[redacted]

July 30, 2020

Revised

Michelle Spasiano, Interim Superintendent
Bemus Point Central School District
P.O. Box 468
Bemus Point, NY 14712

Dear Superintendent Spasiano:

Congratulations. I am pleased to inform you that your Annual Professional Performance Review (APPR) plan meets the criteria outlined in Education Law §3012-d and Subpart 30-3 of the Commissioner's Regulations and has been approved. As a reminder, we are relying on the information you provided on your APPR form, including the certifications and assurances that are part of your approved APPR plan. If any material changes are made to your approved plan, your district/BOCES must submit such material changes to us for approval. Please see the attached notes for further information.

Please be advised that, pursuant to Education Law §3012-d, the Department will be analyzing data supplied by districts, BOCES, and/or schools and may order a corrective action plan if there are unacceptably low correlation results between the Student Performance category and the Teacher Observation or Principal School Visits category, and/or if the teachers' or principals' overall ratings and subcomponent scores show little differentiation across educators and/or the lack of differentiation is not justified by equivalently consistent student achievement results, and/or if schools or districts show a pattern of anomalous results in the Student Performance category and/or the Observation/School Visits category.

The New York State Education Department and I look forward to continuing our work together, with the goal of ensuring that every school has world-class educators in the classroom, every teacher has a world-class principal to support his or her professional growth, and every student achieves college and career readiness.

Thank you again for your hard work.

Sincerely,

Shannon L. Tahoe
Interim Commissioner

Attachment

c: David P. O'Rourke

Annual Professional Performance Review - Education Law §3012-d, amended in 2019

Task 1. General Information - Disclaimers and Assurances

Page Last Modified: 08/02/2019

Disclaimers

For guidance related to Annual Professional Performance Review plans, see NYSED APPR Guidance.

The Department will review the contents of each local educational agency's (LEA) Annual Professional Performance Review (APPR) plan as submitted using this online form, including required attachments, to determine if the plan rigorously complies with Education Law §3012-d and Subpart 30-3 of the Rules of the Board Regents. Department approval does not imply endorsement of specific educational approaches in an LEA's plan.

The Department reserves the right to request further information from an LEA to monitor compliance with Education Law §3012-d and Subpart 30-3 of the Rules the Board of Regents. Each LEA is required to keep detailed records on file for each section of the currently implemented APPR plan. Such detailed records mus provided to the Department upon request. The Department reserves the right to disapprove or require modification of an LEA's plan that does not rigorously adhe the requirements of Education Law §3012-d and Subpart 30-3 of the Rules of the Board of Regents.

The Department will not review any attachments other than those required in the online form. Any additional attachments supplied by the LEA are for information purposes only for the teachers and principals reviewed under this APPR plan. Statements and/or materials in such additional attachments have not been approv and/or endorsed by the Department. However, the Department considers void any other signed agreements between and among parties in any form that prevent conflict, or interfere with full implementation of the APPR plan approved by the Department. The Department also reserves the right to request further information from the LEA, as necessary, as part of its review of this plan.

If the Department reasonably believes through investigation, or otherwise, that statements made in this APPR plan are not true or accurate, it reserves the right t or disapprove this plan at any time and/or to request additional information to determine the truth and/or accuracy of such statements.

APPR Assurances

Please check all of the boxes below

- ☑ Assure that the content of this form represents the LEA's entire APPR plan and that the APPR plan is in compliance with Education Law Section 3012-d and Subpart 30-3 of the Rules of the Board of Regents.
- ☑ Assure that a detailed version of the LEA's entire APPR plan is kept on file and that a copy of such plan will be provided to the Department upon request for review of compliance with Education Law Section 3012-d and Subpart 30-3 of the Rules of the Board of Regents.
- ☑ Assure that this APPR plan will be posted on the LEA's website no later than September 10th of each school year, or within 10 days after the plan's approval by the Commissioner, whichever shall occur later.
- ☑ Assure that it is understood that this LEA's APPR plan will be posted in its entirety on the NYSED website* following approval.

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Common Branch Grade One Measures and Assessments

Please indicate below which of the three available measure types will be used for grade one teachers, then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher's course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher's course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses across buildings/programs in an LEA in the current school year.

Grade 1: Measure Type

District- or BOCES-wide

Grade 1: District- or BOCES-Wide Measure

District- or BOCES-wide results

Grade 1: Assessment Type(s)

☑ State or Regents assessment(s)

Grade 1:State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Grade Four (Common Branch) Measure and Assessment(s)

Grade 4: Measure Type

District- or BOCES-wide

Grade 4: District- or BOCES-Wide Measure

District- or BOCES-wide results

Grade Four: Assessment Type(s)

- ☑ State or Regents assessment(s)

Grade Four: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Grade Five (Common Branch) Measure and Assessment(s)

Grade 5: Measure Type

District- or BOCES-wide

Grade 5: District- or BOCES Measure

District- or BOCES-wide results

Grade 5: Assessment Type(s)

- ☑ State or Regents assessment(s)

Grade 5: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Grade Six

Please identify below whether grade six instruction is common branch or departmentalized; indicate which of the three available measure types will be used for grade six teachers; and then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher's course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher's course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses across buildings/programs in an LEA in the current school year.

Please choose the option that best describes grade six in your LEA.

☑ Departmentalized - all core subjects use the same measure and assessment(s)

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Grade Six (Departmentalized) Measure and Assessment(s)

Grade six departmentalized with uniform measure and assessment(s) across core subjects

Grade 6: Measure Type

School- or program-wide

Grade 6: School- or Program-Wide Measure

School- or program-wide results

Grade 6: Assessment Type(s)

- ☑ State or Regents assessment(s)

Grade 6: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Grade Eight (Departmentalized) Measure and Assessment(s)

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High School English Language Arts

Note: Additional high school English courses may be included in the “Other Courses” section.

Please identify below whether all high school ELA teachers use the same type of measure and assessment(s) or if the measures and assessments vary by grade level; indicate which of the three available measure types will be used for high school ELA teachers; and then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher’s course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher’s course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses across buildings/programs in an LEA in the current school year.

Please indicate whether grades 9 through 12 ELA teachers use the same type of measure and assessment(s) or if the measures and assessments vary by grade level.

☑ All high school ELA teachers use the same type of measure and assessment(s)

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High School ELA (All Grades) Measure and Assessment(s)

High School ELA: Measure Type

School- or program-wide

High School ELA: School- or Program-Wide Measure

School- or program-wide results

High School ELA: Assessment Type(s)

- ☑ State or Regents assessment(s)

High School ELA: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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High School Regents Math

Note: Additional high school math courses may be included in the “Other Courses” section.

Please identify below whether all high school Regents math teachers use the same type of measure and assessment(s) or if the measures and assessments var by course; indicate which of the three available measure types will be used for high school Regents math teachers; and then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher’s course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher’s course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses across buildings/programs in an LEA in the current school year.

Please indicate whether high school Regents math teachers use the same measure or assessment(s) or if the measures and assessments vary by grade level.

☑ All high school Regents math teachers use the same type of measure and assessment(s)

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High School Regents Math (All Courses) Measure and Assessment(s)

High School Regents Math: Measure Type

School- or program-wide

High School Regents Math: School- or Program-Wide Measure

School- or program-wide results

High School Regents Math: Assessment Type(s)

- ☑ State or Regents assessment(s)

High School Regents Math: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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High School Regents Science

Note: Additional high school science courses may be included in the “Other Courses” section.

Please identify below whether all high school Regents science teachers use the same type of measure and assessment(s) or if the measures and assessments vary by course; indicate which of the three available measure types will be used for high school Regents science teachers; and then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher’s course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher’s course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers’ courses across buildings/programs in an LEA in the current school year.

Please indicate whether high school Regents science teachers use the same measure or assessment(s) or if the measures and assessments vary by grade level.

☑ All high school Regents science teachers use the same type of measure and assessment(s)

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High School Regents Science (All Courses) Measure and Assessment(s)

High School Regents Science: Measure

School- or program-wide

High School Regents Science: School- or Program-Wide Measure

School- or program-wide results

High School Regents Science: Assessment Type(s)

- ☑ State or Regents assessment(s)

High School Regents Science: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Other Courses

Please identify below the 'other courses' in your LEA; indicate which of the six available measures will be used for for each group of teachers; and then choose the specific measure, corresponding assessment type(s), and applicable assessment(s).

An individually attributed SLO measure

> Teacher and course-specific

- Teacher and course-specific results: scores and ratings will be based on the growth of students in the teacher's course in the current school year.

A collectively attributed SLO measure

> School- or program-wide

- School- or program-wide results: scores and ratings will be based on the growth of all students in a school or program who take the applicable assessments in the current school year.
- School- or program-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses in the current school year.
- School- or program-wide linked results scores and ratings will be based on the growth of students enrolled in the teacher's course in the current school year taking assessments in other grades/subjects.

> District- or BOCES-wide

- District- or BOCES-wide results: scores and ratings will be based on the growth of all students across buildings/programs in an LEA who take the applicable assessments in the current school year.
- District- or BOCES-wide group or team results: scores and ratings for a group or team of teachers will be based on the growth of students in the group/team of teachers' courses across buildings/programs in an LEA in the current school year.

Complete the following, as applicable, for all 'other teachers' in additional grades/subjects (you may combine into one course listing any groups of teachers for whom the measure and assessment(s) are the same including, for example, "All courses not named above"):

Column 1: lowest grade that corresponds to the course

Column 2: highest grade that corresponds to the course

Column 3: subject of the course

Column 4: measure used

Columns 5-7: assessment(s) used

Follow the examples below to list other courses.

	(1) lowest grade	(2) highest grade	(3) subject	(4) measure	(5-7) assessment(s)
All Other Courses	K	12	All courses not named above	District- or BOCES-wide results	ELA Regents, Algebra I Regents
K-3 Art	K	3	Art	Teacher and course-specific results	Questar III BOCES
Grades 9-12 English Electives	9	12	English Electives	School- or program-wide linked results	All Regents given in LEA

To add additional courses, click "Add Row".

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Grade From	Grade To	Subject	Measure	State or Regents Assessment(s)	Locally-developed Course-Specific Assessment(s)	Third Party Assessment(s)
K	5	All courses not named above	District-or BOCES-wide results	☑ ELA Regents ☑ Algebra I Regents ☑ Living Environment Regents ☑ Global History Regents ☑ US History Regents		
6	12	All courses not named above	School-or program-wide results	☑ ELA Regents ☑ Algebra I Regents ☑ Living Environment Regents ☑ Global History Regents ☑ US History Regents		

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Use of the Optional Subcomponent and Student Performance Category Weighting

- If the Optional subcomponent is not used, the Required subcomponent will comprise 100% of the Student Performance category.
- If the Optional subcomponent is used, the percentage of Student Performance category attributed to the Required subcomponent will be locally determined.

Please indicate if the Optional subcomponent will be used by making the appropriate selection below.

NO, the Optional subcomponent WILL NOT be used; the Required subcomponent will comprise 100% of the Student Performance category.

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Teacher Observation Category

For guidance on the Teacher Observation category, see NYSED APPR Guidance.

Teacher Practice Rubric

Select a teacher practice rubric from the menu of State-approved rubrics to assess performance based on the observable NYS Teaching Standards.

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	Overall Observation Category Score and Rating	
	Minimum	Maximum
H	3.5 to 3.75	4.0
E	2.5 to 2.75	3.49 to 3.74
D	1.5 to 1.75	2.49 to 2.74
I	0.00*	1.49 to 1.74

* In the event that an educator earns a score of 1 on all rated components of the practice rubric across all observations, a score of 0 will be assigned.

HEDI Ranges

Using the dropdown menus below, please indicate the locally-determined rubric scoring ranges based on the constraints prescribed by the Commissioner in Subpart 30-3 of the Rules of the Board of Regents for each of the rating categories.

Please select a minimum value between 3.50 and 3.75 and choose 4.00 as the maximum value for the Highly Effective range.

	Minimum Rubric Score	Maximum Rubric Score
Highly Effective:	3.50	4.00

Please select a minimum value between 2.50 and 2.75 and a maximum value between 3.49 and 3.74 for the Effective range.

	Minimum Rubric Score	Maximum Rubric Score
Effective:	2.50	3.49

Please select a minimum value between 1.50 and 1.75 and a maximum value between 2.49 and 2.74 for the Developing range.

	Minimum Rubric Score	Maximum Rubric Score
Developing:	1.50	2.49

Please choose 0.00 as the minimum value and select a maximum value between 1.49 and 1.74 for the Ineffective range.

	Minimum Rubric Score	Maximum Rubric Score
Ineffective:	0.00	1.49

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Teacher Observation Subcomponent Weighting

Required Subcomponent 1: Observations by Principal(s) or Other Trained Administrators
- At least 80% of the Teacher Observation category score

Required Subcomponent 2: Observations by Impartial Independent Trained Evaluator(s)*
- At least 10%, but no more than 20%, of the Teacher Observation category score

Optional Subcomponent: Observations by Trained Peer Observer(s)
- No more than 10% of the Teacher Observation category score when selected

Please be sure the total of the weights indicated equals 100%.

* If the LEA is granted an annual Rural/Single Building Independent Evaluator Hardship Waiver by the Department, this subcomponent will be satisfied through th use of one or more evaluators selected and trained by the LEA, who are different than the evaluator(s) who conducted the observation(s) required to be performe the principal/supervisor or other trained administrator. If the LEA is granted an annual Undue Burden Independent Evaluator Hardship Waiver by the Department this subcomponent will be satisfied through the processes described in that application.

Please indicate the weight of each observation type and be sure the total of the weights indicated equals 100%.

Principal/Administrator [Required]	Independent Evaluator(s) [Required]	Peer Observer(s) [Optional]	Grades and subjects for which Peer Observers will be used
90%	10%	0% (N/A)	(No Response)

Observation Assurances

Please check all of the boxes below.

- ☑ Assure that the following elements will not be used in calculating a teacher's Observation category score and rating: evidence of student development and performance derived from lesson plans, other artifacts of teacher practice, and student portfolios, except for student portfolios measured by a State-approved rubric where permitted by the Department; use of an instrument for parent or student feedback; and/or use of professional goal-setting as evidence of teacher effectiveness. Consistent with Subpart 30-3 of the Rules of the Board of Regents, assure that points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent.
- ☑ Assure that the length of all observations for teachers will be conducted pursuant to the locally-determined durations.
- ☑ Assure that at least one of the required observations will be unannounced.

Required Subcomponent 1: Observations by Principal(s) or Other Trained Administrators

At least one observation must be conducted by building principal or other trained administrator and at least one of the required observations must be unannounced (across both required subcomponents).

- LEAs may locally determine whether to use more than one observation by principal or other trained administrator.
- Nothing shall be construed to limit the discretion of management to conduct observations in addition to those required by this section for non-evaluative purposes.
- The frequency and duration of observations are locally determined.
- Observations may occur in person or by live or recorded video, as determined locally.

Indicate the minimum number of unannounced and announced observations by principal(s) or other trained administrators, as well as the method of observation, in the table below.

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Please also check each of the following boxes.

☑ Assure that if the LEA is granted an annual Rural/Single Building District Independent Evaluator Hardship Waiver by the Department, teachers of such waiver shall apply for the school year during which the waiver is effective; and, that in any school year for which there is an approved waiver, the second observation(s) shall be conducted by one or more evaluators selected and trained by the LEA, who are different than the evaluator(s) who conducted the observation(s) required to be performed by the principal/supervisor or other trained administrator. See Section 30-3.4(c)(1)(ii)(a) of the Rules of the Board of Regents.

☑

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Optional Subcomponent: Observations by Trained Peer Observer(s)

If selected, at least one observation must be conducted by trained peer observer(s).

- Peer teachers are trained and selected by the LEA.
- Trained peer teachers must have received an overall rating of Effective or Highly Effective in the prior school year.
- Observations may occur in person or by live or recorded video, as determined locally.

Indicate the minimum number of unannounced and announced observations by trained peer observer(s), as well as the method of observation, in the table below.
If the optional subcomponent will not be used, please indicate "N/A" for the minimum number and "N/A" for the observation method for both unannounced and announced observations for "All Teachers."

TEACHERS Indicate whether the number and method selected applies to all teachers or to a subgroup of teachers.	SUBGROUP If "Subgroup of Teachers" is selected in the previous column, indicate which teachers the number and method				

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Additional Requirements

For more information on the additional requirements for teachers, see NYSED APPR Guidance.

Teacher Improvement Plan Assurances

Please check each of the boxes below.

- ☑ Assure that the LEA will formulate and commence implementation of a Teacher Improvement Plan (TIP) for all teachers who receive an overall rating of Developing or Ineffective by October 1 following the school year for which such teacher's performance is being measured or as soon as practicable thereafter.
- ☑ Assure that TIP plans developed and implemented by the superintendent or his/her designee, in the exercise of their pedagogical judgment, and subject to collective bargaining to the extent required under article 14 of the Civil Service Law, shall include: identification of needed areas of improvement, a timeline for achieving improvement, the manner in which the improvement will be assessed, and, where appropriate, differentiated activities to support a teacher's improvement in those areas.

Teacher Improvement Plan Forms

All TIP plans developed and implemented by the superintendent or his/her designee, in the exercise of his/her pedagogical judgment, must include:

1) identification of needed areas of improvement;
2) a timeline for achieving improvement;
3) the manner in which the improvement will be assessed; and, where appropriate,
4) differentiated activities to support a teacher's improvement in those areas.

As a required attachment to this APPR plan, upload the TIP forms that are used in the LEA.

appr_62_tip_pp_376360988-TIP_Form2020.docx

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Appeal Assurance

Please check the box below.

☑ Assure the LEA has collectively bargained appeal procedures that are consistent with the regulations and that they provide for the timely and expeditious resolution of an appeal.

Appeals

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

(1) the substance of the annual professional performance review; which shall include the following:

(i) 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 LEA'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 required under Education Law §3 and Subpart 30-3 of the Rules of the Board of Regents; and

(4) the LEA's issuance and/or implementation of the terms of the teacher improvement plan, as required under Education Law §3012-d and Subpart 30-3 of the R of the Board of Regents.

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Describe the procedure for ensuring that appeals of annual performance evaluations will be resolved in a timely and expeditious manner.

APPR Appeal Procedure

The Bemus Point Faculty Association and the District agree the determination of the appeal pursuant to the following process is final and binding. The determination is not subject to any further appeal pursuant to the grievance procedure. However, failure to abide by the agreed upon appeal process is subject to the grievance procedure. A teacher is entitled to Association representation at the request of the teacher at any time during the appeals process.

Appeals of Developing and Ineffective Ratings

Appeals of an annual professional performance review (APPR) shall be limited only to those where the teacher has received an overall rating of “developing” or “ineffective” based on his/her single overall rating.

What May Be Challenged in an Appeal

A teacher may challenge his/her effectiveness rating based on one or more of the following grounds:

1. The school district’s adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-d;
2. The adherence to the Commissioner’s regulations, as applicable to such reviews;
3. Compliance with any applicable locally negotiated procedures applicable to annual professional performance reviews or improvement plans; and
4. The school district’s issuance and/or implementation of the terms of the teacher improvement plan under Education Law 3012-d.
5. The substance of the annual professional performance review, which shall include the following:

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.

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 provided that the teacher knew or should have known the grounds that existed at the time the appeal was filed. Any grounds, from which the teacher knew or should have known which are 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.

Time Frame for Filing Appeal

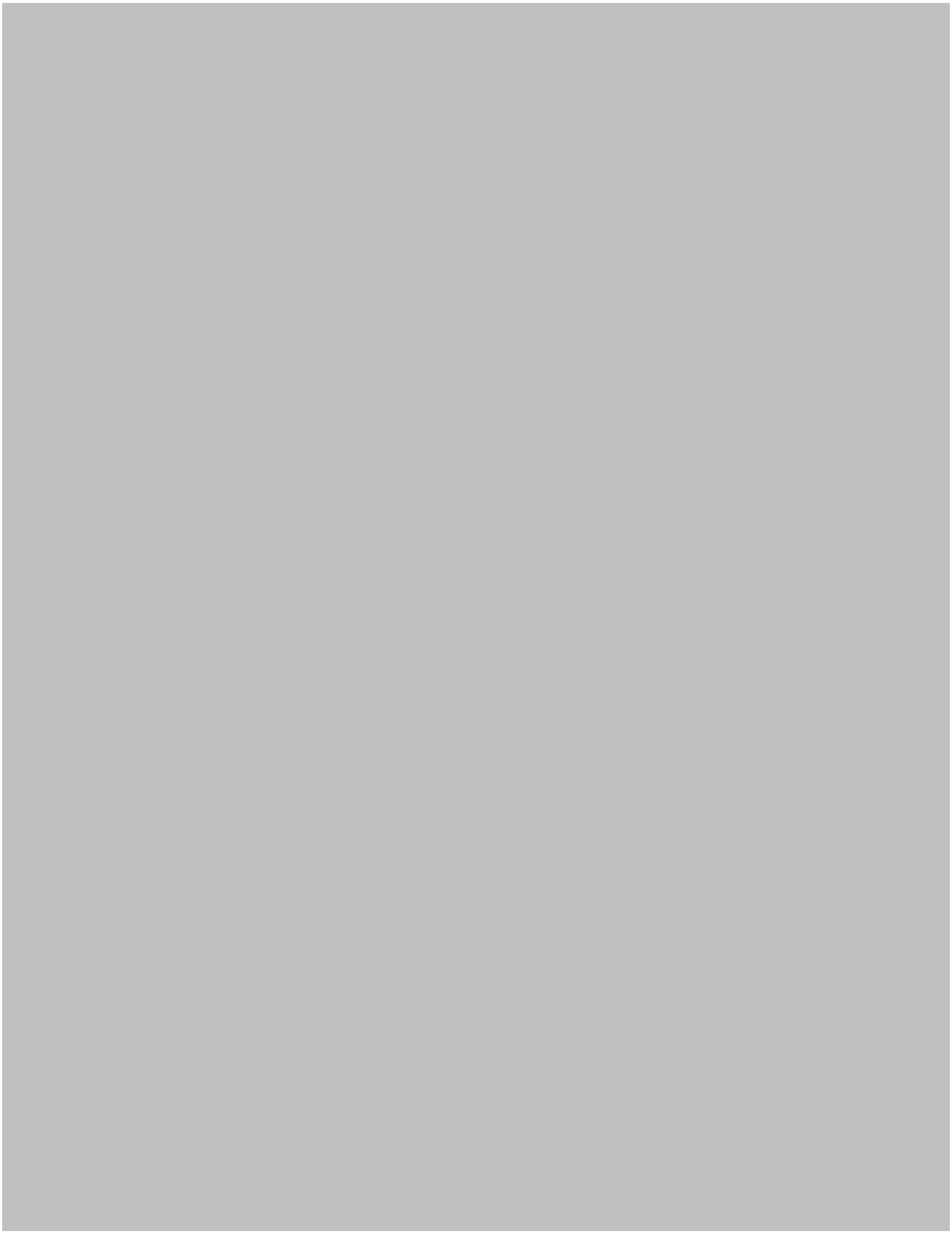
The failure to file an appeal within these timeframes shall be deemed a waiver of the right to appeal and the appeal shall be deemed abandoned. However, the timelines set forth in the appeal process may be extended upon mutual agreement by both parties. Regardless of any extension the appeals process will remain timely and expeditious in accordance with Education Law §3012-d.

All appeals of an annual professional performance review must be submitted in writing to the Superintendent no later than 10 school days after receipt by the teacher of a copy of the APPR overall rating. If a teacher is challenging the issuance of a teacher improvement plan, appeals must be filed within 10 school days of the issuance of such plan. An appeal of the implementation of a teacher improvement plan must be filed within 10 school days of the district's failure to implement any component of the improvement plan. When filing an appeal, the teacher must submit a detailed written description of the specific areas of disagreement over his/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 by the teacher at the time the appeal is filed, shall not be considered. The Association president will be notified by the district when an appeal is filed.

Time Frame for District Response

Step 1:

Within 10 school 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 (TIP) will meet with the teacher who filed the appeal to



measure indicated.

Principals: Assessment Type(s)

- ☑ State or Regents assessment(s)

Principals: State or Regents Assessment(s)

- ☑ ELA Regents
- ☑ Algebra I Regents
- ☑ Living Environment Regents
- ☑ Global History Regents
- ☑ US History Regents

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Use of the Optional Subcomponent and Student Performance Category Weighting

- If the Optional subcomponent is not used, the Required subcomponent will comprise 100% of the Student Performance category.
- If the Optional subcomponent is used, the percentage of Student Performance category attributed to the Required subcomponent will be locally determined.

Please indicate if the Optional subcomponent will be used by making the appropriate selection below.

NO, the Optional subcomponent WILL NOT be used; the Required subcomponent will comprise 100% of the Student Performance category.

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Optional Student Performance Subcomponent

For guidance on the Optional subcomponent of the Student Performance category,see NYSED APPR Guidance.

Percentage of Student Performance category to be locally determined if selected.

Such second measure shall apply in a consistent manner, to the extent practicable, across all programs or buildings with the same grade configuration in the LEA and be a locally selected measure of student growth or achievement based on State-created or -administered assessments or State-designed supplemental assessments.

Options for measures and associated assessments include:

- Option (A) A second SLO, provided that this SLO is different than that used in the required subcomponent;
- Option (B provysMC C /LBody <5 ed in t2bcreated a-1.ynd SLEMC Td (•)T2bcreatemodel, (Aal Student Performance - Use of the Opti wpeA supplementa

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Principal School Visit Category

For guidance on the Principal School Visit category, see NYSED APPR Guidance.

Principals' professional performance shall be evaluated based on a State-approved rubric using multiple sources of evidence collected and incorporated into the visit protocol. Where appropriate, such evidence may be aligned to building or district goals; provided, however, that professional goal-setting may not be used a evidence of teacher or principal effectiveness. Such evidence shall reflect school leadership practice aligned to the Leadership Standards and selected practice r

Principal Practice Rubric

Select a principal practice rubric from the menu of State-approved rubrics to assess performance based on ISLLC 2008 Standards.

Rubric Name	If more than one rubric is utilized, please indicate the group(s) of principals each rubric applies to.
Multidimensional Principal Performance Rubric	N/A

Rubric Assurances

Please check all of the boxes below.

- ☑ Assure that all observable ISLLC 2008 Leadership Standards/Domains of the selected practice rubric are assessed at least once a year across the total number of annual school visits.
- ☑ Assure that the process for assigning points for the Principal School Visit category will be in compliance with the locally-determined subcomponent weights and overall School Visit category score and rating based on the constraints prescribed by the Commissioner in Subpart 30-3 of the Rules of the Board of Regents.
- ☑ Assure that the same rubric(s) is used for all principals in the same or similar programs or grade configurations across the LEA, provided that LEAs may locally determine whether to use different rubrics for a principal assigned to different programs or grade configurations as indicated in the table above.
- ☑ Assure that the same rubric(s) is used for all school visits for a principal across the school visit types in a given school year.

Process for Weighting Rubric Domains/Subcomponents

For guidance on the Principal School Visit category, see NYSED APPR Guidance.

Please describe the process for weighting the observable domains/subcomponents of the chosen practice rubric (e.g., Domains 2 and 3 will be weighted 30% each and Domains 1, 4, 5 and 6 will be weighted 10% each).

All observable components will be weighted equally and averaged.

Scoring Assurances

Please check each of the boxes below.

- ☑ Assure that each set of school visits (by supervisor/other trained administrator, independent, or peer) will be completed using the selected practice rubric, producing an overall score between 1 and 4. The overall weighted school visit score will be converted into a HEDI rating using the ranges indicated below.
- ☑ Assure that once all school visits are complete, the different types of school visits will be combined using a weighted average consistent with the weights specified below, producing an overall School Visit category score between 0 and 4. In the event that a principal earns a score of 1 on all rated components of the practice rubric across all school visits, a score of 0 will be assigned.

Principal School Visit Scoring Bands

The overall School Visit score will be converted into a HEDI rating based on locally determined ratings consistent with the ranges listed.

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	Overall School Visit Category Score and Rating	
	Minimum	Maximum
H	3.5 to 3.75	4.0
E	2.5 to 2.75	3.49 to 3.74
D	1.5 to 1.75	2.49 to 2.74
I	0.00*	1.49 to 1.74

* In the event that an educator earns a score of 1 on all rated components of the practice rubric across all school visits, a score of 0 will be assigned.

HEDI Ranges

Using the dropdown menus below, please indicate the locally-determined rubric scoring ranges based on the constraints prescribed by the Commissioner in Subpart 30-3 of the Rules of the Board of Regents for each of the rating categories.

Please select a minimum value between 3.50 and 3.75 and choose 4.00 as the maximum value for the Highly Effective range.

	Minimum Rubric Score	Maximum Rubric Score
Highly Effective:	3.50	4.00

Please select a minimum value between 2.50 and 2.75 and a maximum value between 3.49 and 3.74 for the Effective range.

	Minimum Rubric Score	Maximum Rubric Score
Effective:	2.50	3.49

Please select a minimum value between 1.50 and 1.75 and a maximum value between 2.49 and 2.74 for the Developing range.

	Minimum Rubric Score	Maximum Rubric Score
Developing:	1.50	2.49

Please choose 0.00 as the minimum value and select a maximum value between 1.49 and 1.74 for the Ineffective range.

	Minimum Rubric Score	Maximum Rubric Score
Ineffective:	0.00	1.49

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Principal School Visit Subcomponent Weighting

Required Subcomponent 1: School visits by Supervisor(s) or Other Trained Administrators
- At least 80% of the Principal School Visit category score

Required Subcomponent 2: School visits by Impartial Independent Trained Evaluator(s)*
- At least 10%, but no more than 20%, of the Principal School Visit category score

Optional Subcomponent: School visits by Trained Peer Principal(s)
- No more than 10% of the Principal School Visit category score when selected

Please be sure the total of the weights indicated equals 100%.

* If the LEA is granted an annual Rural/Single Building District Independent Evaluator Hardship Waiver by the Department, this subcomponent will be satisfied through the use of one or more evaluators selected and trained by the LEA, who are different than the evaluator(s) who conducted the school visit(s) required to performed by the Superintendent/supervisor or their designee. If the LEA is granted an annual Undue Burden Independent Evaluator Hardship Waiver by the Department, this subcomponent will be satisfied through the processes described in that application.

Please indicate the weight of each school visit type and be sure the total of the weights indicated equals 100%.

Supervisor/Administrator [Required]	Independent Evaluator(s) [Required]	Peer School Visit(s) [Optional]	Grade configurations for which Peer School Visits will be used
90%	10%	0% [N/A]	(No Response)

School Visit Assurances

Please check all of the boxes below.

- ☑ Assure that the following elements will not be used in calculating a principal's school visit category score and rating: evidence of student development and performance derived from lesson plans, other artifacts of principal practice, and student portfolios, except for student portfolios measured by a State-approved rubric where permitted by the Department; use of an instrument for parent or student feedback; and/or use of professional goal-setting as evidence of principal effectiveness. Consistent with Subpart 30-3 of the Rules of the Board of Regents, assure that points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent.
- ☑ Assure that the length of all school visits for principals will be conducted pursuant to the locally-determined durations.
- ☑ Assure that at least site used in calcTd (10uhnenc13Tm (Apmon any 4(sbwns.)Tj EMC ET /Figure <</MCID230 >>BDC q 5 0 0 5 77 335.8 cm /In

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PRINCIPALS Indicate whether the number and method selected applies to all principals or to a subgroup of principals.	SUBGROUP If "Subgroup of Principals" is selected in the previous column, indicate which principals the number and method selected applies to; otherwise, enter "N/A." For additional subgroups, add another row.	UNANNOUNCED Minimum Number of School Visits	ANNOUNCED Minimum Number of School Visits
All Principals (enter 'N/A' in the next column)	N/A	1	1

Required Subcomponent 2: School Visits by Impartial Independent Trained Evaluator(s)*

At least one school visit must be conducted by impartial independent trained evaluator(s) and at least one of the required school visits must be unannounced (across both required subcomponents).

- Impartial independent trained evaluators are trained and selected by the LEA.
- They may be employed within the LEA but may not be assigned to the same school building as the principal being evaluated. This could include other administrators, department chairs/directors, or peers, so long as they are not from the same building (defined as same BEDS code) as the principal being evaluated.
- LEAs may locally determine whether to use more than one school visit by impartial independent trained evaluator(s).
- The frequency and duration of school visits are locally determined.
- School visits may not occur by live or recorded video.

* If the LEA is granted an annual Rural/Single Building District Independent Evaluator Hardship Waiver by the Department, this subcomponent will be satisfied through the use of one or more evaluators selected and trained by the LEA, who are different than the evaluator(s) who conducted the school visit(s) required to performed by the Superintendent/supervisor or their designee. If the LEA is granted an annual Undue Burden Independent Evaluator Hardship Waiver by the Department, this subcomponent will be satisfied through the processes described in that application.

Indicate the minimum number of unannounced and announced school visits by impartial independent trained evaluator(s) in the table below.

PRINCIPALS Indicate whether the number and method selected applies to all principals or to a subgroup of principals.	SUBGROUP If "Subgroup of Principals" is selected in the previous column, indicate which principals the number and method selected applies to; otherwise, enter "N/A." For additional subgroups, add another row.	UNANNOUNCED Minimum Number of School Visits	ANNOUNCED Minimum Number of School Visits
All Principals (enter 'N/A' in the next column)	N/A	0	1

Independent Evaluator Assurances

Please check all of the boxes below.

- ☑ Assure that independent evaluator(s) are not employed in the same school building, as defined by BEDS code, as the principal(s) they are evaluating.
- ☑ Assure that independent evaluator(s) will be trained and selected by the LEA.

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Category and Overall Ratings

For guidance on APPR scoring, see NYSED APPR Guidance.

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Additional Requirements

For guidance on additional requirements for principals, see NYSED APPR Guidance.

Principal Improvement Plan Assurances

Please check each of the boxes below.

- ☑ Assure that the LEA will formulate and commence implementation of a Principal Improvement Plan (PIP) for all principals who receive an overall rating of Developing or Ineffective by October 1 following the school year for which such principal's performance is being measured or as soon as practicable thereafter.
- ☑ Assure that PIP plans developed and implemented by the superintendent or his/her designee, in the exercise of their pedagogical judgment, and subject to collective bargaining to the extent required under article 14 of the Civil Service Law, shall include: identification of needed areas of improvement, a timeline for achieving improvement, the manner in which the improvement will be assessed, and, where appropriate, differentiated activities to support a principal's improvement in those areas.

Principal Improvement Plan Forms

All PIP plans developed and implemented by the superintendent or his/her designee, in the exercise of his/her pedagogical judgment, must include:

1) identification of needed areas of improvement;
2) a timeline for achieving improvement;
3) the manner in which the improvement will be assessed; and, where appropriate,
4) differentiated activities to support a principal's improvement in those areas.

As a required attachment to this APPR plan, upload the PIP forms that are used in the LEA.

BPCSD_Principal_Improvement_Plan (1).docx

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Appeal Assurance

Please check the box below.

☑ Assure the LEA has collectively bargained appeal procedures that are consistent with the regulations and that they provide for the timely and expeditious resolution of an appeal.

Appeals

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

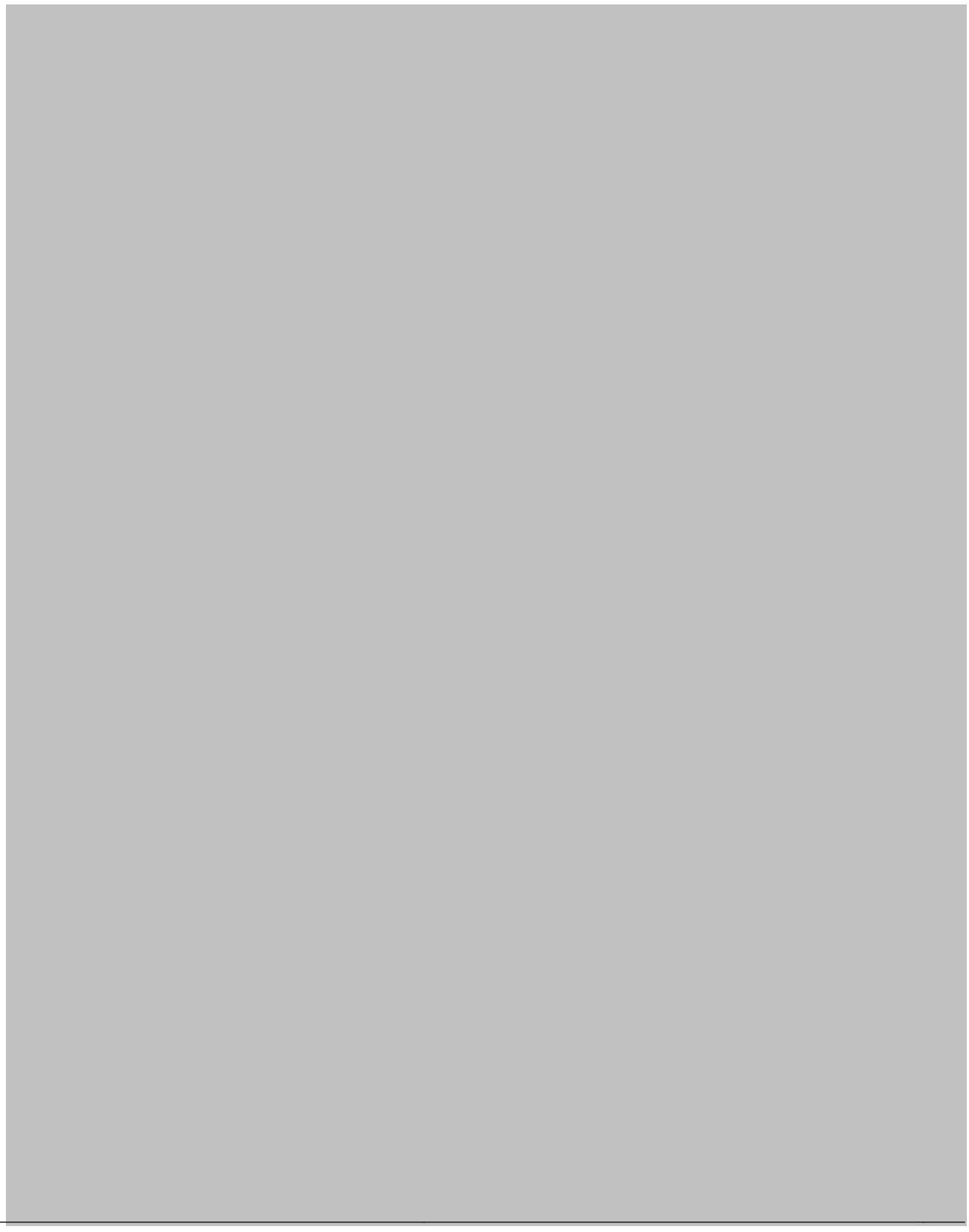
(1) the substance of the annual professional performance review; which shall include the following:

(i) in the instance of a principal rated Ineffective on the student performance category, but rated Highly Effective on the school visit category based on an anom as determined locally;

(2) the LEA'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 required under Education Law § and Subpart 30-3 of the Rules of the Board of Regents; and

(4) the LEA's issuance and/or implementation of the terms of the principal improvement plan, as required under Education Law §3012-d and Subpart 30-3 of the of the Board of Regents.



all additional information submitted with the response, at the same time the school district files its response. Additional material supporting the challenges may be submitted by the principal up the date of the hearing.

Decision Process for Appeal

Within five (5) business days of the district's response, a single individual hearing office shall be chosen from the list of hearing officers approved mutually by the district and bargaining unit representing the principals. The parties agree that:

1. The hearing officer shall hear appeals in a timely manner after the appeal is made, but in no event shall it be less than five (5) business days or more than fifteen (15) business days after the hearing officer is selected,.
2. The hearing shall be conducted in no more than one (1) business day unless extenuating circumstances are present and the hearing officer agrees to the second day.
3. The parties shall have the ability to be represented by legal counsel and/or union representation or appear pro se on the scheduled hearing date(s).
4. The district shall have the opportunity to present its case supporting the rating or improvement plan and then the principal may refute the presentation.

Decision

A written decision on the merits of the appeal shall be rendered no later than ten (10) business days from the close of the hearing. Such decision shall be the final decision. The decision shall set forth the reasons and factual basis for the determination on each of the specific issues raised in the appeal. The reviewer must either affirm, set aside or modify a district's rating or improvement plan. A copy of the decision shall be provided to the principal and the district representative.

Exclusivity of Section 3012-d Appeal Procedure

This appeal procedure shall constitute the means for initiating, reviewing and resolving challenges to a principal performance review or improvement plan. A principal 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.

Other

1. The district and bargaining unit for the principal shall maintain a list of not less than (3) mutually agreed upon hearing officers.
2. Appeals shall be assigned to hearing officers on a rotational basis, alphabetically by last name.
3. The costs for the hearing officer(s), hearing date(s), analysis of documents and the production of the decision shall be borne by the district.
4. In addition, to any further limitations agreed to within the APPR agreement, an evaluation shall not be placed in a principal's personnel file until either the expiration of the fifteen (15) business day period in which to file a notice of appeal without action being taken by the principal or the conclusion of the appeal process described herein, whichever is later.
5. A principal who takes advantage of the appeals process described herein does not waive his/her right to submit a written rebuttal to the final evaluation. A principal who elects to submit a written rebuttal to his/her evaluation to the expiration of the fifteen (15) business days in which to file a notice of appeal does not waive his/her right to file an appeal.

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Training Assurance

Please check the box below.

☑ The LEA assures that all evaluators will be properly trained and lead evaluators will be certified on the below elements prior to completing a principal's evaluation. Note: independent evaluators and peer principals need only be trained on elements 1, 2, and 4 below.

Training of Lead Evaluators, Evaluators, Independent Evaluators, and Peer Principals and Certification of Lead Evaluators

The process for training evaluators, including impartial and independent evaluators and peer principals, and certifying and re-certifying lead evaluators must inclu

1) the process for training lead evaluators and evaluators, including impartial independent evaluators and peer principals;
2) the process for the certification and re-certification of lead evaluators;
3) the process for ensuring inter-rater reliability; and
4) the nature (content) and the approximate duration (how many hours, days) of such training.

Describe the process for training evaluators, including impartial and independent evaluators and peer principals, and certifying and re-certifying lead evaluators.

All evaluators (lead evaluators, evaluators, and independent observer) are trained as lead evaluator and trained in (9) elements of Subpart 30-3.10 of the Board of Regents. The training will be provided by the Erie 2 Chautauqua-Cattaraugus BOCES lead evaluator training team who are authorized to train on behalf of an evaluation rubric approved by NYSED.
This initial training includes at approximately two (2) full days (6 hours/day) and approximately 12 hours of training yearly. Upon completion of this training, all evaluators, will be certified annually and re-certified by the Bemus Point Board of Education as recommended by the Superintendent.
The District will maintain a process of inter-rater reliability including data analytics, periodic comparison of assessments and/or calibration across evaluators.

The Bemus Point Central School District will work to ensure that all evaluators:

- maintain inter-rater reliability over time;
- Receive updated/retraining provided by Erie 2 Chautauqua-Cattaraugus BOCES and the District on any changes in the law, regulations, or applicable collective bargaining agreements. These trainings are ongoing and will be attended by evaulators as required.

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Principal Evaluation Assurances

Please check all of the boxes below.

- ☑ Assure that the LEA shall compute and provide to the principal their score and rating for the Student Performance category, if available, and for the Principal School Visit category for the principal's Annual Professional Performance Review, in writing, no later than the last school day of the school year for which the principal is being measured, but in no case later than September 1 of the school year next following the school year for which the principal's performance is being measured.
- ☑ Assure that the evaluation system will be used as a significant factor for employment decisions.
- ☑ Assure that principals will receive timely and constructive feedback as part of the evaluation process.
- ☑ Assure that the following prohibited elements listed in Education Law Section 3012-d(6) are not being used as part of any principal's evaluation: evidence of student development and performance derived from lesson plans, other artifacts of principal practice, and student portfolios, except for student portfolios measured by a State-approved rubric where permitted by the department; use of an instrument for parent or student feedback; use of professional goal-setting as evidence of principal effectiveness; any locally-developed assessment that has not been approved by the department; and any growth or achievement target that does not meet the minimum standards as set forth in regulations of the Commissioner. Consistent with Subpart 30-3 of the Rules of the Board of Regents, assure that points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent.
- ☑ Assure that the LEA shall compute and provide principals with their APPR scores and ratings as soon as practicable, but in no case later than September 1 of the school year next following the school year for which the principal's performance is being measured.

Assessment Assurances

Please check all of the boxes below.

- ☑ Assure that the amount of time devoted to traditional standardized assessments that are not specifically required by state or federal law for each classroom or program within a grade level does not exceed, in the aggregate, one percent of the minimum required annual instructional hours for the grade.
- ☑ Assure that individuals with vested interest in the outcome of their assessments are not involved, to the extent practicable, in the scoring of those assessments.

Data Assurances

Please check all of the boxes below.

- ☑ Assure that SED will receive 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 regulations, in a format and timeline prescribed by the Commissioner.
- ☑ Assure that the LEA provides an opportunity for every classroom teacher to verify the subjects and/or student rosters assigned to them.
- ☑ Assure scores for all principals will be reported to NYSED for each subcomponent, as well as the overall rating, as per NYSED requirements.
- ☑ Assure that procedures for ensuring data accuracy and integrity are being utilized.

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Upload APPR LEA Certification Form

Please Note: SED Monitoring timestamps each revision and signatures cannot be dated earlier than the last revision. To ensure the accuracy of the timestamp o each task, please submit from Task 12 only.

Please obtain the required signatures, create a PDF file, and upload your joint certification of the APPR Plan using the "LEA Certification Form" found in the "Documents" menu on the left side of the page.

APPR-2019.pdf

Record of Meetings

Meeting Date _____

Evaluator Comments

Teacher Comments

Meeting Date _____

Evaluator Comments

Teacher Comments

Meeting Date _____

Evaluator Comments

Teacher Comments

Recommendation for Results of PTI

- The teacher has met the performance goals identified through the PTI.
- The teacher has not met the performance goals.

Next Steps

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I.

Required and Accessible Resources (including responsibility for provision):

Date(s) for formative evaluation on progress (lead evaluator and principal initial each date to confirm the meeting):

Quarter 1 _____

Quarter 2 _____

Quarter 3 _____

Quarter 4 _____

Evidence of Goal Achievement:

_____ _____

Superintendent Signature Date

_____ _____

Principal Signature Date

LEA CERTIFICATION FORM: Please download, sign, and upload this form to complete the submission of your LEA's Annual Professional Performance Review (APPR) plan.

By signing this document, the LEA and its collective bargaining agent(s) certify that the APPR plan submitted to the Commissioner for approval constitutes the school LEA's complete APPR plan, that all provisions of the plan that are subject to collective negotiation have been resolved pursuant to the provisions of Article 14 of the Civil Service Law, and that such plan complies with the requirements of Education Law §3012-d as amended by the Laws of 2019 and Subpart 30-3 of the Rules of the Board of Regents, and has been adopted by the governing body of the LEA.

The LEA and its collective bargaining agent(s), where applicable, also certify, upon information and belief, that all statements made herein are true and accurate and that any applicable collective bargaining agreements for teachers and principals are consistent with and/or have been amended and/or modified or otherwise resolved to the extent required necessary to ensure that all classroom teachers and building principals will be evaluated using the APPR plan submitted to the Commissioner for approval.

The LEA and its collective bargaining agent(s), where applicable, also certify that this APPR Plan is the LEA's complete APPR Plan and that such plan will be fully implemented by the LEA; that there are no collective bargaining agreements, memoranda of understanding or any other agreements in any form that prevent, conflict, or interfere with full implementation of this APPR Plan; that changes will be made to this Plan through collective bargaining or otherwise except with the approval of the Commissioner in accordance with Subpart 30-3 of the Rules of the Board of Regents.

The school district and its collective bargaining agent(s), where applicable, also acknowledge that approval of this APPR Plan is rejected or rescinded for any reason, any State aid increases received as a result of the Commissioner's approval of this APPR Plan may be withheld or forfeited by the State pursuant to Education Law §3012-d(11).

The LEA and its collective bargaining agent(s), where applicable, also make the following respect to their APPR Plan:

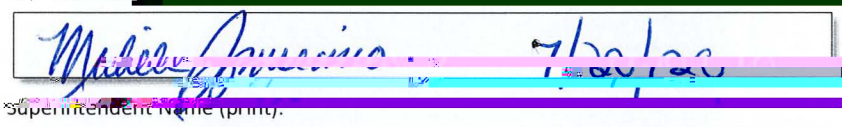
- Assure that the overall APPR training will address [illegible] as significant factor in employment decisions including but not limited to tenure determinations and teacher and principal improvement plans;
- Assure that the entire APPR will [illegible] September 1 of the school year following the year in which the classroom teacher's or building principal's performance is being measured;
- Assure that the LEA shall [illegible] category, if available, and for the Teacher Observation [illegible] a teacher's or principal's APPR, in writing, on or later than the last day of the school year for which the teacher's or principal's performance is measured, but in no case later than September 1 of the school year following the year in which the teacher's or principal's performance is measured;
- Assure that the APPR Plan will be filed in the LEA's office and made available to the public on the LEA's website no later than September 10th of each school year, within 10 days of the plan's approval by the Commissioner, whichever shall first occur;
- Assure that complete and accurate teacher and student data will be provided to the Commissioner prescribed by the Commissioner;
- Assure that the LEA will annually report to the state the individual composite scores and the overall rating for each classroom teacher and building principal in a manner [illegible];
- Assure that the LEA provides an opportunity [illegible] student rosters assigned to them;
- Assure that teachers and principals will receive timely and constructive feedback as part of the evaluation process;
- Assure that any training course for lead evaluator certification addresses each of the requirements [illegible] specific considerations in evaluating teachers and principals of [illegible];
- Assure that any teacher or principal who receives an Overall Rating of Developing or Ineffective in any school year will receive a Teacher Improvement Plan or Principal Improvement Plan, in accordance with all applicable statutes and regulations, by October 1 of the school year following the year in which such teacher's or principal's performance was measured or as soon as practicable thereafter.
- Assure that such improvement plan shall be developed by the superintendent [illegible] pedagogical judgment [illegible] shall be subject to collective bargaining to the extent required under Article 14 of the Civil Service Law;
- Assure that all evaluators will be properly trained and that lead evaluators will be certified [illegible] certified as necessary in accordance with applicable statutes and regulations;
- Assure that LEA has collectively bargained appeal procedures that are consistent with Education Law §3012-d for the timely and expeditious resolution of an appeal to the LEA;
- Assure that, for teachers, all observations and Teaching Standards/Domains of the selected practice rubric are assessed at least once a year across the total number of annual observations and, for principals, all observations and ISLLC 2008 Leadership Standards/Domains of the selected practice rubric are assessed at least once a year across the total number of annual school

visits;

- Assure that it is possible for a teacher or principal to obtain each point in the scoring ranges, including 0, for subcomponents [illegible] the LEA shall [illegible] subcomponents and categories is transparent, [illegible] and fair;
- Assure that if a second measure for the Student Growth [illegible] measures of student growth or achievement will be used across all classrooms in the same school building, [illegible] grade, for principals, in the LEA will be used in a consistent manner to the extent practicable;
- Assure that all growth targets represent a minimum of one year of expected growth;
- Assure that any material changes to this APPR will be submitted to the Commissioner for approval by March 1 of each school year;
- Assure that the LEA will [illegible] Subpart 30-3 of the regulations;
- Assure that the amount of time devoted to [illegible] Federal law for each classroom or program of the grade does not exceed the required annual instructional hours for a classroom or program of the grade; and
- Assure that the amount of time devoted to [illegible] preparation under standardized testing conditions for each exceed, in the aggregate, two percent of the required annual instructional hours for a classroom or program of the grade. The following shall not be counted towards the limits established by this subdivision: teacher administered classroom quizzes or [illegible] portfolio reviews, or performance assessments shall not be counted towards the limits established by this subdivision. In addition, formative and diagnostic assessments shall not be counted towards the limits established by this subdivision. Time devoted to assessments required for a student with a disability by his or her individualized education program or a student with a disability.

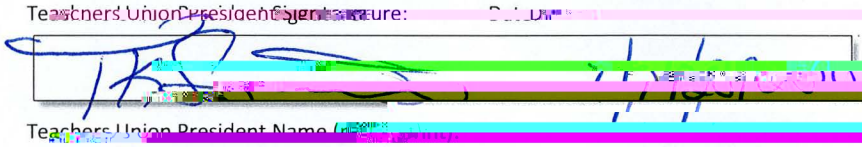
Signatures, dates

Superintendent Signature: Date:

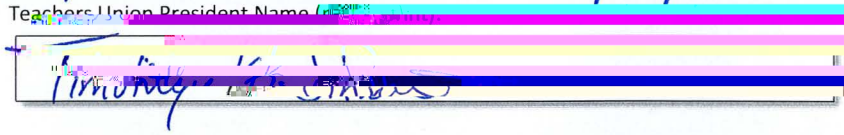


Superintendent Name (print):

Teachers Union President Signature: Date:

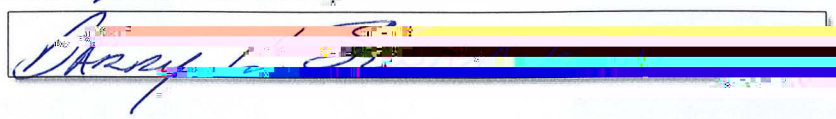


Teachers Union President Name (print):



Administrative Unit President Signature: Date:

Administrative Unit President Name (print):

Board of Education President Signature: Date:

Board of Education President Name (print):