

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is hereby made and entered into this 27th day of January 2012, by and between Albany City School District (“ACSD”) and The Albany Public School Administrators Association (“APSAA”) in order to assist ACSD receive certain School Improvement Grant (“SIG”) funds from the State Education Department. The terms of this agreement will expire on June 30, 2012.

RECITALS

WHEREAS, the City School District of Albany (“School District”) and Albany Public School Administrators Association are parties to a collective bargaining agreement (“Agreement”); and

WHEREAS, the Superintendent of Schools and the APSAA have met to review the existing evaluation procedures and relevant provisions set forth in the existing Agreement as they impact SIG schools (Hackett Middle School and Albany High School); and

WHEREAS, the purpose of this agreement is to implement the new APPR for all principals in charge of SIG Schools for the 2011-2012 school year; and

WHEREAS, the parties acknowledge that there is pending litigation regarding Education Law 3012-c and accompanying regulations and the parties further agree that, in the event the pending litigation makes changes to the Education Law and/or regulations or other changes are made in the Education Law and/or regulations, the parties agree to bargain the impact of such changes to this document; and

WHEREAS, the parties, by revising the current evaluation system, acknowledge a shared and collaborative responsibility to improve instructional practices, to focus on student achievement, to promote principal development, and to secure timely performance feedback for principals; and

NOW, THEREFORE, in consideration of the mutual undertakings and covenants herein contained, the parties stipulate and agree that: (1) the relevant provisions of the existing Collective Bargaining Agreement (CBA) shall be modified as follows as they apply to the principals of the SIG schools, and that (2) the implementation of APPR for the principals of the SIG schools shall be as follows:

IMPLEMENTATION

1. The information contained within this document, was developed in accordance with Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents and Section 100.2(0) of the Regulations of the Commissioner of Education, as amended by litigation, to enhance professional effectiveness and to positively impact our school environments.

2. The intent of this Agreement is to facilitate improvement of instructional practices; support principal development; and promote learner-centered schools and to meet the requirements for SIG funds.

3. This implementation plan will apply for the 2011-2012 school year only. The parties will reconvene to negotiate the APPR for the 2012-2013 school year and beyond, as State regulations pertaining to this agreement become finalized and assuming SIG funding continues. If SIG funding does not continue the parties will otherwise comply with the requirements of Education Law 3012-c and any applicable Regulations.

4. The parties have selected the Multidimensional Principal Performance Rubric published by Learner-Centered Initiatives Ltd, for use during the 2011-12 school year for the SIG principals for the 60% portion of the APPR Composite Score for the Hackett Middle School Principal and 80% portion of the APPR Composite Score for the Albany High School Principal as more fully set forth in Appendix "A".

5. It is understood that for the 2011-12 school year, 20% of the composite score for the Principal of Hackett Middle School, but not Albany High School, shall be based upon grades 6 – 8 ELA and mathematics student growth data on state assessments as prescribed by the Commissioner.

6. The parties agree that for the 2011-2012 school year only, locally selected measures of student achievement for the Principal of Hackett Middle School, a total of 20% shall be a school-wide increase of 3% in middle school students receiving a score of proficient on the grades six through eight ELA and math assessments. 10% of the locally selected measure of student achievement shall be derived from the grades six through eight ELA scores and 10% shall be derived from the grades six through eight math scores. The scoring bands for this component are set forth in Appendix "A".

7. The parties agree that for the 2011-2012 school year only, for the Principal of Albany High School the Multidimensional Principal Performance Rubric published by Learner-Centered Initiatives Ltd. shall constitute 80% of the composite score for the Principal. The remaining 20% of the composite score, being the comparable growth measure, shall consist of the increase in percentage of students passing the 5 core regents, the increase in percentage of students promoted from grade 9 to grade 10, and the increase in percentage of students promoted from grade 10 to grade 11, all as more fully set forth in Appendix "A". The parties acknowledge that there is no local measure for the AHS Principal for 2011-2012.

8. For the 2011-2012 school year only, the scoring components of the APPR for the High School Principal and Hackett Middle School Principal are more fully set forth in Appendix "A" and the scoring bands for the respective principals are also set forth in Appendix "A".

9. The parties commit to evaluations using the HEDI format for final evaluation assessment as required by the law and regulations as more fully set forth in the Appendices.

10. The evaluation of the principals shall be done by the Superintendent of Schools, or a designee, who are duly trained and certified administrator(s) to conduct such evaluations. The

evaluation procedures, including the number of observations are set forth in Appendix "B" which reflects current evaluation provisions of the parties' Agreement as modified for this MOA.

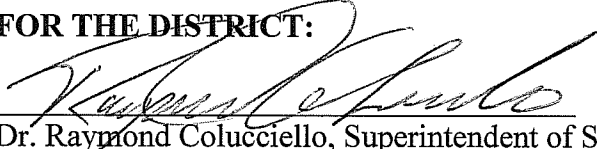
11. In the event of a conflict between the provisions contained within this memorandum and those established in Education Law §3012-c, rules promulgated by the Board of Regents, regulations promulgated by the Commissioner of Education or State, as amended by litigation, statutory or regulatory requirements relating to teacher evaluation, such statute and/or regulations shall govern.

12. The appeals process is set forth in Appendix "C".

13. The Principal Improvement Plan (PIP) is set forth in Appendix "D".

14. This memorandum shall take effect as of the date of approval is completed by both parties and the date the memorandum is executed.

FOR THE DISTRICT:



Dr. Raymond Colucciello, Superintendent of Schools

Dated: 1/27/12

FOR THE ASSOCIATION:



Kimberly Wilkins, APSSA President

Dated: 1/27/12

APPENDIX A

APSAA – APPR for SIG

Albany High School Principal

Comparable State Growth Measure 20%

- Comparable growth measure for the principal at Albany High School

At the high school level, 20% of the composite score shall be a school-wide increase of 3% based on the promotion rates for students from 9th to 10th (66%) and 10th to 11th (71%) in the 2010 – 2011 school year. A target promotion rate for 2011-2012 for 9th to 10th will be set at 69% and for 10th to 11th a target of 74% will be set. In addition a 3% increase in the weighted average of students passing the five core Regents (English, Algebra, Global History and Geography, U.S. History, and Living Environment) based on the 2010-2011 Regents Results (56%) from the NYS School Report Card with a target of 59% determined by the NYS Accountability Overview Report.

Subcomponent Scoring Band Comparable State Growth Measure

% Growth in Passing Rate × 20 ÷ 3 = Points Earned

Level	Increase in % of Students Passing the 5 Core NYS Regents Exams	Points
Ineffective	<i>% Growth < 0.375%</i>	0-2
Developing	<i>0.375% ≤ % Growth < 1.725%</i>	3-11
Effective	<i>1.725% ≤ % Growth < 2.625%</i>	12-17
Highly Effective	<i>2.625% ≤ % Growth ≤ 3.0%*</i>	18-20

*If the 3% Target is exceeded then the rating would be Highly Effective and a full 20 points awarded.

% Growth in Promotion Rate × 20 ÷ 3 = Points Earned

Level	Increase in % of Students Promoted from 9 th to 10 th Grade or 10 th to 11 th	Points
Ineffective	<i>% Growth < 0.375%</i>	0-2
Developing	<i>0.375% ≤ % Growth < 1.725%</i>	3-11
Effective	<i>1.725% ≤ % Growth < 2.625%</i>	12-17
Highly Effective	<i>2.625% ≤ % Growth ≤ 3.0%*</i>	18-20

*If the 3% Target is exceeded then the rating would be Highly Effective and a full 20 points awarded.

These three sub-components of the Comparable State Growth Measure will be weighted to arrive at a maximum of 20 composite percentage points based on the chart below.

Comparable State Growth Measure Sub-Component	Points Earned	Scale Multiplier	Final Component Percentage Points
Comparable State Growth Component 1 (5 Core Regents Exams) (10%)	20 possible	× 0.50	10 possible
Comparable State Growth Component 2 (Promotion from 9 th to 10 th Grade) (5%)	20 possible	× 0.25	5 possible
Comparable State Growth Component 3 (Promotion from 10 th to 11 th Grade) (5%)	20 possible	× 0.25	5 possible
TOTAL POINTS			20 possible

APSAA – APPR for SIG

Albany High School Principal

Multidimensional Principal Performance Rubric 80%

The Multidimensional Principal Performance Rubric (MPPR) will be used to evaluate the 80% “Other” for Albany High School Principal. The MPPR has two major components. The first part consists of six domains and supports the use of the Educational Leadership Policy Standards: ISLLC 2008. Sixty of the eighty points will be derived from the first part.

The second component of the MPPR supports Goal Setting and Attainment and has dimensions that are arranged to scaffold the goal setting process, from the initial defining of goals, through action planning, implementation and monitoring and evaluation. Twenty of the eighty points will be derived from the second part

Part 1 of the MPPR Domains – Value 60 of 80 points

Domain	Ineffective	Developing	Effective	Highly Effective
1. Shared Vision of Learning	0 -3	4 - 6	7 -8	9 -10
2. School Culture and Instructional Program	0 -3	4 - 6	7- 8	9 -10
3. Safe, Efficient, Effective Learning Environment	0 -3	4 - 6	7 -8	9 -10
4. Community	0 -3	4 - 6	7 -8	9 -10
5. Integrity, Fairness, Ethics	0 -3	4 - 6	7 -8	9 -10
6. Political, Social, Economic, Legal and Cultural Context	0 -3	4 - 6	7 -8	9 -10
Totals	18	36	48	60

Part 2 of the MPPR Goal Setting: Value 20 of 80 points

Goals	Ineffective	Developing	Effective	Highly Effective
Uncovering Goals	0 -2	3	4	5
Strategic Planning	0 -2	3	4	5
Taking Action	0 -2	3	4	5
Evaluation Attainment	0 -2	3	4	5
Total Possible	8	12	16	20

Composite Scoring

Level	Measure of Growth 20 points	Local Measure 0 Points	MPPR 80 Points	Overall Composite
Ineffective	0 – 2	N/A	0 - 20	0 - 50
Developing	3-11	N/A	21 - 49	51 – 69
Effective	12-17	N/A	50 - 69	70 - 95
Highly Effective	18 -20	N/A	70 - 80	96 - 100

APSAA – APPR for SIG

Hackett Middle School Principal

State Growth Measures Middle School ELA and Mathematics

For the 2011-12 school year, 20% of the composite score for the Principal of Hackett Middle School shall be based upon grades 6 – 8 ELA and Mathematics student growth data on state assessments as prescribed by the Commissioner.

Middle School ELA and Mathematics Locally Selected Measures

For the 2011-2012 school year only, locally selected measures of student achievement for the Principal of Hackett Middle School, 20% of the composite score shall be a school-wide increase of 3% in middle school students receiving a score of proficient or better on the grades 6th through 8th NYS ELA and Math Assessments based on Student performance on the New York State ELA and Mathematics assessment in the 2010-2011 NYS School Report Card (ELA 27% and Mathematics 31%). Results will be determined through comparisons with the NYS Pre-Accountability Overview Report.

Subcomponent Scoring Band Locally Selected Measures

% Growth in Passing Rate $\times 20 \div 3 = \text{Points Earned}$

Level	Increase in % of Students Passing the ELA State Assessment	Points
Ineffective	$\% \text{ Growth} < 0.375\%$	0-2
Developing	$0.375\% \leq \% \text{ Growth} < 1.725\%$	3-11
Effective	$1.725\% \leq \% \text{ Growth} < 2.625\%$	12-17
Highly Effective	$2.625\% \leq \% \text{ Growth} \leq 3.0\%^*$	18-20

*If the 3% Target is exceeded then the rating would be Highly Effective and a full 20 points awarded.

% Growth in Passing Rate $\times 20 \div 3 = \text{Points Earned}$

Level	Increase in % of Students Passing the Math State Assessment	Points
Ineffective	$\% \text{ Growth} < 0.375\%$	0-2
Developing	$0.375\% \leq \% \text{ Growth} < 1.725\%$	3-11
Effective	$1.725\% \leq \% \text{ Growth} < 2.625\%$	12-17
Highly Effective	$2.625\% \leq \% \text{ Growth} \leq 3.0\%^*$	18-20

*If the 3% Target is exceeded then the rating would be Highly Effective and a full 20 points awarded.

These two sub-components of the Comparable State Growth Measure will be weighted to arrive at a maximum of 20 composite percentage points based on the chart below.

Comparable State Growth Measure Sub-Component	Points Earned	Scale Multiplier	Final Component Percentage Points
Comparable State Growth Component 1 (NYS ELA Assessment) (10%)	20 possible	$\times 0.50$	10 possible
Comparable State Growth Component 2 (NYS Math Assessment) (10%)	20 possible	$\times 0.50$	10 possible
TOTAL POINTS			20 possible

APSAA – APPR for SIG

Hackett Middle School Principal

Multidimensional Principal Performance Rubric 80%

The Multidimensional Principal Performance Rubric (MPPR) will be used to evaluate the 80% “Other” for Albany High School Principal. The MPPR has two major components. The first part consists of six domains and supports the use of the Educational Leadership Policy Standards: ISLLC 2008. Forty-eight of the sixty points will be derived from the first part.

The second component of the MPPR supports Goal Setting and Attainment and has dimensions that are arranged to scaffold the goal setting process, from the initial defining of goals, through action planning, implementation and monitoring and evaluation. Twelve of the sixty points will be derived from the second part

Part 1 of the MPPR Domains – Value 48 of 60 points

Domain	Ineffective	Developing	Effective	Highly Effective
1. Shared Vision of Learning	0 - 2	3 - 4	5 - 6	7 - 8
2. School Culture and Instructional Program	0 - 2	3 - 4	5 - 6	7 - 8
3. Safe, Efficient, Effective Learning Environment	0 - 2	3 - 4	5 - 6	7 - 8
4. Community	0 - 2	3 - 4	5 - 6	7 - 8
5. Integrity, Fairness, Ethics	0 - 2	3 - 4	5 - 6	7 - 8
6. Political, Social, Economic, Legal and Cultural Context	0 - 2	3 - 4	5 - 6	7 - 8
Total Possible	12	24	36	48

Part 2 of the MPPR Goal Setting: Value 12 of 60 points

Goals	Ineffective	Developing	Effective	Highly Effective
Uncovering Goals	0	1	2	3
Strategic Planning	0	1	2	3
Taking Action	0	1	2	3
Evaluation Attainment	0	1	2	3
Totals	0	4	8	12

Composite Scoring

Level	Measure of Growth 20 points	Local Measure 20 points	MPPR 60 points	Overall Composite
Ineffective	0 - 2	0 - 2	0 - 24	0 - 50
Developing	3-11	3 - 11	25 - 35	51 - 69
Effective	12-17	12 - 17	36 - 49	70 - 95
Highly Effective	18 - 20	18 - 20	50 - 60	96 - 100

APPENDIX B

Evaluation Procedures:

The evaluation of the principals shall be done by the Superintendent of Schools, or a designee, who are duly trained and certified administrator(s) to conduct such evaluations.

Purpose

1. Evaluation should apprise Principals of their observed performance in regards to their assigned duties.
2. Evaluation should be used as a tool to improve performance.
3. Principals should be put on notice of an observed deficiency in a timely manner.
4. The evaluator should suggest constructive and specific ways in which improvement may be achieved in a particular area.
5. Perceived strengths, and weaknesses, if such be noted, should be reflected in the evaluation. Positive contributions to the District should be noted.

Non-tenured Principals

First Year:

1. There should be a meeting between the evaluator and the Principal no later than by September 30th to review performance expectations. In the event a Principal is hired, whose initial date of employment is other than July 1 through August 31, such meeting shall occur within ninety (90) days of the Principal's date of employment.
2. There should be a mid-year meeting during the month of January for the evaluator to generally review the performance of the Principals, and to the extent there are observed deficiencies, the evaluator shall suggest constructive and specific ways in which improvement may be achieved in a particular area.

Second Year:

1. To the extent there were areas of concern outlined in the first year's evaluation, after the June evaluation conference, the District will implement a Principal Improvement Plan as set forth herein.
2. The plan will be reviewed as part of the September meeting, otherwise the same procedures will be followed as the First Year.

Third Year:

1. The same format shall be followed.
2. The Principal will receive a formal evaluation by March 15th (this does not refer to the final APPR which will be provided as a final evaluation as set forth below). Principals whose probationary period expires between the dates of July 1 through December 31 of any school year shall be notified by the Superintendent of Schools no later than March 31st of the same calendar year of the recommendation of the Superintendent regarding tenure. All other administrators will receive written notification from the Superintendent of his recommendation concerning tenure no later than six (6) months prior to the expiration of their probationary appointment.

Tenured Administrators

1. Tenured Principals about whom there are performance concerns shall be met with at mid-year in the same manner as non-tenured Principals.
2. If the performance concerns have not been addressed by year end, the District will develop the Principal Improvement Plan as referred to for Second Year Principals about whom there were performance concerns.

All Principals

1. Prior to June 30th, Principals may submit, for consideration by the evaluator, such information as they choose, in connection with their evaluation.
2. The evaluator shall schedule a pre-evaluation conference with the Principal prior to June 15th, to discuss the evaluation. The evaluator shall submit the evaluation to the Principals no later than June 30th.

Number of Observations:

- A. Probationary Principals will be observed as frequently as necessary but not less than two (2) formal observations will be made in a school year; and
- B. Tenured Principals will be observed at least once by the Superintendent.

Conduct of Observations:

- A. Formal monitoring or observation of the work performance of a Principal shall be conducted openly and with full knowledge of the Principal;

- B. Observations will be conducted only by Administrators who are not members of any other bargaining unit;
- C. Normally the Principal will be apprised in advance of the impending visit though Administrators retain the prerogative of making observations unannounced;
- D. A single observation by an observer in any one (1) year shall not be considered as the sole basis for the termination of service; and
- E. Evaluations of Principals shall not be forwarded to any other agency or prospective employer without the expressed written consent of the Principal involved.

APPENDIX C

Appeals

Principals may only appeal the substance and rating, the adherence to the standards and methodologies required for such review, adherence to commissioner's regulations, issuance and/or implementation of the terms of an improvement plan in connection with "Ineffective" and "Developing" determinations. The appeal must be submitted in writing to the APPR panel ("Appeals Panel") (or any future similarly configured panel/committee) within ten school days of the issuance of the APPR or implementation of a Principal Improvement Plan ("PIP") and shall set forth the basis of the appeal. Principals may submit written rebuttals of determinations of "Effective" and "Highly Effective" if desired, but may not appeal such ratings.

The Appeals Panel shall consist of two members appointed by District and two members appointed by APSAA. The Appeals Panel may modify the APPR and/or PIP, set aside the rating, uphold the rating and/or call for a new review conducted by a trained non bargaining unit administrator (not the original evaluator) and a trained consulting principal. In the event there is no majority opinion of the Appeals Panel, the APPR will be redone with a trained non bargaining unit administrator (not the original evaluator) and a trained consulting principal conducting a joint APPR. Any new review will be completed within 30 days. The principal may rebut this joint review in writing, but may not appeal the substance of the joint review.

The determination of the appeal pursuant to the above process is final and binding. It is not subject to any further appeal pursuant to the grievance procedure and is not subject to any appeal to the Commissioner of Education or courts. However, failure of either the District or Association to abide by the above agreed upon process is subject to the grievance procedure.

APPENDIX D Principal Improvement Plan (PIP)

The **Principal Improvement Plan (PIP)** is a structured plan designed to identify specific concerns in instruction and outlines a plan of action to address these concern. The purpose of a PIP is to assist principals to work to their fullest potential. The PIP provides assistance and feedback to the principal and establishes a timeline for assessing its overall effectiveness.

A PIP must be initiated whenever a principal receives a rating of *developing or ineffective* in a year-end evaluation. Both the principal and the superintendent shall meet for an evaluation conference by no later than June 30th of the school year where the *developing or ineffective* evaluation is discussed. A PIP shall be designed by the principal and the superintendent in collaboration with the president of the APSAA or his/her designee over the course of the summer.

The PIP must be in place no later than September 10 of the following school year. An initial conference shall be held at the beginning of the school year where the PIP is discussed, signed and dated at the beginning of its implementation.

The principal must be offered the opportunity for a peer mentor chosen from APSAA. The principal will select the mentor, subject to the approval of the Superintendent and the APSAA President. The mentor and the principal will collaborate during the first quarter. All dealings between the mentor and the principal will be confidential.

After the first quarter of principal/mentor collaboration, the Superintendent will assess the effectiveness of the intervention and the level of improvement. Based on that assessment, the PIP may be adjusted appropriately and quarterly meetings among all parties will continue. At the end of the year, if the PIP goals are met, it will terminate. If the goals of the PIP have not been fully met, the District may deem the PIP unsuccessful, modify and continue the PIP, or evaluate other options. The culmination of the PIP will be communicated in writing to the principal. Both parties will sign the PIP at the end of the school year.

If the principal is rated as *developing or ineffective* for any school year in which a PIP was in effect, a new plan will be developed by the principal and the Superintendent in collaboration with the Association according to these guidelines for the subsequent school year.

Any PIP must consist of the following components:

- I. **SPECIFIC AREAS FOR IMPROVEMENT:** Identify specific areas in need of improvement. Develop specific, behaviorally written goals for the principal to accomplish during the period of the Plan.
- II. **EXPECTED OUTCOMES OF THE PIP:** Identify specific recommendations for what the principal is expected to do to improve in the identified areas. Delineate specific, realistic, achievable activities for the principal.
- III. **RESOURCES:** Identify specific resources available to assist the principal to improve performance. Examples: colleagues; courses; workshops; peer visits; materials; etc.

- IV. **RESPONSIBILITIES:** Identify steps to be taken by Superintendent and the principal throughout the Plan. Examples: school visits by the Superintendent; supervisory conferences between the principal and Superintendent; written reports and/or evaluations, etc.
- V. **EVIDENCE OF ACHIEVEMENT:** Identify how progress will be measured and assessed. Specify next steps to be taken based upon whether the principal is successful, partially successful or unsuccessful in efforts to improve performance.
- VI. **TIMELINE:** Provide a specific Timeline for implementation of the various components of the PIP and for the final completion of the PIP. Identify the dates for preparation of written documentation regarding the completion of the Plan.

SAMPLE COMPONENTS OF A PRINCIPAL IMPROVEMENT PLAN

I. TARGETED GOALS: AREAS FOR IMPROVEMENT

- 1. Student Performance and/or Engagement
- 2. Supervision of Staff
- 3. Fiscal Management
- 4. Community Relations

II. EXPECTED OUTCOMES

List of specific expectations related to targeted goals identified in Section I

III. RECOMMENDED ACTIVITIES

List of specific activities related to targeted goals identified in Section I

IV. RECOMMENDED RESOURCES

- 1. List specific materials, people, workshop to be used to support the PIP
- 2. Identify the instrument or rubrics used to monitor progress
- 3. Danielson video or online PD (*Educational Impact or ASCD*)

V. EVIDENCE OF ACHIEVEMENT

- 1. Identify how progress will be measured and assessed
- 2. Specify next steps to be taken based upon progress or lack thereof

VI. TIMELINE FOR MEASURING ACHIEVEMENT OF EXPECTED OUTCOMES

- 1. Identify dates for school visitations consistent with APPR Plan
- 2. Identify dates for progress meetings with Superintendent related to each identified targeted goal
- 3. Identify dates for quarterly assessment of overall progress

PIP Administrator

Date

Superintendent

Date