

I. STATEMENT OF PURPOSE

The Mayfield Teachers Association and the Mayfield Central School District have developed this APPR Plan pursuant to the requirements of Education Law 3012-c and accompanying regulations of the Board of Regents and the Commissioner of Education. This APPR Plan shall be evaluated by the Association and the District annually in order to modify the process as necessary.

The goal of the teacher evaluation system is to promote student learning, support professional growth, and improve teacher effectiveness. This appraisal process is a partnership among teachers, supervisors and administrators with the goal of providing quality instruction and promoting professional growth. A successful review system should provide timely feedback, an opportunity to acknowledge educators' strengths, and provide an opportunity for growth as educators.

The following principles will govern the APPR process:

- It is every teacher's responsibility to continue to grow professionally
- It is the district's responsibility to provide the resources and support for teachers to improve instruction and professional practice
- The goal of the evaluation process is that teachers and evaluators examine the evidence obtained by multiple measures of teaching practice and student achievement to plan for meaningful professional learning and improvement of instruction.
- Evaluations will be conducted openly and objectively with the full involvement of the teacher.

Every tenured teacher will be formally observed at least two times a year. The first observation will be scheduled and the second observation will be unannounced. Probationary teachers will be observed at least three times a year with two scheduled observations and one unannounced observation. The scheduled observation(s) will include a pre-conference and post-conference with the supervising administrator. During the pre-conference, the teacher will provide a written lesson plan and review the lesson with the administrator. Within 3 business days of the formal observation, the teacher shall be provided the anecdotal notes taken during the observation for review. Within 10 business days of the formal observation, a post-conference will take place in which the teacher and administrator will review the lesson.

The administrator will indicate what components of the *Danielson's Framework for Teaching Rubric (2011 Revised Edition)* were evaluated (see attached rubric). The anecdotal notes and a summary must be presented to the teacher for signature and included in the evidence binder. A signature by the teacher does not necessarily indicate agreement with the findings. After receiving the anecdotal notes and summary, the teacher shall have three school days to rebut any inaccuracies and deficiencies. This rebuttal shall be noted on the copy to be placed in the teacher's file. If upon review, the administration feels the rebuttal is valid, the inaccuracy shall be corrected. The lack of a rebuttal shall not in any way influence the appeals process.

After the unannounced observation, the administrator will complete other observed components of the rubric and meet with the teacher to review within 10 business days of the observation. The notes from the observation shall be given to the teacher within 3 business days for review. Prior to June 15, an end of year meeting will take place with the teacher and administrator during which the goals process and attainment, structured review of student work and the *Frameworks for Teaching Rubric (2011 Revised Edition)* will be discussed. One final rubric will be completed and signed by the teacher and administrator. The anecdotal notes, the final rubric, and a summary must be presented to the teacher for signature and included in the evidence binder. A signature by the teacher does not necessarily indicate agreement with the findings. After receiving the anecdotal notes and summary, the teacher shall have three school days to rebut any inaccuracies and deficiencies. This rebuttal shall be noted on the copy to be placed in the teacher's file. If upon review, the administrator feels the rebuttal is valid, the inaccuracy shall be corrected. The lack of a rebuttal shall not in any way influence the appeals process.

After the unannounced observation, the administrator will complete other observed components of the rubric and meet with the teacher to review within 10 business days of the observation. Prior to June 15th, an end of year meeting will take place with the teacher and administrator during which the goals process and attainment, structured review of student work and the *Frameworks for Teaching Rubric (2011 Revised Edition)* will be discussed. One final rubric will be completed and signed by the teacher and administrator. The anecdotal notes, the final rubric, and a summary must be presented to the teacher for signature and included in the evidence binder. A signature by the teacher does not necessarily indicate agreement with the findings. After receiving the anecdotal notes and summary, the teacher shall have three school days to rebut any inaccuracies and deficiencies. This rebuttal shall be noted on the copy to be placed in the teacher's file. If upon review, the administrator feels the rebuttal is valid, the inaccuracy shall be corrected. The lack of a rebuttal shall not in any way influence the appeals process.

At this same meeting, the teacher will also receive a summary of the points earned from the local evaluation process. After receiving the scoring from NYS, a total composite score will be calculated and provided to the teacher. If the score places the teacher in the Developing or Ineffective category, A Teacher Improvement Plan will be initiated (see attached).

An APPR Committee consisting of administrators and teachers shall meet regularly but no less than annually to review and update the APPR Plan and process. This committee shall consist of no less than three administrators, two Pre-K-6 teachers, two 7-12 teachers and two teachers selected by the MTA. The role of this committee shall be to negotiate any changes to this document and report back to the Executive Board of the MTA. The Executive Board shall make the decision to approve the changes, deny the changes or submit the changes to the membership for a vote.

II. **AVAILABILITY OF DISTRICT'S APPR PLAN**

The District will file the APPR Plan in the District Office and make the APPR Plan publicly available on its website by September 10th of each year, or within 10 days of the APPR Plan's adoption, whichever is later. Any required certifications shall be filed and maintained with the Plan. Upon approval by the Board of Education, the Board clerk will file a hard copy of the approved Plan for public review and inspection in the Office of the Superintendent of Schools, during normal and customary business hours. In addition, upon approval by the Board of Education, the Board clerk will arrange to have the approved plan posted on the District's website (www.mayfieldcsd.org).

III. **TRAINING OF EVALUATORS, LEAD EVALUATORS, AND STAFF**

- A. **Lead Evaluator** The lead evaluator for all teachers subject to this plan will be his/her principal or the Superintendent of Schools.
- B. Any administrator, supervisor or peer reviewer who participates in the evaluation of teachers for the purpose of determining an APPR rating must be an employee of the District and shall be fully trained and certified as required by *Education Law* 3012c and the implementing regulations of the Commissioner of Education prior to conducting such evaluation. A copy of the certification will be placed in each evaluator's personnel file. Any costs incurred by such training will be borne in entirety by the District.
- C. Training shall include, but not be limited to the following requirements:
 - NYS Teaching Standards and ISLLC Standards
 - Evidence-based observation
 - Application and use of Student Growth Percentile and Value Added Growth Model data

Application and use of District-approved Student Learning Objectives
Application and use of the State-approved teacher rubric
Application and use of any assessment tools used to evaluate
Application and use of State-approved locally selected measures of student achievement
Use of Statewide Instructional Reporting System
Scoring methodology used to evaluate teachers
Specific considerations in evaluating teachers of ELLS and students with disabilities

- D. Recertification and Updated Training The District will ensure that all evaluators maintain inter-rater reliability over time and that they are re-certified on an annual basis and receive updated training on any changes in the law, regulations or applicable collective bargaining agreements.
- E. Any evaluation or APPR rating that is determined in whole or in part by an evaluator who is not fully trained and certified to conduct evaluation shall, upon appeal by the subject of the evaluation or APPR rating, be deemed invalid and shall be inadmissible as evidence in any subsequent disciplinary proceeding. The invalidation of an evaluation or APPR rating for this reason shall also preclude its use in any and all other employment decisions.
- F. Training of Staff All professional staff subject to the District APPR will be provided with training on the evaluation system that will include: a review of the content and use of the evaluation system, the NYS Teaching Standards, adopted rubric, reporting forms and the procedures to be followed consistent with the approved APPR and associated contractual provisions. All training will be conducted prior to the implementation of the APPR process for current staff. Training will be conducted within ten (10) calendar days of the beginning of each subsequent school year for newly hired staff.

IV. DATA MANAGEMENT

The District will work with State Education Department (the “SED”) to develop a process that aligns its data systems to ensure that SED receives timely and accurate teacher, course and student “linkage” data, as well as a process for teacher and principal verification of the courses and/or student rosters assigned to them.

Ensuring Accurate Teacher and Student Data

The District shall ensure that SED receives accurate teacher and student data, including enrollment and attendance data and any other student, teacher, school, course and teacher/student linkage data necessary to comply with the Regulations of the Board of Regents and Commissioner of Education by providing such data in a format and timeline prescribed by the Commissioner.

The District's student data system records now identify teacher assignments and student enrollment and attendance. The District will verify assignments of classroom teachers of common branch subjects, ELA and Mathematics Grades 4-8 (described below). The NYSED *APPR Guidance* provides the following guidance when reporting data for the 2011-2012 school year relating to Teacher of Record:

“For courses included in the 2011-12 school year collection (grades 3-8 ELA and mathematics, grade 4/8 science, and secondary-level courses associated with a Regents exam), the Teachers of Record are those **teachers** who are **primarily and directly responsible** for a student's learning activities that are aligned to the performance measures of the course consistent with guidelines prescribed by the Commissioner.”
(*APPR Guidance, L5*)

The District collects data on student enrollment, attendance, and achievement on statewide assessments through the district approved data management system. This information is periodically reviewed and corrected by district support staff and administration. Prior to submission to the data management system, the data is extracted from our student management system and formatted in accordance with the specifications provided by NERIC.

The New York State Education Department's *APPR Guidance* and field memos relating to the Student Information Repository System (SIRS) will provide detailed guidance related to the collection and reporting of data, including student-teacher linkage and student attendance. The District will continue to monitor data and develop additional processes, as needed and consistent with NYSED reporting requirements, to verify that the data submitted to the State are complete and accurate. The NYSED advises that it will provide roster verification reports to assist in this process (see *APPR Guidance, L4*). The NYSED also will provide guidelines for the use of student-teacher instructional weighting and student exclusion flags (see *APPR Guidance, L8*).

Verification: The District's student data system identifies teacher assignments and student enrollment and attendance. The District has obtained the NYSED statewide unique identifier (PIN) for certain certified individuals employed by the District through "TEACH" this information has or will be entered into the District's data system and will be extracted from the District's system and reported to SIRS in accordance with NYSED guidance. The District will verify assignments of classroom teachers of common branch subjects, ELA and Mathematics Grades 4-8. Each principal is responsible for creating student assignments and entering the class rosters into our student management system. The elementary principal will work collaboratively with classroom teachers to make recommendations for students' placement for the following year. The principal reviews this information in August and notifies teachers of the students assigned to them for the year. Any students who enroll after the school year begins are entered into our student management system and the teacher is notified of the additional student assigned to them.

The District will verify assignments of classroom teachers of common branch subjects, ELA and Math Grades 4-8 through quarterly grade report verification by both teachers and administrators.

Reporting Individual Subcomponent Scores: The District will report to the SED the individual subcomponent scores and the total composite effectiveness score for each classroom teacher and building principal in the District in a format and timeline prescribed by the Commissioner. The District will develop a process for timely and accurate extraction of such data and will use SIRS data reporting extracts protocols for reporting these data to NYSED. Total Composite Effectiveness Scores will not be reported until data on student achievement on state assessments is transmitted to the District.

Development, Security and Scoring of Assessments: The District shall ensure the development, security and scoring processes of all assessments and/or measures used to evaluate teachers and principals under this section 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.

Development: The District will work with the APPR committee and the teachers' and principals' association to determine decisions about local measures of student achievement; teacher and principal practice rubrics; any other instruments (such as surveys, self-assessments, portfolios); and the scoring methodology for the assignment of points to locally selected measures of student achievement and other measures of teacher or principal effectiveness.

Security: The District will follow the testing guidelines and scoring protocols set forth by NYSED in regards to securing any NYS exams.

Scoring: The District will ensure that all assessments are scored in the manner as proscribed by the assessment.

V. Components of the Evaluation System

Composite Effectiveness Score: This term means the total effectiveness score out of 100 points assigned to a teacher for an annual professional performance review.

Highly Effective: This term means a rating wherein a teacher receives a composite effectiveness score of 85-100 points.

Effective: This term means a rating wherein a teacher receives a composite effectiveness score of 65-84 points.

Developing: This term means a rating wherein a teacher receives a composite effectiveness score of 55-64.

Ineffective: This term means a rating wherein a teacher receives a composite effectiveness score of 0-54.

This total score will be comprised of the following categories:

A. Student Growth Measures (20%)

For 4-8 ELA and Math, Districts must use the State determined growth model

For 6-8 science and social studies, Districts must use the State-determined growth goal-setting process (SLOs) with any of the following three options/assessments:

- (1) State assessment if one exists (or Regent equivalents);
- (2) District-determined assessment from list of State-approved 3rd party assessments and Regents equivalents; or
- (3) District, regional or BOCES developed assessments, provided the District or BOCES verifies comparability and rigor.

For all other grades/subjects that do not have a State assessment: Districts must use the State-determined growth goal-setting process (SLOs) with any of the following three options/assessments:

- (1) List of State-approved 3rd party assessments;
- (2) District, regional, or BOCES-developed assessments, provided the District or BOCES verifies comparability and rigor;
- (3) School-or BOCES-wide, group, or team results based on State assessments.

For more information, please refer to the document by the New York State Education Department titled *Guidance on the New York State District-Wide Growth Goal Setting Process: Student Learning Objectives* (Revised March 2012)

A.1. Growth in Subjects With State-Provided Growth Measures (20%):

Twenty percent (20%) of a teacher’s evaluation is determined by student growth on state assessments (25% upon implementation of a value-added growth model). Data provided by the NYS Education Department will determine the number of points (out of a possible 20) that will be awarded.

A.2. Growth in Subjects Without State-Provided Growth Measures (20%):

Student Learning Objectives (SLOs) will be used for teachers of subjects where there is no State-provided measure of student growth. Teachers who must use SLOs as part of their APPR process will be notified that SLOs are required and for which classes they are required when they receive their assignment for the following school year. If adjustments to assignments are necessary after the last day of school that effect whether or not a teacher must use SLOs as part of their APPR process, they will be notified in accordance with Article 12.6 of the MTA contract. If changes in enrollment necessitate changing the assigned classes which require SLOs, the teacher shall be notified no later than September 15th of that school year. No changes shall be made after September 15th. Student Learning Objectives will be developed collaboratively between the principal and individual teachers or groups of teachers.

For educators for whom there is no approved Value-Added measure of student growth the following HEDI scores will apply:

Highly Effective	Effective	Developing	Ineffective
18-20	9-17	3-8	0-2

(for educators for whom there is no approved Value-Added measure of student growth)

Highly Effective	Effective	Developing	Ineffective
22-25	10-21	3-9	0-2

(for educators for whom there is an approved Value-Added measure for student growth)

Percent of Students Meeting SLO Target:

Highly Effective	Effective	Developing	Ineffective
85-100%	65-84%	50-64%	0-49%

B. Student Achievement Measures: Twenty percent (20%) of a teacher’s evaluation is determined by other locally selected measures of student achievement that are determined to be rigorous and comparable. These locally selected measures may be state-approved third party assessments or locally developed assessments that are rigorous and comparable. The measures of student achievement shall be determined by a building level committee. This committee shall be comprised of a majority of teachers, representing various subjects and grade levels and shall have no less two (2) members appointed by the Association. The committee will be charged with identifying the specific measurements of student achievement, timelines for the collection of student achievement data, and how student achievement will be weighted and adjusted to account for differences in student populations. The committees will be guided by the following principles:

- Locally selected measures should help the teacher add value to classroom instruction.
- Local measures may include assessments other than standardized state tests
- Local measures should be aligned with the state’s student learning standards and performance indicators. Local measures should be aligned with NYS Common Core Standards, meet statewide criteria and consist of multiple measures of student performance to improve the accuracy and stability of evaluations.
- The Superintendent shall certify that the measure meet the requirements for rigor and comparability. Comparability is defined as using the same measures across a subject and/or grade level with the school district or BOCES. Rigor is defined as being aligned to the NYS Learning Standards and, to the extent practicable, valid and reliable as defined by the “Standards for Educational and Psychological Testing” (American Psychological Association, National Council on Measurement in Education, and American Educational Research Association; 1999-available at the Office of Counsel, SED).

The committees will periodically review the locally selected measures of student achievement to ensure their continued validity, reliability and appropriateness. The selection of other local measures of student achievement shall be the exclusive responsibility of the committees established pursuant to this section.

The local component will be converted into a numerical effectiveness score using a methodology selected by the committee.

Assessment Security: It is understood that any assessments and/or measures used for the purpose of teacher evaluation will not be disseminated in advance to students. Scoring of assessments must be done by educators who do not have a vested interest in the outcome of the assessments they score.

For educators for whom there is no approved Value-Added measure of student achievement the following HEDI scores will apply:

Highly Effective	Effective	Developing	Ineffective
18-20	9-17	3-8	0-2
Highly Effective	Effective	Developing	Ineffective
85-100%	65-84%	50-64%	0-49%

HEDI that is Specific to STAR M-SGP

Highly Effective	Effective	Developing	Ineffective
18-20	9-17	3-8	0-2
Highly Effective	Effective	Developing	Ineffective
61-99%	41-60%	21-40%	0-20%

For educators for whom there is an approved Value-Added measure for student achievement the following HEDI scores will apply:

Highly Effective	Effective	Developing	Ineffective
14-15	8-13	3-7	0-2
Highly Effective	Effective	Developing	Ineffective
85-100%	65-84%	50-64%	0-49%

HEDI that is Specific to STAR M-SGP

Highly Effective	Effective	Developing	Ineffective
14-15	8-13	4-7	0-4
Highly Effective	Effective	Developing	Ineffective
61-99%	41-60%	21-40%	0-20%

C. Measures of Teacher Effectiveness Based On NYS Teaching Standards:

The remaining 60% of the evaluation is comprised of the following subcomponents: teacher observations, teacher artifacts, student work sample and professional responsibilities, collaboration and growth. Teachers will be evaluated using *Danielson's Framework for Teaching Rubric (2011 Revised Edition)*. The forms for the evaluation process are located in the appendix.

For tenured teachers, the initial formal classroom observation will be a scheduled observation. The second observation will be unannounced. The evidence collected on the second observation shall only be used to support the findings of the formal observation and to collect additional evidence in each domain. After the initial formal post observation, the teacher may request that a different administrator complete the unannounced observation at the discretion of the superintendent of schools.

For non-tenured teachers, two formal classroom observations will be scheduled observations. For the first and second observations, notice shall be given to the teacher and shall include the exact date and time. The third observation shall be unannounced. The results of the scheduled formal observations will be averaged (where appropriate) to receive a score. A third observation will be unannounced. The evidence on the third observation shall only be used to support the findings of the formal observations and to collect additional evidence in each domain. After either of the formal observations, the teacher may ask for a different administrator to complete the remaining observations at the discretion of the superintendent of schools.

Classroom Observations (40%)

End of year completed rubric:	40 points total
a) Domain 1	10 points
b) Domain 2	10 points
c) Domain 3	10 points
d) Domain 4	10 points

Total points allotted will be calculated as follows: Under each Domain, the sum of the points of each component evaluated will be divided by the number of components evaluated and multiplied by 4. This number will be rounded to the nearest hundredth and the score of each domain will then be added together to determine points earned out of the possible 40.

D. Professional Goal Assessment (20%)

Professional goal proposal and attainment of process completed and structured review of student work completed. 20 points

Teacher Effectiveness-Point Distribution Chart

Danielson Performance Level	SED Performance Level	Overall Rubric Average Score	60 Point Distribution for Composite
Unsatisfactory	Ineffective	1-1.4	0-49
Basic	Developing	1.5-2.4	50-56
Proficient	Effective	2.5-3.4	57-58
Distinguished	Highly Effective	3.5-4.0	59-60

VI. TEACHER IMPROVEMENT PLANS

Teacher Improvement Process The process by which the District will ensure that Teachers receive timely and constructive feedback as part of the evaluation process performance and that an improvement plan will be put in place is as follows:

1. The final APPR will be given to each Teacher no later than two weeks following receipt of state data and/or local assessment tools. If the state data is not available until after the school year ends, the administration shall make every effort to contact each teacher as soon as the scores are available. Teachers who receive a final rating of Developing or Ineffective shall be contacted by the administration and a conference scheduled to review the results of the APPR.

2. A meeting of the Teacher and the lead evaluator will be held no later than three (3) days following to discuss and/or clarify any issues or concerns that the Teacher may have.
3. Within fifteen (15) school days of receiving an APPR with an Ineffective or Developing overall rating, a meeting will be held to develop a Teacher Improvement Plan (TIP). If there are not fifteen days remaining in the school year, a meeting will occur no later than 15 days after the teachers are required to report prior to the opening of classes for the school year.
4. The TIP will be developed jointly with the supervising administrator, the teacher in need of improvement, and a representative appointed by the MTA.
5. The TIP will include areas in need of improvement, statement of goals, intervention strategies, resources, sample indicators of success and timelines.
6. All costs associated with implementation of a TIP including, but not limited to, tuitions, fees, books, and travel shall be borne by the District in their entirety.
7. No disciplinary action predicated upon ineffective performance shall be taken by the District against a teacher until a TIP has been fully implemented and its effectiveness in improving a teacher's performance has been evaluated. No disciplinary action shall be taken by the district against a teacher who has met the performance expectations set by a TIP.

VII **THE APPEALS PROCESS**

A. **Teacher Request for Supporting Documents**

Within ten (10) school days of receipt of the APPR, a teacher may request, in writing, that the administrator issuing the APPR provide to the teacher a copy of any and all documents and written materials upon which the APPR was based. The authoring administrator shall provide all such documents to the teacher within five (5) school days of the request. Only materials provided in response to this request shall be considered in the deliberations as to the validity of the APPR.

B. **Right to Appeal**

1. Only tenured teachers who receive an APPR rating of Ineffective or Developing may appeal their APPR through the procedure herein. A teacher may file only one appeal from a single APPR and one appeal from a TIP.

2. Probationary teachers may not file appeals through the procedure established herein but may file a written rebuttal which shall be attached to the APPR. Only probationary teachers may challenge claims of APPR procedural violations through the contractual grievance procedure.

C. Filing of Appeal by Tenured Teacher

A tenured teacher may file a written appeal of the APPR within fifteen (15) school days of the receipt of the requested supporting documents. Any appeal shall be filed with the superintendent of schools.

An appeal of an APPR must be based upon one or more of the following grounds:

1. The substance and rating of the APPR;
2. The District's failure to adhere to the standards and methodologies required for the APPR that are set forth in *Education Law 3012-c* and applicable rules and regulations;
3. The District's failure to comply with locally negotiated procedures; and
4. The District's failure to issue and/or implement the terms of the Teacher Improvement Plan (TIP), where applicable, as required under *Education Law 3012-c*.

The written appeal must clearly identify the grounds for appeal and shall explain, in detail, why the appealing teacher believes the APPR should be modified or vacated. When filing an appeal, the teacher must submit a detailed written description of the specific areas of disagreement over his/her performance review, or issuance and/or implementation of the terms of his/her Teacher Improvement Plan and any additional documents or materials relevant to the appeal.

D. Review by APPR Appeals Committee

1. APPR Appeals Committee Appeals shall be referred for consideration by the APPR Appeals Committee, a standing committee made up of two tenured administrators from within the District appointed by the Superintendent of Schools and two tenured teachers from within the District appointed by the president of the MTA. All members of the committee shall be appointed for a term of two (2) years and all members shall be required to complete the training required of lead evaluators under the APPR regulations. The parties agree that in the event the work of the committee would require a member of the committee to consider an appeal from an APPR that the committee member authored, or if a member of the

committee wishes to be excused from consideration of any appeal, the appealing teacher shall have the option of either having the appeal considered by a subcommittee of one administrator and one teacher, or having the appeal considered by the remaining members of the committee and a substitute member selected by the MTA President from a trained pool of teachers, for that appeal only, by the superintendent of schools, in the event an administrator is excused, or by the president of the MTA, in the event a teacher is excused. Substituting administrators and teachers must have completed the training required of lead evaluators under the APPR regulations.

2. Determination of Appeal A written decision on the merits of the appeal shall be rendered no later than thirty (30) calendar days from the date upon which the teacher filed his/her appeal. The appeal shall be based on a written record, comprised of the teacher's appeal papers and any documentary evidence accompanying the appeal. Such decision shall be final.

Upon the conclusion of its considerations of an appeal, each member of the committee shall vote by confidential ballot to uphold the APPR, modify the APPR, or vacate the APPR. If the majority of the committee agrees on one of these choices, the committee shall give written notice of its decision to the appealing teacher, the president of the MTA, and the superintendent of schools. In the event the committee is unable to reach a majority agreement in its decision on an appeal, each member of the committee shall write a brief statement setting forth and explaining his/her recommendation for the disposition of the appeal. The committee members' written statements, together with the full record of the appeal, shall then be forwarded to the superintendent of schools or his/her designee and the MTA president or his/her designee, who jointly shall have final authority to resolve the appeal. The recommendations of the appeals committee shall be available only to the superintendent of schools and the MTA president. They shall be held confidential and shall not be made public. A written decision shall be rendered within 10 days of the receipt of the appeal and given to the appealing teacher.

The decision shall set forth the reasons and factual basis for each determination on each of the specific issues raised in the teacher's appeal. If the appeal is sustained, the reviewer may set aside a rating, modify a rating, or order a new evaluation if procedures have been violated. A copy of the decision will be provided to the teacher and the evaluator. The teacher may rebut the appeal in writing but may not

appeal the substance of the decision. However, failure of the District or Association to abide by the above agreed upon process is subject to the grievance procedure.