

RONDOUT VALLEY CENTRAL SCHOOL DISTRICT

**Classroom Teachers
Annual Professional Performance Review §3012-d
HANDBOOK**

2018-2019

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INTRODUCTION

The Board of Education of the Rondout Valley Central School District (the “District”), in public session approved the terms of the new 2016-17, §3012-d, as recommended by the Superintendent of Schools and as referenced in a Supplemental Memorandum of Agreement by and between the Board of Education, the Superintendent and the Rondout Valley Federation of Teachers. The Board of Education authorized the Superintendent of Schools to seek approval from the New York State Education Department of such changes; and the Board of Education authorized the Board of Education President and the Superintendent of Schools to execute any documents that were necessary to seek such approval.

The Superintendent of Schools and Board of Education are committed to a thoughtful and careful APPR process and parts of this Plan Document that must be developed through appropriate collaboration. The Plan Document may be modified from time to time as these elements are modified.

Annual Professional Performance Review (“APPR”) supports the professional growth of our educators. A successful review system should provide timely feedback, an opportunity to acknowledge educators’ strengths as well as their weaknesses and an opportunity for growth as an educator.

This APPR system will be a significant factor in all employment decisions including but not limited to:

- Retention
- Tenure Determination
- Termination
- Supplemental compensation
- Promotion
- Professional Development
- Coaching

All teachers subject to Education Law §3012-d will be covered by the new comprehensive performance evaluation system in the 2016-17 school year.

The District will work with all available resources to assist in designing and implementing these new systems.

PART I
TRAINING OF EVALUATORS

The District will ensure that all Lead Evaluators [Principals/Administrators & Independent Evaluators], will receive training required by Education Law Section 3012-d and Part 30-3 of the Rules of the Board of Regents. Peer observers are not being used in this APPR plan.

Lead evaluators, evaluators and independent observers will receive training required by Education Law Section 3012-d and Part 30-3 of the Rules of the Board of Regents. Peer observers are not being used in this APPR plan.

Lead evaluators will be certified by the Board of Education after having received training to meet the criteria required for Lead Evaluators pursuant to Part 30-3 of the Rules of the Board of Regents.

A minimum of six (6) hours of training will be received prior to an administrator being certified by the Board of Education as a lead evaluator. Lead evaluators will be recertified periodically by the Board of Education on a periodic, as-needed basis, after receipt of training necessary for such recertification.

Independent evaluators shall receive training on the following elements:

- the New York State Teaching Standards and their related elements and performance indicators;
- evidence-based observation techniques that are grounded in research; and
- application and use of the State-approved teacher rubrics selected by the district for use in evaluations, including training on the effective application of such rubrics to observe a teacher's practice

A minimum of three (3) hours of training will be received prior to an independent evaluator being certified. Independent evaluators will be certified by the Superintendent upon completion of the above-stated training, and re-certified by the Superintendent on a periodic, as-needed basis.

The District will ensure that all evaluators maintain inter-rater reliability via annual calibration sessions across evaluators and periodic comparisons of a lead evaluator's assessment with those conducted by other evaluators.

Responsibilities

The Executive Director of Curriculum and Instruction and/or Ulster BOCES personnel authorized to train on behalf of an evaluation rubric approved by NYSED, will train and certify other evaluators in the district based on the same model.

Timing

All Principals/Administrators & Independent Evaluators and other evaluators shall be appropriately trained and certified by September 30th of each school year or thirty (30) days after appointment.

Re-Certification and Updated Training

The District will work to ensure that all Principals/Administrators & Independent Evaluators maintain inter-rater reliability over time and that they are re-certified on an annual basis and receive updated training on any changes in the law, regulations or applicable collective bargaining agreements.

PART II **DATA MANAGEMENT**

The District will work with the NYSED to develop a process that aligns its data systems to ensure that the NYSED receives timely and accurate teacher, course and student “linkage” data, as well as a process for teacher and principal verification of the courses and/or student rosters assigned to them.

Ensuring Accurate Teacher and Student Data

The District shall ensure that the NYSED 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 the Regulations of the Board of Regents and Commissioner of Education by providing such data in a format and timeline prescribed by the Commissioner.

The District collects data on teacher assignments, student enrollment, attendance, and achievement on State-wide assessments utilizing the SchoolTool student management system. The Data Administrator is directly responsible for maintaining the SMS and transferring data to and from the Mid-Hudson Regional Information Center (MHRIC) and NYSED Data Warehouse systems (SIRS) including, but not limited to, file formatting, data collection, import/exports of data, meeting timelines and regulations as outlined by both the MHRIC and the NYSED.

The NYSED’s *APPR Guidance Documents* and field memos relating to the Student Information Repository System (SIRS) will provide detailed guidance related to the collection and reporting of data, including student-teacher linkage and student attendance. The District will continue to monitor data and develop additional processes, as needed and consistent with NYSED reporting requirements, to verify that the data submitted to the State are complete and accurate. The NYSED advises that it will provide roster verification reports to assist in this process. The NYSED also will provide guidelines for the use of student-teacher instructional weighting and student exclusion flags.

Verification: The District’s student data system identifies teacher assignments, student enrollment and attendance. The District has obtained the NYSED statewide unique identifier for certain certified individuals employed by the District through “TEACH”. This information has or will be entered into the District’s data system and will be extracted from the District’s system and reported to SIRS in accordance with NYSED guidance. The District will verify assignments of teachers through quarterly grade report verifications by both teachers and administrators.

Reporting Individual Subcomponent Scores: The District will report to the NYSED the individual subcomponent scores and the total composite effectiveness score for each classroom teacher and building principal in the District in a format and timeline prescribed by the Commissioner. The District will develop a process for timely and accurate extraction of such data and will use SIRS data reporting extracts protocols for reporting these data to NYSED. Total Composite Effectiveness Scores will not be reported until data on student achievement on state assessments is transmitted to the District.

Development, Security and Scoring of Assessments: The District shall ensure the development, security and scoring processes of all assessments and/or measures used to evaluate teachers and principals under this section are not disseminated to students before administration and that teachers and principals do not have a vested interest in the outcome of the assessments they score.

Development: The District will work with appropriate committees, administrators and local Associations to determine decisions about local measures of student achievement; teacher and principal practice rubrics; any other instruments (such as surveys, self-assessments, portfolios); and the scoring methodology for the assignment of points to locally selected measures of student achievement and other measures of teacher or principal effectiveness.

Security: The District will secure all assessments at the building level consistent with NYSED guidelines prior to, during, and after administration of all required NYSED assessments to ensure that these assessments are not disseminated to students before administration. In addition, both testing and scoring protocols will be consistently adhered to, in order to ensure that teachers or principals do not have a vested interest in the outcome of the assessments they score. Assessment proctors will have access to test administration protocols prior to test administration as prescribed by NYSED, without compromising the security or integrity of the assessment.

Arrival of Materials: When the test materials arrive at the building, the building testing coordinator and principal carefully check, count and inventory the testing materials to ensure that the proper number of tests have been received. The contents of each box are checked against the shipping notice and the school's copy of the order form. All shrink-wrapped materials remain intact until the day of testing. All test materials are stored in a locked safe or vault within the school building or at a school building that has a safe or vault.

Prior to Testing: Prior to the administration time period, a review of the test administration procedures is conducted with all faculty and staff that will be involved in the test administration and scoring. Classrooms are prepared for testing as described in the NYS Testing Administrator's Manual. Alternate locations and additional proctors are organized for students who require testing accommodations.

On the Day of the Testing: Tests are administered consistent with State and local requirements to ensure test security and so that students can do their best. A class roster is completed on the day of testing to account for students who are absent and require a make-up test. When tests are complete, all testing materials are collected and counted by the classroom teacher. Completed testing materials are recounted, bound appropriately and kept in a secure location.

Once All Testing is Complete: Once the testing administration period is completed, all tests are securely inventoried and packed by the building administrator or his/her designee. Make-up sessions are conducted within the allotted time frame, and tests are kept in a secured, locked location. Once all testing is complete, the test boxes are sealed, returned to the scoring location and then properly organized for the return to the testing center.

Scoring: The District will ensure that all assessments are scored in the manner as prescribed by the assessment. Teachers with vested interest in the outcome of their assessments are not involved, to the extent practicable, in the scoring of those assessments.

PART III
ANNUAL PROFESSIONAL PERFORMANCE REVIEW

Philosophy

The Rondout Valley Central School District’s administration working in collaboration with the Rondout Valley Federation of Teachers believes professional review is an integral part of the continuous growth process for teachers. The following plan meets the requirements of the New York State Annual Professional Performance Review (APPR) regulation §3012-d.

This model was chosen because it is a model that supports professional development. The Danielson model was first developed to assist educators in defining elements of effective professional development. It is the belief of the Rondout Valley Central School District that as accountability increases so must the support for success. This model can assist educators in the professional growth cycle of continuous improvement of our teaching and learning systems.

Rondout Valley Central School District APPR Outline:

The New York State APPR regulation requires the district to rate teachers on a HEDI [Highly Effective, Effective, Developing or Ineffective] scale.

Teachers will obtain their Overall APPR Rating from the following:

1. Student Performance Category:
 - a. A teacher’s Student Performance Category rating will come from Students Growth Measures or (other Comparable Measures) provided by the state based upon the achievement results of that teacher’s students on state assessments and/or Student Learning Objectives [SLOs].
 - b. District-wide measure chosen for:
 - i. K-12 teachers who do not give 4-8 State Assessments or whose course(s) end in a Regents exam.
 - ii. Back-up Student Learning Objectives [SLOs] for teachers who give 4-8 State Assessments or who do not have a minimum number of student scores required.
 - c. No optional State provided/Supplemental Growth Score will be used.
 - d. The 0-20 point score will be converted into the following NYS mandated rubric.

Overall <u>Student Performance Category</u> Score & Rating		
RATING	POINTS	% OF STUDENTS MEETING TARGET
H Highly Effective	18 – 20	90 – 100
E Effective	15 – 17	75 – 89
D Developing	13 – 14	60 – 74
I Ineffective	0 – 12	0 – 59

2. Teacher Observation Category:

- Rondout Valley has agreed to use the Danielson 2011 Rubric Revised Edition for assessing teacher effectiveness.
- Principals/Administrators will perform Announced observations and they count 80%.
- Independent Evaluators will perform Unannounced observations and they count 20%.
- No optional Trained Peer Teacher will be performing observations.
- A Teacher’s Observation Category rating will come from a combination of their Announced Observation score worth 80% and their Unannounced Observation score worth 20%.
- The 1-4 point score will be converted into the following rubric.

Overall <u>Observation</u> Category Score & Rating		
RATING	MINIMUM	MAXIMUM
H Highly Effective	3.6	4.0
E Effective	2.5	3.59
D Developing	1.7	2.49
I Ineffective	0	1.69

3. Overall Teacher Effectiveness Rating:

- As per the mandate in New York State Educational Law 3012-d, the HEDI Ratings from Section 1 and Section 2 are included in the table below will be applied to determine the Overall APPR Rating.

STUDENT PERFORMANCE	OBSERVATION			
	HIGHLY EFFECTIVE [H]	EFFECTIVE [E]	DEVELOPING [D]	INEFFECTIVE [I]
	HIGHLY EFFECTIVE [H]	H	H	E
EFFECTIVE [E]	H	E	E	D
DEVELOPING [D]	E	E	D	I
INEFFECTIVE [I]	D	D	I	I

4. Evaluation Forms

- Forms have been developed for use by the administrators for teachers covered under the APPR regulation.
- Forms will be provided online for teacher use.
- Form C* is the standard Classroom Observation Report form.

The evaluation system will occur in a cycle. Timeframes refer to days when school is in session. The day before a major break will be avoided for observations; and meetings will be held whenever possible in the building to which the teacher is assigned (absent exigent circumstances). The parties can mutually agree to reschedule an observation or to schedule another observation in the event that extraordinary issues outside of the control of the parties have or will render the observation inaccurate or not otherwise reflective of the teacher’s skills. Nothing herein shall prevent the District from providing additional support, as needed, to a teacher who is not currently on a Teacher Improvement Plan.

Evaluation Process Timelines

Timeline [absent exigent circumstances]	Action	APPR Form to be Completed
Announced Observations		
Between September [no earlier than one week after Labor Day] to February 29*	Pre-observation conference and observations conducted	Form A [Lesson Plan Planning Guide] Form B [Pre-Observation Conference Questions]
Within 7 days from observation	Teacher forwards Form E [Teacher Reflection on Classroom Observation] to the observer [electronic or hard copy]	Form E [Teacher Reflection on Classroom Observation]
Within 15 days from observation	Written observations with highlighted rubric labeled draft to teacher within 15 days of observation	Form D [Domains 1, 2 & 3 Rubric] Draft-Announced Form C [Classroom Observation Report]
Within 20 days from observation	Post-Conference held with teacher	Form D [Domains 1, 2 & 3 Rubric] Draft-Announced Form C [Classroom Observation Report] Form E [Teacher Reflection on Classroom Observation]
Within 10 days from Post-Conference	All signed copies due to Personnel Office	Form A [Lesson Plan Planning Guide] Form B [Pre-Observation Conference Questions] Form D [Domains 1, 2 & 3 Rubric] Final-Announced Form C [Classroom Observation Report] Form E [Teacher Reflection on Classroom Observation]
*The Unannounced Observation may begin no earlier than 20 days following the Announced Post-Observation meeting.		

Timeline [absent exigent circumstances]	Action	APPR Form to be Completed
Unannounced Observations		
Between December 1 to May 21*	Observations conducted	
Within 7 days from observation	Teacher forwards Form E [Teacher Reflection on Classroom Observation] to the observer	Form E [Teacher Reflection on Classroom Observation]
Within 15 days from observation	Written observations with highlighted rubric labeled draft to teacher within 15 days of observation	Form D1 [Domains 2 & 3 Rubric] Draft-Unannounced Form C [Classroom Observation Report]
Within 20 days from observation	Post-Conference held with teacher	Form D1 [Domains 2 & 3 Rubric] Draft-Unannounced Form C [Classroom Observation Report] Form E [Teacher Reflection on Classroom Observation]
Within 10 days from Post-Conference	All signed copies due to Personnel Office	Form D1 [Domains 2 & 3 Rubric] Final-Unannounced Form C [Classroom Observation Report] Form E [Teacher Reflection on Classroom Observation]
*The Unannounced Observation may begin no earlier than 20 days following the Announced Post-Observation meeting.		

Timeline [absent exigent circumstances]	Action	APPR Form to be Completed
APPR Documentation		
By June 15	<p>A copy of the either Form F, F1 or F2 [Teacher Evaluation Rating Criteria for Awarding Points form] and Form G [Annual Professional Performance Review: Teacher Evaluation Rating] will be provided to teachers.</p> <p>Section 1 of Form G [Annual Professional Performance Review: Teacher Evaluation Rating] will not be completed until State provisions of values/Student Learning Objectives are received.</p>	<p>Form F, F1 or F2 Teacher Evaluation Rating Criteria for Awarding Points</p> <p>Form G Annual Professional Performance Review: Teacher Evaluation Rating</p>
By the end of the school year	A signed copy of either Form F, F1 or F2 [Teacher Evaluation Rating Criteria for Awarding Points form] are due to Curriculum & Instruction Office.	Form F, F1 or F2 Teacher Evaluation Rating Criteria for Awarding Points
By September 1 st	Contingent upon NYSED provision of scores for Section 1 of Form G [Annual Professional Performance Review: Teacher Evaluation Rating], two copies of Form G will be completed and forwarded to the teacher.	Form G Annual Professional Performance Review: Teacher Evaluation Rating
Within 10 days of the first day of school for teachers	Form G [Annual Professional Performance Review: Teacher Evaluation Rating] will be signed by the teacher acknowledging receipt of the document and one copy will be forwarded by the teacher to the Personnel Office to be placed in his or her Personnel File.	Form G Annual Professional Performance Review: Teacher Evaluation Rating

Evaluation Forms

- Form A: Lesson Plan Planning Guide
- Form B: Pre-Observation Conference Questions
- Form C: Classroom Observation Report
- Form D: Domains 1, 2 & 3 Rubric [Announced Observations]
- Form D1: Domains 2 & 3 Rubric [Unannounced Observations]
- Form E: Teacher Reflection on Classroom Observation
- Form F: Teacher Evaluation Rating Criteria for Awarding Points
- Form F1: Teacher Evaluation Rating Criteria for Awarding Points for Probationary 1st year
Teachers / Unsatisfactory Unannounced Observation of Teachers
- Form F2: Teacher Evaluation Rating Criteria for Awarding Points for Unsatisfactory Announced
Observation of Teachers
- Form G: Annual Professional Performance Review: Teacher Evaluation Rating

Form A: Lesson Plan Planning Guide

Teacher Name _____

Date of Observation _____

Teacher records key information in each area and brings **a copy for the administrator** and **a copy for him/herself** to the Pre-observation

Name of Current Unit of Study: _____ Day ____ of the Unit

Concepts in Unit (D1A):

Standards Taught/Assessed in this Unit:

<p>Student/Class Profile Identify the makeup of your class and any accommodations in this lesson to meet student learning needs. <i>(How will you use what you know about learning styles and specific strategies to design and differentiate instruction for a group of diverse learners?)</i> D1B, D1E</p>	
<p>Learning Outcomes Identify what concept, knowledge, and/or skill you will specifically teach today. D1C, D1E</p>	
<p>Assessments Identify what the students will do today to SHOW they are making progress toward and/or have learned the concept, knowledge or skill. (The formative and/or summative assessments) D1F</p>	
<p>Engagement in Learning List how you will focus the students in the opening of the lesson, activities to engage the students and your plan to close the lesson. D1E</p>	
<p>Adjustments/Modifications In what ways do you anticipate you will adjust the lesson if formative assessments indicate a need? D1A, D1B, D1E, D1F</p>	
<p>Groups How will the students be grouped for each activity in the lesson? D1B, D1E</p>	
<p>Resources List resources and materials needed for this lesson. D1D</p>	

Form B: Pre-Observation Conference Questions

Name of Teacher _____ Date of Pre-Observation Conference _____

Pre-Observation Conference Questions

Teacher may record answers on the Observation Conference Question Form (this paper) or simply come prepared to discuss these questions with the administrator.

1. What specifically will you be teaching in the lesson I will observe (D1C)?
 - a. How do you know the students are ready for this learning (D1A)?

2. How will you know the students are learning during this lesson (D1A, D1B, D1C)?

3. Let's review the lesson plan (APPR Form 1) you brought with you today (D1E).
 - a. What are the assessment criteria and standards for the formative and/or summative assessment(s) you will be using in this lesson (D1F)?
 - b. In what ways will the results of the assessment(s) you will be using in this lesson help you plan for future instruction (D1F)?

4. I will be observing your lesson to assess your application of the NYS Teaching Standards via the Danielson Rubric, Domains 2 and 3. Is there any one competency you are specifically interested in receiving feedback on?

Domain 2: The Classroom Environment

- _____ Creating an Environment of Respect and Rapport
- _____ Establishing a Culture for Learning
- _____ Managing Classroom Procedures
- _____ Managing Student Behavior
- _____ Organizing Physical Space

Domain 3: Instruction

- _____ Communicating with Students
- _____ Using Questioning / Prompts and Discussions
- _____ Engaging Students in the Learning
- _____ Using Assessment in Instruction
- _____ Demonstrating Flexibility and Responsiveness

Form C: Classroom Observation Report

**Rondout Valley Central School District
PO Box 9
Accord, NY 12404
845-687-2400**

Name:
Class:
School:
Date of Observation:

Administrator:
Title:

This observation was evaluated in the context of Charlotte Danielson's Domains:

_____ Announced Observation: Domains 1, 2, and 3

_____ Unannounced Observation: Domains 2 & 3

Administrator Narrative:

Summary:

In the domain of planning and preparation: [For Announced Observation only]

In the domain of classroom environment:

In the domain of instruction:

Staff Member Comments:

Administrator Signature

Staff Member Signature

Date

Date

Conference held on: _____

Attendance this school year as of: _____ (date)

Staff Member Status:

_____personal sick

_____tenured

_____family sick

_____probationary

_____personal

_____leave replacement

_____leave w/out pay

_____other

Form D: Domains 1, 2 & 3 Rubric [Announced Observations]

Name: _____

Date: _____

Domain 1: Planning and Preparation

Component	Unsatisfactory	Basic	Proficient	Distinguished
1a: Demonstrating knowledge of content and pedagogy <i>-content and structure of the discipline</i> <i>-prerequisite relationships</i> <i>-content related pedagogy</i>	In planning and practice, teacher makes content errors or does not correct error. Teacher's plans and practice display little understanding of prerequisite relationships important to student learning of the content. Teacher displays little or no understanding of the range of pedagogical approaches suitable to student learning of the content.	Teacher is familiar with the important concept of the discipline, but may display lack of awareness of how these concepts relate to one another. Teacher's plans and practice indicate some awareness of prerequisite relationships, although such knowledge may be inaccurate or incomplete. Teacher's plans and practice reflect a limited range of pedagogical approaches or some approaches that are not suitable to the discipline or to students.	Teacher displays solid knowledge of the important concepts in the discipline and how these relate to one another. Teacher's plans and practice reflect accurate understanding of the prerequisite relationships among topics and concepts. Teacher's plans and practice reflect familiarity with a wide range of effective pedagogical approaches in the discipline.	Teacher displays extensive knowledge of the important concepts in the discipline and how these relate both to one another and to other disciplines. Teacher's plans and practice reflect understanding of prerequisite relationships among topics and concepts and a link to necessary cognitive structures by students to ensure understanding. Teacher's plans and practice reflect familiarity with a wide range of effective pedagogical approaches in the discipline, anticipating student misconceptions.
1b: Demonstrating knowledge of students <i>-child & adolescent development</i> <i>-the learning process</i> <i>-skills, knowledge, and language proficiency</i> <i>-interest & cultural heritage</i> <i>-special needs</i>	Teacher demonstrates little or no understanding of how students learn, and little knowledge of students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and does not seek such understanding.	Teacher indicates the importance of understanding how students learn, and the students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and attains this knowledge for the class as a whole.	Teacher understands the active nature of student learning and attains information about levels of development for groups of students. The teacher also purposefully seeks knowledge from several sources of students' backgrounds, cultures, skills, language proficiency, interests, and special needs, and attains this knowledge for groups of students.	The teacher actively seeks knowledge of students' levels of development and their backgrounds, cultures, skills, language proficiency, interests, and special needs from a variety of sources. This information is acquired for individual students.
1c: Setting Instructional Outcomes <i>-Value, sequence, and alignment</i> <i>-Clarity</i> <i>-Balance</i> <i>-Suitability for diverse students</i>	Outcomes represent low expectations for students and lack rigor, nor do they all reflect important learning in the discipline. Outcomes are stated as activities, rather than as student learning. Outcomes reflect only one type of learning and only one discipline or strand, and are suitable for only some students.	Outcomes represent moderately high expectations and rigor. Some reflect important learning in the discipline, and consist of a combination of outcomes and activities. Outcomes reflect several types of learning, but teacher has made no attempt at coordination or integration. Most of the outcomes are suitable for most of the students in the class based on global assessments of student learning.	Most outcomes represent rigorous and important learning in the discipline. All the instructional outcomes are clear, written in the form of student learning, and suggest viable methods of assessment. Outcomes reflect several different types of learning and opportunities for coordination. Outcomes take into account the varying needs of groups of students.	All outcomes represent rigorous and important learning in the discipline. The outcomes are clear, written in the form of student learning, and permit viable methods of assessment. Outcomes reflect several different types of learning and, where appropriate, represent opportunities for both coordination and integration. Outcomes take into account the varying needs of individual students.
1d: Demonstrating Knowledge of Resources <i>-For classroom use</i> <i>-To extend content knowledge and pedagogy</i> <i>-For students</i>	Teacher is unaware of resources for classroom use, for expanding one's own knowledge, and for students available through the school or district.	Teacher displays basic awareness of resources available for classroom use, for expanding one's own knowledge, and for students through the school, but no knowledge of resources available more broadly.	Teacher displays awareness of resources available for classroom use, for expanding one's own knowledge, and for students through the school or district and external to the school and on the internet.	Teacher's knowledge of resources for classroom use, for expanding one's own knowledge, and for students is extensive, including those available through the school or district, in the community, through professional organizations and universities, and on the internet.
1e: Designing Coherent Instruction <i>-Learning activities</i> <i>-Instructional materials and resources</i> <i>-Instructional groups</i> <i>-Lesson and unit structure</i>	The series of learning experiences is poorly aligned with the instructional outcomes and does not represent a coherent structure. The activities are not designed to engage students in active intellectual activity and have unrealistic time allocations. Instructional groups do not support the instructional outcomes and offer no variety.	Some of the learning activities and materials are suitable to the instructional outcomes and represent a moderate cognitive challenge, but with no differentiation for different students. Instructional groups partially support the instructional outcomes with at effort at providing some variety. The lesson or unit has a recognizable structure: the progression of activities is uneven with most time allocations reasonable.	Teacher coordinates knowledge of content, of students, and of resources, to design a series of learning experiences aligned to instructional outcomes and suitable to groups of students. The learning activities have reasonable time allocations; they represent significant cognitive challenge with some differentiation for different groups of students. The lesson or unit has a clear structure with appropriate and varied use of instructional groups.	Plans represent the coordination of in-depth content knowledge, understanding of different students' needs and available resources (including technology) resulting in a series of learning activities designed to engage students in high-level cognitive activity. These are differentiated, as appropriate, for individual learners. Instructional groups are varied as appropriate, with some opportunity for student choice. The lesson or unit's structure is clear and allows for different pathways according to diverse student needs.
1f: Assessing student Learning <i>-Congruence with instructional outcomes</i> <i>-Criteria and standards</i> <i>-Design of formative assessments</i> <i>Use for planning</i>	Assessment procedures are not congruent with instructional outcomes; the proposed approach contains no criteria or standards. Teacher has no plans to incorporate formative assessment in the lesson or unit, nor any plans to use assessment results in designing future instruction.	Some of the instructional outcomes are assessed through the proposed approach, but others are not. Assessment criteria and standards have been developed, but they are not clear. Approach to the use of formative assessment is rudimentary, including only some of the instructional outcomes. Teacher intends to use assessment results to plan for future instruction for the class as a whole.	Teacher's plan for student assessment is aligned with the instructional outcomes; assessment methodologies may have been adapted for groups of students. Assessment criteria and standards are clear. Teacher has a well-developed strategy for using formative assessment and has designed particular approaches to be used. Teacher intends to use assessment results to plan for future instruction for groups of students.	Teacher's plan for student assessment is fully aligned with the instructional outcomes with clear criteria and standards that show evidence of student contribution to their development. Assessment methodologies have been adapted for individual students, as needed. The approach to using formative assessment is well-designed and includes student as well as teacher use of the assessment information. Teacher intends to use assessment results to plan for future instruction for individual students.

Domain 2: The Classroom Environment

Component	Unsatisfactory	Basic	Proficient	Distinguished
2a: Creating an environment of respect and rapport <i>-Teacher interactions with students, including both words and actions</i> <i>-Student interactions with other students, including both words and actions</i>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are mostly negative, inappropriate, or insensitive to students' ages, cultural backgrounds, and development levels. Interactions are characterized by sarcasm, putdowns, or conflict. Teacher does not deal with disrespectful behavior.</p>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are generally appropriate, but may reflect occasional inconsistencies, favoritism, and disregard for students' ages, cultures, and developmental levels. Students rarely demonstrate disrespect for one another. Teacher attempts to respond to disrespectful behavior, with uneven results. The net result of the interactions is neutral, conveying neither warmth nor conflict.</p>	<p>Teacher-student interactions are friendly and demonstrate general caring and respect. Such interactions are appropriate to the ages of the students. Students exhibit respect for the teacher. Interactions among students are generally polite and respectful. Teacher responds successfully to disrespectful behavior among students. The net result of the interactions is polite and respectful, but impersonal.</p>	<p>Classroom interactions among the teacher and individual students are highly respectful, reflecting genuine warmth, caring, and sensitivity, to students as individuals. Students exhibit respect for the teacher and contribute to high levels of civility among all members of the class. The net result of interactions is that of connections with students as individuals.</p>
2b: Establishing a culture for learning <i>-Importance of the content and of learning</i> <i>-Expectations for learning and achievement</i> <i>-Student pride in work</i>	<p>The classroom culture is characterized by a lack of teacher or student commitment to learning, and/or little or no investment of student energy into the task at hand. Hard work is not expected or valued. Medium to low expectations for student achievement are the norm with high expectations for learning reserved for only one or two students.</p>	<p>The classroom culture is characterized by little commitment to learning by teacher or students. The teacher appears to be only "going through the motions," and students indicate that they are interested in completion of a task, rather than quality. The teacher conveys that student success is the result of natural ability rather than hard work; high expectations for learning are reserved for those students thought to have a natural aptitude for the subject.</p>	<p>The classroom culture is a cognitively busy place where learning is valued by all with high expectations for learning the norm for most students. The teacher conveys that with hard work students can be successful; students understand their role as learners and consistently expend effort to learn. Classroom interactions support learning and hard work.</p>	<p>The classroom culture is a cognitively vibrant place characterized by a shared belief in the importance of learning. The teacher conveys high expectations for learning by all students and insists on hard work; students assume responsibility for high quality by initiating improvements, making revisions, adding detail and/or helping peers.</p>
2c: Managing classroom procedures <i>-Management of instructional groups</i> <i>-Management of transitions</i> <i>-Management of materials and supplies</i> <i>-Performance of non-instructional duties</i>	<p>Much instructional time is lost due to inefficient classroom routines and procedures. There is little or no evidence of the teacher managing instructional groups, transitions, and/or handling of materials and supplies effectively. There is little evidence that students know or follow established routines.</p>	<p>Some instructional time is lost due to only partially effective classroom routines and procedures. The teacher's management of instructional groups, transitions, and/or the handling of materials and supplies is inconsistent, leading to some disruption of learning. With regular guidance and prompting, students follow established routines.</p>	<p>There is little loss of instructional time due to effective classroom routines and procedures. The teacher's management of instructional groups, and/or the handling of materials and supplies are consistently successful. With minimal guidance and prompting, students follow established classroom routines.</p>	<p>Instructional time is maximized due to efficient classroom routines and procedures. Students contribute to the management of instructional groups, transitions, and/or handling of materials and supplies. Routines are well understood and may be initiated by students.</p>
2d: Managing student behavior <i>-Expectations</i> <i>-Monitoring of student behavior</i> <i>-Response to student misbehavior</i>	<p>There appear to be no established standards of conduct and little or no teacher monitoring of student behavior. Students challenge the standards of conduct. Response to students' misbehavior is repressive, or disrespectful of student dignity.</p>	<p>Standards of conduct appear to have been established, but their implementation is inconsistent. Teacher tries, with uneven results, to monitor student behavior and respond to student misbehavior. There is inconsistent implementation of the standards of conduct.</p>	<p>Student behavior is generally appropriate. The teacher monitors student behavior against established standards of conduct. Teacher response to student misbehavior is consistent, proportionate and respectful to students and is effective.</p>	<p>Student behavior is entirely appropriate. Students take an active role in monitoring their own behavior and that of other students against standards of conduct. Teacher's monitoring of student behavior is subtle and preventive. Teacher's response to student misbehavior is sensitive to individual student needs and respects students.</p>
2e: Organizing physical space <i>-Safety and accessibility</i> <i>-Arrangement of furniture and use of physical resources</i>	<p>The physical environment is unsafe, or many students don't have access to learning. There is poor alignment between the arrangement of furniture and resources, including computer technology, and the lesson activities</p>	<p>The classroom is safe and essential learning is accessible to most students. The teacher's use of physical resources, including computer technology, is moderately effective. Teacher may attempt to modify the physical arrangement to suit learning activities with partial success.</p>	<p>The classroom is safe and learning is accessible to all students; teacher ensures that the physical arrangement is appropriate to the learning activities. Teacher makes effective use of physical resources, including computer technology.</p>	<p>The classroom is safe and learning is accessible to all students including those with special needs. Teacher makes effective use of physical resources, including computer technology. The teacher ensures that the physical arrangement is appropriate to the learning activities. Students contribute to the use or adaptation of the physical environment to advance learning.</p>

Domain 3: Instruction

Component	Unsatisfactory	Basic	Proficient	Distinguished
3a: Communicating with Students <i>-Expectations for learning</i> <i>-Directions for activities</i> <i>-Explanations of content</i> <i>-Use of oral and written language</i>	<p>The instructional purpose of the lesson is unclear to students and the directions and procedures are confusing. Teacher's explanation of the content contains major errors. The teacher's spoken or written language contains errors of grammar or syntax. Vocabulary is inappropriate, vague, or used incorrectly, leaving students confused.</p>	<p>Teacher's attempt to explain the instructional purpose has only limited success, and/or directions and procedures must be clarified after initial student confusion. Teacher's explanation of the content may contain minor errors; some portions are clear, other portions are difficult to follow. Teacher's explanation consists of a monologue, with no invitation to the students for intellectual engagement. Teacher's spoken language is correct, however, vocabulary is limited, or not fully appropriate to the students' ages or backgrounds.</p>	<p>The instructional purpose of the lesson is clearly communicated to students, including where it is situated within broader learning. Directions and procedures are explained clearly. Teacher's explanation of content is well scaffolded, clear and accurate, and connects with students' knowledge and experience. During the explanation of content, the teacher invites student intellectual engagement. Teacher's spoken and written language is clear and correct. Vocabulary is appropriate to the students' ages and interests.</p>	<p>The teacher links the instructional purpose of the lesson to student interests, the directions and procedures are clear and anticipate possible student misunderstanding. Teacher's explanation of content is thorough and clear, developing conceptual understanding through artful scaffolding and connecting with students' interests. Students contribute to extending the content and in explaining concepts to their classmates. Teacher's spoken and written language is expressive and the teacher finds opportunities to extend students' vocabularies.</p>
3b: Using questioning and discussion techniques <i>-Quality of questions/prompts</i> <i>-Discussion techniques</i> <i>-Student participation</i>	<p>Teacher's questions are of low cognitive challenge; single correct responses are asked in rapid succession. Interaction between teacher and students is predominately recitation style, with the teacher mediating all questions and answers. A few students dominate the discussion.</p>	<p>Teacher's questions leads students through a single path of inquiry, with answers seemingly determined in advance. Alternatively, the teacher attempts to frame some questions designed to promote student thinking and understanding, but only a few students are involved. Teacher attempts to engage all students in the discussion and to encourage them to respond to one another with uneven results.</p>	<p>While the teacher may use some low-level questions, he or she poses questions to students designed to promote student thinking and understanding. Teacher creates a genuine discussion among students, providing adequate time for students to respond, and stepping aside when appropriate. Teacher successfully engages most students in the discussion, employing a range of strategies to ensure that most students are heard.</p>	<p>Teacher uses a variety or series of questions or prompts to challenge students cognitively, advance high level thinking and discourse, and promote meta-cognition. Students formulate many questions, initiate topics and make unsolicited contributions. Students themselves ensure that all voices are heard in the discussion.</p>
3c: Engaging students in learning <i>-Activities and assignments</i> <i>-Grouping of students</i> <i>-Instructional materials and resources</i> <i>-Structure and pacing</i>	<p>The learning tasks and activities, materials, resources, instructional groups and technology are poorly aligned with the instructional outcomes or require only rote responses. The pace of the lesson is too slow or rushed. Few students are intellectually engaged or interested.</p>	<p>The learning tasks or prompts are partially aligned with the instructional outcomes but require only minimal thinking by students, allowing most students to be passive or merely compliant. The pacing of the lesson may not provide students the time needed to be intellectually engaged.</p>	<p>The learning tasks and activities are aligned with the instructional outcomes and are designed to challenge student thinking, resulting in active intellectual engagement by most students with important and challenging content, and with teacher scaffolding to support that engagement. The pacing of the lesson is appropriate, providing most students the time needed to be intellectually engaged.</p>	<p>Virtually all students are intellectually engaged in challenging content through well designed learning tasks and suitable scaffolding by the teacher and fully aligned with the instructional outcomes. In addition, there is evidence of some student initiation of inquiry, and student contributions to the explanation of important content. The pacing of the lesson provides students the time needed to intellectually engage with and reflect upon their learning and to consolidate their understanding. Students may have some choice in how they complete tasks and may serve as resources for one another.</p>
3d: Using Assessment for Instruction <i>-Assessment criteria</i> <i>-Monitoring of student learning</i> <i>-Feedback got students</i> <i>-Student self-assessment and monitoring of progress</i>	<p>There is little or no assessment or monitoring of student learning, feedback is absent, or of poor quality. Students do not appear to be aware of the assessment criteria and do not engage in self-assessment.</p>	<p>Assessment is used sporadically to support instruction, through some monitoring of progress of learning by teacher and/or students. Feedback to students is general and students appear to be only partially aware of the assessment criteria used to evaluate their work but few assess their own work. Questions/prompts/assessments are rarely used to diagnose evidence of learning.</p>	<p>Assessment is regularly used during instruction, through monitoring of progress of learning by teacher and/or students, resulting in accurate, specific feedback that advances learning. Students appear to be aware of the assessment criteria; some of them engage in self-assessment. Questions/prompts/assessments are used to diagnose evidence of learning.</p>	<p>Assessment is fully integrated into instruction through extensive use of formative assessment. Students appear to be aware of, and there is some evidence that they have contributed to, the assessment criteria. Students self-assess and monitor their progress. A variety of feedback from both the teacher and peers, is accurate, specific, and advances learning. Questions/prompts/assessments are used regularly to diagnose evidence of learning by individual students.</p>
3e: Demonstrating flexibility and responsiveness <i>-Lesson adjustment</i> <i>-Response to students</i> <i>-Persistence</i>	<p>Teacher adheres to the instruction plan in spite of evidence of poor student understanding or students' lack of interest. Teacher ignores student questions, when students experience difficulty, the teacher blames the students or their home environment.</p>	<p>Teacher attempts to modify the lesson when needed and to respond to student questions and interests with moderate success. Teacher accepts responsibility for student success, but has only a limited repertoire of strategies to draw upon.</p>	<p>Teacher promotes the successful learning of all students, making minor adjustments as needed to instruction plans and accommodating student questions, needs and interests. The teacher persists in seeking approaches for students who have difficulty learning, drawing on a broad repertoire of strategies.</p>	<p>Teacher seizes an opportunity to enhance learning building on a spontaneous event or student interests or successfully adjusts and differentiates instruction to address individual student misunderstandings. Teacher persists in seeking effective approaches for students who need help, using an extensive repertoire of instructional strategies and soliciting additional resources from the school or community.</p>

Evidence based observations addressing the highlighted sections of Domains 1, 2 and 3 in the rubrics were discussed during the post observation conference. Comments and recommendations for continued growth were provided in the accompanying observation report document (Form E).

 Teacher
 Comments:

 Administrator

 Date

Form D1: Domains 2 & 3 Rubric [Unannounced Observations]

Name:

Date:

Domain 2: The Classroom Environment

Component	Unsatisfactory	Basic	Proficient	Distinguished
2a: Creating an environment of respect and rapport <i>-Teacher interactions with students, including both words and actions</i> <i>-Student interactions with other students, including both words and actions</i>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are mostly negative, inappropriate, or insensitive to students' ages, cultural backgrounds, and development levels. Interactions are characterized by sarcasm, putdowns, or conflict. Teacher does not deal with disrespectful behavior.</p>	<p>Patterns of classroom interactions, both between the teacher and students and among students, are generally appropriate, but may reflect occasional inconsistencies, favoritism, and disregard for students' ages, cultures, and developmental levels. Students rarely demonstrate disrespect for one another. Teacher attempts to respond to disrespectful behavior, with uneven results. The net result of the interactions is neutral, conveying neither warmth nor conflict.</p>	<p>Teacher-student interactions are friendly and demonstrate general caring and respect. Such interactions are appropriate to the ages of the students. Students exhibit respect for the teacher. Interactions among students are generally polite and respectful. Teacher responds successfully to disrespectful behavior among students. The net result of the interactions is polite and respectful, but impersonal.</p>	<p>Classroom interactions among the teacher and individual students are highly respectful, reflecting genuine warmth, caring, and sensitivity, to students as individuals. Students exhibit respect for the teacher and contribute to high levels of civility among all members of the class. The net result of interactions is that of connections with students as individuals.</p>
2b: Establishing a culture for learning <i>-Importance of the content and of learning</i> <i>-Expectations for learning and achievement</i> <i>-Student pride in work</i>	<p>The classroom culture is characterized by a lack of teacher or student commitment to learning, and/or little or no investment of student energy into the task at hand. Hard work is not expected or valued. Medium to low expectations for student achievement are the norm with high expectations for learning reserved for only one or two students.</p>	<p>The classroom culture is characterized by little commitment to learning by teacher or students. The teacher appears to be only "going through the motions," and students indicate that they are interested in completion of a task, rather than quality. The teacher conveys that student success is the result of natural ability rather than hard work; high expectations for learning are reserved for those students thought to have a natural aptitude for the subject.</p>	<p>The classroom culture is a cognitively busy place where learning is valued by all with high expectations for learning the norm for most students. The teacher conveys that with hard work students can be successful; students understand their role as learners and consistently expend effort to learn. Classroom interactions support learning and hard work.</p>	<p>The classroom culture is a cognitively vibrant place characterized by a shared belief in the importance of learning. The teacher conveys high expectations for learning by all students and insists on hard work; students assume responsibility for high quality by initiating improvements, making revisions, adding detail and/or helping peers.</p>
2c: Managing classroom procedures <i>-Management of instructional groups</i> <i>-Management of transitions</i> <i>-Management of materials and supplies</i> <i>-Performance of non-instructional duties</i>	<p>Much instructional time is lost due to inefficient classroom routines and procedures. There is little or no evidence of the teacher managing instructional groups, transitions, and/or handling of materials and supplies effectively. There is little evidence that students know or follow established routines.</p>	<p>Some instructional time is lost due to only partially effective classroom routines and procedures. The teacher's management of instructional groups, transitions, and/or the handling of materials and supplies is inconsistent, leading to some disruption of learning. With regular guidance and prompting, students follow established routines.</p>	<p>There is little loss of instructional time due to effective classroom routines and procedures. The teacher's management of instructional groups, and/or the handling of materials and supplies are consistently successful. With minimal guidance and prompting, students follow established classroom routines.</p>	<p>Instructional time is maximized due to efficient classroom routines and procedures. Students contribute to the management of instructional groups, transitions, and/or handling of materials and supplies. Routines are well understood and may be initiated by students.</p>
2d: Managing student behavior <i>-Expectations</i> <i>-Monitoring of student behavior</i> <i>-Response to student misbehavior</i>	<p>There appear to be no established standards of conduct and little or no teacher monitoring of student behavior. Students challenge the standards of conduct. Response to students' misbehavior is repressive, or disrespectful of student dignity.</p>	<p>Standards of conduct appear to have been established, but their implementation is inconsistent. Teacher tries, with uneven results, to monitor student behavior and respond to student misbehavior. There is inconsistent implementation of the standards of conduct.</p>	<p>Student behavior is generally appropriate. The teacher monitors student behavior against established standards of conduct. Teacher response to student misbehavior is consistent, proportionate and respectful to students and is effective.</p>	<p>Student behavior is entirely appropriate. Students take an active role in monitoring their own behavior and that of other students against standards of conduct. Teacher's monitoring of student behavior is subtle and preventive. Teacher's response to student misbehavior is sensitive to individual student needs and respects students.</p>
2e: Organizing physical space <i>-Safety and accessibility</i> <i>-Arrangement of furniture and use of physical resources</i>	<p>The physical environment is unsafe, or many students don't have access to learning. There is poor alignment between the arrangement of furniture and resources, including computer technology, and the lesson activities</p>	<p>The classroom is safe and essential learning is accessible to most students. The teacher's use of physical resources, including computer technology, is moderately effective. Teacher may attempt to modify the physical arrangement to suit learning activities with partial success.</p>	<p>The classroom is safe and learning is accessible to all students; teacher ensures that the physical arrangement is appropriate to the learning activities. Teacher makes effective use of physical resources, including computer technology.</p>	<p>The classroom is safe and learning is accessible to all students including those with special needs. Teacher makes effective use of physical resources, including computer technology. The teacher ensures that the physical arrangement is appropriate to the learning activities. Students contribute to the use or adaptation of the physical environment to advance learning.</p>

Domain 3: Instruction

Component	Unsatisfactory	Basic	Proficient	Distinguished
3a: Communicating with Students <i>-Expectations for learning</i> <i>-Directions for activities</i> <i>-Explanations of content</i> <i>-Use of oral and written language</i>	<p>The instructional purpose of the lesson is unclear to students and the directions and procedures are confusing. Teacher's explanation of the content contains major errors. The teacher's spoken or written language contains errors of grammar or syntax. Vocabulary is inappropriate, vague, or used incorrectly, leaving students confused.</p>	<p>Teacher's attempt to explain the instructional purpose has only limited success, and/or directions and procedures must be clarified after initial student confusion. Teacher's explanation of the content may contain minor errors; some portions are clear; other portions are difficult to follow. Teacher's explanation consists of a monologue, with no invitation to the students for intellectual engagement. Teacher's spoken language is correct, however, vocabulary is limited, or not fully appropriate to the students' ages or backgrounds.</p>	<p>The instructional purpose of the lesson is clearly communicated to students, including where it is situated within broader learning. Directions and procedures are explained clearly. Teacher's explanation of content is well scaffolded, clear and accurate, and connects with students' knowledge and experience. During the explanation of content, the teacher invites student intellectual engagement. Teacher's spoken and written language is clear and correct. Vocabulary is appropriate to the students' ages and interests.</p>	<p>The teacher links the instructional purpose of the lesson to student interests; the directions and procedures are clear and anticipate possible student misunderstanding. Teacher's explanation of content is thorough and clear, developing conceptual understanding through artful scaffolding and connecting with students' interests. Students contribute to extending the content and in explaining concepts to their classmates. Teacher's spoken and written language is expressive and the teacher finds opportunities to extend students' vocabularies.</p>
3b: Using questioning and discussion techniques <i>-Quality of questions/prompts</i> <i>-Discussion techniques</i> <i>-Student participation</i>	<p>Teacher's questions are of low cognitive challenge; single correct responses are asked in rapid succession. Interaction between teacher and students is predominately recitation style, with the teacher mediating all questions and answers. A few students dominate the discussion.</p>	<p>Teacher's questions leads students through a single path of inquiry, with answers seemingly determined in advance. Alternatively, the teacher attempts to frame some questions designed to promote student thinking and understanding, but only a few students are involved. Teacher attempts to engage all students in the discussion and to encourage them to respond to one another with uneven results.</p>	<p>While the teacher may use some low-level questions, he or she poses questions to students designed to promote student thinking and understanding. Teacher creates a genuine discussion among students, providing adequate time for students to respond, and stepping aside when appropriate. Teacher successfully engages most students in the discussion, employing a range of strategies to ensure that most students are heard.</p>	<p>Teacher uses a variety or series of questions or prompts to challenge students cognitively, advance high level thinking and discourse, and promote meta-cognition. Students formulate many questions, initiate topics and make unsolicited contributions. Students themselves ensure that all voices are heard in the discussion.</p>
3c: Engaging students in learning <i>-Activities and assignments</i> <i>-Grouping of students</i> <i>-Instructional materials and resources</i> <i>-Structure and pacing</i>	<p>The learning tasks and activities, materials, resources, instructional groups and technology are poorly aligned with the instructional outcomes or require only rote responses. The pace of the lesson is too slow or rushed. Few students are intellectually engaged or interested.</p>	<p>The learning tasks or prompts are partially aligned with the instructional outcomes but require only minimal thinking by students, allowing most students to be passive or merely compliant. The pacing of the lesson may not provide students the time needed to be intellectually engaged.</p>	<p>The learning tasks and activities are aligned with the instructional outcomes and are designed to challenge student thinking, resulting in active intellectual engagement by most students with important and challenging content, and with teacher scaffolding to support that engagement. The pacing of the lesson is appropriate, providing most students the time needed to be intellectually engaged.</p>	<p>Virtually all students are intellectually engaged in challenging content through well designed learning tasks and suitable scaffolding by the teacher and fully aligned with the instructional outcomes. In addition, there is evidence of some student initiation of inquiry, and student contributions to the explanation of important content. The pacing of the lesson provides students the time needed to intellectually engage with and reflect upon their learning and to consolidate their understanding. Students may have some choice in how they complete tasks and may serve as resources for one another.</p>
3d: Using Assessment for Instruction <i>-Assessment criteria</i> <i>-Monitoring of student learning</i> <i>-Feedback to students</i> <i>-Student self-assessment and monitoring of progress</i>	<p>There is little or no assessment or monitoring of student learning, feedback is absent, or of poor quality. Students do not appear to be aware of the assessment criteria and do not engage in self-assessment.</p>	<p>Assessment is used sporadically to support instruction, through some monitoring of progress of learning by teacher and/or students. Feedback to students is general and students appear to be only partially aware of the assessment criteria used to evaluate their work but few assess their own work. Questions/prompts/assessments are rarely used to diagnose evidence of learning.</p>	<p>Assessment is regularly used during instruction, through monitoring of progress of learning by teacher and/or students, resulting in accurate, specific feedback that advances learning. Students appear to be aware of the assessment criteria; some of them engage in self-assessment. Questions/prompts/assessments are used to diagnose evidence of learning.</p>	<p>Assessment is fully integrated into instruction through extensive use of formative assessment. Students appear to be aware of, and there is some evidence that they have contributed to, the assessment criteria. Students self-assess and monitor their progress. A variety of feedback from both the teacher and peers, is accurate, specific, and advances learning. Questions/prompts/assessments are used regularly to diagnose evidence of learning by individual students.</p>
3e: Demonstrating flexibility and responsiveness <i>-Lesson adjustment</i> <i>-Response to students</i> <i>-Persistence</i>	<p>Teacher adheres to the instruction plan in spite of evidence of poor student understanding or students' lack of interest. Teacher ignores student questions, when students experience difficulty, the teacher blames the students or their home environment.</p>	<p>Teacher attempts to modify the lesson when needed and to respond to student questions and interests with moderate success. Teacher accepts responsibility for student success, but has only a limited repertoire of strategies to draw upon.</p>	<p>Teacher promotes the successful learning of all students, making minor adjustments as needed to instruction plans and accommodating student questions, needs and interests. The teacher persists in seeking approaches for students who have difficulty learning, drawing on a broad repertoire of strategies.</p>	<p>Teacher seizes an opportunity to enhance learning, building on a spontaneous event or student interests or successfully adjusts and differentiates instruction to address individual student misunderstandings. Teacher persists in seeking effective approaches for students who need help, using an extensive repertoire of instructional strategies and soliciting additional resources from the school or community.</p>

Evidence based observations addressing the highlighted sections of Domains 2 and 3 in the rubrics were discussed during the post observation conference. Comments and recommendations for continued growth were provided in the accompanying observation report document (Form E).

Teacher
Comments:

Administrator

Date

Form E: Teacher Reflection on Classroom Observation

**Rondout Valley Central School District
Annual Professional Performance Review Plan**

NAME OF TEACHER:

NAME OF OBSERVER:

DATE OF CONFERENCE:

SCHOOL:

GRADE LEVEL:

SUBJECT:

Did the students learn what you intended for them to learn? How do you know?

How did your students do relative to the learning objectives in your lesson plan?

Did your instruction go as you intended? What went well? What would you do differently to improve the lesson?

Please comment on your classroom procedures, student conduct, and your use of physical space. Did you feel that they effectively helped student learning?

Did you follow your lesson plan? Did you decide to change it?

Form F: Teacher Evaluation Rating Criteria for Awarding Points

Teacher Name: _____

Date: _____

Domain 1: Planning and Preparation	Rubric Score	Domain 2: Classroom Environment	Rubric Score	Domain 3: Instruction	Rubric Score
	Announced Observation		Announced Observation		Announced Observation
1a. Demonstrating Knowledge of Content and Pedagogy		2a. Creating an Environment of Respect and Rapport		3a. Communicating With Students	
1b. Demonstrating Knowledge of Students		2b. Establishing a Culture for Learning		3b. Using Questioning and Discussion Techniques	
1c. Setting Instructional Outcomes		2c. Managing Classroom Procedures		3c. Engaging Students in Learning	
1d. Demonstrating Knowledge of Resources		2d. Managing Student Behavior		3d. Using Assessment in Instruction	
1e. Designing Coherent Instruction		2e. Organizing Physical Space		3e. Demonstrating Flexibility and Responsiveness	
1f. Designing Student Assessments					
Domain 1 Sub Total [a+b+c+d+e+f]	0	Domain 2 Sub Total [a+b+c+d+e]	0	Domain 3 Sub Total [a+b+c+d+e]	0
Domain 1 Total x 1	0.0	Domain 2 Total x 2	0.0	Domain 3 Total x 2	0.0

Announced: (Domain 1 + Domain 2 + Domain 3) / 26 =	0.00	x 80% =	0.00
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Domain 2: Classroom Environment	Rubric Score	Domain 3: Instruction	Rubric Score
	Unannounced Observation		Unannounced Observation
2a. Creating an Environment of Respect and Rapport		3a. Communicating With Students	
2b. Establishing a Culture for Learning		3b. Using Questioning and Discussion Techniques	
2c. Managing Classroom Procedures		3c. Engaging Students in Learning	
2d. Managing Student Behavior		3d. Using Assessment in Instruction	
2e. Organizing Physical Space		3e. Demonstrating Flexibility and Responsiveness	
Domain 2 Sub Total [a+b+c+d+e]	0.0	Domain 3 Sub Total [a+b+c+d+e]	0.0
Domain 2 Total x 2	0.0	Domain 3 Total x 2	0.0

Unannounced: (Domain 2 + Domain 3) / 20 =	0	x 20% =	0
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Total points: [Announced + Unannounced]	0.00	+	0.00	=	0.00
HEDI =					

Allocation of Points:

Teachers will earn a rubric score of four, three, two, or one based on evidence collected and the alignment of the evidence with the Danielson rubric. Depending on the nature of the evidence, it is possible for teachers to earn half step scores. In other words, if evidence supports part of the "level three" rubric language and part of the "level four" rubric language, teachers are able to earn a score of 3.5.

Teacher/Comments	Date	Administrator	Date
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Form F1: Teacher Evaluation Rating Criteria for Awarding Points for Probationary 1st year Teachers / Unsatisfactory Unannounced Observation of Teachers

Teacher Name: _____

Date: _____

Domain 1: Planning and Preparation	Rubric Score Announced Observation		Domain 2: Classroom Environment	Rubric Score Announced Observation		Domain 3: Instruction	Rubric Score Announced Observation
1a. Demonstrating Knowledge of Content and Pedagogy			2a. Creating an Environment of Respect and Rapport			3a. Communicating With Students	
1b. Demonstrating Knowledge of Students			2b. Establishing a Culture for Learning			3b. Using Questioning and Discussion Techniques	
1c. Setting Instructional Outcomes			2c. Managing Classroom Procedures			3c. Engaging Students in Learning	
1d. Demonstrating Knowledge of Resources			2d. Managing Student Behavior			3d. Using Assessment in Instruction	
1e. Designing Coherent Instruction			2e. Organizing Physical Space			3e. Demonstrating Flexibility and Responsiveness	
1f. Designing Student Assessments							
Domain 1 Sub Total [a+b+c+d+e+f]	0		Domain 2 Sub Total [a+b+c+d+e]	0		Domain 3 Sub Total [a+b+c+d+e]	0
Domain 1 Total x 1	0.0		Domain 2 Total x 2	0.0		Domain 3 Total x 2	0.0

Announced: (Domain 1 + Domain 2 + Domain 3) / 26 =	0.00	x 80% =	0.00
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Domain 2: Classroom	Rubric Score Unannounced Observation 1	Rubric Score Unannounced Observation 2	Domain 3: Instruction	Rubric Score Unannounced Observation 1	Rubric Score Unannounced Observation 2
2a. Creating an Environment of Respect and Rapport			3a. Communicating With Students		
2b. Establishing a Culture for Learning			3b. Using Questioning and Discussion Techniques		
2c. Managing Classroom Procedures			3c. Engaging Students in Learning		
2d. Managing Student Behavior			3d. Using Assessment in Instruction		
2e. Organizing Physical Space			3e. Demonstrating Flexibility and Responsiveness		
Domain 2 Sub Total [a+b+c+d+e]/2	0.0		Domain 3 Sub Total [a+b+c+d+e]/2	0.0	
Domain 2 Total x 2	0.0		Domain 3 Total x 2	0.0	

Unannounced: (Domain 2 + Domain 3) / 20 =	0	x 20% =	0
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Total points: [Announced + Unannounced]	0.00	+	0.00	=	0.00
HEDI =					

Allocation of Points:

Teachers will earn a rubric score of four, three, two, or one based on evidence collected and the alignment of the evidence with the Danielson rubric. Depending on the nature of the evidence, it is possible for teachers to earn half step scores. In other words, if evidence supports part of the "level three" rubric language and part of the "level four" rubric language, teachers are able to earn a score of 3.5.

Teacher/Comments _____

Date _____

Administrator _____

Date _____

Form F2: Teacher Evaluation Rating Criteria for Awarding Points for Unsatisfactory Announced Observation of Teachers

Teacher Name: _____

Date: _____

Domain 1: Planning and Preparation	Rubric Score	Rubric Score	Domain 2: Classroom Environment	Rubric Score	Rubric Score	Domain 3: Instruction	Rubric Score	Rubric Score
	Announced Observation 1	Announced Observation 2		Announced Observation 1	Announced Observation 2		Announced Observation 1	Announced Observation 2
1a. Demonstrating Knowledge of Content and Pedagogy			2a. Creating an Environment of Respect and Rapport			3a. Communicating With Students		
1b. Demonstrating Knowledge of Students			2b. Establishing a Culture for Learning			3b. Using Questioning and Discussion Techniques		
1c. Setting Instructional Outcomes			2c. Managing Classroom Procedures			3c. Engaging Students in Learning		
1d. Demonstrating Knowledge of Resources			2d. Managing Student Behavior			3d. Using Assessment in Instruction		
1e. Designing Coherent Instruction			2e. Organizing Physical Space			3e. Demonstrating Flexibility and Responsiveness		
1f. Designing Student Assessments								
Domain 1 Sub Total [a+b+c+d+e+f]/2	0		Domain 2 Sub Total [a+b+c+d+e]/2	0		Domain 3 Sub Total [a+b+c+d+e]/2	0	
Domain 1 Total x 1	0.0		Domain 2 Total x 2	0.0		Domain 3 Total x 2	0.0	

Announced: (Domain 1 + Domain 2 + Domain 3) / 26 =	0.00	x 80% =	0.00
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Domain 2: Classroom Environment	Rubric Score	Domain 3: Instruction	Rubric Score
	Unannounced Observation		Unannounced Observation
2a. Creating an Environment of Respect and Rapport		3a. Communicating With Students	
2b. Establishing a Culture for Learning		3b. Using Questioning and Discussion Techniques	
2c. Managing Classroom Procedures		3c. Engaging Students in Learning	
2d. Managing Student Behavior		3d. Using Assessment in Instruction	
2e. Organizing Physical Space		3e. Demonstrating Flexibility and Responsiveness	3
Domain 2 Sub Total [a+b+c+d+e]	0.0	Domain 3 Sub Total [a+b+c+d+e]	3.0
Domain 2 Total x 2	0.0	Domain 3 Total x 2	6.0

Unannounced: (Domain 2 + Domain 3) / 20 =	0.3	x 20% =	0.06
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Total points: [Announced + Unannounced]	0.00	+	0.06	=	0.06
HEDI =					

Allocation of Points:

Teachers will earn a rubric score of four, three, two, or one based on evidence collected and the alignment of the evidence with the Danielson rubric. Depending on the nature of the evidence, it is possible for teachers to earn half step scores. In other words, if evidence supports part of the "level three" rubric language and part of the "level four" rubric language, teachers are able to earn a score of 3.5.

Teacher/Comments	Date	Administrator	Date
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Form G: Annual Professional Performance Review: Teacher Evaluation Rating

PROFESSIONAL STAFF:	BUILDING:
GRADE LEVEL / CURRICULUM AREA EVALUATED:	
CERTIFIED TEACHER EVALUATOR:	DATE:

Section 1: Student Performance Category

The evaluators have reviewed Student Growth Measures (or Other Comparable Measures) provided by the state for the students that this teacher is accountable for and New York State Department of Education Overall Student Performance Category Score & Rating scale was applied to arrive at the HEDI Rating for the Student Performance Category listed below.

Student Performance Category Rating: _____

Section 2: Observation Category

The evaluators have reviewed components of the Danielson 2011 Rubric [Form D for Announced Observation and Form D1 for Unannounced Observation] with the teacher during the evaluation meetings. The ratings from all observations are included on the Teacher Evaluation Rating Criteria for Awarding Points form [either Form F, Form F1 or Form F2]. The Overall Observation Category Score & Rating Scale was applied to arrive at the HEDI Rating for the Observation Category listed below.

Observation Category Rating: _____

Overall APPR Rating: As per the mandate in New York State Educational Law 3012-d, the HEDI Ratings from Section 1 and Section 2 are included in the table below have been applied to determine the Overall APPR Rating.

STUDENT PERFORMANCE	OBSERVATION				
		HIGHLY EFFECTIVE [H]	EFFECTIVE [E]	DEVELOPING [D]	INEFFECTIVE [I]
	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	

Overall APPR Rating: _____

Teacher _____ Date _____

Evaluator _____ Date _____

Comments:

Section 1: Student Performance Category

Section 2: Observation Category

Overall <u>Student Performance</u> Category Score & Rating		
RATING	POINTS	% OF STUDENTS MEETING TARGET
H Highly Effective	18 – 20	90 – 100
E Effective	15 – 17	75 – 89
D Developing	13 – 14	60 – 74
I Ineffective	0 – 12	0 – 59

Overall <u>Observation</u> Category Score & Rating		
RATING	MINIMUM	MAXIMUM
H Highly Effective	3.6	4.0
E Effective	2.5	3.59
D Developing	1.7	2.49
I Ineffective	0	1.69

SLOs	
% OF STUDENTS MEETING TARGET	SCORING RANGE
0 – 4%	0
5 – 8%	1
9 – 12%	2
13 – 16%	3
17 – 20%	4
21 – 24%	5
25 – 28%	6
29 – 33%	7
34 – 38%	8
39 – 43%	9
44 – 48%	10
49 – 54%	11
55 – 59%	12
60 – 66%	13
67 – 74%	14
75 – 79%	15
80 – 84%	16
85 – 89%	17
90 – 92%	18
93 – 96%	19
97 – 100%	20

PART IV **TEACHER IMPROVEMENT PLAN**

Introduction

The purpose of the Teacher Improvement Plan is to benefit teachers by improving their job performance by providing a more intense, directed assistance than is provided by the typical annual observation process. While it is ultimately the employee's responsibility to demonstrate excellent teaching skills, this process will serve to support teachers in their efforts to correct "developing" or "ineffective" performance.

This will be accomplished by providing support through communication, discussion and collaboration between administrator(s) and teacher(s) in performance areas of significant concern. The administrator(s) will identify the teacher performance areas that are in need of improvement. Together, the teacher and administrator(s) will discuss the strategies to be taken to overcome the deficiencies.

Teacher Improvement Plans will be developed for the benefit of, and in consultation with each teacher who receives the "developing" or "ineffective" performance score. Other issues regarding the teacher's actions, responsibilities, demeanor, etc., should be addressed in accordance with New York State Education Law, Commissioner's Regulations and any collective bargaining processes that may be applicable.

When a Teacher Improvement Plan is indicated, the following procedures should be followed:

1. The area or areas in need of improvement will be identified from the evaluation criteria of this APPR. Goals will be developed by October 1st following the school year for which such teacher's performance was measured or as soon as practicable thereafter.
2. The time limit for achieving improvement shall range between 3 months and a semester. Meetings to review the TIP will be scheduled by the evaluator as follows.
 - a) 2nd Week of November
 - b) Last week of the Fall semester

Nothing herein shall prevent the District from continuing the improvement plan beyond the last week of the Fall semester if the administrator determines that the teacher has not made sufficient progress in one or more areas of the plan or that continued assessment is warranted. In such a case, an additional meeting to review the TIP will take place during the first two weeks of March and a final summative meeting shall take place during the last two weeks of May.

3. A statement of differentiated activities to support improvement that may include; observing other teachers, modeling by teachers, in-service training, educational conferences and reference to pedagogical writing based upon scientific research, working with mentors, video-tape review [not for evaluative purposes] and providing lesson plans.
4. The manner of assessment of improvement of those areas identified in the TIP that shall be in the nature of direct observation, review of education materials (where applicable), review of behaviors (where applicable), attention to educational directives (where applicable), and

student/teacher progress based upon the measure as determined by the state and locally under this APPR (where applicable).

Timing

Each Teacher Improvement Plan shall be in place by October 1st following the school year for which such teacher's performance was measured or as soon as practicable thereafter.

Procedures

1. The teacher improvement plan will be developed by the Superintendent's designee in consultation with the teacher, the building principal, and a RVF representative if requested by the teacher.
2. The teacher improvement plan will be formally recorded on the Teacher Improvement Plan form [Form H].
3. In observations subsequent to the creation of the teacher improvement plan, the area(s) of weakness will be addressed and the progress and/or continuing problem(s) documented in the observations, if appropriate.
4. Discussions that take place at the TIP review meetings will be documented on the Teacher Improvement Plan Meeting Review Form [Form I].

Teacher Improvement Plan Forms

Form H: Teacher Improvement Plan

Form I: Teacher Improvement Meeting Review

Form H: Teacher Improvement Plan

TEACHER IMPROVEMENT PLAN

If a teacher receives an overall APPR rating of “Developing” or “Ineffective” the District shall develop and implement a Teacher Improvement Plan (“TIP”).

[1] Area(s) in Need of Improvement	[2] Time Limit of Achieving Improvement	[3] Differentiated Activities to Support Improvement	[4] Manner of Assessment of Improvement

Teacher's Signature

Date

Principal's Signature

Date

Form I: Teacher Improvement Plan Meeting Review Form

Date of Review:

Persons Present:

Indicate the areas from the TIP (Form H) that were reviewed. In the comment section, document key points from the meeting relative to the status of each of the areas discussed.

[1] Area(s) in Need of Improvement	[2] Time Limit of Achieving Improvement	[3] Differentiated Activities to Support Improvement	[4] Manner of Assessment of Improvement	Status/Comments

Teacher's Signature

Date

Principal's Signature

Date

PART V **APPEALS**

Appeals Process

Section §3012-d of the Education Law establishes a comprehensive annual evaluation system for classroom teachers, as well as the issuance and implementation of improvement plans for teachers whose performance is assessed as either Developing or Ineffective.

This appeal procedure addresses a teacher's due process rights while ensuring that appeals are resolved in an expeditious manner.

APPEALS OF INEFFECTIVE AND DEVELOPING RATINGS ONLY

Appeals of annual professional performance reviews are limited to those that rate a teacher as Ineffective or Developing only.

WHAT MAY BE CHALLENGED IN AN APPEAL

Pursuant to Education Law §3012-d, a teacher may only challenge the following in an appeal to their district:

The substance of the annual professional performance review; which shall include the following:

1. In the instance of a teacher rated Ineffective on the Student Performance Category, but rated Highly Effective on the Observation Category based on an anomaly, as determined locally;
2. The school district's adherence to the standards and methodologies required for such reviews, pursuant to Education Law §3012-d
3. The adherence to the regulations of the Commissioner and compliance with any applicable locally negotiated procedures, as well as the school district's issuance and/or implementation of the terms of the teacher improvement plan, as required under Education Law §3012-d.

PROHIBITION AGAINST MORE THAN ONE APPEAL

A teacher may not file multiple appeals regarding the same performance review or teacher improvement plan. All grounds for appeal must be raised with specificity within one appeal. Any grounds not raised at the time the appeal is filed shall be deemed waived.

BURDEN OF PROOF

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

TIMEFRAME FOR FILING APPEAL

All appeals must be submitted in writing no later than 15 calendar days of the date when the teacher or principal receives his or her Annual Professional Performance Review or September 1, whichever shall be later. If a teacher is challenging the issuance of a teacher improvement plan, appeals must be filed with 15 days of 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.

When filing an appeal, the teacher must submit a detailed written description of the specific areas of disagreement over his or her performance review, or the issuance and/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.

TIMEFRAME FOR DISTRICT RESPONSE

Within 15 calendar days of receipt of an appeal, the school district staff member(s) who issued the performance review or were or are responsible for either the issuance and/or implementation of the terms of the teacher's improvement plan must submit a detailed written response to the appeal. The response must include any and all additional documents or written materials specific to the point(s) of disagreement that support the school district's response and are relevant to the resolution of the appeal. Any such information that is not submitted at the time the response is filed shall not be considered in the deliberations related to the resolution of the appeal. The teacher initiating the appeal shall receive a copy of the response filed by the school district, and any and all additional information submitted with the response, at the same time the school district files its response.

DECISION-MAKER ON APPEAL

A decision shall be rendered by the superintendent of schools or the superintendent's designee 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 on the merits of the appeal shall be rendered no later than 30 calendar days from the date upon which the teacher filed his or her appeal. Unless waived by the teacher, a meeting shall be scheduled between the teacher and the Superintendent prior to the issuance of a final written decision on the appeal. The teacher may be accompanied by union representation at this meeting. At this meeting, the teacher shall have the right to respond to information provided in the District's initial response to the appeal. The appeal shall be based on a written record, comprised of the teacher's appeal papers and any documentary evidence accompanying the appeal, as well as the school district response to the appeal and additional documentary evidence submitted with such papers, and any information provided by the teacher at the meeting with the Superintendent. Such decision shall be final.

The decision shall set forth the reasons and factual basis for each determination on each of the specific issues raised in the teacher's appeal. If the appeal is sustained, the reviewer may set aside a rating if it has been affected by substantial error or defect, modify a rating if it is affected by substantial error or defect or order a new evaluation if procedures have been violated. A copy of the decision shall be provided to the teacher and the evaluator or the person responsible for either issuing or implementing the terms of an improvement plan, if that person is different.

EXCLUSIVITY OF §3012-D APPEAL PROCEDURE

The §3012-d appeal procedure shall constitute the exclusive means for initiation, reviewing and resolving any and all challenges and appeals related to a teacher performance review and/or improvement plan. A teacher may not resort to any other contractual grievance procedures for the resolution of challenges and appeals related to a professional performance review and/or improvement plan, except as otherwise authorized by law.

Probationary Teachers

Nothing herein shall be construed to limit the unfettered right of the District to terminate probationary classroom teachers subject to applicable laws and regulations, including during the pendency of an appeal for the performance that is the subject of the appeal.

AN OPTIONAL ALTERNATE APPEALS PROCESS FOR A TENURED TEACHER WHO HAS RECEIVED A SECOND OR THIRD CONSECUTIVE INEFFECTIVE OVERALL APPR RATING [Appendix].

PART VI
MISCELLANEOUS

Required Certificates

The District shall include with its APPR Plan any certifications required by the Board of Regents regulations.

Filing and Publication of APPR Plan

This APPR Plan shall be adopted by the Board of Education, filed in the office of the District Clerk, and shall be made available to the public on the District's website by September 10th of each school year, or within ten days after the plan's approval by the Commissioner, whichever shall later occur.

Monitoring

The District agrees to collaborate with the NYSED regarding any concerns and/or monitoring of the District regarding evaluation implementation.

APPENDIX

AN OPTIONAL ALTERNATE APPEALS PROCESS FOR A TENURED TEACHER WHO HAS RECEIVED A SECOND OR THIRD CONSECUTIVE INEFFECTIVE OVERALL APPR RATING:

Notwithstanding the above, in the event that a tenured teacher has received two or three consecutive ineffective APPR evaluation ratings, the teacher may, at his or her option, choose the following alternative appeals process.

The appeal shall be made to one of four agreed upon arbitrators set forth below¹ selected on a rotating basis, based on order and reasonable timeframe of availability: Dennis Campagna, Jeffrey Selchick, Howard Edelman and Sheila Cole. Such arbitrator shall make a final and binding decision upon the appeal of the APPR evaluation and/or TIP on an expedited basis, within thirty-five (35) calendar days of the filing of the written appeal.

In the event that either party has a question regarding the authenticity of any documentation involved in the appeal, such documentation shall be presented in writing immediately to the arbitrator, and copied to the other party, for the arbitrator's review and consideration. The Arbitrator shall review the evidence underlying the observations of the teacher along with all other evidence submitted by the teacher prior to rendering a decision.

In the event that the district thereafter proceeds to a probable cause finding under Section 3020-b of the Education law, and determines to conduct such a hearing, the arbitrator who ruled upon the appeal shall be jointly selected by the teacher and the district to be the Section 3020-b hearing officer. Nothing herein shall be construed as limiting the right of the employee to challenge said evaluation in any proceeding brought pursuant to Education law §3020-b, so long as the identical issue wasn't resolved in the earlier appeal to the arbitrator or clearly should have been presented in the earlier appeal and was not.

In the event that SED will not pay for the costs of the hearing, that expense and transcription expenses shall be borne by the District and the proceedings shall be in the nature of a disciplinary arbitration and not a statutory hearing under Section 3020-b of the Education Law. The disciplinary arbitration procedure shall be consistent with the statutory procedure and penalty parameters as set forth in Education Law Section 3020-b.

During the pendency of a disciplinary arbitration the pay rights of the teacher shall be the same as those afforded to teachers who are subject to statutory proceedings under Section 3020-b of the Education Law.

In order to take advantage of the optional alternative appeals process described above, the tenured teacher must consent to the use of one of the above-named arbitrators should the District proceed to find probable cause under Section 3020-b of the Education Law. If the tenured teacher is unwilling to do so, the appeal shall be heard by the Superintendent or the Superintendent's administrative designee.

¹ In the event any of the above-named arbitrators are no longer serving in such capacity or are otherwise unavailable, the parties shall mutually agree upon alternative named arbitrators to be placed within this paragraph.