



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: P-12 Education Committee

FROM:

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SUBJECT: 2015-2016 Enacted Budget Education Reform Initiatives

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AUTHORIZATION(S):



SUMMARY

Issue for Discussion

The 2015-2016 Enacted Budget establishes several Education Reform initiatives that will require Board of Regents and/or State Education Department action.

Background Information

The 2015-2016 Enacted Budget establishes or modifies several programs which will require action to be taken by the Board of Regents and/or the State Education Department. A summary is provided below.

Teacher and Principal Evaluation: The enacted budget creates a new teacher and principal evaluation system which would be administered by the Department in accordance with regulations issued by the Board. The regulations to administer the new system must be issued by June 30, 2015 and school districts must negotiate new evaluation plans which must be approved by November 15, 2015 by the Department in order for districts to receive their scheduled state aid increase. The new evaluation system would be comprised of two categories which would determine the educators' rating: student performance and observations. The student performance category would require use of a state-provided growth score for teachers whose course ends in a state test for which a growth model is used, or student learning objectives consistent with a process determined by the Department for all other teachers. In addition, there is an optional subcomponent that could be locally bargained which would comprise of a

second state-provided growth score on a state test or a growth score based on a supplemental assessment chosen by the district and the collective bargaining unit. The observations category would include up to three subcomponents, including mandatory classroom observations conducted by a supervisor, mandatory observations by an independent evaluator, and an optional observation by a trained peer teacher. The Department must establish the weights and scoring ranges for the categories above. The statute also mandates the following matrix to inform ratings based on the two components of the evaluation:

		Observation			
		Highly Effective (H)	Effective (E)	Developing (D)	Ineffective (I)
Student Performance	Highly Effective (H)	H	H	E	D
	Effective (E)	H	E	E	D
	Developing (D)	E	E	D	I
	Ineffective (I)	D	D	I	I

In accordance with the statute, an educator would be ineligible to receive a Highly Effective or Effective rating if such educator receives a rating of Ineffective in the student performance or observation category. Furthermore, districts would not be able to assign a student to an Ineffective teacher for two consecutive school years (provided that districts may seek a waiver from the Department).

§3020-a Disciplinary Hearing Reforms: The enacted budget would provide for the automatic revocation of the teaching certificate of a teacher convicted of a violent felony in which a child was a victim, and authorizes the suspension without pay for an educator charged with misconduct constituting physical or sexual abuse of a student pending an expedited §3020-a disciplinary hearing. The enacted budget also provides for all future disciplinary hearings to be held before a single hearing officer and that two consecutive Ineffective ratings pursuant to the evaluation system would constitute prima facie evidence of incompetence and just cause for removal, and would require a district to commence removal proceedings against an educator with three consecutive Ineffective ratings.

Tenure: The enacted budget would extend tenure appointments for all teachers and administrators with probationary appointments on or after July 1, 2015 to 4 years (an increase of 1 year from the current probationary period of 3 years), provided that to be eligible for tenure after the 4 year probationary period an educator must receive a rating of either effective or highly effective in at least three of the four probationary years. If an educator receives an ineffective rating in year four, they would not be eligible for tenure,

but the district may extend the probationary year for an additional year. The enacted budget further clarifies that districts retain the ability to terminate a probationary teacher at any time, regardless of their evaluation rating.

Intervention in Struggling Schools: The enacted budget enacts new intervention authority for districts and the Department regarding struggling schools. Under the new statute, schools that have been in accountability status for 10 years would enter a one year improvement timeline where the superintendent would be empowered to make rapid improvement with the powers that would otherwise be vested in a receiver. Schools that have been in accountability status for less than 10 years would be required to make rapid improvement over a 2 year period. If the schools do not make adequate progress under those respective timeframes, then the district would be required to appoint a receiver, subject to the approval of the Department. The receiver would be vested with several new powers (which would also be vested in the superintendent during the improvement timeframe), including: developing a school intervention plan, convert schools to community schools providing wrap-around services, reallocate uses of funds in the school's budget, expand the school day, remove staff and/or require staff to reapply for their jobs in collaboration with a staffing committee, and order the conversion of the school to a charter school consistent with applicable state laws. The period of receivership would last up to three years. The enacted budget provides \$75 million to fund grants for the persistently failing schools (those schools that have been in accountability status for 10 years) to fund turnaround efforts.

Testing Reduction Report: The enacted budget requires the Chancellor to submit a testing reduction report to the governor and legislature by June 1, 2015 with recommendations to reduce the amount of state and local student testing, improve the quality of testing, and to reduce test-related stress and anxiety for students and educators.

Increased Admission Standards for Graduate Teacher and Education Leadership Programs: The enacted budget requires that graduate-level teacher and leader education programs adopt rigorous selection criteria, including but not limited to (1) a minimum score on the GRE or substantially equivalent admission exam, (2) a 3.0 grade point average (GPA) or higher in their undergraduate program and, (3) may exempt no more than 15% of the incoming class of students from such selection criteria.

Suspension and Deregistration of Graduate Teacher and Education Leadership Programs: The enacted budget requires the Department to suspend a graduate-level teacher and educational leadership program's authority to admit new students if, for three consecutive years, fewer than 50% of students who have satisfactorily completed the program pass each examination required for certification. Institutions will be required to notify currently admitted/enrolled students of such suspension and would be allowed to continue operations until these students can complete the requirements for their degree and until the Department (1) determines that performance has significantly improved or (2) does not affirmatively reinstate the program's authority which would

lead to deregistration. Institutions can submit an appeal of a suspension or deregistration.

Registration and Continuing Education Requirements: The enacted budget requires teachers, teaching assistants and educational leaders, starting with the 2016-17 school year, to register with the Department every five years. Teachers, level III teaching assistants and educational leaders would have to, along with having to re-register every five years, satisfy 100 hours of continuing education requirements as defined in regulations.

Next Steps

The Board discussion will provide staff direction on next steps.