



# Newfane Central School District

6273 Charlotteville Road  
Newfane, NY 14108  
716.778.6888

*Mrs. Christine Tibbets  
Superintendent of Schools*

## **ANNUAL PROFESSIONAL PERFORMANCE REVIEW PLAN: PRINCIPALS**

Submitted to the Commissioner of Education  
September 1, 2011

### **(1) Definition of covered principals**

This APPR Plan will apply only to a principal or co-principal of a registered public school building in which classroom teachers of common branch subjects or English language arts or mathematics in grades four to eight are employed during the 2011-2012 school year.

### **(2) Ensuring Accurate Teacher and Student Data**

The District shall provide accurate data to the State Department (the "SED") in a format and timeline prescribed by the Commissioner. The District shall also provide an opportunity for every covered principal to verify the subjects and/or student rosters assigned to his/her building. The Director of Curriculum, Instruction, Assessment and Technology shall be designated as the 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.

### **(3) 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 building principal in the District, and shall do so in a format and timeline prescribed by the Commissioner.

### **(4) Development, Security and Scoring of Assessments**

The Data Coordinator shall be responsible for overseeing the assessment development, security, and scoring processes utilized by the District under the APPR Plan, and shall take steps to ensure that any assessments and/or measures used to evaluate teachers and principals are not disseminated to students before administration, and that teachers and principals do not have a vested interest in the outcome of the assessments they score.

## **(5) Details of the District's Evaluation System**

The details of the District's Chapter 103 evaluation system cannot be described at this time because those details must be determined through collective negotiations with the bargaining agent of the covered principals, and such negotiations have not been finalized. Upon the completion of the negotiations, this APPR Plan will be amended to reflect the agreed-upon procedures.

## **(6) Details of Timely and Constructive Feedback Provided to Teachers**

The details of how the District shall provide timely and constructive feedback to principals under Chapter 103 cannot be described at this time because those details must be determined through collective negotiations with the bargaining agent of the covered principals, and such negotiations have not been finalized. Upon completion of the negotiations, this APPR Plan will be amended to reflect the agreed-upon procedures.

## **(7) Appeals of Annual Professional Performance Reviews**

The following Sections 2.9.1 through 2.9.6 have been negotiated and are included in the contract between the Newfane Administrative Council and the Superintendent of Schools.

- 2.9.1 Performance Appraisals. Each administrator shall have his/her performance appraised annually. Said appraisals shall be committed to writing and shared not later than August 15<sup>th</sup> annually. Before being finalized or placed in the administrator's personnel file, the appraisal shall be discussed with the administrator. Administrators shall have the opportunity to include a written reply in his/her personnel file.
- 2.9.2 Where and to the extent applicable, the Annual Professional Performance Review of unit members shall be a significant factor for employment decisions and administrator development. All decisions regarding selection of persons for hire, promotion, retention, termination, supplemental compensation and granting of tenure are reserved to the discretion of the District, and any such decisions, and any decisions or actions made or taken under this Section, shall be exempt from and not subject to the grievance and arbitration provisions of Article VI in this Agreement.
- 2.9.3 A unit member who received an "ineffective" rating and disagrees with that determination may challenge only the substance of an Annual Professional Performance Review, the District's adherence to the standards and methodologies required for such review, and the District's compliance with its procedures for conducting the Annual Professional Performance Review ("APPR"), or its issuance and/or implementation of the terms of an Administrator Improvement Plan ("AIP"). Such challenge must be submitted in writing to the Appeal Panel, comprised of one person designated by the Superintendent, one person designated by the Association President and one person designated by the District Superintendent of the Orleans-Niagara Supervisory District. The person designated by the District Superintendent must not be an active employee of the Orleans-Niagara BOCES or any of its component districts. The writing must explain in detail the specific basis for the

challenge. The challenge must be submitted within five calendar days of the issuance of the Annual Professional Performance Review or Administrator Improvement Plan, or other act under this paragraph that is the subject of the challenge, or it will be deemed to have been waived. Within ten calendar days of receipt of the challenge, the Panel shall submit a written determination of the challenge. The absence of such a determination shall be deemed a denial of the challenge. If the unit member disagrees with the determination of the Panel, he or she may submit a copy of the challenge, the determination, and a written statement explaining in detail the basis for disagreement with the determination, to the Superintendent of Schools within five calendar days of the date of the determination. The Superintendent shall render a final determination on the challenge within ten calendar days thereafter. The determination of the Superintendent shall be final. In all other cases, the determination of the Panel shall be final.

- 2.9.4 In cases in which charges of incompetence are brought under New York Education Law Section 3020-a against a tenured building principal based solely upon an allegation of a pattern of ineffective performance as defined herein, such a pattern of ineffective performance shall constitute very significant evidence of incompetence that may form the basis for just cause removal of the building principal. A pattern of ineffective performance is defined to mean two consecutive annual ineffective ratings received by a building principal pursuant to annual professional performance reviews.
- 2.9.5 Where charges of incompetence are brought based solely upon a pattern of ineffective performance of a building principal, the hearing shall be conducted before and by a single hearing officer in an expedited hearing, as provided for under Education Law §3020-a. In the event of any extension beyond the time limits contained in said §3020-a for the conduct of said hearing, other than are initiated by the District, a building principal on suspension shall continue in such status, without pay.
- 2.9.6 Nothing in this entire Section 2.9 shall be subject to the grievance or arbitration provisions of Article VI of this Agreement nor shall have any applicability to any action or charges brought for any reason under N.Y. Educ. L. §§3012 or 3020-a.

**(8) Duration and Nature of Training Provided to Evaluators and Lead Evaluators**

- (a) The "lead evaluator" is the administrator who is primarily responsible for a principal's evaluation under Chapter 103. The term "evaluator" shall include any administrator who conducts an observation or evaluation of a principal.
- (b) All evaluators shall successfully complete a training course that meets the minimum requirements prescribed in Chapter 103 and Section 30-2.9 of the regulations thereunder. Such training shall include application and use of the State-approved principal practice rubric(s) selected by the District for use in evaluations.
- (c) Once an evaluator has successfully completed a training course meeting the minimum requirements prescribed in the law and regulations, he/she shall be deemed to be certified by the District as a lead evaluator.

- (d) Other details of the District's training for evaluators and lead evaluators, including the duration and nature of such training and the process for certifying lead evaluators, cannot be described at this time pending the outcome of collective bargaining negotiations with the representative of the covered principals over the selection of a principal practice rubric and other related negotiable issues. Upon the completion of these negotiations, this APPR Plan will be amended to reflect the agreed-upon procedures.
- (e) Nothing herein shall be construed to prohibit an evaluator who is properly certified by the State as a school administrator from conducting classroom observations or school visits as part of an annual professional performance review under Chapter 103 prior to completion of the training required by said Chapter or the regulations thereunder, as long as such training is successfully completed prior to completion of the annual professional performance review.

**(9) Required Certificates**

The District shall include with this APPR Plan any certifications required by the law or regulations upon the completion of collective negotiations with the bargaining agent of the covered principals.

**(10) Effect on Existing Collective Bargaining Agreements**

Nothing herein shall be construed to abrogate any conflicting provisions of collective bargaining agreements in effect on July 1, 2010.

**(11) Filing and Publication of APPR Plan**

The APPR Plan shall be filed in the District Office, and shall be made available to the public on the District's website by September 10, 2011, or within ten days after its adoption, whichever shall later occur.