



TO: P-12 Education Committee
Higher Education Committee

FROM: Elizabeth R. Berlin *Elizabeth R. Berlin*
John L. D'Agati *John L. D'Agati*

SUBJECT: Update on Teacher and Principal Evaluations

DATE: May 23, 2019

AUTHORIZATION(S): *Mary Ellen Elin*

SUMMARY

Issue for Discussion

Staff will provide an overview of existing Annual Professional Performance Review (APPR) requirements for student performance measures and preliminary next steps for engaging stakeholders in the development of a regulatory proposal to implement the statutory changes to the APPR framework.

Reason(s) for Consideration

For information and discussion purposes.

Proposed Handling

This issue will come before a joint meeting of the P-12 Education Committee and Higher Education Committee for discussion at the June 2019 Board of Regents meeting.

Background Information

The enacted budget makes several changes to Education Law §3012-d which governs APPR. The key changes include:

- Required Student Performance Measures
 - Eliminates the requirement to use the State Growth Model for teachers of grades 4-8, building principals covering those grade levels, and high school principals (all of grades 9-12).
 - All educators would instead have a Student Learning Objective (SLO).
 - Eliminates the requirement that State-created or administered assessments be used as the evidence for SLOs where they exist.
 - The selection and use of the assessment(s) for an educator's SLO is now subject to collective bargaining, rather than district determined.

- Optional Student Performance Measures
 - Eliminates the requirement that optional student performance measures be based either on a second State-provided growth score or a growth score based on a supplemental assessment that uses a State-provided or approved statistical growth model.
 - Instead, the Department will define optional measures of student performance based on State-created, administered, or approved assessments that districts may then collectively bargain to use.
 - Where a school district collectively bargains to use optional student performance measures, the statutory amendments also eliminate the existing requirement that an educator receive a rating of Ineffective on his/her overall evaluation if his/her Student Performance Category rating is Ineffective.

Although the enacted budget does make significant changes to the Student Performance Category of the evaluation system, it does not substantively change any other aspects of the current system, including:

- Requirements for teacher observations and principal school visits, including the requirement that at least one be conducted by an independent evaluator.
- Requirements for calculating overall ratings using the statutory matrix.
- Requirements for teacher and principal improvement plans for educators who receive an overall rating of Developing or Ineffective in the prior school year.
- Requirements for summative evaluation ratings to be a "significant factor" in all employment-related decisions.

Next Steps

The provisions of the enacted budget related to APPR have an immediate effective date. Therefore, the Department will begin working with the field to develop a regulatory proposal to implement the changes in a manner that best supports teaching and learning. Upon the Regents approval of regulatory amendments, the Department will develop tools and resources to support the field in implementing the system consistent with best practices.

The statutory language allows school districts to continue to use the evaluation system they currently have in place during the term of any collective bargaining agreements (CBAs) that are in effect on the effective date of the amendment and until the entry into a successor CBA. Where applicable, the transition measures for grades 3-8 ELA and math included in an existing approved APPR plan would continue to be used during the term of any existing CBAs and until entry into a new agreement. School districts would not be at risk of losing a State aid increase, so long as they negotiate and receive approval from the Commissioner of a new evaluation system consistent with the requirements of Education Law §3012-d and the Department's regulations upon entry into a successor CBA.

Related Regents Items

[2015-2016 Enacted Budget Education Reform Initiatives](http://www.regents.nysed.gov/common/regents/files/meetings/Apr%202015/415p12d10.pdf)

(<http://www.regents.nysed.gov/common/regents/files/meetings/Apr%202015/415p12d10.pdf>)

[APPR Discussion May 2015](http://www.regents.nysed.gov/common/regents/files/meetings/May%202015/APPR.pdf)

(<http://www.regents.nysed.gov/common/regents/files/meetings/May%202015/APPR.pdf>)

[Amendment of Subpart 30-2 and Addition of a New Subpart 30-3 to the Rules of the Board of Regents, Relating to Annual Professional Performance Reviews of Classroom Teachers and Building Principals to Implement Subparts D and E of Part EE of Chapter 56 of the Laws of 2015](http://www.regents.nysed.gov/common/regents/files/meetings/Jun%202015/615p12a5.pdf)

(<http://www.regents.nysed.gov/common/regents/files/meetings/Jun%202015/615p12a5.pdf>)

[Addition of Sections 30-2.14 and 30-3.17 to the Rules of the Board of Regents Relating to Transition Ratings for Teachers and Building Principals During the Transition to Higher Standards through New State Assessments aligned to Revised Learning Standards and a Raised State Approved Growth Model - December 2015](http://www.regents.nysed.gov/common/regents/files/1215p12a5.pdf)

<http://www.regents.nysed.gov/common/regents/files/1215p12a5.pdf>

[Addition of Sections 30-2.14 and 30-3.17 to the Rules of the Board of Regents Relating to Transition Ratings for Teachers and Building Principals During the Transition to Higher Standards through New State Assessments aligned to Revised Learning Standards and a Revised State-Approved Growth Model – February 2016](http://www.regents.nysed.gov/common/regents/files/216p12a2.pdf)

(<http://www.regents.nysed.gov/common/regents/files/216p12a2.pdf>)

[Amendment to sections 30-2.3, 30-3.3, 30-3.4, 30-3.5, 30-3.11 and 30-3.13 of the Rules of the Board of Regents Relating to Annual Professional Performance Reviews for Classroom Teachers and Building Principals – May 2016](http://www.regents.nysed.gov/common/regents/files/516p12a1.pdf)

(<http://www.regents.nysed.gov/common/regents/files/516p12a1.pdf>)

[Amendment to sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents Relating to a Hardship Waiver for Independent Evaluators for Annual Professional Performance](#)

[Reviews for Classroom Teachers and Building Principals Commencing in the 2016-2017 School Year](#)

(<http://www.regents.nysed.gov/common/regents/files/616p12a7.pdf>)

[Amendment to Sections 30-3.4 and 30-3.5 of the Rules of the Board of Regents Relating to the Calculation of Scores for Student Learning Objectives in the Student Performance Category of Annual Professional Performance Reviews for Teachers and Principals in the City School District of the City of New York – October 2016](#)

<http://www.regents.nysed.gov/common/regents/files/1016p12a2.pdf>

(<https://www.regents.nysed.gov/common/regents/files/218hep12d1.pdf>)

[APPR Update - May 2018](#)

([https://www.regents.nysed.gov/common/regents/files/P-](https://www.regents.nysed.gov/common/regents/files/P-12%20Education%20Committee%20-%20APPR%20Review.pdf)

[12%20Education%20Committee%20-%20APPR%20Review.pdf](https://www.regents.nysed.gov/common/regents/files/P-12%20Education%20Committee%20-%20APPR%20Review.pdf))

[Update on Teacher and Principal Evaluations - May 2019](#)

(<https://www.regents.nysed.gov/common/regents/files/519p12hed1.pdf>)