

**Memorandum of Understanding**

**Between**

**The Buffalo City School District ("District")**

**And**

**The Buffalo Council of Supervisors and Administrators ("BCSA")**

**Re: 3012-c Administrator Evaluations**

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**WHEREAS**, 13 schools in the Buffalo City School District have been identified by the New York State Education Department as Persistently Lowest-Achieving Schools and the intent of this Agreement is to facilitate improvement of instructional practices, support principal development, and promote learner-centered schools;

**WHEREAS**, the information contained within this Agreement was developed in accordance with Education Law section 3012-c and Subpart 30-2 of the Rules of the Board of Regents and section 100.2(o) of the Regulations of the Commissioner of Education, as amended by litigation, to enhance the professional effectiveness and to positively impact our school environments.

**NOW THEREFORE**, for the 2011-12 school year, the parties agree to implement the above mentioned laws, rules, and regulations for all principals at District Transformation Schools that are currently eligible to receive §1003(g) funds:

- Elementary schools - #39, #45
- High schools - #200, #205, #206 and #301

For building principals of schools in which classroom teachers of common branch subjects or ELA or math in grades 4-8 are employed, the HEDI scoring ranges for the State growth and locally selected measures subcomponents as well as the composite score will be consistent with Educational Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents. For building principals of high schools, the HEDI scoring ranges for the composite score will be consistent with Education Law §3012-c and Subpart 30-2 of the Rules of the Board of Regents.

**State Growth Measure for Elementary School Principals**

The growth score on student assessments in ELA and Math will count as 20% of the overall evaluation composite score for those principals who supervise teachers of grades 4-8 Common Branch/ELA/Math.

HEDI Scoring for Growth Measures for all elementary school principals, including grades 4-8 common branch/ELA/Math	Highly Effective	Effective	Developing	Ineffective
	18-20 Points	9-17 Points	3-8 Points	0-2 Points

**State Growth Measure for High School Principals**

The growth score for principals who supervise all other teachers where there is no State-provided measure will count as 20% of the overall evaluation composite score. This 20% shall be derived from the school-wide progress to graduation metrics which measures the increase of requisite grade level credit accumulation of students, as defined by BCSD Regulation 7210R, and an increase in students passing the five (5) core regents examinations.

HEDI Scoring for Growth Measures for all secondary level principals	Highly Effective	Effective	Developing	Ineffective
	18-20 Points	9-17 Points	3-8 Points	0-2 Points

## 7210R PROMOTION AND DIPLOMA REQUIREMENTS Grade 9 - 12 7210R

### HIGH SCHOOL PROMOTION/GRADUATION CRITERIA

Promotion is based on acquiring the requisite course credits at each grade level. A student becomes a member of a designated cohort based upon the year they enter ninth grade. The student will be counted as a member of this cohort until they meet the requirements for graduation regardless of the number of years needed.

NOTE: Cohort and grade level are not necessarily congruent.

<p><b>Grade 9:</b></p> <p>To be promoted to grade 10, students must have accrued AT LEAST 5 units of credit.</p>	<p><b>GRADE 12:</b></p> <p>To earn a diploma, students must have accrued AT LEAST 22 units of credit based on the NYS Regulations requirements listed below:</p> <table border="1"> <thead> <tr> <th>Subject</th> <th>Credits</th> </tr> </thead> <tbody> <tr> <td>ELA/ESL</td> <td>4.0</td> </tr> <tr> <td>Mathematics</td> <td>3.0</td> </tr> <tr> <td>Science</td> <td>3.0</td> </tr> <tr> <td>- one life science - one physical science</td> <td></td> </tr> <tr> <td>Social Studies</td> <td>4.0</td> </tr> <tr> <td>LOTE/Native Language</td> <td>1.0</td> </tr> <tr> <td>Physical Education</td> <td>2.0</td> </tr> <tr> <td>Art or Music</td> <td>1.0</td> </tr> <tr> <td>Health</td> <td>0.5</td> </tr> <tr> <td>CTE requirements</td> <td>3.5</td> </tr> <tr> <td><i>or</i> Electives</td> <td></td> </tr> <tr> <td><b>Total Credits for graduation</b></td> <td><b>22.0</b></td> </tr> </tbody> </table>	Subject	Credits	ELA/ESL	4.0	Mathematics	3.0	Science	3.0	- one life science - one physical science		Social Studies	4.0	LOTE/Native Language	1.0	Physical Education	2.0	Art or Music	1.0	Health	0.5	CTE requirements	3.5	<i>or</i> Electives		<b>Total Credits for graduation</b>	<b>22.0</b>
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<p><b>Grade 10:</b></p> <p>To be promoted to grade 11, students must have accrued AT LEAST 10 units of credit.</p>	<p><b>In Addition:</b> <i>All Regents examination requirements must be met. (based on Cohort year)</i></p>																										
<p><b>GRADE 11:</b></p> <p>To be promoted to grade 12, students must have accrued AT LEAST 15 units of credit.</p>																											

NOTE: Schools may establish requirements that exceed those itemized above with the approval of the Board of Education.

\* To pursue an Honors, Advanced, or C.T.E. Endorsement Regents Diploma, students must confer with the school's Department of Guidance to determine the appropriate schedule and action plan.

To receive course credit, a student must achieve a minimum class average of 65%.

At the high school level, 20% of the composite score shall be a school-wide increase of 4% in the number of students earning course credit toward graduation in grades 9, 10, and 11, as well as a 4% increase in students passing the five core Regents (English, Algebra, Global History and Geography, U.S. History, and Living Environment).

<b>Level</b>	<b>Increase in % of Students Passing the 5 Core Regents</b>	<b>Points</b>
Highly Effective	> 4.1%	5
Effective	2.1-4.0%	4
Developing	1.1-2.0%	3
	1.0-1.5	2
Ineffective	0.5-0.9%	1
	0.0-0.4	0

<b>Level</b>	<b>Increase in % of 9<sup>th</sup> Grade Students earning course credit towards graduation</b>	<b>Points</b>
Highly Effective	> 4.1%	5
Effective	2.1-4.0%	4
Developing	1.6-2.0%	3
	1.0-1.5	2
Ineffective	0.5-0.9%	1
	0.0-0.4	0

Level	Increase in % of 10 <sup>th</sup> Grade Students earning course credit towards graduation	Points
Highly Effective	> 4.1%	5
Effective	2.1-4.0%	4
Developing	1.6-2.0%	3
	1.0-1.5	2
Ineffective	0.5-0.9%	1
	0.0-0.4	0

Level	Increase in % of 11 <sup>th</sup> Grade Students earning course credit towards graduation	Points
Highly Effective	> 4.1%	5
Effective	2.1-4.0%	4
Developing	1.6-2.0%	3
	1.0-1.5	2
Ineffective	0.5-0.9%	1
	0.0-0.4	0

**Student Achievement Locally Selected Measures**

For principals who supervise teachers of grades 4-8 Common Branch/ELA/Math, the parties agree that the locally selected measures for student achievement equating to a total of 20% of the overall evaluation composite score shall be derived from the student growth on State assessments in English Language Arts and Mathematics in grades 3-8 for students who belong to the accountability sub-groups, students with disabilities and/or English Language Learners.

For school year 2011-2012, 20 points of a principal's composite effectiveness score shall be based on results of the school's students' achievement on meeting/exceeding proficiency on state assessments in grades 3-8 for students who belong to the accountability subgroups of Special Education (SPED) and English Language Learners (ELL), based on district-wide goals for student growth in ELA and mathematics.

The District has set a goal for English Language Learners and Special Education subgroup students as 3% for grades 3-8 ELA and math. Each principal will have TWO goals for student growth for the subgroups – one each in ELA and mathematics – for a total of 20 points.

For 3-8 ELA and math targets, growth will be based upon the proficiency levels for each eligible student subgroup, as compared to the 2010-11 NYS assessment accountability subgroup performance. The growth will be calculated from comparing the percentage of meeting or exceeding proficiency on the NYS assessments as compared to the previous year's performance of that subgroup. If the school has more than one eligible accountability group of ELL or SPED students, the growth measures will be calculated for the groups on each measure for a total of 20 points.

Participation criterion required for this calculation will be 40 or more students enrolled in the subgroup during the test administration period (elementary-middle level), combined for grades 3-8.

Level	Increase of % at/above proficiency of ELL and/or SPED Students on NYS 3-8 ELA and/or math assessments	Points
Highly Effective	>4.1%	5
Effective	2.1-4.0%	4
Developing	1.6-2.0%	3
	1.0-1.5%	2
Ineffective	0.5-0.9%	1
	0.0-0.4%	0

**For example:** School A has 50 students in its ELL group and 50 in its SPED group, grades 3-8. The calculation for the locally-selected measure would be:

5 points for ELL (ELA) + 5 points for ELL (math) + 5 points for SPED (ELA) + 5 points for SPED (math) = 20 total possible points

**Local Measure for Elementary School Principals**

HEDI Scoring for Local Measures for all elementary school principals	Highly Effective	Effective	Developing	Ineffective
	18-20 Points	9-17 Points	3-8 Points	0-2 Points

### **Other Subcomponent and Composite Score and Ratings**

- The parties agree that each building principal shall receive an Annual Professional Performance Review (“APPR”) resulting in a single composite effectiveness score and rating of “highly effective,” “effective,” “developing,” or “ineffective.”

The goal of the Annual Professional Performance Review (APPR) for Principals is to promote growth and development. The six domains focus on educational leadership and management. Each area has its own rubric specifying the expected behaviors.

The evaluator will complete the checklist of identified criteria, aligned with the ISLLC Standards, and provide comments. The administrator being reviewed will have an opportunity to add comments in the “Administrator’s Comments” section after the reviewer has completed the APPR. Additional pages may be added. Each page must be signed and dated.

- The parties agree that the composite effectiveness score shall be based on a minimum of one school visit of the principal, by the Superintendent, or the Superintendent’s designee who is trained and certified.
- The parties agree to utilize the Kim Marshall principal evaluation rubric and the Annual Professional Performance Review (APPR) process in formulating an evaluation for building principals. This process shall represent 60% of the overall evaluation composite score for elementary and middle school principals, who supervise teachers of grades 4-8 Common Branch/ELA/ Math, and 80% of the overall evaluation composite score for all secondary principals, who supervise all other teachers.

- **Overall Rubric Rating**

Total possible points = 240

Total points earned on the APPR is divided by the total possible points, which will be the percentage multiplier. The percentage multiplier times “60” or “80” (elementary or secondary) will give the evaluation APPR points.

Example: Mr. Sample earned 186 points on his evaluation portion of the APPR.  $186 \div 240 = 77.5$ , which equates to 78%. If Mr. Sample is a secondary principal, then multiply  $80 \times .78 = 62.4$ . Mr. Sample receives 62 points for this portion of the APPR.

*Elementary Principal -Final Rating Based upon 20% Student Growth, 20% Student Achievement, and 60% APPR Rubric.*

*High School Principal Final Rating Based upon 20% Student Growth and 80% APPR Rubric.*

<b>HEDI Scoring bands for 60% APPR</b>	Highly Effective	Effective	Developing	Ineffective
	53-60 Points	40-52 Points	32-39 Points	0-31 Points

<b>HEDI Scoring bands for 80% APPR</b>	Highly Effective	Effective	Developing	Ineffective
	73-80 Points	60-72 Points	52-59 Points	0-51 Points

**Final HEDI Composite Ratings**

The parties agree that all principals subject to this agreement shall receive an APPR rating and final composite rating of “highly effective,” “effective,” “developing,” or “ineffective.”

<b>Final HEDI Composite Ratings</b>	Highly Effective	Effective	Developing	Ineffective
	91-100 Points	75-90 Points	65-74 Points	0-64 Points

**Appeals Process for Building Administrators**

The parties have agreed to the following appeals procedure for Building Administrators who have received an “Ineffective” rating:

- A. Purpose- The purpose of the appeals procedure shall be to equitably settle disputes, which may arise with respect to specific claims of violation, misapplication or misinterpretation of the agreements between the parties set forth below.
- B. Structure- A tenured building administrator receiving an ineffective rating may challenge the following in an appeal: 1) the substance of the Annual Professional Performance Review; 2) the District’s adherence to the standards and methodologies required for such reviews; 3) adherence to the regulations of the Commissioner and compliance with the procedure outlined below, 4) adherence to the collective bargaining agreement between the district and BCSA, with the exception set forth in paragraph C below, as well as the District’s issuance and/or terms of the Principal Improvement Plan (PIP).
- C. Procedure- The content and substance of the Annual Professional Performance Review of a building administrator who received an “ineffective” rating may be appealed to the Superintendent of Schools or Board of Education. Such appeal must be submitted in writing within thirty (30) calendar days of the receipt of the evaluation, which shall set forth the nature of the objection to the substance of the evaluation. Appeals should specify all the issues that form the basis of the appeal, and be accompanied by supporting documentation. A building administrator may only file one appeal on the same evaluation. Appeals not commenced with thirty (30) calendar days are deemed waived.
- D. At the Administrator’s option, either the Superintendent or the Board of Education shall have the discretion to uphold a rating, modify a rating, order a reevaluation or determine

another option as a response to the appeal. The decision of the Superintendent or the Board of Education shall be in writing and served upon the building administrator with a copy to the evaluator within thirty (30) calendar days of receipt of the appeal. The written decision and the appeal documents should be attached to the evaluation and placed in the building administrator's personnel file.

### **Principal Improvement Plan (PIP)**

If a building principal is rated "developing" or "ineffective," the parties agree to implement a principal improvement plan (PIP). The PIP is used exclusively for principals whose final evaluation is rated "developing" or "ineffective."

The final evaluation includes evidence from all Domains and encompasses one or more of the following; formal observation(s) and school visits by the superintendent or designee who is trained and certified, and measurable and verifiable data collected from required assessments.

A PIP is completed collegially between the Principal whose rating is "developing" or "ineffective" and a certified evaluator. They set professional goals to ensure growth toward improved student outcomes. Working towards this growth in an environment of professional respect is an expectation for all parties.

The PIP should be developed any time after the final evaluation has been completed, but no later than the tenth (10<sup>th</sup>) day of the new school year. The PIP should be structured around the areas of deficiency. The PIP goals/activities should be structured so that no more than two areas are addressed at a time. The PIP will be in place for the entire school year, and progress toward obtaining the identified objective(s) will be reflected in the Principal's APPR.

The following should be included on the PIP:

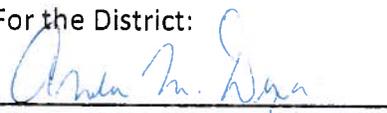
- Identification of the needed area(s) of improvements
- Differentiated activities to support the principal's improvements in identified area(s)
  - The manner in which the improvement will be addressed by the Principal
  - Clear support from the superintendent/designee who is a certified evaluator
- Evidence for indicators of progress
- The principal and the evaluator will meet at least two times per semester to monitor progress achieving identified improvements.

**BCSD Principal Improvement Plan - All participants in the PIP meeting should be listed on the PIP.**

Principal		Evaluator		School Year	
Areas in Need of Improvement					
Domain		Criteria		Criteria	
Differentiated activities to support the principals improvement	Actions to be taken by the Principal	Support from the certified evaluator	Date of follow up visit	Document evidence of progress (to be completed after school visits)	

This implementation plan will apply for the 2011-12 school year only. The parties acknowledge that aspects of the composite scoring bands are in litigation and may change subject to final resolution of the court proceeding(s).

For the District:



Amber M. Dixon  
Interim Superintendent

4/18/12  
Date

For the BCSA:



Crystal Barton  
President

4/18/12  
Date