

**Memorandum of Agreement**  
**between**  
**Massena Building Administrators' Association**  
**and**  
**Massena Central School District**

**Annual Professional Performance Review**  
**(APPR)**

**2016**

**MASSENA BUILDING ADMINISTRATORS'  
ASSOCIATION**

The provisions of this Memorandum of Agreement shall be in effect upon ratification of the Agreement, in its entirety, by the Board of Education of the Massena Central School District and the membership of the Massena Building Administrators' Association.

**Definition of Covered Principals**

For the 2016-17 school year and beyond, these revisions will apply to principals supervising all classroom teachers.

**GENERAL AGREEMENT**

APPR Addendum to the collective bargaining agreement between the Massena Administrators Association and the Massena Central School District, covering the period: July 1, 2016 to June 30, 2019.

In compliance with Chapter 56 of the Laws of 2015 and specifically New York State Education Law Section 3012-d, the parties agree to modify their collective bargaining agreement in accordance with a revised principal evaluation procedure, the primary components of which are outlined below. Both parties view this revised procedure as subject to ongoing review and possible adjustment upon mutual agreement to any further changes. This procedure shall be subject to annual review by the parties no later than August 1 in each year. Such review may include negotiations upon request of either party.

Whereas the parties above are obligated to negotiate APPR provisions for principals consistent with Education Law 3012-d and subsequent NYSED regulation, they hereby agree to the following:

**1. Application:**

- This provision shall apply only to the title of principal.
- Should the law (3012-d) of 2015, the corresponding regulations or NYSED guidance regarding 3012-d change from what was in place at the time of this agreement, the agreement shall be renegotiated to be consistent with further changes in law, regulation or NYSED guidance.

**2. The superintendent or designee shall be the lead evaluator for principals.**

**3. Ensuring Accurate Teacher and Student Data**

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. The Data Coordinator shall have the authority to assign tasks and deadlines, as required. In the event that inaccurate information is discovered by the principal, within ten (10) business days of receipt of the information, the principal will give corrected information, in writing, to the Data Coordinator. In the event the District does not make the requested change(s), the District will provide the reason(s) in writing to the principal within ten (10) business days of being presented with the corrected information.

**4. Reporting Individual Subcomponent Scores**

The Data Coordinator shall be responsible for reporting to the SED the individual subcomponent 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. Principals will be notified and afforded the opportunity to review the final data attributed to them no later than five (5) business days after the data becomes available. Notification shall take place through the District e-mail.

Principals will be given fifteen (15) business days from the notification to complete review before it is sent to the SED. In the event that inaccurate information is discovered by the principal/instructional administrator, he/she will give corrected information, in writing, to the Data Coordinator. In the event the District does not make the requested change(s), the District will provide the reason(s) in writing to the principal within five (5) business days of being presented with the corrected information. All such notifications and responses shall take place through the District e-mail.

**5. NYS Student Growth Measures**

In any instance where Student Learning Objectives (SLOs) are required in lieu of a state growth score, the principal shall develop such SLOs, consistent with any related NYSED requirements. The SLOs shall be submitted to the superintendent by November 1st or as soon as practicable. The superintendent will approve SLOs and will be responsible for assigning a principal growth score based upon the outcome of the SLOs. The superintendent shall meet with the principal and provide the decision on approval within five (5) days of submission by the principal.

**6. Performance Category Scoring**

Student performance measures will be scored on a point scale from zero and twenty (0-20). These measures include state-provided growth scores, SLOs, state-designed or approved supplemental assessments, and/or other additional measures using state-provided or approved growth model scores.

Principals will receive a score for SLOs based on the percentage of students meeting the SLO targets as shown in Figure 1 below:

**Figure 1: Student Learning Objectives Scoring Chart**

<b>Ineffective 0-12</b>		<b>Developing 13-14</b>		<b>Effective 15-17</b>		<b>Highly Effective 18-20</b>			
<b>0-59%</b> of students meet or exceed expected growth targets determined by superintendent		<b>60-74%</b> of students meet or exceed expected growth targets determined by superintendent		<b>75-89%</b> of students meet or exceed expected growth targets determined by superintendent		<b>90-100%</b> of students meet or exceed expected growth targets determined by superintendent			
0-4%	0	29-33%	7	60-66%	13	75-79%	15	90-92%	18
5-8%	1	34-38%	8	67-74%	14	80-84%	16	93-96%	19
9-12%	2	39-43%	9			85-89%	17	97-100%	20
13-16%	3	44-48%	10						
17-20%	4	49-54%	11						
21-24%	5	55-59%	12						
25-28%	6								

The state-provided growth score or SLO score shall constitute 50% of the teacher's Student Performance Category score.

## 7. Principal Observation Category

The Principal Observation Category will comprise 50% of a principal's overall evaluation.

A. The principals' observation score shall be based on one observation that shall be conducted by the superintendent or other trained administrator and a second observation that shall be conducted by one or more impartial independent trained evaluator(s) selected and trained by the District. An independent trained evaluator may be employed within the district, but may not be assigned to the same school building as the principal being evaluated. One observation must be unannounced. A written summary of feedback on the observation shall be given within five (5) business days of each visit.

Observations conducted by the superintendent shall be weighted at 90%.

Observations conducted by independent impartial observers shall be weighted at 10%.

The district shall utilize the LCI Multidimensional principal performance rubric (MPPR) for principal observations as shown in the attached instrument. The evaluation must incorporate multiple school visits by the trained evaluator(s). For the announced visits, the agenda will be mutually determined. One visit will be announced and one will be unannounced (unless further visits are stipulated in an improvement plan). The first visit will take place prior to January 1 and the second visit will be between January 1 and June 30. The process shall also include:

- a. A portfolio of school documents related to components of the rubric. These shall be provided to the superintendent by June 30.
- b. No later than July 31 the principal and superintendent shall meet to review the related initiatives and actions of the principal over the year as well as the availability and utilization of district provided resources.
- c. The principal's self-analysis on the rubric for the superintendent's consideration and discussion.

The procedure for determining principal ratings for 'Other Measures' (LCI Multidimensional) will be as follows:

a. Each dimension of the LCI Multidimensional rubric (*18 total*) from all six (6) domains will be assigned a point rating (highly effective=4, effective=3, developing=2, ineffective=1) by the evaluator based upon the Learner-Centered Initiatives Multidimensional rubric © 2011, and recorded on the Rubric Average Element Score Weighting Chart form in-Appendix A. Specific recommendations and actionable items for improvement for principals are required for any dimension rated as ineffective or developing. Recommendations for improvement for dimensions rated as effective are encouraged. Evaluation score will be calculated as follows:

1. Points from all dimensions for which there is evidence will be weighted and averaged to determine an average dimension rating.
2. A score of between one and four will be generated for each observation based on the average of observed subcomponent scores. An overall Principal Observation Category score of between one and four (1-4)

will be produced by combining the multiple observations consistent with the weighted averages that apply to that category. The overall Principal Observation Category score will then converted into an overall HEDI rating through the use of the cut scores depicted in Figure 2 below:

<b>Principal Observation Category Score</b>	<b>Principal Observation Category Rating</b>
3.50-4.00	Highly Effective (H)
2.50-3.49	Effective (E)
1.50-2.49	Developing (D)
0-1.49	Ineffective (I)

On or before July 31 each principal will receive their Principal Observation Category Rating via electronic mail from the superintendent. A principal may also request a conference with the superintendent to discuss this component rating. Final evaluations shall be provided to principals no later than ten (10) days after the student performance scores become available from the SED. Appendix B contains the 'Overall Evaluation Summary' form to be completed by the evaluator and reviewed with the principal.

### 8. Determination of the Final Evaluation Rating

To determine a principal's final overall rating, the principal's subcomponent rating for the Student Performance Category and Principal Observations Categories are combined using the New York State Evaluation Matrix, depicted in Figure 3 below:

	<b>Scores</b>	<b>H</b>	<b>E</b>	<b>D</b>	<b>I</b>
<b>Student Performance Rating</b>	<b>H</b>	H	H	E	D
	<b>E</b>	H	E	E	D
	<b>D</b>	E	E	D	I
	<b>I</b>	D	D	I	I

### 9. Improvement Plans

Upon rating a principal as ineffective or developing, an improvement plan designed to rectify perceived or demonstrated deficiencies must be developed and commenced no later than October 1st. The superintendent, in conjunction with the principal, must develop an improvement plan that contains:

- a. A clear delineation of the deficiencies that resulted in the ineffective or developing assessment.
- b. Specific improvement goal/outcome statements.
- c. Specific improvement action steps/activities.
- d. A reasonable time line for achieving improvement.
- e. Required and accessible resources to achieve goal.
- f. A formative evaluation process documenting meetings strategically scheduled throughout the year to assess progress. These meetings shall occur at least twice during the year: the first on or before December 15 and the second on or before March 15. A written summary of feedback on progress

shall be given within 5 business days of each meeting.

g. A clear manner in which improvement efforts will be assessed, including evidence demonstrating improvement.

h. A formal, final written summative assessment delineating progress made with an opportunity for comments by the principal.

Appendix C contains the 'Principal Improvement Plan' form to be completed by the evaluator and reviewed with the principal as part of the principal improvement plan process.

## **10. Appeals of Annual Professional Performance Reviews**

To the extent that a Principal wishes to challenge a performance review and/or improvement plan under the new evaluation system, the following appeals procedure is established in accordance with Section 3012-d of the Education Law.

I. Appeals will be limited to the following situations:

- a. A Principal completing the first year of a probationary appointment may appeal only an ineffective APPR composite rating;
- b. Any other Principal may appeal only an ineffective or a developing APPR composite rating;
- c. Any Principal may appeal an improvement plan if and only if the plan was generated as the result of an ineffective or developing composite rating.

II. The scope of any appeal will be limited to the following subjects:

- a. The substance of the individual's annual professional performance review;
- b. The District's adherence to the standards and methodologies required for such reviews, pursuant to Education Law 3012-d;
- c. The adherence to the Commissioner's regulations, as applicable to such reviews;
- d. Compliance with any applicable locally negotiated procedures regarding annual professional performance reviews or improvement plans, as limited by Section I, above; or,
- e. The District's issuance and/or implementation of the terms of the Principal improvement plan under Education Law 3012-d in connection with an ineffective or developing rating.

III. A Principal may not file multiple appeals regarding the same performance review or Principal 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.

IV. In an appeal, the Principal and District share the burden of proof in defending their respective interpretation of the evidence that is addressed in the appeal.

V. The following timelines will be strictly adhered to unless extended by mutual agreement. Failure of the petitioner to meet a timeline will nullify the appeal; failure of the respondent to meet a timeline will allow movement of the appeal to the next level. All appeals will be filed in writing. The act of mailing the appeal shall constitute filing.

Level 1 - Evaluator

(Informal) Following a qualifying event, as defined in Sections I and II, above, the Principal shall be encouraged and shall be entitled to schedule a follow up meeting to informally discuss with the evaluator any and all related issues.

(Formal) Any appeal must be submitted to the evaluator in writing no later than fifteen (15) business days of the date when the Principal receives his/her annual professional performance review. If a Principal is challenging the issuance or implementation of a Principal improvement plan, the appeal must be submitted in writing within fifteen (15) business days of issuance or of the time when the Principal knew or should have known of an alleged implementation breach of such plan.

When filing an appeal, the Principal must submit a detailed written description of the specific grounds for the appeal as well as the performance review and/or improvement plan being challenged. Along with the appeal, all supporting documentation must be submitted, or specifically noted if pending, as well as the remedy sought by the Principal if the appeal is sustained. Any grounds for appeal or any supporting documentation/information not submitted or noted at the time the appeal is filed shall not be considered.

Within ten (10) business days of receipt of an appeal, the evaluator responsible for the issue(s) being appealed must submit a detailed written response to the appeal. Along with the response, all supporting documentation must be submitted, or specifically noted if pending, as well as any additional documents or materials relevant to the response. Any supporting documentation/information not submitted or noted at the time the response is issued shall not be considered in the deliberations related to the resolution of the appeal. The Principal initiating the appeal shall receive copies of the response and any and 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 to the date of the hearing.

#### Level 2 – Panel

Within ten (10) calendar days of receipt of the Level 1 determination, if a Principal is not satisfied with such determination, the Principal must submit the appeal to a bipartisan panel\* comprised of two (2) superintendents and two (2) other administration representatives. The panel will be provided the entire appeals record; however, any information identifying the appellant or the appellant's district will be redacted prior to receipt by the panel. Further, the anonymity of the panel members will be protected to the extent possible throughout this procedure.

Within ten (10) calendar days of receipt of the Principal's appeal, the panel will jointly conduct a brief hearing, a paper review, and deliberation of the matter, and will issue a written recommendation for resolution to the Principal and the Superintendent of Schools. The recommendation may be to deny the appeal, to sustain the appeal and grant the remedy sought, or to sustain the appeal and modify the remedy; further, reasoning for the recommendation, as well as dissenting opinions, if any, will be included with the recommendation.

*\*Upon the District's acceptance (of this appeals procedure, the parties will designate at least one and not more than two administrative representatives as the District regional panelists. Those individuals will be provided training regarding APPR legislation and regulations and will be expected to be available to serve on panels as needed for appeals in other districts that utilize this appeals procedure. The District will maintain a computerized listing of all representatives from which a random selection of panelists can be obtained. Whenever such a panel is convened, the four panelists must be from four different districts and none can be from the appellant's district.*


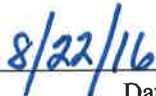


#### Level 3 – District Superintendent

Within ten (10) calendar days of receipt of the Level 2 recommendation for resolution, if either the Principal or the Superintendent of Schools is not satisfied with such recommendation, the dissatisfied party must submit the entire appeals record to the District Superintendent or designee.

Within ten (10) calendar days of receipt of the appeals record, the District Superintendent or designee will issue a final and binding decision to the Principal and the Superintendent of Schools. Whether the appeal is denied or sustained, such decision will set forth the reasons and factual basis for each determination on each of the specific grounds raised in the appeal. If the appeal is sustained, the District Superintendent or designee may set aside or modify a rating or improvement plan if it has been affected by substantial error or defect, or order a new evaluation or improvement plan if procedures have been violated.

VI. This appeals procedure constitutes the exclusive means for initiating, reviewing, and resolving any and all challenges and appeals related to a Principal's performance review and/or improvement plan generated as the result of an ineffective or developing rating.

VII. Nothing in this appeals procedure will restrict the right of the District or the obligation of the Principal to proceed in accordance with otherwise standard practice, e.g., implementation of an improvement plan or denial\granting of tenure, while an appeal is pending.

			
MBAA President Allen Rowledge	Date	Superintendent Patrick Brady	Date



## **APPENDICES**

**APPENDIX A: Principal Observation Category Rubric Average Element Score Weighting Chart**

**APPENDIX B: Principal Annual Professional Performance Review Summary**

**APPENDIX C: Principal Improvement Plan**

**APPENDIX D: List of potential documents to be used in evaluating Principal Observation Category**

**APPENDIX A**

**PRINCIPAL OBSERVATION CATEGORY  
RUBRIC AVERAGE ELEMENT SCORE - WEIGHTING  
CHART**

**PRINCIPAL OBSERVATION CATEGORY  
RUBRIC AVERAGE ELEMENT SCORE - WEIGHTING CHART**

Using the rubric, the superintendent will write the HEDI Score for each dimension that best matches the principal's performance. The score will be multiplied by the multiplier to determine the total weighted points for each dimension. A HEDI rating shall then be determined by averaging the weighted HEDI ratings of all evaluated dimensions and using the conversion chart in Figure 2 to determine total points. LCI rubric is available at: <http://usny.nysed.gov/rttt/teachers-leaders/practicerubrics/Docs/MultidimensionalPrincipalPerformanceRubric.pdf>

Name of Principal \_\_\_\_\_ School Year \_\_\_\_\_

DOMAINS & Elements	HEDI SCORE 1= I 2= D 3= E 4= HE NR= not rated	MULTIPLIER FOR WEIGHTING (AND NUM- BER FOR THE DIVISOR TO EQUATE AN AVERAGE)*	TOTAL WEIGHTED POINTS
<b>1. SHARED VISION OF LEARNING</b>			
a. Culture		3.5	
b. Sustainability		1.5	
<b>2. SCHOOL CULTURE &amp; INSTRUCTIONAL PROGRAM</b>			
a. Culture		2	
b. Instructional Program		4	
c. Capacity Building		2	
d. Sustainability		1	
e. Strategic Planning Process		1	
<b>3. SAFE, EFFICIENT, EFFECTIVE LEARNING ENVIRONMENT</b>			
a. Capacity Building		3	
b. Culture		3	
c. Sustainability		2	
d. Instructional Program		2	
<b>4. COMMUNITY</b>			
a. Strategic Planning Process: Inquiry		3	
b. Culture		1	

c. Sustainability		1	
<b>5. INTEGRITY, FAIRNESS, ETHICS</b>			
a. Sustainability		2	
b. Culture		1	
<b>6. POLITICAL, SOCIAL, ECONOMIC, LEGAL &amp; CULTURAL CONTEXT</b>			
a. Sustainability		1	
b. Culture		1	
<b>TOTALS</b>	<b>DOES NOT APPLY</b>	<b>35*</b>	
<b>AVERAGE ELEMENT SCORE (TOTAL WEIGHTED SCORE DIVIDED BY TOTAL OF MULTIPLIERS) =</b>			
<b>OVERALL RUBRIC HEDI RATING BASED ON THE AVERAGE ELEMENT SCORE =</b>			

For observations that have scores for only some elements, the total shall be calculated using only observed and rated elements. In those cases, the total in the "Multiplier" column, used as the divisor to determine the average, will be less than when all elements are rated.

**Points Awarded (1-4) as determined using Figure 2:** \_\_\_\_\_

**Overall Rating:**      Highly Effective      Effective      Developing  
    Ineffective (Circle one)

**RECOMMENDATIONS FOR INDIVIDUAL DIMENSIONS RATED AS INEFFECTIVE (REQUIRED), DEVELOPING (REQUIRED), OR EFFECTIVE (ENCOURAGED). USE ADDITIONAL SHEET IF NEEDED.**

Domain/Dimension: \_\_\_\_\_

Recommendation/Action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Domain/Dimension: \_\_\_\_\_

Recommendation/Action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Domain/Dimension: \_\_\_\_\_

Recommendation/Action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Domain/Dimension: \_\_\_\_\_

Recommendation/Action: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Use additional sheets if needed.



## APPENDIX B

# PRINCIPAL ANNUAL PROFESSIONAL PERFORMANCE REVIEW SUMMARY

**Massena Central School District  
Principal Annual Professional Performance Review Summary**

Principal's Name \_\_\_\_\_

Position/Site \_\_\_\_\_

School Year \_\_\_\_\_

Evaluator's Name \_\_\_\_\_

Supervisor's school visit dates: \_\_\_\_\_

Independent Observer's visit dates: \_\_\_\_\_

Date of Summative Evaluation: \_\_\_\_\_

STUDENT PERFORMANCE CATEGORY RATING: \_\_\_\_\_

NYSED GROWTH SCORE OR SLO SCORE/RATING:

\_\_\_\_\_/\_\_\_\_\_

OBSERVATION CATEGORY RATING: \_\_\_\_\_

SUPERVISOR SCORE/RATING (90%):

\_\_\_\_\_/\_\_\_\_\_

INDEPENDENT OBSERVER SCORE/RATING (10%):

\_\_\_\_\_/\_\_\_\_\_



## EVALUATION MATRIX RATING

---

Figure 3: Principal Observation Rating					
Student Performance Rating	Scores	H	E	D	I
	H	H	H	E	D
	E	H	E	E	D
	D	E	E	D	I
	I	D	D	I	I

APPR Overall Rating (HEDI): \_\_\_\_\_

Supervisor's Signature and date \_\_\_\_\_

Principal's Signature and date \_\_\_\_\_

# **APPENDIX C**

## **PRINCIPAL IMPROVEMENT PLAN**

# PRINCIPAL IMPROVEMENT PLAN

Massena Central School District

Name of Principal \_\_\_\_\_

School Building \_\_\_\_\_ Academic Year \_\_\_\_\_

Deficiency that promulgated the “ineffective” or “developing” performance rating:

Improvement Goal/Outcome:

Action Steps/Activities:

Timeline for completion:

Required and Accessible Resources, including identification of responsibility for provision:

Dates of formative evaluation on progress (lead evaluator and principal initial each date to confirm the meeting):

December:

March:

Other:

Evidence to be provided for Goal Achievement:

Assessment Summary: Superintendent is to attach a narrative summary of improvement progress, including verification of the provision of support and resources as outlined above no later than 10 days after the identified completion date. Such summary shall be signed by the superintendent and principal with the opportunity for the principal to attach comments.

**APPENDIX D**

**EVIDENCE REGARDING  
PRINCIPAL PERFORMANCE**

## EVIDENCE REGARDING PRINCIPAL PERFORMANCE

A limited sample of documents to be used in evaluating principals as part of the APPR process is listed below. The list is not exhaustive, nor are any items obligatory. This is simply a resource list for consideration.

- Mission/vision statement
- Strategic plan
- School improvement plan: building goals
- Administrative calendar
- Grade or department goals
- Staff development plan
- Staff development calendar
- Staff development agendas and materials
- Conference day programs
- Guide for staff on disaggregating data
- Building cabinet meeting agendas
- Faculty meeting agendas
- Department, grade level and/or team meeting agendas
- Committee meeting agendas
- Parent meeting agendas
- Board presentations
- Staff memos
- Parents memos
- Scheduled collaboration and common planning time
- School newsletter
- Parent and student communications
- Parent, student, staff or community letters of support or praise
- Press releases
- Public coverage of school events or accomplishments (media or print)
- Collaboration with higher education
- Career day programs
- Parent volunteer recognition program
- Collaboration with community organizations
- Social worker outreach programs
- School health services
- Mental health resource connections
- Drug abuse prevention programs
- Character education programs