

## **SUPPLEMENTAL MEMORANDUM OF AGREEMENT**

BY AND BETWEEN THE SUPERINTENDENT OF SCHOOLS and BOARD OF EDUCATION OF THE CHAPPAQUA CENTRAL SCHOOL DISTRICT (the "District") and the CHAPPAQUA CONGRESS OF TEACHERS' (the "CCT");

**WHEREAS**, the District and the CCT have entered into negotiations regarding the negotiable provision of the District's Annual Professional Performance Review Plan pursuant to Education Law Section 3012-d, and hereby agree as follows:

### **Observation Category:**

The parties agree to utilize the following procedures for classroom teachers subject to evaluation pursuant to Education Law Section 3012-d and Part 30-3 of the Regents' Rules starting in the 2016-17 school year.

The Danielson Framework for Teaching (2011 Revised Edition) shall be used to inform the Observation Category of their Section 3012-d APPR Plan. All observable Domains and N.Y.S. Teaching Standards shall be appraised annually across the multiple observations conducted throughout the school year.

For the Teacher Observation Category, the parties agree to the following parameters for the Overall Observation Category Score and Rating for each teacher evaluated hereunder:

	<b>Overall Observation Category Score and Rating</b>	
	<i>Minimum</i>	<i>Maximum</i>
H	3.50	4.0
E	2.5	3.49
D	1.50	2.49
I	0	1.49

### **Observation/Evaluation of Teachers:**

The purpose of observations/evaluations shall be to improve instruction. The Evaluator shall note areas of teacher strength and/or weakness on the CCSD Observation/Evaluation Form.

All tenured teachers shall be subject to two administrative observations each year - an unannounced observation and an announced observation. In addition, all tenured teachers will be subject to two peer observations. The observation of the lead evaluator shall comprise 80% of the Teacher Observation Category rating, the observation of the independent trained evaluator observation shall comprise 10% of the Teacher Observation Category rating and the peer observations shall comprise 10% of the Teacher Observation Category.

All probationary teachers shall be subject to three administrative observations per year. Two observations will be conducted by the lead evaluator and one will be unannounced and conducted by the independent evaluator. In addition, all probationary teachers will be subject to two peer observations. The observation of the lead evaluator shall comprise 80% of the Teacher Observation Category rating, the observation of the independent trained evaluator shall comprise 10% of the Teacher Observation Category rating and the peer observations shall comprise 10% of the Teacher Observation Category.

A post-observation report containing a 1-4 rating for each observation shall be issued to the teacher after the post-observation conference has been held. If necessary, a follow-up conference will be scheduled at a mutually agreed upon time if requested by the teacher or the evaluator. Consistent with the provisions of Section 3012-d of the Education Law, if the Domain scores are all "1" on an observation, the overall score shall be zero (0) for that observation.

A member who disagrees with any of his/her Observation reports and is eligible to appeal his/her rating under the Appeals procedure in the District's APPR plan, shall use such Appeal procedure to contest the score of an observation.

Either party shall have the right to re-open negotiations on these procedures annually.

Notwithstanding the above, the District's observation procedures in the SMOA shall not be construed to be incorporated by reference within the parties' Collective Bargaining Agreement and shall not be subject to the contractual grievance procedure.

**Student Performance Category:**

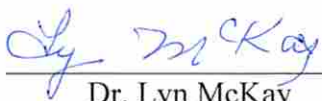
The parties agree that no optional second negotiated Student Performance Category measure shall be used for the evaluation of classroom teachers under Education Law Section 3012-d.

**Teacher Improvement Plan:** See Appendix A.


**Appeals Process:** See Appendix B.

SO AGREED, this 14 day of June, 2016, subject to approval by the respective constituencies.

The District

By:   
Dr. Lyn McKay  
Superintendent of Schools

The CCT

By:   
CCT President

## APPENDIX "A"

### TEACHER IMPROVEMENT PLAN FORM

CCSD/CCT

Upon receipt of an Overall APPR of "Developing" or "Ineffective" through an annual professional performance review, the CCSD shall develop and commence implementation of a Teacher Improvement Plan (TIP) for such teacher by October 1 of the school year following the year for which the ineffective or developing rating was received or as soon as is practicable thereafter.

The TIP plan below is intended to help teachers improve their professional performance and shall be created in respectful consultation with the teacher and any support individuals (e.g., mentor, union representative) requested by the teacher.

## Chappaqua Central School District

### Teacher Improvement Plan

**Teacher's Name:** \_\_\_\_\_ **Position:** \_\_\_\_\_  
**School:** \_\_\_\_\_  
**Evaluator's Name:** \_\_\_\_\_ **Position:** \_\_\_\_\_  
**Date of ineffective or developing assessment:** \_\_\_\_\_  
**Date Improvement Plan was commenced:** \_\_\_\_\_

**NOTE:** For probationary teachers, this document must be discussed and commenced no later than October 1st or as soon thereafter as is practicable and must be completed within 3 months to 1 semester. For tenured teachers, this document must be discussed and commenced no later than October 1<sup>st</sup> or as soon thereafter as is practicable in the new school year and must be completed within 1 school year.

1. Delineation of deficiencies that promulgated the ineffective or developing assessment:
  
  
  
  
  
  
  
  
  
  
2. Specific goal/improvement outcomes:
  
  
  
  
  
  
  
  
  
  
3. Specific improvement action steps/activities:
  
  
  
  
  
  
  
  
  
  
4. Required and accessible resources necessary to achieve goals:

5. Evaluation Process:

Date	Goal/Outcome	Evidence Noted	Progress Achieved

Teacher and administrator will agree upon a meeting schedule at the onset of the improvement plan that provides for timely feedback on progress.

6. Summative Assessment:

Teacher's Signature\_\_\_\_\_

Date\_\_\_\_\_

Evaluator's Signature\_\_\_\_\_

Date\_\_\_\_\_

## APPENDIX B

# Chappaqua Central School District

## Teacher APPR Appeals Process

### Appeals Process:

- A. A teacher who receives an ineffective or developing rating on their APPR shall be entitled to appeal their annual APPR rating, based upon a paper submission to the lead evaluator, who shall be trained in accordance with the requirements of statute and regulations and also possess either an SDA or SBL Certification. A tenured teacher may choose to submit a written rebuttal upon determination of an “Effective Rating” if desired, but may not appeal such rating.
- B. The appeal must be brought in writing, specifying the area(s) of concern, but limited to those matters that may be appealed as prescribed in Section 3012-d of the Education Law. Further, a teacher who is placed on a Teacher Improvement Plan (“TIP”) shall have a corresponding right to appeal concerns regarding the TIP in accordance with the requirements set forth in Section 3012-d of the Education Law.
- C. An appeal of an evaluation or a TIP must be commenced within ten (10) calendar days of the presentation of the document to the teacher or else the right to appeal shall be deemed waived in all regards.
- D. The evaluator shall respond to the appeal with a written answer that either grants the appeal and directs further administrative action or denies the appeal. Such decision shall be made within ten (10) calendar days of the receipt of the appeal.
- E. In the event that the teacher is unsatisfied with the result of the appeal, a further appeal may be taken to the Superintendent of Schools within ten (10) calendar days of receipt of the administrator’s decision upon the appeal.
  1. The first part of the appeal to the Superintendent shall consist of a review of the appeal by an Appeals Committee that shall be composed of the following membership:
    - The CCT President or designee
    - 2 Tenured teachers selected by the CCT President or designee
    - 1 Tenured Administrator selected by the Superintendent of Schools
  2. Upon the selection of committee members, those who have not previously been trained in the appeals process by the District shall immediately be provided with such training.
  3. The Appeals Committee shall conduct its proceedings confidentially and make a written recommendation to the Superintendent of Schools within ten (10) calendar days of receipt of the appeal.
- F. The recommendation of the Appeals Committee shall not be revealed to any party other than the Superintendent of Schools, who following review of said recommendation shall issue his or her decision within ten (10) calendar days of receipt of the Appeals Committee’s recommendation. The decision of the Superintendent shall be final and binding upon all parties in all regards and shall not be subject to review in arbitration, before any administrative agency or in any court of law.