

APPR

McGraw Central

School District

Annual Professional

Performance Review Plan

Developed in accordance with
New York State Education Department
Commissioners Regulation
Section 100.2 (o)

Revised **2011** **(as of 12/13/11)**

Annual Professional Performance Review Plan (APPR)

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IMPORTANT DATES

Classroom Observations - All teachers will receive a minimum of 2 classroom observations to be completed by March 1st.

- 1st observation completed by November 15th
- 2nd observation completed by March 1st

Teachers - Summative Review done every year

by May 1 Completion and submission of Teacher components for summative review

by **May 15** Summative Review Completed

Probationary Teachers' Observations-all probationary teachers will receive 3 observations

by November 15

1st

by January 31

2nd

* by March 31st

3rd

* by April 15th

completion of self assessment

* by May 1

Completion and submission of teacher components for summative review

* if final year of probationary appointment, third observation done by March 15; submission of self-assessment and **completion** of teacher choice components are both due by March 1, Summative done by April 1

Introduction

This Annual Professional Performance Review (APPR) was first implemented in 2001-02 and has been refined and improved by the APPR Committee several times since then, pursuant to NYS Commissioner's Regulations. It is the intent of the APPR committee to align the current APPR plan with the new Commissioner Regulations 100.2 (o), and to promote genuine and meaningful professional growth. The plan provides for ongoing communication and increased awareness between faculty and administration that will foster a responsive educational environment. The success of this plan will depend to a large degree on the maintenance of a climate of fairness, trust, and mutual respect among the members of McGraw's educational community.

The overall goal of this process is to improve student learning through improved teaching. Professional growth is promoted most effectively by self-assessment and individual goal setting. At the same time, the administration has an obligation to evaluate teacher performance. Therefore, the APPR includes the following elements:

1. Formal observations
2. Composite score from SED
3. Locally selected measures
4. Teacher choice components
5. Summative performance review

In cases where performance **score** is below state established standards (ineffective and developing), the APPR establishes a teacher improvement process to provide support and accountability.

The APPR will be implemented for each member of the teaching and pupil personnel services staff according to one of three plans:

1. probationary teachers
2. all teachers
3. teacher improvement process

These plans are described in detail on the following pages.

Annual Professional Performance Review

I. Probationary Teachers:

A. Observation

Probationary teachers will have a **minimum** of three formal observations. Each formal classroom observation will be for a minimum of 30 minutes or a lesson. All observations will be conducted with the knowledge of the teacher. The administration understands that there may be extenuating circumstances which would allow the teacher to request postponement of the observation. The teacher will receive the classroom observation report prior to the post conference. The post conference will be conducted within 5 working days. The teacher will receive a copy of the report (pp. 24-25) which will be placed in the personnel file in a timely manner.

Observations will be announced according to the following schedule. Announced observations will be scheduled for a mutually agreeable time and confirmed in writing.

Required Formal Observations for Probationary Teachers	Observation #1		Observation #2		Observation #3	
	Date Completed	Format	Date Completed	Format	Date Completed	Format
Year One	11/15	Announced	1/31	Announced	3/31	Announced
Year Two	11/15	Announced	1/31	Announced	3/31	Announced
Year Three	11/15	Announced	1/31	Announced	3/31	Announced

NOTES: 1. Probationary teachers who have instructional duties in both buildings, the three observations noted above will be done by the following individuals:

- 1st by one of the building principals
- 2nd by Superintendent
- 3rd by the other building principal

2. Probationary teachers with tenure from another district will begin at year two of the schedule.

3. **In all other case, the superintendent will complete the 2nd observation of all probationary teachers.**

B. Portfolio Review

In addition to the observations, teachers holding a Transitional or Initial NYS certificate must be evaluated using a portfolio.

1. Portfolio Planning - The proposed plan (p. 18) is submitted on the appropriate form or equivalent substitute by October 1st. Following submission of the plan, a meeting between the teacher and the administrator will be held by November 1. The purpose of the meeting is to discuss the Portfolio Plan (which may require revision).

Suggestions for Portfolio Items:

- a video of teaching performance
- sample lesson plan
- a sample of student work
- student assessment instruments
- teacher's reflection on his/her performance

Suggestions for Portfolio:

- collection box
- a scrapbook
- a three-ring binder

2. Written Reflection: A written self-assessment (p. 19) is to be submitted by April 15. For those in the final year of the probationary appointment, this is to be submitted by April 1. This reflection should describe how the portfolio will improve the individual's teaching.

3. Reflective Conference: A reflective conversation between the teacher and the administrator will be held between May 15th and June 15th to provide the opportunity to discuss the outcomes of the portfolio. For those in the final year of the probationary appointment, this conference will be held by May 1. The completed plan becomes part of the APPR.

All teachers will receive a minimum of 7(4 must be completed by 1/31)

Classroom Visitations per school year. These visitations will generally range from 3-10 minutes; however, longer visits are possible.

1. the seven state learning standards (pp. 15-17) will be used as guidelines for classroom visitations
2. the administrator will fill out a classroom visitation form (p. 22); the teacher will receive a copy within 24 hours
3. an ensuing conversation may be initiated by either party
4. the teacher may also submit a written response within 5 school days; this response will be attached to the visitation form

NOTE: Refer to Administrators' Role in Teacher Evaluation, (p. 9).

II. Components for Evaluations for All Teachers

A. Classroom Observations

- a. All announced observations will require a pre- and post-conference.
- b. All tenured teachers will have two announced observations.

B. Summative Performance Review - see Appendix A (p. 10)

1. Classroom observations will provide data, along with additional information, for the Summative Performance Review. (2 that total up to 40 points)
 - Pre-Observation (3 points)
 - Observation (17 points)
 - **Standards**
 - Standard 1: Knowledge of Students & Student Learning (3 points)
 - Standard 2: Knowledge of Content and Instructional Planning (3 points)
 - Standard 3: Instructional Practice (4 points)
 - Standard 4: Learning Environment (4 points)
 - Standard 5: Assessment for Student learning (3 points)
2. State Composite Score (worth up to 20 points)
3. Locally Selected Measures of Student Achievement (worth up to 20 points)
4. Teacher Choice Components (last 20 points)
 - **Standard 6: Professional Responsibilities and Collaboration**
 - **Standard 7: Professional Growth**
 - Teacher reflection - 5 points
 - Video-taped observation based on the rubric - 20 points
 - Portfolio - in APPR Plan (follow guidelines) - 10 points
 - Action research - 10 points
 - Walkthroughs (choose 2) - 5 points
 - Peer coaching - 10-20 points
 - Teacher/turnkey training - 10-20 points
 - Collaborative co-teaching - 10-20 points
 - **Student work - 10 points**
 - **Teacher artifacts - 5-10 points**
 - **Teacher projects - 10-20 points**

* For those in the final year of the probationary appointment, the Summative Performance Review will be done by April 1.

III. Conflict Resolution

If at any time the administrator or faculty member feels that there is a serious conflict arising out of the APPR process, he/she may ask to convene a meeting with the Conflict Resolution Team.

It is the charge of the Conflict Resolution Team to mediate, so that the administrator and faculty member feel that growth and change will occur.

Conflict Resolution Team: Administrator
 Faculty Member
 Administrative Representative
 MFA Representative

The faculty recognizes that it is the job of the administrator to evaluate their performance according to the **NY State Learning Standards and Elements** (see pp. 15-17), and that the Conflict Resolution is not intended to change the evaluation.

IV. Administrators' Role in Teacher Evaluation:

- A. It is the responsibility of the supervising administrator to:
- adhere to all timelines stated in the APPR
 - review the APPR plan annually with all faculty
 - hold required meetings with each faculty member to discuss Summative Review (if applicable)
 - ensure that each faculty member has a copy of the plan; separate copies of each form; and provide a schedule of important dates
- B. Classroom observations will be completed according to Section I to be included in the Summative Performance Review.
- The **NYS Learning Standards** (pp. 15-17) guidelines for observations
 - For all announced observations, there will be a pre-conference form to be filled by the teacher. The principal will hold a pre-conference meeting with the teacher to review the pre-conference form
 - The principal and teacher will meet for a post-conference at an agreed upon date by both the teacher and principal
 - the teacher may also submit a written response within 5 school days; this response will be attached to the post-conference form
- C. Significant concerns will be communicated to faculty members without delay. This communication may be in one of the following forms:
- verbal
 - written
 - written and copied to personnel file
 - initiation of the teacher improvement process
- D. Evaluation is flexible to account for variations in teaching styles. Rather than simply noting the presence or absence of specified teaching behaviors, evaluators look at teaching in its context, including instructional goals, subject areas, and different types of students.

Summative Evaluation Rubric- Appendix A

Evaluation Sections	Descriptions	Points Possible
Student Growth	Growth on State Assessments	20
Student Achievement	The committee chose possibly using Terra NOVAS	20
Observations	Two with state rubrics	40
Teacher Choice Components	<p>Options</p> <ul style="list-style-type: none"> • Walkthroughs- two of them worth 5 • Portfolio 10-20 • Student work-10 • Teacher artifacts-5-10 • Teacher reflection-5 • Individual/Collaborative Teacher projects-10-20 • Action Research-10-20 • Peer coaching 10 - 20 • Surveys-5 • Video-taped observation 20 • Turn Key training 10-20 points 	20

V. Teacher Improvement Process

A. Identification of Deficiencies

When the supervising administrator has documented concerns about a teacher's performance that are of an ongoing and/or substantive nature the following process must occur:

1. The administrator will provide written notice to the teacher stating that there are concerns of an ongoing and/or substantive nature.
2. A meeting of the supervising administrator, teacher, and if desired, an MFA representative, will be held at which all known concerns will be identified and a detailed and specific plan to address the concerns will be developed.
3. Following the meeting, written documentation of the discussion and the agreed plan will be provided to the teacher from the administrator (see p. 20).
4. At the end of the designated time period a conference will take place between the supervising administrator, the teacher, and the MFA representative (if requested). At the conference the teacher will be informed as to whether the concerns have been satisfactorily addressed. If it is determined that the deficiencies have not been remedied, one of the following will occur:
 - a. a tenured teacher will be placed on a Teacher Improvement Plan (TIP)
 - b. a probationary teacher will be:
 - i. placed on a Teacher Improvement Plan (TIP) OR
 - ii. notified of termination in accordance with NYS Education Law

Following the meeting a written documentation of the determination will be provided to the teacher from the administrator. A copy will be forwarded to the Superintendent, with a copy to the teacher's personnel file.

B. Teacher Improvement Plan

1. Overview

The purpose of the Teacher Improvement Plan is to provide a formal structure for the staff member to correct and/or significantly improve areas of deficiencies.

Teachers who are placed on a Teacher Improvement Plan (TIP) will be given a minimum of three months and a maximum of one year in which to correct and/or significantly improve the area(s) of deficiency. However, a TIP does not preclude the district from dismissing a probationary teacher. Notification of such termination shall be in accordance with NYS Education Law.

The three possible outcomes of the Teacher Improvement Plan are:

- successful completion of the prescribed Teacher Improvement Plan
- renewal of Teacher Improvement Plan
- recommendation for dismissal or denial of tenure

A Teacher Improvement Plan does not exclude the possibility of other administrative action, depending on the type and degree of ineffective performance.

2. Implementation

All documents relating to a Teacher Improvement Plan (TIP) will be sent to the Superintendent, with a copy to the teacher's Personnel File.

Once placed on a TIP, the staff member may choose:

- to create an Action Plan through a one-to-one approach with his/her administrator or
- to create the Action Plan through a review team approach.

The team make up will include the identified teacher, the supervising administrator, a tenured faculty member of the teacher's choice, and a note taker provided by administration. Members of this team are bound by rules of confidentiality. (Once selected the note taker must be the same person for the duration of the TIP.)

The designated teacher has 10 school days to provide:

- written notification to the supervising administrator of his/her method of choice in the development of the Action Plan (see above)
- (in the event a Review Team approach is selected, the designated teacher must provide) the name of a tenured faculty member of his/her choice to the supervising administrator

Conference and Goal Setting -

With written receipt of the teacher's choice, the supervising administrator will set a time for development of a detailed and specific Teacher Improvement Plan (p. 21) that will include:

- establishment of time lines
- delineation of roles
- definition of responsibilities
- identification of performance based objectives

The teacher will be responsible for a written self-assessment incorporating the components of the above action plan to be presented at each meeting. Copies of the self-assessments will be added to the teacher's personnel file.

Feedback and Review -

In addition to steps of the Action Plan, the supervising administrator will conduct informal and formal observations. Following each observation the supervising administrator will provide written evaluation with specific suggestions.

The supervising administrator will notify the teacher in writing of his/her level of achievement relevant to the TIP. The Review Team (if selected) may be reconvened for additional feedback and review of the Plan or the teacher's progress at any time upon the written request of the teacher or supervising administrator. Adjustment of the plan can occur at anytime during the cycle in response to the teacher's professional growth.

Evaluation and Report -

The teacher will submit his/her written, completed TIP report, including a self-reflective narrative, to the supervising administrator (or Review Team if selected) on or before the date identified in the TIP.

Following a final conference with the teacher, the supervising administrator will forward the recommendation for the following year's placement to the Superintendent, with a copy to the teacher's Personnel File.

VI. NY State Learning Standards

Standard 1: Knowledge of Students & Student Learning

- 1.1 Knowledge of child and adolescent development, including students' cognitive, language, social, emotional, and physical developmental levels
- 1.2 Knowledge of current, research-based knowledge of learning and language acquisition theories and processes
- 1.3 Knowledge of and responsive to diverse learning needs, interests, and experiences of all students
- 1.4 Knowledge of individual students from students, families, guardians, and/or caregivers to enhance student learning
- 1.5 Knowledge of and responsive to the economic, social, cultural, linguistic, family, and community factors that influences their students' learning
- 1.6 Knowledge and understanding of technological and information literacy and how they affect student learning

Standard 2: Knowledge of Content and Instructional Planning

- 2.1 Knowledge of the content they teach, including relationships among central concepts, tools of inquiry, and structures and current developments within their discipline[s]
- 2.2 Teachers understand how to connect concepts across disciplines and engage learners in critical and innovative thinking and collaborative problem solving related to real world contexts
- 2.3 Uses a broad range of instructional strategies to make subject matter accessible
- 2.4 Establishes goals and expectations for all students that are aligned with learning standards and allow for multiple pathways to achievement
- 2.5 Designs relevant instruction that connects students' prior understanding and experiences to new knowledge
- 2.6 Evaluate and utilize curricular materials and other appropriate resources to promote student success in meeting learning goals

Standard 3: Instructional Practice

- 3.1 Uses research-based practices and evidence of student learning to provide developmentally appropriate and standards-driven instruction that motivates and engages students in learning

- 3.2 Communicate clearly and accurately with students to maximize their understanding and learning
- 3.3 Set high expectations and create challenging learning experiences for students
- 3.4 Explores and uses a variety of instructional approaches, resources, and technologies to meet diverse learning needs, engage students and promote achievement
- 3.5 Engage students in the development of multi-disciplinary skills, such as communication, collaboration, critical thinking, and use of technology
- 3.6 Monitors and assesses student progress, seeks and provides feedback, and adapts instruction to student needs.

Standard 4: Learning Environment

- 4.1 Creates a mutually respectful, safe, and supportive learning environment that is inclusive of every student
- 4.2 Creates an intellectually challenging and stimulating learning environment
- 4.3 Manages the learning environment for the effective operation of the classroom
- 4.4 Organize and utilize available resources [e.g. physical space, time, people, technology] to create a safe and productive learning environment

Standard 5: Assessment for Student Learning

- 5.1 Design, adapt, select, and use a range of assessment tools and processes to measure and document student learning and growth
- 5.2 Understand, analyze, interpret, and use assessment data to monitor student progress and to plan and differentiate instruction
- 5.3 Communicate information about various components of the assessment system
- 5.4 Reflect upon and evaluate the effectiveness of their comprehensive assessment system to adjust assessment and plan instruction accordingly
- 5.5 Prepare students to understand the format and directions of assessment used and the criteria by which the students will be evaluated

Standard 6: Professional Responsibilities and Collaboration

- 6.1 Upholds professional standards of practice and policy as related to students' rights and teachers' responsibilities

- 6.2 Engage and collaborate with colleagues and the community to develop and sustain a common culture that supports high expectations for student learning
- 6.3 Communicate and collaborate with families, guardians, and caregivers to enhance student development and success
- 6.4 Manage and perform non-instructional duties in accordance with school district guidelines or other applicable expectations
- 6.5 Understand and comply with relevant laws and policies as related to students' rights and teachers' responsibilities

Standard 7: Professional Growth

- 1.1 Reflect on their practice to improve instructional effectiveness and guide professional growth
- 1.2 Set goals for and engage in ongoing professional development needed to continuously improve teaching competencies
- 1.3 Communicate and collaborate with students, colleagues, other professionals, and the community to improve practice
- 1.4 Remain current in their knowledge of content and pedagogy by utilizing professional resources

McGraw Central School District

A. PORTFOLIO PLAN

For teachers holding a transitional or initial certificate

Name _____

Type of Certificate:

Date Submitted _____

___ Transitional

___ Initial

1. What aspects of your teaching will your portfolio illustrate?

2. What items may be included in your portfolio?

This plan was discussed at a meeting held on _____. Revised
_____ (see attachment)

Teacher _____ Principal _____

Written Reflection (p. 19 attached)

Date of Reflective Conference _____

Teacher _____ Principal _____

c: Personnel File
Superintendent

McGRAW CENTRAL SCHOOL DISTRICT
B. Portfolio - Written Reflection

Name _____ Date Submitted _____

Using this sheet or an equivalent substitute, provide a written reflection of your portfolio.

How will your portfolio help you improve as a teacher?

c: Personnel File
Superintendent

Teacher Improvement Process Identification of Deficiencies

Teacher _____

Administrator _____

Date _____

The following are substantive and/or ongoing concerns that need to be addressed:

The recommendations to address these concerns are as follows:

The timetable for the plan as developed at the meeting will be:
During the next ____ weeks the administrator will observe teacher performance ____ times and conference on _____.

Signed _____

Administrator

Date

Teacher

Date

MFA Representative

Date

c: Personnel File
Superintendent

Teacher Improvement Plan

Teacher _____

Administrator _____

Date _____

Teacher Option:

Individual _____

Team _____

Timeline:

Implementation

Midpoint

Endpoint

Frequency of progress reviews

Delineation of Roles:

Definition of Responsibilities:

Performance Based Objectives:

Any adjustments to this plan will be noted or attached

c: Personnel File

Superintendent

**McGRAW CENTRAL SCHOOL
CLASSROOM VISITATION/WALK-THROUGHS**

Teacher: _____

Date: _____

Class/Time: _____

Location: _____

Administrator's Initials: _____

Comments written below pertain to one or more of the following
Seven Learning Standards (see page 15-17):

1. Standard I Knowledge of Students and Student Learning
2. Standard II Knowledge of Content and Instructional
Planning
3. Standard III Instructional Practice
4. Standard IV Learning Environment
5. Standard V Assessment of Students' Learning
6. Standard VI Professional Responsibilities and Collaboration
7. Standard VII Professional Growth

**The Teacher is encouraged to have a conversation with the administrator
if s/he has a question about these comments.**

McGraw School District Pre-Observation Form

Teacher: _____ Date: _____
Grade Level(s): _____ Course/Subject: _____ (3 pts.)

1. What are your learning outcomes for this lesson?
2. How does this lesson fit into the sequence of learning for the class?
3. How will you engage the students in learning? What will you do? What will the students do? Will the students work in groups, individually, or as a large group? **Attach to this form** any handouts or other materials the students will be using.
4. Describe how you will differentiate instruction to accommodate individuals or groups of students in this class.
5. During the lesson, how will you monitor student progress?
6. How will you know students learned the objectives of your lesson?
7. Is there anything else, either about your students or our classroom, which you would like an observer to know?

Formal Observation Assessment Report

TEACHER:		17 pts.
OBSERVER:	BUILDING/GRADE LEVEL:	
SUBJECT AREA/LESSON FOCUS:		
LESSON FOR FORMAL OBSERVATION WILL TAKE PLACE	DATE:	TIME:
SUMMARY OF LESSON:		

	Evidence	COMMENTS	Circle One
Standard 1: Knowledge of Students & Student Learning			
Knowledge of child & adolescent development			
Knowledge of current, research-based knowledge of learning & language acquisition theories & processes			3
Knowledge of & responsive to diverse learning needs & interests			2
Knowledge of individual students from students, families			1
Knowledge of & responsive to economic, social, cultural, family, community factors that influences students' learning			0
Knowledge & understanding of technological & info literacy			
Standard 2: Knowledge of Content and Instructional Planning			
Knowledge of content they teach			3
Understand how to connect concepts across discipline & engage learners in critical & innovative thinking			2
Uses a broad range of instructional strategies			1
Establishes goals & expectations for all students			
Designs relevant instruction that connects students' prior understanding & experiences to new knowledge			0
Evaluate & utilize curricular materials & other resources			
Standard 3: Instructional Practice			
Uses research-based practices & evidence of student learning			4
Communicate clearly & accurately with students			
Set high expectations & create challenging learning			3
Explores & uses a variety of approaches, resources & tech to meet diverse learning needs			2
Engage students in development of multi-disciplinary skills			1
Monitors & assesses student progress, seeks & provides feedback & adapts instruction to student needs			0
Standard 4: Learning Environment			
Creates a respectful, safe, & supportive environment			3
Creates intellectually challenging & stimulating learning			2
Manages environment for effective classroom operation			1
Organize & utilize resources (space, time, people) to create safe & productive learning environment			0
Standard 5: Assessment for Student Learning			
Design, adapt, select, & use range of assessment tools			3
Understand, analyze, interpret & use assessment data			
Communicate information about components of assessment			2
Reflect & evaluate effectiveness of assessment system			
Prepare students to understand format & directions of assessment used & criteria students will be evaluated on			1
			0

Strengths of the teacher's practice: Based on the evidence, indicate items that reflect the teacher's areas of strength.
Areas of growth in the teacher's practice: Based on the evidence, indicate items that reflect evaluator's recommendations and necessary administrative supports.

Administrator and teacher conducted a post-evaluation conference on the above items.

Staff Member's Signature

Administrator's Signature

Date

Date

Distribution: Personnel File
Supervisor
Employee

**McGRAW CENTRAL SCHOOL
SUMMATIVE PERFORMANCE REVIEW:
TEACHER SELF ASSESSMENT/INPUT FORM**

Teacher: _____

School Year: _____

Under each criterion **briefly** identify achievements or areas of concern. The Annual Performance Review Criteria are detailed on pp. 14-15.

Content Knowledge:

Preparation:

Instructional Delivery:

Classroom Management:

Student Development:

Student Assessment:

Collaboration:

Reflective and Responsive Practice:

Additional relevant information:

Committees:

Involvement in Extra-curricular Activities:

Conferences/In-service:

Professional Reading:

Professional Organizations:

Other:

Signature of Teacher

Date

Signature of Administrator

Date

Note: Signature of the administrator indicates that s/he has read this report and has knowledge of its contents.

c: Personnel File

**McGRAW CENTRAL SCHOOL
SUMMATIVE PERFORMANCE REVIEW
ADMINISTRATIVE ASSESSMENT**

Teacher: _____

School Year: _____

Supervising Administrator: _____

The following is a summary of performance based on the Performance Review Criteria detailed on pp. 14-15 of the APPR Plan.

Background Information: (years in district, grade level, and/or content area)

Strengths:

Suggestions:

Administrative Summary:

Teacher Comments:

Signature of Teacher

Date

Signature of Administrator

Date

Note: Signature of teacher indicates that s/he has read this report and has knowledge of its contents

c: Personnel File

XII. APPEALS

Appeals of annual professional performance reviews shall be limited to those that rate a teacher or principal as ineffective or developing only.

What may be challenged in an appeal: The scope of appeals under Education Law 3012-c shall be limited to the following subjects:

1. The school district's adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-c;
2. The adherence to the Commissioner's regulations, as applicable to such review;
3. Compliance with any applicable locally negotiated procedures applicable to annual professional performance reviews or improvement plans; and
4. The school district's issuance and/or implementation of the terms of the teacher or principal improvement plan under Education law 3012-c. (www.capregbooces.org/LeaderToLeaderLinks/2010-2011/PDF/EdLaw3012.pdf)

Prohibition against more than one appeal: A teacher or principal may not file multiple appeals regarding the same performance review or 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 null and void.

Burden of proof: In an appeal, the teacher or principal has the burden of demonstrating a clear and legal right to the relief requested and the burden of establishing the facts upon which petitioner seeks relief.

Timeframe for filing an appeal: All appeals must be submitted in writing no later than seven **working** days of the date when the teacher or principal receives his/her annual professional performance review. If a teacher or principal is challenging the issuance of an improvement plan, appeals must be filed within seven days of the issuance of such plan. The failure to file an appeal within these timeframes shall be deemed a waiver of the right to appeal and the appeal shall be deemed abandoned.

Appeal process: When filing an appeal, the teacher or principal must submit a detailed written description of the specific areas of disagreement over his

or her performance review, or the issuance an/or implementation of the terms of his or her improvement plan and any additional documents or materials relevant to the appeal. The performance review and/or improvement plan being challenged must also be submitted with the appeal. Any information not submitted at the time the appeal is filed shall not be considered.

After receiving a teacher or principal appeal, the superintendent will convene a Review Team comprised of the superintendent or designee, the **MFA** president or designee, another association member and another qualified administrator within seven calendar days of the receipt of the appeal. In the event it is a principal making the appeal, a neutral administrator, selected through consultation with the BOCES District Superintendent, may be appointed to the Review Team at the request of either the evaluator or principal. The role of the review team will be to evaluate facts and evidence submitted by the teacher or principal.

The presence of the appellant and the evaluator(s) are requested on the day of the Review Team meeting. If the person making the appeal chooses not to be present, the appeal moves directly to the decision of the superintendent.

Results of the Review Team fact-finding are submitted to the superintendent or superintendent' designee within 24 hours. The superintendent or designee has seven calendar days to provide the teacher or principal with his/her decision.

Decision-maker on appeal: A decision shall be rendered by the superintendent of schools or the superintendent's designee within seven calendar days except that an appeal may not be decided by the same individual who was responsible for making the final rating decision. In such case, the board of education shall appoint another person to decide the appeal.

Decision: A written decision based on the merits of the appeal shall be rendered by the superintendent or his/her designee no later than seven days after the Review Team submits its findings. The appeal shall be based on the written record, submitted to the Review Team, comprised of the teacher or principal's appeal papers and any documentary evidence accompanying the appeal, as well as the school district's response to the appeal and additional

documentary evidence submitted with such papers to the Review Team. Such decision shall be final and binding and shall not be subject to further appeal under the collective bargaining agreement or in any administrative or judicial forum.

The decision shall set forth the reasons and factual basis for each determination on each of the specific issues raised in the teacher or principal's appeal. A copy of the decision shall be provided to the teacher or principal and the evaluator or person responsible for either issuing or implementing the terms of an improvement plan, if that person is different.

Exclusivity of section 3012-c appeal procedure: The 3012-c appeal procedure shall constitute the exclusive means for initiating, reviewing and resolving any and all challenges and appeals related to a teacher or principal performance review and/or improvement plan. A teacher or principal may not resort to any other contractual grievance procedures, or to any other administrative or judicial forum, for the resolution of challenges and appeals related to a professional performance review and/or improvement plan.