>Unannounced Observation</u>	A, B, C or D	A, B, E, G
<u>Composite Rating</u>	C or D, I	E, I
<u>Teacher Improvement Plan</u>	J	J
<u>SLO Chart</u>	K	K

\* The following forms must be completed in conjunction with the performance of the above referenced observations and the composite rating.

### Descriptions

Appendix A	Evidence Collection Summary
Appendix B	Post Conference Summary
Appendix C	Tenured Teacher Rubric
Appendix D	Tenured Teacher Rubric
Appendix E	Probationary Teacher Rubric
Appendix F	Pre-observation Conference Form
Appendix G	Lesson Plan Template
Appendix H	Lesson Reflection Questions
Appendix I	Composite Score Document
Appendix J	Teacher Improvement Plan Form
Appendix K	Student Learning Objective Form

**APPENDIX A**  
**Cincinnati Central School District**  
**Evidence Collection Summary**

**Educator:**  
**Evaluator:**

**Grade Level/Subject Taught:**  
**Tenured** \_\_\_\_\_ **Probationary** \_\_\_\_\_

**Date Report Given to Educator:**  
**Post-Conference Date:**  
**Evidence Collected During Lesson:**

**Standard 1 - Evidence Collected During Lesson:**

**Standard 2 - Evidence Collected During Lesson:**

**Standard 3 - Evidence Collected During Lesson:**

**Standard 4 - Evidence Collected During Lesson:**

**Standard 5 - Evidence Collected During Lesson:**

**Standard 6- Evidence Collected During Lesson:**

**Standard 7- Evidence Collected During Lesson:**

**My signature indicates that I have received a copy of this document and I am aware that it will be placed in my personnel file.**

**Educator's Signature:**

**Date of post conference:**

**Post conference waived (initial)**  
**Teacher** \_\_\_\_\_ **Administrator** \_\_\_\_\_

**Both sets of initial needed to waive a post Conference( unannounced tenure only)**

**APPENDIX B**

**Cincinnati Central School District  
Post Conference Summary**

**Educator:** **Grade Level/Subject Taught:**  
**Evaluator:** **Tenured**\_\_\_\_ **Probationary**\_\_\_\_\_  
**Post-Conference Date:** **Observation Date:**  
**Date Report Given to Educator:**

**Standard 1 - Evidence Collected During Lesson with Score:**

**Standard 2 - Evidence Collected During Lesson with Score:**

**Standard 3 - Evidence Collected During Lesson with Score:**

**Standard 4 - Evidence Collected During Lesson with Score:**

**Standard 5 - Evidence Collected During Lesson with Score:**

**Standard 6 - Evidence Collected During Lesson with Score:**

**Standard 7 - Evidence Collected During Lesson with Score:**

**Areas of Strength:**

**Areas for Growth:**

**Resources or suggestions to help improve student achievement or support the teacher's work:**

*I have read and discussed the contents of this observation with the administrator. My signature indicates that I have received a copy of this document and I am aware that it will be placed in my personnel file.*

**Educator signature:** **Date:**  
**Evaluator signature:** **Date:**

## APPENDIX C

### SCORING OF OBSERVATIONS (Tenured Teacher 10 pts. / 90 pts.)

NYS Standards	Unannounced (walk through) 10 pts. Independent Evaluator	Announced (full period) 90 pts. Principal
1		
2		
3		
4		
5		
6		
7		
Subtotal		
Subtotal divided by number of domains evaluated (round to nearest tenth)		
Weighting Value	10/100 = .10	90/100 = .90
Value of Weighted Scores	x .10 =	x .90 =
Sum of Weighted Scores		
HEDI Rating (Other Measures of Effectiveness)		

#### Overall Rubric Score Conversion Teacher Observation

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

**APPENDIX D**

**SCORING OF OBSERVATIONS (Tenured Teacher 20 pts. / 80 pts.)**

<b>NYS Standards</b>	<b>Unannounced (walk through) 10 pts. Independent Evaluator</b>	<b>Announced (full period) 90 pts. Principal</b>
<b>1</b>		
<b>2</b>		
<b>3</b>		
<b>4</b>		
<b>5</b>		
<b>6</b>		
<b>7</b>		
Subtotal		
Subtotal divided by number of domains evaluated (round to nearest tenth)		
Weighting Value	20/100 = .20	80/100 = .80
Value of Weighted Scores	x .20 =	x .80 =
Sum of Weighted Scores		
HEDI Rating (Other Measures of Effectiveness)		

**Overall Rubric Score Conversion Teacher Observation**

<b>HEDI Rating</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

## APPENDIX E

### SCORING OF OBSERVATIONS (Untenured Teacher)

NYS Standards	Unannounced (walk through) 10 pts. Independent Evaluator	Announced (full period) 40 pts. Principal	Unannounced (full period) 40 pts. Principal	Unannounced (walk through) 10 pts. Principal
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
Subtotal				
Subtotal divided by number of domains evaluated (round to nearest tenth)				
Weighting Value	10/100 = .10	40/100 = .40	40/100 = .40	10/100 = .10
Value of Weighted Scores	x .10 =	x .40 =	x .40 =	x .10 =
Sum of Weighted Scores				
HEDI Rating (Other Measures of Effectiveness)				

#### Overall Rubric Score Conversion Teacher Observation

HEDI Rating	MINIMUM	MAXIMUM
Highly Effective (H)	3.5	4.00
Effective (E)	2.5	3.49
Developing (D)	1.5	2.49
Ineffective (I)	0	1.49

## APPENDIX F

### Cincinnati Central School District Pre-Conference

(To be completed by the untenured teacher)

Teacher should provide a written copy along with a lesson plan prior to the pre-conference meeting.

Educator: \_\_\_\_\_ Grade Level/Subject Taught: \_\_\_\_\_

Observation Date: \_\_\_\_\_ Time: \_\_\_\_\_

1. Describe your group of students and any important factors you will be taking into account as you teach this lesson (group). (1.1)
2. Identify the curriculum standards to be taught. How do the curriculum standards in this lesson connect to other standards within or outside of the discipline? (2.2, 2.4)
3. How has student achievement data (formal or informal) informed your instruction, and how does this lesson specifically address the needs identified from a review of the data? (1.3, 2.5, 5.2)
4. Why are you teaching this lesson? (2.1, 2.2, 2.3, 2.4, 2.5)
5. How will you know if students are learning the expected outcomes? (3.6, 5.1, 5.2)
6. What tools, activities or strategies will you use to engage all students? (What will you do? What will the students do?) (2.2, 2.3, 2.5, 2.6)
7. How will differentiation be used to meet the student needs? (2.3, 2.4, 2.6, 5.1, 5.2)
8. On what areas would you like specific feedback?

**APPENDIX G**  
**Cincinnati Central School District**  
**Lesson Plan Template**  
**(To be completed by the untenured teacher)**

Name: \_\_\_\_\_  
 Topic/Theme: \_\_\_\_\_  
 Lesson: \_\_\_\_\_  
 Date: \_\_\_\_\_

<p><b>Curriculum Standard(s)</b>          Identify the curriculum standards to be taught; connect to other standards within or outside of the discipline. (2.2, 2.4)</p>	
<p><b>Student / Class Profile</b>          Identify the make-up of the class and any accommodations in instruction that will help meet students learning needs. (1.1)</p>	
<p><b>Learning Outcomes</b>          Identify the important concepts and skills that students will be expected to learn. (2.1, 2.2, 2.3, 2.4, 2.5)</p>	
<p><b>Assessments</b>          Identify the formative and/or summative assessments used to determine student progress towards achieving the learning outcomes of the lesson. (3.6, 5.1)</p>	
<p><b>Cognitive Engagement</b>          Include: Warm-up or opening to the lesson, activities to engage students in the intended learning outcomes, closure activity. (2.2, 2.3, 2.5, 2.6)</p>	
<p><b>Collaboration / Grouping</b>          How will students work together or be grouped? (4.1, 4.3)</p>	
<p><b>Resources</b>          Identify resources and materials needed for lesson.</p>	

**APPENDIX H**  
**Cincinnati Central School District**  
**Lesson Reflection Questions**

**(To be completed by the untenured teacher)**

Teacher should complete reflection questions prior to the post-observation conference.

Educator: \_\_\_\_\_ Grade Level/Subject Taught: \_\_\_\_\_

Observation Date: \_\_\_\_\_

1. As you reflect on the lesson, were the students cognitively engaged in the work? How do you know? (7.1)
2. How did you ensure that all students with unique or special needs were engaged in the lesson? (5.1, 7.1)
3. Did the students learn what you expected them to learn? How do you know? If you do not know at this point, when will you know, and what will be the evidence of their learning? (5.1,5.2,7.1)
4. How did the instructional strategies you chose support learning? How do you know? (5.1, 7.1)
5. What have you done to promote a culture for learning in your classroom? (7.1)
6. Did you alter your lesson plan as you taught the lesson? If so, how, and for what reason? (5.1, 5.2)
7. If you taught this lesson again to the same group of students, would you do anything differently? If so, what?
8. Are there other thoughts or evidence related to the lesson that you would like to share?

## APPENDIX I Composite Rating

1 Subcomponent A – Student Performance

(Insert rubric rating based on Student Growth Measures) \_\_\_\_\_

2 Subcomponent B – Principal Observation

(Insert rubric rating from appropriate Appendix C, D or E.) \_\_\_\_\_

Overall 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

- Highly Effective
- Effective
- Developing
- Ineffective

Final effectiveness rating: \_\_\_\_\_

Teacher \_\_\_\_\_ Date \_\_\_\_\_

Evaluator \_\_\_\_\_ Date \_\_\_\_\_

**APPENDIX J**  
**Cincinnati Central School**

**TEACHING IMPROVEMENT PLAN (TIP) — TEACHER/ADMINISTRATOR CONFERENCE FORM**

Name of Teacher \_\_\_\_\_ Tenure or Probationary Area \_\_\_\_\_  
School \_\_\_\_\_ Name of Evaluator \_\_\_\_\_  
Subject/Grade Level(s) \_\_\_\_\_ Date \_\_\_\_\_

As a result of unsatisfactory performance, the building principal has designated the above-named teacher for a TIP.

The following category/component areas have been identified for intensive administrative support and professional development.

Category: \_\_\_\_\_  
Criterion: \_\_\_\_\_  
Goal(s): \_\_\_\_\_

---

**ACTIVITIES/STRATEGIES FOR IMPROVEMENT SUPPORT/RESOURCES NEEDED  
EXPECTED OUTCOMES EVIDENCE OF SUCCESS TIMELINE**

Category: \_\_\_\_\_  
Criterion: \_\_\_\_\_  
Goal(s): \_\_\_\_\_

---

**ACTIVITIES/STRATEGIES FOR IMPROVEMENT SUPPORT/RESOURCES NEEDED  
EXPECTED OUTCOMES EVIDENCE OF SUCCESS TIMELINE**

Category: \_\_\_\_\_  
Criterion: \_\_\_\_\_  
Goal(s): \_\_\_\_\_

---

**ACTIVITIES/STRATEGIES FOR IMPROVEMENT SUPPORT/RESOURCES NEEDED  
EXPECTED OUTCOMES EVIDENCE OF SUCCESS TIMELINE**

Category: \_\_\_\_\_  
Criterion: \_\_\_\_\_  
Goal(s): \_\_\_\_\_

---

**ACTIVITIES/STRATEGIES FOR IMPROVEMENT SUPPORT/RESOURCES NEEDED  
EXPECTED OUTCOMES EVIDENCE OF SUCCESS TIMELINE**

Category: \_\_\_\_\_  
Criterion: \_\_\_\_\_  
Goal(s): \_\_\_\_\_

---

Evaluator's Signature/Date: \_\_\_\_\_  
Teacher's Signature/Date: \_\_\_\_\_

The TIP agreement is to be reviewed by the end of the subsequent semester following its implementation. Please mark the appropriate box:

Plan Confirmed Date \_\_\_\_\_ Plan Complete Date \_\_\_\_\_

## APPENDIX K

### Student Learning Objective Template: Subject, Grade Level, Teacher

<u>All SLOs MUST include the following basic components:</u>																					
<b>Population</b>	These are the students assigned to the course section(s) in this SLO - all students who are assigned to the course section(s) must be included in the SLO. (Full class rosters of all students must be provided for all included course sections.)																				
<b>Learning Content</b>	What is being taught over the instructional period covered? Common Core/National/State standards? Will this goal apply to all standards applicable to a course or just to specific priority standards?																				
<b>Interval of Instructional Time</b>	What is the instructional period covered (if not a year, rationale for semester/quarter/etc.)?																				
<b>Evidence</b>	What specific assessment(s) will be used to measure this goal? The assessment must align to the learning content of the course. Baseline –  Summative-																				
<b>Baseline</b>	What is the starting level of students’ knowledge of the learning content at the beginning of the instructional period?																				
<b>Target(s)</b>	What is the expected outcome (target) of students’ level of knowledge of the learning content at the end of the instructional period?																				
<b>HEDI Scoring</b>	How will evaluators determine what range of student performance “meets” the goal (effective) versus “well-below” (ineffective), “below” (developing), and “well-above” (highly effective)?																				
	<b>HIGHLY EFFECTIVE</b>			<b>EFFECTIVE</b>									<b>DEVELOPING</b>						<b>INEFFECTIVE</b>		
	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	0
	96 -100	91-95	85-90	82-84	80-81	78-79	76-77	74-75	72-73	70-71	68-69	65- 67	64-63	60-62	57-59	54-56	52-53	50-51	36-49	21-35	20 or less
<b>Rationale</b>																					