

Memorandum of Agreement
Between
Chazy Teachers' Association And
Chazy Central School District
Regarding Annual Professional Performance Review (APPR)
SY 2023-24 to 2026-27

In compliance with Chapter 103 of the Laws of 2010 as modified by the NYS budget of 2012- 2013, the parties agree to modify their Collective Bargaining Agreement regarding the mandatory topics of negotiation in accordance with a revised teacher evaluation procedure, the components of which are outlined below. This MOA represents the parties' mutual understanding regarding both mandatory and non-mandatory topics of negotiation. It is expressly agreed to by the parties that the District maintains the right to change/modify/add/delete any provision of this agreement that is determined by the NYS Public Employment Relations Board or a court to be a non-mandatory topic of bargaining. Both parties agree to meet annually beginning in August for the purposes of ongoing review and possible adjustment of this MOA.

A. Definition of Covered Teachers

For the 2023-24 school year and beyond these revisions will apply to all classroom teachers as defined in 3012-d. All other unit members will be evaluated according to the collective bargaining agreement.

B. Ensuring Accurate Teacher and Student Data

The District shall provide accurate data to the State Education Department (the "SED") in a format and timeline prescribed by the Commissioner. The District shall also provide an opportunity for every covered teacher to verify the subjects, enrollment status, attendance of students, and/or student rosters assigned to him/her through the New York State Education Department (NYSED) portal. The District shall designate a Data Coordinator who shall be in charge of collecting the required data, overseeing changes in and maintenance of the local data management systems, and ensuring the accuracy of the data submitted to the NYSED portal.

C. Reporting Individual Subcomponent Scores

The Data Coordinator (who shall not be a unit member) shall be responsible for reporting to the SED the individual subcomponent scores, transition scores, and the total composite effectiveness score for each covered classroom teacher and principal/instructional administrator in the District, and shall do so in a format and timeline prescribed by the Commissioner. Covered teachers will be afforded the opportunity to verify the final data attributed to them.

D. Development, Security, and Scoring of Assessments

The Data Coordinator shall be responsible for overseeing the assessment and development, security and scoring processes utilized by the District and shall take steps to ensure that any assessments and/or measures used to evaluate teachers are not disseminated to students before administration.

F. Details of the District's Evaluation System

1. Teacher's performance will be assessed using multiple measures grounded in the New York State Teaching Standards. The 2014 NYSUT Teacher Practice Rubric will be used to assess teachers' professional practice. Evidence for evaluations may come from formal classroom observations, unannounced observations, walk-through for evidence collection, and other information provided by the teacher. The pre observation conference will be conducted no later than two days before the announced observation. The purpose of the observation is to facilitate dialogue between teachers and administrators to discuss goals, expectations, and any other pertinent details.

During the pre- observation conferences discussion will occur related to indicators 1.3.A, 2.1A, 5.2A, and 7.1A. This information will also be provided by the teacher entering evidence into Frontline, which will address the elements previously mentioned.

2.) The announced formal observation will be 20-minutes in length and scheduled between October and January 1st of the applicable school year. Each 20-minute observation session will occur only with prior notification to the teacher. Evidence

gathered by the administrator will be entered into Frontline for indicators 1.3.A, 2.1A, 3.1B, 3.2D, 4.3A, 5.2A, and 7.1A. The focus areas being Indicators 1.3A, 2.1A, 5.2A, and 7.1A.c. The responsibility for gathering evidence of the teacher's performance is shared by the administration and the teacher. Both must demonstrate a commitment to providing a complete and accurate picture of a teacher's professional performance.

2.1) Probationary teachers will receive a minimum of two announced "Administrative Observations". Announced observations shall be preceded by a conference of which prior notification will be given at least two days in advance. At the preconference, the teacher shall be required to present the information related to indicators 1.3A, 2.1A, 5.2A, and 7.1A. No later than seven (7) school days after such announced observation, there shall be a post-evaluation conference between the teacher and administrator, during which the lesson will be discussed. A write up of the observation using the mutually agreed upon form (see appendix B) will be provided to the teachers within ten (10) school days of the post conference meeting. This portion of the observation shall constitute 90% of the overall rating for observations.

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2.2) Tenured and part-time teachers will receive a minimum of one announced "Administrative Observation". Announced observations shall be preceded by a conference of which prior notification will be given at least two days in advance. At the preconference, the teacher shall be required to present the information related to indicators 1.3A, 2.1A, 5.2A, and 7.1A. No later than seven (7) school days after such announced observation, there shall be a post-evaluation conference between the teacher and administrator, during which the lesson will be discussed. A write up of the observation using the mutually agreed upon form (see Appendix B) will be provided to the teachers within ten (10) school days of the post conference meeting. This portion of the observation shall constitute 90% of the overall rating for observations.

The parties agree that upon mutual agreement between a teacher and evaluator, the District may utilize either audio and/or video recordings to record the lesson. A video recording shall be used in lieu of or in conjunction with the administrator being physically present during the observation. An audio recording shall be used in conjunction with the administrator being present during the observation. Any expenses associated shall be borne by the District. Copies shall be provided to the teacher.

3.1) An independent trained evaluator will annually conduct for tenured and untenured teachers at least one (1) unannounced observation, of no less than five (5) minutes

between January 1st and May 31st each year. The purpose of this evaluation is to get a brief, unannounced 5-minute observation to capture an authentic snapshot of classroom dynamics. Unannounced observations shall be at the sole discretion of the evaluator, and shall not require a pre or post conference. Evidence collected during the unannounced observations will be entered into Frontline. A copy of this form with rating scores will be provided to the teacher and principal within seven days of the observation. This portion of the observation will constitute 10% of the overall rating for observations.

4. The post observation conference shall occur within seven days of the announced formal observation. The purpose of this conference is to provide constructive feedback, discuss observations, and collaborate on professional development. For documentation, the Post-Observation form will be completed in Frontline, summarizing discussions and next steps.

Each teacher has the option to request a meeting with the evaluator to discuss any component of their evaluation. Such a meeting will be scheduled at a mutually agreed-upon time.

Teachers also have the opportunity to provide a written response or rebuttal regarding their evaluation. Any written response or rebuttal may be submitted through Frontline and will become part of the teacher's evaluation record. The purpose of these opportunities is to allow teachers to ask questions, provide additional context, and respond to the evidence and ratings included in their evaluation.

All observations will be performed by certified evaluators. Evidence for each teacher will be systematically organized using a mutually agreed upon document. For each teacher, each of the fifteen selected indicators will be rated on a 1-4 scale. A rating of NA will also be available to indicate that the indicator was Not Applicable during the observed lesson. The fifteen selected indicators will be weighted equally and averaged to two decimal places to determine a final average score on the 1-4 rubric rating scale, for each teacher. A rating of NA will not be included in the score, thus reducing the total number of indicators scored. The weighted average of the announced(s) (90%) and unannounced observation(s) (10%) ratings will be converted to a HEDI rating.

The HEDI rating categories are:

- 3.50 to 4.00 Highly Effective
- 2.50 to 3.49 - Effective
- 1.50 to 2.49 - Developing
- 0.00 to 1.49 - Ineffective

5. The student performance measure will be based on the percentage of students achieving a passing score on the five required New York State Regents examinations (English, US History, Global History, Biology, Algebra 1). The overall pass rate will be calculated following the completion of the June Regents examination periods and will reflect student performance for the applicable school year. Final results will be calculated during the summer and entered into Frontline as part of the educator's annual performance evaluation.

The Teacher Observation Rating will be combined with the Student Performance Rating to arrive at the teacher's overall composite score.

The seven selected indicators will be used for evaluation of all teachers subject to 3012-d. As evaluation is an ongoing process with both summative and formative portions, only the overall end of year summary sheet will include ratings. Each selected indicator will be rated on the 1-4 point scale based on the totality of evidence collected from all applicable observations, walkthroughs, and conferences. All seven indicators will then be averaged to get an overall score rounded to two decimal places

Student Performance: HEDI Ratings must be assigned on the point distribution below for student pass percentage on the core five regents exams.

HEDI Score	Rating	% of 5 Regents
20	Highly Effective	97-100%
19	Highly Effective	92-96%
18	Highly Effective	88-91%
17	Effective	83-87%
16	Effective	78-82%
15	Effective	70-77%
14	Developing	63-69%
13	Developing	55-62%

12	Ineffective	49-54%
11	Ineffective	42-48%
10	Ineffective	37-41%
9	Ineffective	31-36%
8	Ineffective	25-30%
7	Ineffective	21-25%
6	Ineffective	18-20%
5	Ineffective	15-18%
4	Ineffective	11-14%
3	Ineffective	8-10%
2	Ineffective	4-7%
1	Ineffective	0-3%

Teacher Observation: Hedi ratings are assigned as listed below based on local agreement.

	OVERALL OBSERVATION CATEGORY SCORE AND RATING	
	Min.	Max.
H	3.50	4.00
E	2.50	3.49
D	1.50	2.49
I	0.00	1.49

Scoring matrix for the overall rating:

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

H. Details of Timely and Constructive Feedback Provided to Teachers

1. Professional Development

The district will support each teacher's development and ensure that all individuals receive appropriate professional development. Everyone within the system should focus on the goal of student achievement (as per APPR regulations). The district will identify in a timely manner standard areas for professional development.

2. Teacher Improvement Plans (TIP)

Upon receiving a rating of "developing" or "ineffective", a teacher shall be provided with a TIP, using the TIP Form in Appendix D.

Upon rating a teacher as Developing or Ineffective through an annual professional performance review, a superintendent or another trained administrator, in the exercise of their pedagogical judgment, must formulate and commence implementation of a teacher improvement plan (TIP) for that teacher by October 1 following the school year for which such teacher performance was measured or as soon as practicable thereafter. Such TIP or PIP shall be subject to collective bargaining to the extent required by Article 14 of the Civil Service Law. Pursuant to Section 30- 3.17 of the Rules of the Board of Regents, TIP/PIP determinations for APPRS completed during the 2023-24 through 2026-27 school years shall be based on the overall composite transition rating only.

The TIP or PIP shall be developed by the superintendent or another trained administrator in the exercise of their pedagogical judgment, and collectively bargained to the extent required by Article 14 of the Civil Service Law. The TIP or PIP shall include, but need not be limited to the following.

- Elements requiring improvement based on evaluation results.
- Specific, measurable goals for improvement.

- Professional development opportunities.
- Timelines for Progress Assessment

The parties understand and agree that the sole and exclusive purpose of a TIP is the improvement of teaching practice and that the issuance of a TIP is not a disciplinary action. The TIP shall be developed in consultation with the teacher and Association representation shall be afforded at the teacher's request. The teacher shall be advised of his/her right to such representation. The Association president shall be timely informed whenever a teacher is placed on a TIP and, with the agreement of the teacher, shall be provided with a copy of the TIP.

An improvement plan defines specific standards-based goals that a teacher or principal must make progress toward attaining within a specific period of time, such as a 12-month period, and shall include the identification of areas that need improvement, a timeline for achieving improvement, the manner in which improvement will be assessed, and, where appropriate, differentiated activities to support improvement in these areas.

The plan should clearly describe the professional learning activities that the educator must complete. These activities should be connected directly to the areas needing improvement. The artifacts that the teacher or principal must produce that can serve as benchmarks of improvement and as evidence for the final stage of the improvement plan should be described, and could include items such as lesson plans and supporting materials, including student work.

The supervisor should clearly state in the plan the additional support and assistance that the educator will receive. In the final stage of the improvement plan, the teacher or principal should meet with his or her supervisor to review the plan, alongside any artifacts and evidence from evaluations, in order to determine if adequate improvement has been made in the required areas outlined within the plan for the teacher or principal.

I. A teacher who believes that the terms of a TIP are arbitrary, unreasonable, inappropriate or defective, or that the District has failed to meet its obligation to properly implement the terms of a TIP, may seek relief through an appeal under the appeals procedure.

Appeals of Annual Professional Performance Reviews

APPEALS OF INEFFECTIVE AND DEVELOPING RATINGS ONLY

Appeals of annual professional performance reviews should be limited to those that rate a teacher as Ineffective or Developing only. Additional procedures may be appropriate where compensation decisions are linked to rating categories.

WHAT MAY BE CHALLENGED IN AN APPEAL

Appeal procedures should 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 or board of cooperative educational services' 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 or board of cooperative educational services' issuance and/or implementation of the terms of the teacher or principal improvement plan 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 DISTRICT/BOCES RESPONSE

Within 15 calendar days of receipt of an appeal, the school district/BOCES 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 or BOCES' 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/BOCES, and any and all additional information submitted with the response, at the same time the school district/BOCES 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. 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/BOCES' response to the appeal and additional documentary evidence submitted with such papers. 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 initiating, 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.

J. Duration and Nature of Training Provided to Evaluators and Lead Evaluators

The "lead evaluator" is the administrator who is primarily responsible for a teacher's APPR composite rating. The term "evaluator" shall include any administrator who conducts an observation or evaluation of a teacher. The term "independent evaluator" will mean an evaluator who is not assigned to the same building as determined by BEDS reporting as the "lead evaluator".

All evaluators, lead evaluators and independent evaluators, shall successfully complete a training course that meets the minimum requirements prescribed by the law and shall include application and use of teacher practice rubrics selected for use by the parties in evaluations.

To be deemed a district certified lead evaluator, one must successfully complete a training course, meeting the minimum requirements prescribed in the law and regulations.

Nothing herein shall be construed to prohibit an evaluator who is properly certified by the state as a school administrator from conducting classroom observations or school visits as part of an annual Professional Performance Review under Chapter 103 prior to completion of the training required by said chapter or the regulations there under, as long as such training is successfully completed prior to completion of the Annual Professional Performance review.

K. Savings Clause

If any provision of this MOA is held to be a violation of law and therefore unenforceable, then such provision will be modified to reflect the parties' intention. All remaining provisions of this MOA shall remain in full force and effect.

L. Effect on Existing Collective Bargaining Agreements

Unless specifically revised or modified by this Memorandum of Agreement, nothing herein shall be construed to abrogate any provisions of the parties' collective bargaining agreement.

M. Modification of Grievance.

The Grievance procedure shall be modified to reflect the following:

The parties agree that a teacher shall be precluded from utilizing the grievance procedure in the Collective Bargaining Agreement for a dispute relating from an individual APPR composite score or a dispute involving scope of appeal set forth in Section I(II)a-e. Any such dispute shall be resolved using the Appeals process set forth in section I.

Chazy Central Rural School

Administrator Evaluation Plan

Purpose

The purpose of the administrator evaluation process at Chazy Central Rural School is to support effective leadership, promote continuous professional growth, and ensure that administrators are meeting the expectations and responsibilities of their positions. The evaluation process is intended to provide meaningful feedback, recognize areas of strength, identify opportunities for improvement, and support the continued success of the school district.

Evaluator

Evaluations of the district's principals and administrators will be conducted by the Superintendent of Schools. The Superintendent will be responsible for overseeing the evaluation process, reviewing performance, providing feedback, and maintaining appropriate documentation of the evaluation.

Evaluation Rubric

All principals and administrators will be evaluated using an agreed-upon administrator evaluation rubric. The rubric will establish consistent criteria and expectations for evaluating leadership performance and will serve as the primary tool for the formal evaluation process.

The evaluation rubric may address areas including, but not limited to:

- Shared Vision of Learning
- School Culture & Instructional Program
- Safe, Efficient, Effective Learning Environment
- Community
- Integrity, Fairness, Ethics
- Political, Social, Economics, Legal & Cultural Context

Student Achievement and Regents Performance

Student achievement data will be considered as part of the administrator evaluation process. Regents examination percentage proficiency results will be incorporated into the evaluation grading as one measure of student achievement and instructional leadership.

Regents examination proficiency data will be reviewed using available district and state assessment results and will be considered in conjunction with the other components of the agreed-upon evaluation rubric. The Regents proficiency results will not be considered in isolation but will contribute to the overall evaluation rating in accordance with the established rubric and grading criteria.

Evaluation Process

The Superintendent will conduct administrator evaluations on a regular basis in accordance with district expectations and applicable requirements. The evaluation process may include review of the administrator's goals, observations, meetings, relevant student achievement data, Regents examination proficiency results, documentation, and other evidence of performance.

The Superintendent will provide the administrator with feedback regarding the evaluation and discuss areas of demonstrated strength as well as areas for continued professional growth.

Professional Growth

The evaluation process will be used as a tool for ongoing professional development. When areas for improvement are identified, the Superintendent and administrator will work collaboratively to establish appropriate goals, supports, resources, and timelines for improvement.

Administrators are encouraged to use the evaluation process to reflect on their leadership practices, establish meaningful professional goals, and identify strategies that will positively impact students, staff, and the school community.

Evaluation Documentation

A written evaluation will be maintained by the Superintendent in accordance with applicable district policies and legal requirements. The administrator will have an

opportunity to review and discuss the evaluation with the Superintendent.

Consistency and Collaboration

The district will strive to ensure that administrator evaluations are conducted in a fair, consistent, and constructive manner. The agreed-upon rubric will provide a common framework for evaluation while allowing the Superintendent to consider the individual responsibilities and circumstances of each administrative position.

Review of the Evaluation Plan

The Administrator Evaluation Plan and evaluation rubric may be reviewed periodically by the Superintendent and administrators to ensure that the process continues to support effective leadership and reflects the needs and priorities of Chazy Central Rural School.

Administrator Response and Rebuttal

An administrator who disagrees with any portion of the evaluation will have the opportunity to discuss the evaluation with the Superintendent of Schools and provide additional information or documentation for consideration. The administrator may also submit a written response or rebuttal to the evaluation. Any written response or rebuttal will be maintained with the evaluation as part of the administrator's evaluation record.

Formal Professional Improvement Plan

When the Superintendent determines that identified areas of concern require more structured intervention than the regular professional growth process, the Superintendent may establish a formal Professional Improvement Plan for the administrator.

The Professional Improvement Plan will identify the specific area or areas requiring improvement, establish clear and measurable goals and expectations, identify appropriate supports and/or resources, establish a reasonable timeline for demonstrating improvement, and describe the evidence or criteria that will be used to evaluate progress.

The Superintendent will review the plan with the administrator and provide opportunities for feedback and discussion. Progress toward the established goals will be reviewed during the timeframe identified in the plan. The plan may be modified or continued when appropriate based upon demonstrated progress and the needs of the district.

Appeal of the Evaluation Process

An administrator who believes that the established evaluation process was not followed, that the evaluation criteria or rubric were applied inconsistently, or that relevant evidence was not appropriately considered may submit a written appeal.

The written appeal should identify the specific concern and provide any supporting information or documentation. The appeal will be submitted in accordance with applicable Board of Education policy, collective bargaining agreement, individual employment agreement, or other applicable procedures.

Nothing in this evaluation plan is intended to limit any rights or procedures otherwise available to an administrator under applicable law, Board of Education policy, collective bargaining agreement, or individual employment agreement.