

SUPPLEMENTAL MEMORANDUM OF AGREEMENT

BY AND BETWEEN THE SUPERINTENDENT OF SCHOOLS AND BOARD OF EDUCATION OF THE NEWBURGH ENLARGED CITY SCHOOL DISTRICT, hereinafter referred to as "The District" and THE NEWBURGH TEACHERS' ASSOCIATION, hereinafter referred to as "the Association" or "the NTA";

WHEREAS, the parties have mutually agreed to the following Teacher Improvement Plan process to be incorporated into the District's APPR Plan Document for teachers covered by education law § 3012-c and part 30-2 regents rules;

A. Teacher Improvement Plan

1. Upon receiving a rating of "developing" or "ineffective", a teacher shall be provided with a Teacher Improvement Plan ("TIP"). The TIP shall be provided as soon as practicable, but in no case later than ten (10) school days after the opening of classes for the school year. In the event that the 60 point measure of effectiveness score and the local 20/15 point measure of student achievement or growth is available by no later than June 15th, a teacher who achieves no more than 60 of the 80 points or 58 of the 75 points shall have a preliminary TIP formulated by him/her and the lead evaluator at the end of the school year. The teacher shall be entitled to the presence of a Union representative when working collaboratively with the lead evaluator on the development of the TIP. If agreement cannot be reached the District shall set the terms of the TIP.
2. The parties understand and agree that the sole and exclusive purpose of a TIP is the improvement of teaching practice and that the issuance of a TIP is not a disciplinary action. The TIP shall be developed in consultation with the teacher. The Association President shall be informed of the District's intent to provide a TIP to a teacher within ten (10) days of the teacher's "developing" or "ineffective" rating. Whenever a teacher is placed on a TIP and with the agreement of the teacher, the Association President shall be provided with a copy of the TIP.
3. A TIP shall clearly specify: (i) the area(s) in need of improvement; (ii) the performance goals, expectations, benchmarks, standards and timeliness the teacher must meet in order to achieve an effective rating; (iii) how improvement will be measured and monitored, and provide for periodic reviews of progress and goal achievement; (iv) the anticipated frequency and duration of meetings of the teacher, administrator, and mentor (if one is assigned); and (v) the appropriate differentiated professional development opportunities, materials, resources and

supports the District will make available to assist the teacher, including, where appropriate, the assignment of a mentor teacher.

4. In the event that a tenured teacher receives two consecutive ineffective ratings on the annual composite APPR, he or she shall be entitled to a mentor in the event that the District continues the teacher in active employment in the classroom immediately thereafter.
5. The length of a TIP for a probationary teacher shall be three (3) to five (5) months in duration, as determined by the District. The length of a TIP shall be not less than five (5) months in duration for a tenured faculty member, as determined by the District.
6. In the event that the administrator recommends coursework, any tuition costs or registration fees shall be borne by the District in their entirety. No disciplinary action predicated upon ineffective performance shall be taken by the District against a teacher until a TIP has been fully implemented. However, nothing herein shall prevent the District from introducing into evidence an evaluation or a TIP in a subsequent disciplinary action.
7. A TIP shall be in a narrative form, or other mutually agreed upon format.

SO AGREED, this 23 day of May, 2012.

THE DISTRICT

By: Ralph A. Pizzo
Superintendent of Schools

THE ASSOCIATION

By: Patricia M. DeRose
Association President