



FREEPORT PUBLIC SCHOOLS
Annual Professional Performance
Review (APPR)

Teachers Handbook

2016-2017



Freeport Public Schools
Freeport, New York

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Preface

The most important tool a school district possesses to assist with the growth and development of all staff is a well-developed, annually reviewed supervision and evaluation process. Such a process will lead to improved performance and ultimately enhance student achievement. This supervision and evaluation process does not stand alone; rather it incorporates the continuing cycle of recruitment, hiring, orientation, mentoring and professional development. When each part is successfully carried out, it should result in greater knowledge and skills and improved student learning.

Supervision is defined as any process that is used to improve instruction, which results in increased student achievement. A teacher will work with his/her supervisor to develop a plan, linked to the District Goals, the school's improvement plan and reflective of student achievement data. The year-long supervision process, the *Annual Professional Performance Review (APPR)*, leads to a summative evaluation. The end-of-year Summative Evaluation Report makes a statement regarding the teacher's performance.

A supervision and evaluation process that is both challenging and effective with teachers is based on research and best practices. This process will be reviewed annually, as well as on an as-needed basis by the APPR committee, and guided by the District's vision, mission, values and goals. The implementation of the plan will be fair and ethical to help develop a culture of high expectations for all. The outcome of this process is that it lends itself to self-reflection, reflection among peers, and worthwhile discussions between the principal and teacher that will lead to improved learning for students.

Philosophy

The supervision and evaluation process is the Freeport Public Schools' primary method of quality control and educational improvement. The evaluation process is based on mutual trust and confidence. It is one of the few processes that impact every teacher, thereby affecting the education of every student in the district.

In order to accomplish this purpose, we have developed the *APPR Handbook* based on the following criteria:

- Clear, consistent review of criteria aligning to State and Federal Standards
- Ensure professional personnel members input to the process
- Multiple measures tied to the performance of District/school goals
- Increase responsibility for self-improvement
- Provide support and resources to professional personnel
- NYSUT Teacher Evaluation and Development Model

The District's supervision and evaluation process is aimed at improving effective communication and enhancing dialogue between teacher and administrators; thus, ultimately improving the quality of education for all students.

Mission Statement

The primary purpose of our school system is to teach all children how to learn and to foster in each child the desire for life-long learning. We are committed to providing the means for cultural, intellectual, emotional, ethical, social and physical growth and an appreciation for cultural and ethnic diversity, which will assist every individual to become an informed and productive participant in our democratic society.

Vision Statement

The vision of the Freeport Public Schools is to inspire in all the desire to learn and succeed. Our schools will be safe learning communities that celebrate our achievements and encourage active partnerships with families and the entire community. We will empower students to embrace the challenges and opportunities of the future.

Value Statements

1. We will treat each other in a professional and ethical manner.
2. We will *Keep Our Eyes on the Prize*, holding a “child-first” attitude.
3. We will focus on Teaching and Learning while managing the distractions.
4. We will provide high-quality professional development.
5. We will strive for excellence in instruction resulting in student mastery.

APPR Overview

Pursuant to sections 101, 207, 215, 305, 3009, 3012-c and section 3012-d of the Education Law and Chapter 56 of the Laws of 2015, the title of Subpart 30-2 of the Rules of the Board of Regents is amended and a new Subpart 30-3 is added effective June 30, 2015 for Annual Professional Performance Review of Classroom Teachers for 2015-16 School Year and thereafter. (Non-classroom teachers will continue to use the current system of assessment and evaluation per Commissioner’s Reg. 100.2)

I. Performance Review of Teachers

The Board of Education of the Freeport Union Free School District shall ensure that performance reviews conducted for all classroom teachers for the 2015-16 school year and thereafter are conducted in accordance with the requirements of the Education Law § 3012-d. The Annual Professional Performance Reviews (APPR) of all classroom teachers, as defined in Subpart 30-3 of this Title, shall be developed in consultation with such teachers. Such procedures shall be filed in the district office and available for review by any individual no later than September 10th of each year or within 10 days after the plan’s approval by the commissioner, whichever occurs later.

II. Classroom Teacher or Teacher shall mean a teacher in the classroom teaching service as that term is defined in section 80-1.1 of this Title, who is a teacher of record as defined in this section, except evening school teachers of adults enrolled in nonacademic, vocational subjects, and supplemental school personnel as defined in section 80-5.6 of this Title.

III. Common Branch subjects shall mean common branch subjects as defined in section 80-1.1 of this Title.

IV. Standards and Criteria for Conducting APPR

APPR conducted under Education Law §3012-d shall differentiate teacher effectiveness resulting in a teacher being rated *highly effective, effective, developing* or *ineffective* based on multiple measures in two categories: the student performance category and teacher observation category.

1. Rating Scale

- **Highly Effective:** means an overall rating of Highly Effective received by a teacher, based on the ratings a teacher received in the student performance category and observation category pursuant to the matrix prescribed in section 30-3.6 of Subpart 30-3.
- **Effective:** means an overall rating of Effective received by a teacher, based on the ratings a teacher received in the student performance category and observation category pursuant to the matrix prescribed in section 30-3.6 of Subpart 30-3.
- **Developing:** means an overall rating of Developing received by a teacher, based on the ratings a teacher received in the student performance category and observation category pursuant to the matrix prescribed in section 30-3.6 of Subpart 30-3.
- **Ineffective:** means an overall rating of Ineffective received by a teacher, based on the ratings a teacher received in the student performance category and observation category pursuant to the matrix prescribed in section 30-3.6 of Subpart 30-3.

2. Student Performance Category:

The student performance category will have only one mandatory subcomponent as follows:

- a. For a teacher whose course ends in a State-created or administered test for which there is a State-provided growth model and at least 50% of a teacher's students are covered under the state –provided growth measure, such teacher shall have a State-provided growth score;
- b. For a teacher whose course does not end in State-created or administered test or where less than 50% of teacher's students are covered by a State-provided growth measure, such teacher shall have a Student Learning Objectives (SLO) developed and approved by the Superintendent or his/her designee, using a form prescribed by the commissioner, consistent with the SLO process determined or developed by the commissioner, that results in a student growth score; provided that, for any teacher whose course ends in a State-created or administered assessment for which there is no State-provided growth model, such assessment must be used as the underlying assessment for such SLO. The SLO process determined by the Commissioner shall include a minimum growth target of one year of expected growth, as determined by the Superintendent or his/her designee, may take the following characteristics into account: poverty, students with disabilities, English language learners status and prior academic history. SLOs shall include the following SLO elements, as defined by the commissioner in guidance:
 - (a) student population;
 - (b) learning content;
 - (c) interval of instructional time;
 - (d) evidence;
 - (e) baseline;
 - (f) target;
 - (g) criteria for rating a teacher Highly Effective, Effective, Developing or Ineffective (“HEDI”); and
 - (h) rationale
- c. For a teacher whose course does not end in a State-created or administered test or where a State-provided growth measure is not determined, districts may determine whether to use SLOs based on a list of approved student assessments, or a school-wide group, team, or linked results based on State/Regents assessments.
- d. The District will use NWEA as the back-up SLO for all teachers whose courses end in a State created or administered test for which there is a State-provided growth model, to use in the event that no State-provided growth score can be generated for such teachers.

3. Student Performance Score:

a). Each measure used in the student performance category (State-provided growth score or SLOs) must result in a score between 0 and 20. The State will generate scores of 0-20 for measures using a State-provided growth score. The District shall calculate scores for SLOs in accordance with the State provided table below; provided however that for teachers with courses with small “n” sizes as defined by the Commissioner, the district shall calculate scores for SLOs using a methodology prescribed by the commissioner. For all other measures that are not State-provided growth measures, scores of 0-20 shall be computed locally in accordance with the State provided or approved growth model.

SLOs	Scoring Ranges
Percent of Students Meeting Target	
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

4. HEDI Rating on Student Performance Category:

Based on student performance score, either on State-provided growth score or SLOs, an overall student performance category rating shall be derived from the table below:

	Overall Student Performance category Score and rating	
	Minimum	Maximum
Highly Effective (H)	18	20
Effective (E)	15	17
Developing (D)	13	14
Ineffective (I)	0	12

5. Teacher Observation Category:

1. The District shall use the **NYSUT Teacher Practice Rubric (NYS Teaching Standards for Assessing Teacher Performance)**

A copy of the rubric is located in APPENDIX B, beginning on page 29 of this handbook

Resource:

<http://www.nysut.org/~media/files/nysut/resources/2014/september/nysutteacherpracticerule2014.pdf?la=en>

- I. **Knowledge of Students and Student Learning:** Teachers acquire knowledge of each student and demonstrate knowledge of student development and learning to promote achievement for all students.
- II. **Knowledge of Content and Instructional Planning:** Teachers know the content they are responsible for teaching and plan instruction that ensures growth and achievement for all students.
- III. **Instructional Practice:** Teachers implement instruction that engages and challenges all students to meet or exceed the learning standards.
- IV. **Learning Environment:** Teachers work with all students to create a dynamic learning environment that supports achievement and growth.
- V. **Assessment for Student Learning:** Teachers use multiple measures to assess and document student growth, evaluate instructional effectiveness, and modify instruction.

VI. **Professional Responsibilities and Collaboration:** Teachers demonstrate professional responsibility and engage relevant stakeholders to maximize student growth, development, and learning.

VII. **Professional Growth:** Teachers set informed goals and strive for continuous professional growth.

2. **Teacher Observation Cycle:**

a). **For tenured teachers:** The observation category for tenured teachers shall be based on at least **two** observations, one of which must be **unannounced**. The building principal and/or assistant principal shall conduct the one formal clinical observation, including a pre and a post meeting. The observation will be based on NYSUT Teacher Rubric, Standards 1-5. Ratings will be based on all **27 Elements**. The principal/assistant principal's evaluation will be weighted at **90%**.

b). **For non-tenured teachers:** The observation category for non-tenured teachers shall be based on at least **three** observations, one of which must be **unannounced**. The building principal and/or assistant principal shall conduct the two formal clinical observations, including a pre and a post meeting. The observation will be based on NYSUT Teacher Rubric, Standards 1-5. Ratings will be based on all **27 Elements**. The principal/assistant principal's evaluation will be weighted at **45%/45%**, a total of **90%**.

c). **Unannounced Observation:** District-wide Directors (Independent Evaluators) shall conduct the unannounced observation for both tenured and non-tenured teachers. There will be no pre-observation conference and a post-observation conference will be scheduled only if requested by either party. The Unannounced Observation will be based on NYSUT Teacher Rubric, Standards 2-4. Ratings will be based on all **16 Elements** and shall be weighted at **10%**.

3. **HEDI Rating on Teacher Observation Category:**

Each Element will have a point value as follows:

4 (Highly Effective)

3 (Effective)

2 (Developing)

1 (Ineffective)

The points associated with HEDI rating for observations will be as follows:

Highly Effective (H)	3.5-4.0
Effective (E)	2.5-3.49
Developing (D)	1.5-2.49
Ineffective (I)	0.0-1.49

6. Overall Rating Determination:

The Overall rating determination for a teacher shall be determined according to a methodology as follows:

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

4. Evaluator Training

- a. Freeport Public School District will ensure that all evaluators are properly trained and certified to complete an individual's performance review. Evaluator training will be conducted by certified Nassau BOCES Network Team personnel. Evaluator training will occur regionally and will replicate the recommended SED model certification. This training will include the following Requirements for Lead Evaluators:
 - i. New York State Teaching Standards and their related elements performance indicators
 - ii. Evidence-based observation techniques that are grounded in research
 - iii. Application and use of Student Growth Percentile and any other growth model approved by the Department as defined in section 30-3.2
 - iv. Application and use of the State-approved teacher rubrics
 - v. Application and use of any assessments tools used to evaluate teachers
 - vi. Application and use of State-approved locally selected measures of student achievement (NWEA)
 - vii. Use of Statewide Instructional Reporting System
 - viii. Scoring methodology used to evaluate teachers
 - ix. Specific considerations in evaluating teachers of ENLS and students with disabilities
 - x. Training methodology to ensure inter-rating reliability
- b. Periodic in-service sessions will be conducted to familiarize all members of the evaluation team with the procedures and materials used in the system.
- c. Simulation will be used to provide common, controlled experiences for sharpening skills. Educational materials will be drawn from several sources. Subsequent workshops should be built on relevant operational experiences of observers/evaluators.

APPR IMPLEMENTATION

1. Teacher Reflection

By October 15th of the school year, the teacher will complete the Self-Assessment Reflection Form. Teachers shall self-reflect by reviewing the NYS Teaching Standards and the TED Teacher Practice Rubric in consideration of the needs of their incoming student population, changes in curriculum, and developments in content area, assessments, and school and community contexts. In addition, teachers shall use the previous year's evaluation (if one exists) to identify areas of their professional practice that may need improvement. Based on the information above the teacher should identify goals. Goals should be specific, measurable, attainable, relevant and timely. Goals describe results, impact or outcomes on teacher practice or student learning. Teachers may use Form 4A (Goal Setting Worksheet) in the TED Workbook to help in this process.

Teachers will be able address the following five questions in completing their Self-Assessment Reflection Form.

1. How do my plans for this year reflect the specific needs of my incoming students? (e.g. Does my class include English as New Language learners and/or students with disabilities? Does any student need special supports?)
2. How will changes in curriculum or developments in my content area affect my planning, teaching or assessments?
3. How has any recent professional learning informed my understanding of teaching and learning? Are there any professional development strategies or opportunities that might be especially appropriate for my professional growth needs in this academic year?
4. What factors in the school climate or community context (e.g., leadership, prep time, safety, etc.) are likely to influence or play a role in my teaching and professional performance this year?
5. Based on my self-reflection from above and areas targeted for improvement from my most recent summative evaluation, what goal(s) will I set for myself this year?

The teacher will work with administration to identify areas of student performance and instruction that require improvement. Once patterns are identified, the teacher will select an area(s) that he/she would like to improve for both him/her and his/her students. The overarching purpose of these steps is to identify and define a baseline performance goal(s) for the teacher and his/her students. The actual goal outlined in question #5 should be defined by a clear objective, set measurable targets with defined assessment strategies based upon some or all of the following:

Baseline data from previous year, demographics of current students, curriculum in content area, and/or end-of-year summative evaluation from previous year.

The collection of pre and post data involving student learning using multiple measures may be part of the overall assessment strategy. In order to be able to self-reflect, teachers must have access to their statewide and district-wide assessment data in a timely fashion.

2. Goal Setting (Non-classroom Personnel)

By October 15th of the school year, the teacher will have worked with his/her supervisor to complete a *Professional Personnel Goal-Setting Plan* (PPGP), linked to the school's improvement plan and based on student achievement data. In the goal-setting process, the teacher will identify at least one annual goal for improving student learning, which is *specific, measurable, attainable and realistic*.

The PPGP process should include but is not necessarily limited to the following:

- Review relevant data;
- Analyze data selected to determine student and teacher needs;
- Interpret data looking for patterns or areas of weakness;
- Determine the areas of need based upon these concrete data sources; and
- Select a focus for the goal(s).

In addition to the school improvement plan, the following are examples of relevant data sources that may be used in the PPGP process:

STUDENT LEARNING

- Grades/Standardized Tests
- Teacher Surveys
- Portfolios
- Activity Logs
- Parent Surveys
- Student Surveys/Self Reporting
- Parent/Teacher Conferences

INSTRUCTIONAL COMPETENCE

- Supervisor Observation
- Alternative Evaluation Tools
- Portfolios
- Activity Logs
- Parent and Student Surveys
- Teacher Surveys/Self Reporting
- Teacher Groups

The teacher will work to identify areas of student performance and instruction that require improvement. Once patterns are identified, the teacher selects area(s) that he/she would like to improve for both him/her and his/her students. The overarching purpose of these steps is to identify and define a baseline performance goal(s) for the teacher and his/her students. The actual goal-setting (baseline data, demographics, content area, goal statement, strategies for improvement, end-of-year data/results) involves the following:

- Define a clear objective
 - Use baseline data, demographics and content area
 - Set a measurable target (e.g., percentage point)

- Select assessment strategies that are aligned with the goal
 - Collect pre and post data
 - Analyze student learning using multiple measures
- End-of-year
 - Reflect on end-of-year data results

The annual goal-setting process enables the supervisor to make a more comprehensive assessment of the teacher's performance.

3. **Announced Observation**

In the area of supervision, the observation report for the teacher calls for statements as outlined in the *Components for Assessing Performance* (Knowledge of Students and Student Learning, Knowledge of Content and Instructional Planning, Instructional Practice, Learning Environment, Assessment for Student Learning). The supervisor is expected to comment on what is observed in each category and make appropriate recommendations, when necessary. In completing this form, it is recommended that supervisors refer to the sections in the manual, which describe the rubrics of effective instruction for each category. The supervisor is expected to use the NYSUT Rubric to provide evidence regarding student learning and teacher effectiveness. Each observed element in each standard will be rated. The teacher acknowledges receipt of the report and e-mails it back to the observer. Additionally, he/she has the opportunity to make comments. The teacher's acknowledgement and returned report does not connote agreement, but rather attests to the fact that he/she has read and received the completed report.

A. Pre-Observation Conference (Only Announced)

The supervisor will notify the teacher at least five (5) school days before the Formative Observation. The pre-observation conference will be scheduled two (2) to three (3) days prior to the actual Formative Observation. Prior to this (face-to-face) conference, the teacher is required to develop a lesson plan which must be submitted to the administrator before their pre-observation meeting. They may use the Suggested Lesson Plan Format on OASYS. This lesson/area plan becomes part of the Formative Observation document. The evaluator-teacher discussion will include but will not be limited to:

- Goals and objectives of the lesson
- Congruency to District Curriculum Maps and State Standards
- Procedures and key questions
- Modifications / Accommodations
- Assessments

The teacher will also inform the evaluator of the situational dynamics and /or other areas he/she would like the evaluator to pay particular attention.

B. Post Observation Conference (Announced)

The purpose of the post-observation conference is for the teacher and evaluator to reflect upon the lesson/area observed. Topics for reflection may include but are not limited to:

- Overview of the lesson
- What went well/didn't go well
- What could have been done differently?
- Did the lesson achieve its goal?
- Evidence of student learning

Teachers should be prepared to discuss the "Reflection Questions-Post Observation" form during the post-observation conference. Teachers may also bring Form 3 "Summative Evaluation Conference to Inform Goal Setting and the Professional Learning Plan" from the NYSUT TED Workbook to be completed during conference. Resource:

http://www.nysut.org/~media/files/nysut/resources/2013/april/ted/ted_workbook.pdf?la=en

Timeline for Feedback

- The post-observation conference will be held within five (5) school days of date of observation.
- If a teacher feels the need to supplement their post-observation conference, they must submit relevant document/evidence to the administrator within two days of the post conference.
- A written report of the observation will be given to the teacher within ten (10) school days of the observation.

- For non-tenured teachers, at least one announced observation shall be completed in the Fall (by November 15) and at least one in the Spring (by March 15).
- All announced observations must be completed by April 15.
- If the administrator does not adhere to the above timeline, without any extenuating reasons, then the District and the Freeport Teachers Association will agree that the observation is null and void.
- Unannounced observations may include a post-observation conference if requested by either party. The meeting must take place within thirty calendar days of the observation.

4. Walk-throughs

A supervisor will visit for a short period of time, typically up to 10 minutes, and may use a walk-through Form to document evidence for Standards 2-5. Either party may request a meeting to discuss the walk-through form.

5. End-of-Year Evaluation Conference

The end-of-year *Evaluation* Conference shall be held with each teacher to debrief on Standards I-V of the NYSUT Rubric performance. In addition, Standards VI and VII (Professional Responsibilities, and Professional Growth) must be completed for all teachers by building administrators.* This end-of-year conference may begin as early as May 1.

*While these standards are not part of the rating of a teacher, it is highly recommended that teachers assist administrators in completing Standards VI and VII (Professional Responsibilities, and Professional Growth). These may be used in personnel decisions by the District as well as by any future employers and the information recorded should be as complete as possible.

6. Observation Frequency

Non-tenured teachers:

- Scheduled Formative Observation.....Two (2) to six (6) annually
- Unannounced Observation.....At least one
- Walkthroughs.....Unlimited
- End-of-year Evaluation Conference.....Annually

Tenured teachers (not on TIP):

- Scheduled Formative Observation.....One (1) to two (2) annually
- Unannounced Observation.....At least one
- Walkthroughs.....Unlimited
- End-of-year Evaluation Conference.....Annually

7. Professional Data Form

This data form is designed for staff to provide the building administrators with additional information relevant to his/her professional development and service.

Teacher Improvement Plan

A teacher receiving an evaluation with an overall rating of *developing or ineffective*, in consultation with the supervisor, shall develop a **Teacher Improvement Plan (TIP)**.

Teacher improvement plans will be developed to address three types of developing-ineffective teachers. The intensity of the plans will increase as the tier increases. This will be achieved through an increase in professional development, meetings with lead administrator, monthly reviews of student progress, etc. The Tiers are as follows:

- Tier 1: Anomaly: Highly Effective/Effective Observation rubric score and ineffective student performance score
- Tier 2: Effective Observation rubric score plus ineffective student performance score
- Tier 3: Developing/Ineffective Observation rubric score plus developing or ineffective student performance score.

The building administration, in consultation with the teacher, shall develop this plan. The teacher has the option of seeking a **trained** teacher colleague to assist in the planning and implementation of the TIP. A completed TIP must be developed no later than October 1 for the school year following the school year for which the teacher has received a rating of *developing or ineffective*. Any teacher receiving Developing or Ineffective on the Observation Category must start the TIP process with his/her principal by the end of business on the last day of school.

At a minimum, an improvement plan should be a written document that includes areas for improvement, recommendations for improving those areas, supports available to the teacher, and the monitoring system.

1. The **Areas for Improvement** section spells out to the teacher member exactly which areas of performance are in need of improvement. The statements should relate directly to the District's **Components for Assessing Performance**. This section describes those areas in such a way that the teacher and administrator understand what is not happening and what should be happening.
2. The **Action Plan** section explains what the teacher is expected to do to overcome the concerns identified in the **Areas for Improvement** section. Activities may include, but are not limited to:
 - ✓ Attendance at workshops, courses and/or conferences that address the targeted needs of the teacher
 - ✓ Modeling experiences in which the teacher will have the opportunity to:
 - Visit and observe teachers who have expertise in the targeted needs.
 - Observe demonstration by teachers who have expertise in targeted needs.
 - Participate in co-assignments with teachers who have expertise in the targeted needs.

- ✓ Role-playing opportunities to practice desired new behaviors or skills in a restricted environment before applying it.
- ✓ Taping and reviewing the teacher's performance.

This section will also include the resources (people, materials, workshops, etc.) that are available to assist the teacher in his/her efforts to improve. The frequency of teacher observations will be no less than that of tenured teachers not on TIP.

3. The **Timeline for Completion** section describes how progress on the plan will be measured. It should include the pattern and approximate timelines for observations, conferences, and interim and final reports. The teacher and supervisor shall meet on a bi-monthly basis, beginning in October 1, but no later than the last day of the month, to discuss the impact of the improvement activities on the teacher's professional performance. The supervisor, using the Formative Observation, will review the teacher's performance.
4. The **Evidence** section will include a description of the progress or completion of each action step.

APPEAL PROCESS

1. Appeals of Annual Performance Evaluation Procedures

The following appeal process was negotiated between the Freeport Schools and the Freeport Teachers Association for tenured teachers who have been rated “ineffective” or “developing” for two consecutive years and where compensation decisions are linked to rating categories.

WHAT MAY BE CHALLENGED IN AN APPEAL

Appeal procedures will limit the scope of appeals under Education Law §3012-d to the following subjects:

- (1) the substance of the annual professional performance review; which shall include the instance of a teacher rated Ineffective on the student performance category but rated Highly Effective on the observation/school visit 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 and Subpart 30-3 of Commissioner’s regulations;
- (3) the adherence to the Commissioner’s regulations, as applicable to such reviews and compliance with any applicable locally negotiated procedures, as required under Education Law §3012-d; and
- (4) the school district’s issuance and/or implementation of the terms of the teacher improvement plan under Education Law §3012-d.

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.

The Appeal Process

- a. The second consecutive “ineffective” or “developing” annual evaluation shall be presented to the teacher at a meeting between the administrator and the teacher by September 1st.
- b. Within five (5) business days of the receipt of the final annual rating from the administrator, the teacher may appeal the evaluation rating or the implementation of the TIP plan, in writing, to the building administrator. The appeal must be hand delivered to the building administrator, and the administrator must date and time-stamp the written appeal.
- c. Within five (5) business days of receipt of the appeal, the building administrator shall render his or her determination, in writing, with respect to the appeal. These time frames may be extended by mutual agreement of the

parties. But every effort will be made to conduct the appeal in a timely and expeditious manner. Any extension of time frames will be “timely and expeditious in accordance with Education Law 3012-d.

- d. If the appeal is not settled at step c, or an answer has not been received by the teacher in the given time specified in step c, the teacher may within five business days submit the same in writing to the Committee on Appeals. This committee shall consist of the Assistant Superintendent for Personnel or designee, the Assistant Superintendent of Curriculum or designee, the FTA President or designee, the FTA Grievance Chairperson, or a designee of the President, on the part of the Union. A fifth person will be chosen randomly from a predetermined pool of two administrators and two FTA members.
- e. The committee will meet and render its decision within ten business days of notification of the appeal.
- f. If the committee fails to resolve the appeal, the appeal will be forwarded to the Superintendent of Schools or designee who will have ten (10) business days to render a decision.
- g. The decision of the Superintendent of Schools or designee shall not be grievable, arbitrable, or reviewable in any other forum. The Superintendent's decision will be final and binding.
- h. Notwithstanding the aforementioned language, nothing herein shall be construed as limiting the right of the employee to challenge said evaluation in any proceeding brought pursuant to Education Law section 3020-b. However, the appeal process in its entirety will be in compliance with Education Law 3012-d.
- i. Performance ratings of ineffective/developing are the only ratings subject to appeal. Teachers are permitted to attach a rebuttal.
- j. Non-tenured teachers shall not be permitted to appeal any aspect of their annual evaluation, or the school district's issuance and/or implementation of the terms of a teacher's improvement plan.
- k. 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 forfeited.

Data Management

Freeport will work with Nassau BOCES and the SED to develop a process that aligns its Student Information System (SchoolTool), TEACH, and Pentamation systems to ensure that the SED 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.

Freeport will work with Nassau BOCES and the SED to develop a process that aligns its SIS, TEACH, Pentamation and SchoolTool systems for reporting to the SED the individual subcomponent scores and the total composite effectiveness score for each applicable educator.

Freeport will ensure that all testing materials are placed in a safe/vault and access to these materials will be restricted. All test booklets will be stored in a secure location under lock and key. All test booklets, both used and unused, all scoring keys and rating guides, and all student answer papers will be secured during the entire test administration and make-up period designated by the SED so that assessments are not disseminated to students before administration. District administrators will supervise training for scoring of all exams and actual scoring of all exams so that principals do not have a vested interest in the outcome of the assessments.

Also, Freeport will work with the Nassau BOCES, the SED, and the regional testing center to ensure that all testing materials are placed in a safe/vault and access to these materials will be restricted. All test booklets will be stored in a secure location under lock and key. All test booklets, both used and unused, all scoring keys and rating guides, and all student answer papers will be secured during the entire test administration and make-up period designated by the SED. This will ensure that 3-8 assessments are not disseminated to students before administration and principals do not have a vested interest in the outcome of the assessments they score.

Freeport will work with Nassau BOCES’ Instructional Support Division to facilitate the secure scoring of all 3-8 assessments to help ensure that principals do not have a vested interest in the scoring process.

All forms that are part of the APPR are available on Frontline PD and Evaluation (formerly known as My Learning Plan)

STUDENT PERFORMANCE & SLOs CALCULATION

Student Performance Category

Please visit for more information:

<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/freeport/freeport-appr-plan-021216.pdf>

Linked Assessments

Teachers	Assessment
K-2 classroom	NWEA-group results building/grade
3-8 Classroom, Specialists, etc...	NYS 3-8 exams(NYSED growth scores or group SLO)
9-12	NYS Regent exams (Individual or group SLO) based on one or more Regent exam(s)
ESL	NYSESLAT individual results

Add NYSUT Teacher Rubric (2014 Edition)