



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

TO: P-12 Education Committee
Higher Education Committee

FROM: Beth Berlin *Elizabeth B Berlin*

SUBJECT: Adjustment Options to Common Core Implementation

DATE: February 10, 2014

AUTHORIZATION(S): *J. B. G. Jr.*

SUMMARY

Issue for Decision

Does the Board wish to adopt several options presented in a report from a Regents' Work Group to adjust the implementation of the new Common Core Standards?

Reason(s) for Consideration

Review of policy.

Proposed Handling

This issue will come before the P-12 Education and Higher Education Committees for discussion at the February 2014 meeting.

Procedural History

In December 2013, a Work Group of the Board of Regents P-12 Committee was charged with reviewing the feedback the Board of Regents and the State Education Department ("Department") have received from various constituencies and presenting to the Board additional ideas to continue to improve the implementation of the Common Core State Standards ("Common Core") at the State and district level for the Board's consideration.

Specifically, the Work Group was asked to review feedback received by the Regents and the Department on the first 3 1/2 years of the 7 year phase-in of the Common Core from educators, parents, community leaders, and others in order to:

- 1) Identify assessment policy adjustments to be considered as part of the Department's 2014-15 Elementary and Secondary Education Act (ESEA) Waiver renewal application.
- 2) Identify adjustment options to be considered to the Board of Regents policies governing professional development (including SED monitoring of the use of federal and state funds by districts to support professional development and use of the required 175 professional development hours).
- 3) Review the development processes – including the role of NYS educators – for the optional Common Core State Standards curriculum materials created pursuant to Race to the Top (RTTT) and the federally required state assessments in grades 3-8 and high school English language arts and Mathematics now measuring the Common Core State Standards, and identify adjustment options to consider as appropriate.
- 4) Analyze the practices of districts experiencing the greatest success with Common Core State Standards implementation and identify policy options for replicating those practices across the state.

Summary of Identified Adjustment Options

Common Core Standards

1. **Periodically Review and Update the Common Core Learning Standards.** Advocate for the National Governors Association and the Council of Chief State School Officers to convene states periodically to review and update – as appropriate – the Common Core standards. The review should include each state, including New York, gathering feedback from stakeholders including educators, higher education faculty, business leaders, parents, special education advocates, and bilingual education experts.

Professional Development

2. **Provide equitable funding for schools including appropriate funding for professional development.** Advocate for the Governor and state legislature to adopt the Regents State Aid Proposal recommendation seeking funding for a Core Instructional Development Fund to support Common Core implementation and parent engagement activities (\$125 million in 2014-15, \$200 million in 2015-16, and \$200 million in 2016-17).

State Assessments

3. **Give high school students more time to meet the Common Core standards.** Extend the phase-in for Common Core-aligned Regents examinations required for graduation so that the class of 2022 is the first that is required to pass English and mathematics Regents exams at college and career ready levels. In addition, provide flexibility with respect to the Regents Geometry Exam by allowing, similar to the flexibility offered at local discretion for the current school year in Algebra, the higher score to count for students who take the 2005 standards Geometry exam in addition to the Common Core-aligned Geometry exam through the January 2016 administration. Student performance will continue to be reported on a 0-100 scale.
4. **Eliminate high stakes for students.** Issue guidance indicating that (1) the Department neither requires nor encourages districts to make promotion or placement decisions using student performance on state assessments in grades 3-8; and (2) if districts choose to consider state assessments in grades 3-8 when making promotion or placement decisions, they should make adjustments to ensure students are not negatively impacted by the Common Core transition and should use multiple measures - not grades 3-8 state assessment results alone.
5. **Reduce field testing and provide increased access to test questions.** Advocate for the Governor and state legislature to adopt the Regents state budget priority request for \$8.4 million in new funding to eliminate multiple-choice stand-alone field testing and to allow the Department to print more versions of state tests so that more test questions may be released to teachers and parents.
6. **Offer smarter testing options for students with disabilities.** Advocate for a federal ESEA waiver from the United States Education Department (USED) to allow students with severe disabilities who are not eligible for the alternate tests to be assessed based on instructional level rather than chronological age.
7. **Offer smarter testing options for English language learners.** Advocate for a federal ESEA waiver from USED to allow English language learners to be assessed via the language acquisition test (NYSESLAT) rather than the English language arts exam for their first two years.
8. **Develop Native Language Arts assessments for Spanish-speaking ELLs.** Advocate for the Governor and state legislature to adopt the Board of Regents state budget priority request for \$10 million in new funding to develop Native Language Arts assessments to provide districts the option of offering this assessment when it would best measure the progress of Spanish-speaking ELLs.
9. **Clarify what new grades 3-8 test scores mean for students.** Because student performance on the 2013 grades 3-8 tests was based on more rigorous standards, and therefore proficiency rates cannot be compared to scores from previous years, provide clarification for what Performance Level 2 means when aligned with Common Core Regents exam performance levels. The new Level 2 on the grades 3-8 ELA and math tests aligns to “On Track for Regents Exam Passing for Graduation” on Common Core Regents Exams (until the required passing score is raised to the college and career ready level).

10. **Focus extra support on students that need it the most.** Extend the Academic Intervention Services “hold harmless” provision applied in 2012-13 to 2013-14 and 2014-15 to better ensure that existing support services for students remain relevant and appropriate as New York implements the Common Core.

Local Assessments

11. **Reduce unnecessary tests.** Conduct expedited review of Annual Professional Performance Review (APPR) plan amendments where the changes reduce or eliminate unnecessary testing.
12. **Eliminate traditional standardized tests in grades K-2.** Disapprove APPR plans beginning in 2014-15 that include administration of traditional standardized tests in grades K-2 and remove all grade K-2 traditional standardized tests from the list of approved locally-selected student assessments for APPR purposes. (The state does not administer traditional standardized tests in K-2.)
13. **Establish a 1 percent cap on time for locally-selected standardized testing.** Limit the time students may spend on standardized tests to comply with districts’ locally selected measures as part of APPR. (The federally required State assessments in grades 3-8 English Language Arts and Mathematics account for less than 1% of instructional time.)
14. **Offer flexibility to districts to further reduce local testing time required by APPR.** Allow the use of school-wide measures for APPR purposes for teachers of middle school social studies (grades 6-8) and science (grades 6-7).

Teacher and Principal Evaluation

15. **Prevent unfair negative consequences to teachers and principals.** Provide that if a school district seeks to terminate an educator based on an ineffective rating resulting from student performance on Common Core assessments administered in the 2012-13 and/or 2013-14 school years, he or she may raise as a defense an alleged failure by the board of education to timely implement the Common Core by providing adequate professional development, guidance on curriculum, or other necessary supports to the educator during those school years.

Curriculum

16. **Provide new curricular resources for teachers of students with disabilities and English language learners.** Develop additional companion materials to the modules focused on differentiated instructional practices and supports that may be utilized to meet the individual needs of students with disabilities and English language learners.
17. **Create a “Teacher Portal.”** Develop an online tool to allow educators from around the state to share curricular resources, including adaptations of modules.
18. **Ensure IEPs are appropriate to student needs as Common Core is implemented.** Issue guidelines for Committees on Special Education to ensure that Individualized Education Program (IEP) recommendations address key

challenges related to a student's disability and his or her ability to master the Common Core Learning Standards and provide resources and tools to guide lesson planning for teachers to ensure that they have considered and addressed the unique learning needs of students with disabilities in their delivery of instruction.

19. **Provide new resources to parents of students with disabilities.** Continue collaboration with the Commissioner's Advisory Panel for Special Education and Special Education Parent Centers to develop a set of guiding questions for parents to use in IEP meetings and to ask teachers about how their children are being supported to progress in curricula that reflect the Common Core.

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: The report to the Board of Regents regarding Adjustments to Common Core Implementation is adopted as submitted and the Department is directed to implement all the identified options in the report, effective February 11, 2014.

Timetable for Implementation

Department staff are to implement according to the specific initiatives in an expedited manner so that the adjustments are fully realized as quickly as is possible.

The Path Forward:

Common Core Learning Standards, Assessments, and Teacher & Principal Evaluation in New York State



February 2014

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Work Group Members

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Robert M. Bennett Tonawanda
James C. Dawson Plattsburgh
James R. Tallon, Jr. Binghamton
Roger Tilles..... Great Neck
Kathleen M. Cashin..... Brooklyn

Introduction: Common Core Work Group

In order to provide for a review of the first three and a half years of Common Core implementation, Board of Regents Chancellor Tisch announced the formation of this Work Group in December 2013 and charged the members to:

- Identify **assessment policy adjustments** to be considered as part of the Department's 2014-15 ESEA Waiver renewal application.
- Identify adjustment options to be considered to the Board of Regents policies governing **professional development** (including SED monitoring of the use of federal and state funds by districts to support professional development and use of the required 175 professional development hours).
- Review the **development processes** – including the role of NYS educators – for the optional Common Core State Standards curriculum materials created pursuant to Race to the Top (RTTT) and the federally required state assessments in grades 3-8 and high school English language arts and Mathematics now measuring the Common Core State Standards, and identify adjustment options to consider as appropriate.
- Analyze the **practices of districts experiencing the greatest success** with Common Core State Standards implementation and identify policy options for replicating those practices across the state.

The adjustment options contained in this report were developed to address the concerns that have been raised by the field, by stakeholders, and in the course of over twenty forums held by the Regents and the Department throughout the regions of the state.

Any endeavor of this magnitude is certain to require adjustments along the way. There are, of course, challenges that remain in the work of dramatically raising standards for teaching and learning. We regret that the urgency of our work, and the unevenness of implementation, have caused frustration and anxiety for some of our educators, students, and their families. Although there are adjustments already underway, and additional possible adjustments identified within this report to improve implementation, it is imperative that we not lose sight of our shared goal of improving learning opportunities for our students and enabling them to graduate with the skills necessary for college and career success.

The Challenge: College and Career Readiness

Despite having some of the highest performing school districts in the country, New York does not prepare large percentages of its students for success in college and career. While statewide, 74 percent of the students who began high school four years earlier graduated, just 35 percent graduated with the English and mathematics skills necessary to enroll and succeed in credit-bearing college courses. Results are dramatically uneven across school districts, and even our highest performing districts can do better.

There is converging evidence across multiple measures that our students are graduating unprepared. On the federal **National Assessment of Education Progress (NAEP)**, New York students achieved proficiency rates in the mid 30's in Grades 4 and 8 reading and mathematics. On the **SAT and PSAT**, only about 25 to 41 percent of New York students achieved college readiness benchmarks in English language arts, and math. When these students enter our state's college campuses, more than a quarter are required to take **remedial courses** – high school classes at college prices. At our two year community colleges, more than half of entering students must take these remedial courses and, even more troubling, in our highest needs communities, the remediation rate at community colleges is over 80 percent. Nationally, more than half of students entering two-year colleges and nearly 20 percent of those entering four-year institutions are enrolled in remedial classes, according to a 2012 report. The more remedial classes a student takes, the less likely he or she is to graduate from college.

The work of raising student achievement in New York is critical to our state's long-term economic success and to the strength of our communities and our democracy. More importantly, it is critical to the future of each and every young person. Each of our 2.7 million public school students deserves a world class education that prepares him or her for success in college and careers in the 21st Century global economy. The Board of Regents adopted a Reform Agenda in 2009 to do just that.

- The Board joined 45 other states, the District of Columbia, and Department of Defense schools in adopting the **Common Core**, the state's new college and career readiness standards. These standards were developed by K-12 educators, higher education faculty, business leaders, and researchers working together across states to map back from college and career success the knowledge and skills students need at every grade level K-12. The development of the Common Core was an initiative of the National Governors Association and the Council of Chief School State Officers, and the broad state adoption of the standards reflects the simple truth that the knowledge and skills students must have in English language arts and mathematics to succeed in college and careers is consistent across state lines.
- We worked with the Governor, the state legislature, and the New York State United Teachers (NYSUT) to establish a **model teacher and principal**

evaluation system based on multiple measures that for the first time incorporates student learning and provides comprehensive feedback and targeted professional development.

- Millions of dollars in federal funding have been invested to support **innovative approaches to turning around our lowest performing schools** and expanding opportunities for high-needs students, including new career and technical education schools like P-Tech in Brooklyn and new community schools providing wraparound services.
- We are developing tools to help educators use **evidence about student learning** to inform improved teaching practice.
- Because nothing is more important for the success of a student than having an effective teacher in a classroom in a school led by an effective principal, we have changed the way teachers and leaders are prepared and certified to ensure that **educators have the skills** required by our high standards and today's diverse classrooms.

In recognition of the challenging work of transforming teaching and learning, the Board of Regents and the Department leveraged federal Race to the Top funds to provide unprecedented resources, professional development and other supports to facilitate local implementation efforts of the Regents Reform Agenda.

- **Professional Development:** The Department launched regional Network Teams – teams of experts on curriculum and instruction – based in BOCES and large school districts, created the Network Team Institutes (NTI) to provide statewide turnkey training to the Network Teams, and launched a professional development website, EngageNY.org, to provide optional no cost training and instructional tools that can be adapted in the classroom.
- **Curriculum:** The Department is developing optional curriculum modules that districts can choose to adopt, adapt, or ignore, and is making available a video library of exemplars of excellent teaching.
- **Teacher and Leader Supports:** The Department provided grants to help school districts implement model teacher and leader support and evaluation programs and to ensure the equitable distribution of effective teachers, including the Strengthening Teacher and Leader Effectiveness (STLE) grant program which provides over \$70 million in Race to the Top funds to more than 150 districts developing career ladder models that leverage the new evaluations.

Districts that began this work early – shortly after the Common Core standards were adopted in 2010 - have experienced the greatest success. Implementation of state standards has always been a local district responsibility, and districts that have dedicated significant time to developing Common Core-aligned instruction and providing professional development on how to teach to the higher standards are benefiting from these investments in their teachers, students, and community. In schools from the Bronx to Watervliet to Jamestown, there are classrooms where – because of local implementation of the Common Core – students are reading more challenging texts and thoughtfully discussing their ideas supported by evidence drawn from those texts. In classrooms from Port Chester to Amherst to Windsor and Maine-Endwell, students – because of local implementation of the Common Core – are developing true conceptual understanding in mathematics. These students now see math not merely as a set of rules to memorize, but as a set of tools they can use to solve real world problems.

The [EngagedVoices](#) feature and the video section on our [EngageNY.org](#) professional development website house numerous accounts and videos from educators from every corner of the state describing how the Common Core is not only helping their students achieve at a higher level, but instilling a deep love of learning and sense of pride in their accomplishments. In classrooms across the state, students are writing more, improving their public speaking skills, and making better connections across disciplines. It is in significant part because of these districts' commitment to high-quality and meaningful professional development – and the collaboration of districts and bargaining units to create the time needed for this important work – that Common Core implementation has translated into classroom success.

Parent engagement is another key component for successful local implementation of the Common Core. School districts that have held community conversations, opened up classrooms, and created other venues to create a culture of understanding amongst parents about what to expect as Common Core implementation moves forward are benefiting from these critical partnerships. There is clear dialogue in these districts about what to expect for their children, how their children's education is changing, and how parents can best provide support at home. This understanding has helped set a positive and collaborative tone with a focus on student learning. As a result, parents have become partners for change.

The implementation of the Common Core and teacher and principal evaluation during a time of limited resources has come with significant challenges. School districts need additional financial resources to implement these rigorous reforms. The Regents 2014-15 State Aid Proposal offers concrete ways for the state to invest in continuous improvement by calling for:

- A \$1.3 billion funding increase with a focus on enhancing equity;
- A new \$125 million investment in universal pre-kindergarten focused on full-day programs in the highest needs communities; and

- A new \$125 million state investment in professional development and parent engagement around the Common Core to support creation of a Core Instructional Development Fund for 2014-15. This fund would grow to \$200 million in 2015-16 and 2016-17.

Over time, the State must continue to move toward the principles established in the foundation formula and identify opportunities for greater efficiency through smart regionalization and shared services in order to ensure that all districts have the resources they need to prepare their students for college and career success.

Summary of Adjustment Options

Common Core Standards

1. **Periodically Review and Update the Common Core Learning Standards.** Advocate for the National Governors Association and the Council of Chief State School Officers to convene states periodically to review and update – as appropriate – the Common Core standards. The review should include each state, including New York, gathering feedback from stakeholders including educators, higher education faculty, business leaders, parents, special education advocates, and bilingual education experts.

Professional Development

2. **Provide equitable funding for schools including appropriate funding for professional development.** Advocate for the Governor and state legislature to adopt the Regents State Aid Proposal recommendation seeking funding for a Core Instructional Development Fund to support Common Core implementation and parent engagement activities (\$125 million in 2014-15, \$200 million in 2015-16, and \$200 million in 2016-17).

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stand-alone field testing and to allow the Department to print more versions of state tests so that more test questions may be released to teachers and parents.

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19. **Provide new resources to parents of students with disabilities.** Continue collaboration with the Commissioner's Advisory Panel for Special Education and Special Education Parent Centers to develop a set of guiding questions for parents to use in IEP meetings and to ask teachers about how their children are being supported to progress in curricula that reflect the Common Core.

The Path Forward:

Common Core Learning Standards, Assessments, and Teacher & Principal Evaluation in New York State

Common Core Standards

Background

It has never been more critical for high school students to graduate college and career ready. Raising student achievement is critical to the state's long term economic success. Although New York's high school graduation rate stands at 74 percent, only about 35 percent of students graduate with the skills necessary to succeed in college and career. This means that every year, approximately 140,000 students are unprepared after four years of high school for the challenges of college and career.

In our state's colleges, more than a quarter of students are required to take remedial courses. In 2-year community colleges, a majority of students take remedial courses, and in the state's highest need communities, community college remediation rates are at approximately 80 percent.

To address this challenge, the Board of Regents adopted the Common Core in 2010. The Common Core are the first set of learning standards to be *backmapped* from the skills a student needs to succeed in college and career at high school graduation grade-by-grade to kindergarten and they have been adopted by 45 states, the District of Columbia, and Department of Defense schools. The development of the Common Core was a state-led effort spearheaded by the National Governors Association (NGA) and the Council of Chief State School Officers (CCSSO), and included an inclusive process that brought together teachers, content experts, researchers, and other education professionals. Among the participants were representatives from the National Education Association, the American Federation of Teachers, the National Council of Teachers of Mathematics, and the National Council of Teachers of English. Extensive public comments were received from teachers, parents, administrators and other stakeholders during two public comment periods that helped shape the final version of the Common Core.

In New York, the adoption of the Common Core was a multi-stage process that included stakeholder feedback and comments through forums, surveys, and electronic input means. States were able to add up to 15 percent of additional state-specific K-12 expectations to the Common Core. In the summer prior to final adoption of the Common Core, groups including teachers, administrators, college faculty and administrators, and other stakeholders analyzed the Common Core and developed recommendations for the New York State 15 percent that were then adopted by the Board of Regents.

It is common practice for learning standards to be periodically reviewed as standards of academic excellence evolve. Prior to adoption of the Common Core, the Regents reviewed and updated New York's standards. Because the Common Core standards were developed by educational experts from throughout the country as an initiative of the NGA and CCSSO, and because cross-state comparability is one of the benefits of the Common Core for participating states, these multi-state organizations remain the appropriate vehicles to lead periodic state reviews of the Common Core. Just as development of the standards was informed by key education stakeholders – including teachers – the periodic reviews of the Common Core should be informed by those same experts. The Department will advocate that experts in the areas of students with disabilities and English language learners be included in these periodic reviews.

Adjustment Options to be considered by the Board of Regents:

Periodically Review and Update the Common Core Learning Standards. Advocate for the National Governors Association and the Council of Chief State School Officers to convene states periodically to review and update – as appropriate – the Common Core standards. The review should include each state, including New York, gathering feedback from stakeholders including educators, higher education faculty, business leaders, parents, special education advocates, and bilingual education experts.

Professional Development

Background

Increasing professional development opportunities is a critical investment in our educators and students. Educators in New York are required to complete 175 hours of professional development every five years to maintain the validity of their certificate. Although the Department develops guidelines intended to help identify professional development activities to comply with this requirement, decision-making regarding what professional development to offer is done at the local level.

The Regents and the Department recognize that implementation of the Common Core requires significant professional development. The Department has provided multiple venues for state-sponsored professional development opportunities, including:

- **Network Teams:** Regional Network Teams – teams of experts on curriculum and instruction – based in BOCES and large school districts provide turnkey training and embedded professional development support to teachers and administrators.
- **Network Teams Institutes:** The Network Teams Institutes (NTI), a statewide professional development initiative for New York educators, began in summer 2011. Attendance at NTI has topped 10,800, and that number is expected to grow as future sessions are held.
- **[EngageNY.org](#):** The Department’s professional development website has had over 40 million pageviews since its launch. Among the many resources on the site are video exemplars of excellent teaching aligned to the Common Core.
- **Diagnostic Tool Training for focus districts:** We have provided turnkey training for over 1,000 educators from the 70 focus districts via a process based on the following six tenets:
 - Tenet 1: District Leadership and Capacity
 - Tenet 2: School Leader Practices and Decisions
 - Tenet 3: Curriculum Development and Support
 - Tenet 4: Teacher Practices and Decisions
 - Tenet 5: Student Social and Emotional Developmental Health
 - Tenet 6: Family and Community Engagement
- **Uncommon Approaches to the Common Core:** In August 2014, 275 representatives from libraries, library systems, museums, other cultural institutions, and archives participated in a two-day conference to provide professional development and best practice examples on how libraries and cultural institutions can support implementation of the Common Core.
- **Regional Special Education Technical Assistance Support Centers:** We have provided targeted technical assistance and professional development to

school districts that need assistance to improve outcomes for students with disabilities including training on individualized education program (IEP) development in consideration of the Common Core Learning Standards and effective planning and instruction for students with disabilities.

- **Career and Technical Education (CTE) Technical Assistance Center:** We have offered professional development opportunities on Common Core for CTE instructors and administrators.
- **Teacher Centers:** The Department issued \$4 million in Teacher Center Regional Network “Teaching is the Core” grants funded with federal Title II-A resources focused on scaling up targeted professional development assistance, local support, training, and resources related to the implementation of the Common Core. This federal funding supplemented over \$44 million in state funding since 2011.

Adjustments Underway

The Department, under direction of the Regents, has already begun to implement the following professional development adjustments:

- Network Team Institute sessions are being enhanced to include **more instructional supports for struggling learners** and materials for teachers of students with disabilities and ELLs to ensure these students can access, participate in, and progress toward the Common Core Learning Standards.
- Existing resources are being used to **increase professional development opportunities** through Teacher Centers, federal Title II-A funding, and Race to the Top Strengthening Teacher and Leader Effectiveness (STLE) grants.

Recommendation to be referred to the Governor and State Legislature for Action:

Provide equitable funding for schools including appropriate funding for professional development. Advocate for the Governor and state legislature to adopt the Regents State Aid Proposal recommendation seeking funding for a Core Instructional Development Fund to support Common Core implementation and parent engagement activities (\$125 million in 2014-15, \$200 million in 2015-16, and \$200 million in 2016-17).

State Assessments

Background

Other than the two high school social studies Regents exams, all other required state tests are required by federal law, including the grades 3-8 English language arts and mathematics tests, at least one science exam in grades 3-5, 6-9 and 10-12, and at least one high school English language arts and mathematics exam. The State has not created any additional tests as part of Common Core implementation.

New York Educators from P-12 and higher education advise the Department on all stages of the design, development, and review of assessments necessary to measure student progress on statewide learning standards (see <http://www.p12.nysed.gov/assessment/teacher/home.html> for our state assessment teacher recruitment processes). Teachers assist with the development and review of each and every test question, as well as the final full test before it is administered. In addition, each test question is field tested with New York students prior to being included on an actual scored assessment. Following initial test administration, educators review the test and test results and, based on their experience and knowledge of the learning standards, recommend performance level (proficiency) cut scores to the Commissioner and the Board of Regents. New York's test development processes are posted at <http://www.p12.nysed.gov/assessment/teacher/test-development-process.pdf>. Assessment design, passage selection, and item review criteria are posted at <http://www.engageny.org/3-8> for the Grades 3-8 ELA and math tests and <http://www.engageny.org/resource/regents-exams> for the Regents Exams.

The Regents and the Department have taken concrete steps to ensure that state assessments during the transition period do not carry negative high-stakes consequences for students, schools and educators.

- The first class of students required to pass Common Core high school Regents Exams is the graduating class of 2017 – a full seven years after the adoption of the standards.
- During the first year of rollout, students enrolled in Common Core courses will have the option to take the old test in addition to the new test in addition to the new test and have the higher score count for grading and other purposes.
- The Department has never required districts to make student promotion and placement decisions based on the performance of students on Grades 3-8 ELA and math assessments. Promotional and placement decisions should be based on multiple measures of student performance, including writing samples, class work, homework, teacher observations, and other relevant information.

- No current Focus or Priority Schools will be identified based on initial Common Core assessment results. In fact, no identification of K-8 schools for Priority or Focus status based on Common Core assessment results will occur until after the 2014-15 school year. No high schools will be identified for Priority or Focus status based on students who are required to take Common Core assessments to meet graduation requirements until after the 2016-17 school year.
- Although personnel decisions are determined at the local level, the Department has advised districts to be judicious in considering assessment data when making employment decisions during the transition period.

The grades 3-8 Common Core tests emphasize critical thinking, reading challenging texts, opportunities for students to write with evidence drawn from texts, and math questions that require students to demonstrate their mathematical reasoning through real world applications. As the tests were made more comprehensive over the last decade (even before the transition to the Common Core), the tests were lengthened. In addition, at the request of educators across the state, the scheduled length of time for the tests was extended beyond the expected completion time to allow students who may need additional time to have the time they need. **However, steps have been taken in the past two years to reduce time on task and test length.** Although our current grades 3-8 English language arts and mathematics exams take between 40 to 70 minutes to complete, the testing schedule provides students between 60 and 90 minutes each session spread over 3 days so that students do not have to rush through the exam.

These assessment guidelines were developed with input from the field and brought the state closer to the schedules issued by the highly regarded Massachusetts Comprehensive Assessment System and the New England Common Assessment Program, that ask schools to schedule longer blocks than the expected testing time so that students who may need additional time can demonstrate their knowledge and skills. The scheduled testing time in English language arts and mathematics combined accounts for less than 1 percent of the school year.

Typically students attend school for 6 hours a day for 180 days, or approximately 64,800 minutes.

- English language arts
 - Grades 3-4: 3 sessions at 70 minutes maximum including extra time, or 0.32% of the school year
 - Grades 5-8: 3 sessions at 90 minutes maximum including extra time, or 0.41% of the school year
- Mathematics
 - Grade 3: 2 sessions at 60 minutes maximum including extra time, 1 session at 70 minutes maximum including extra time, or 0.29% of the school year

- Grade 4: 2 sessions at 60 minutes maximum including extra time, 1 session at 90 minutes maximum including extra time, or 0.32% of the school year
- Grades 5-8: 2 sessions at 80 minutes maximum including extra time, 1 session at 90 minutes maximum including extra time, or 0.38% of the school year

The Regents and the Department **strongly discourage** “test prep” practices because research demonstrates that is not how students learn best. In addition, students perform best on local, regional, statewide or national assessments when they have great teachers delivering high quality instruction aligned to rigorous standards. **Rote test prep practices are incompatible with highly effective teaching and lead to lower student performance.**

The Regents and the Department share the concerns that have been raised about the limited number of test questions that were released following the grades 3-8 tests. We agree that test questions can have instructional value for teachers who may, in the context of the standards, use questions from previous tests as exemplars, not for the purposes of excessive test preparation, but to inform lessons and classroom activities. Because the Department prints the grades 3-8 tests internally, only 4 versions of the exam can be created and shipped to school districts. While printing tests internally is less costly for the state, it prevents the Department from printing sufficient test versions (e.g., other states print 20-25 or more forms). As a result, the Department is required to conduct stand-alone field testing in order to have enough test questions banked to develop the following years exam and to be reused on future exams. Also, because test questions from one year may be used in a future year’s test, having a limited amount of printed test versions prevents the Department from releasing more test questions to educators and parents.

In order to control the costs of the assessment program and ensure the integrity of future assessments, the Department released 25 percent of the 2013 grade 3-8 questions with annotated answers. However, with additional funding, the Department would be able to print more versions of the test, which would allow the Department to embed more field test questions, eliminate stand-alone multiple choice field tests, and release significantly more test questions.

Just as prior to the state's adoption of the Common Core, testing accommodations for students with disabilities are to be given consistent with the recommendations of local committees on special education. However, even with the appropriate testing accommodations, for students with significant disabilities, the state assessment may not adequately measure the student’s learning. When students with disabilities are required to participate in an assessment at their chronological age that is significantly misaligned with content learned at their instructional level, the assessment may not provide instructional actionable information on student performance or foster the most prudent instructional decisions. Because participation at chronological grade level is a federal

requirement, a waiver from the U.S. Department of Education would be required to administer the state assessment at a student's instructional grade level.

Adjustments Underway

The Department, under direction of the Regents, has already begun to implement the following state assessment adjustments:

- Testing times and the number of test questions have been reduced on the federally required grades 3-8 assessments.
- "Double testing" that required 7th and 8th grade students who take the Regents exams in mathematics to also take the grade level mathematics assessment was eliminated after the Department successfully sought and received a waiver from USED.
- The Regents have delayed consideration of adoption of PARCC to no earlier than the 2015-16 school year. Districts are encouraged to use the 2013-14 and 2014-15 school years to continue to build their education technology capacity to support instructional and student learning goals.
- "Teaching is the Core" grants will be provided to school districts to encourage the reduction or elimination of locally selected pre-tests and locally bargained and selected tests.
- Additional flexibility has been provided for high school students during the first year of the rollout of Common Core exams by allowing students the option to take the old test in addition to the new test and have the higher score count for grading and other purposes.
- We are gathering input from professionals in the Alternate Assessment Training Network across the state to gather local input and questions from teachers on the NYSAA used to assess students with the most severe disabilities.
- We are reviewing the NYSAA administration time line for the 2014-15 school year, developing samples of student work to assist with NYSAA administration, and developing a NYSAA parent brochure.

Adjustment Options to be considered by the Board of Regents:

Give high school students more time to meet the Common Core standards. Extend the phase-in for Common Core-aligned Regents examinations required for graduation so that the class of 2022 is the first that is required to pass English and mathematics Regents exams at college and career ready levels. In addition, provide flexibility with respect to the Regents Geometry Exam by allowing, similar to the

flexibility offered at local discretion for the current school year in Algebra, the higher score to count for students who take the 2005 standards Geometry exam in addition to the Common Core-aligned Geometry exam through the January 2016 administration. Student performance will continue to be reported on a 0-100 scale.

Eliminate high stakes for students. *Issue guidance indicating that (1) the Department neither requires nor encourages districts to make promotion or placement decisions using student performance on state assessments in grades 3-8; and (2) if districts choose to consider state assessments in grades 3-8 when making promotion or placement decisions, they should make adjustments to ensure students are not negatively impacted by the Common Core transition and should use multiple measures - not grades 3-8 state assessment results alone.*

Offer smarter testing options for students with disabilities. *Advocate for a federal ESEA waiver from the United States Education Department (USED) to allow students with severe disabilities who are not eligible for the alternate tests to be assessed based on instructional level rather than chronological age.*

Offer smarter testing options for English language learners. *Advocate for a federal ESEA waiver from USED to allow English language learners to be assessed via the language acquisition test (NYSESLAT) rather than the English language arts exam for their first two years.*

Clarify what new grades 3-8 test scores mean for students. *Because student performance on the 2013 grades 3-8 tests was based on more rigorous standards, and therefore proficiency rates cannot be compared to scores from previous years, provide clarification for what Performance Level 2 means when aligned with Common Core Regents exam performance levels. The new Level 2 on the grades 3-8 ELA and math tests aligns to “On Track for Regents Exam Passing for Graduation” on Common Core Regents Exams (until the required passing score is raised to the college and career ready level).*

Focus extra support on students that need it the most. *Extend the Academic Intervention Services “hold harmless” provision applied in 2012-13 to 2013-14 and 2014-15 to better ensure that existing support services for students remain relevant and appropriate as New York implements the Common Core.*

Recommendations to be referred to the Governor and State Legislature for Action:

Reduce field testing and provide increased access to test questions. *Advocate for the Governor and state legislature to adopt the Regents state budget priority request for \$8.4 million in new funding to eliminate multiple-choice stand-alone field testing and to allow the Department to print more versions of state tests so that more test questions may be released to teachers and parents.*

Develop Native Language Arts assessments for Spanish-speaking ELLs.
Advocate for the Governor and state legislature to adopt the Board of Regents state budget priority request for \$10 million in new funding to develop Native Language Arts assessments to provide districts the option of offering this assessment when it would best measure the progress of Spanish-speaking ELLs.

Local Assessments

Background

The negotiated APPR law contains requirements for locally selected measures of student learning. A variety of pressures at the state and local level may have resulted in the local adoption of unnecessary testing in some districts. The Regents and the Department strongly believe – and have advised the field – that the amount of testing should be the minimum necessary to inform effective decision-making.

There are three situations where local assessments may be necessary to comply with the negotiated Annual Professional Performance Review (APPR) law:

- **Student learning objectives in non-tested subjects:** Although the negotiated APPR law contains requirements for student learning objectives in the non-tested subjects and locally selected measures of student growth or achievement, the former are determined by districts and the latter are subject to collective bargaining.
- **Grades K-2 student learning objectives:** There are no state mandated traditional standardized tests in grades K-2.
- **Locally selected measures:** Although the negotiated APPR law contains requirements for locally selected measures of student learning, there exist options for districts to eliminate additional testing by, for example, using state assessments results in a different manner, school-wide measures, or performance-based assessment with common rubrics (e.g., essays, science experiments with lab reports, etc.).

Adjustments Underway

The Department, under direction of the Regents, has already begun to implement the following local assessment adjustment:

- Providing “Teaching is the Core” grants to school districts that commit to review all local assessment practices to ensure that local tests help inform instruction and improve student learning.

Adjustment Options to be considered by the Board of Regents:

Reduce unnecessary tests. Conduct expedited review of Annual Professional Performance Review (APPR) plan amendments where the changes reduce or eliminate unnecessary testing.

Eliminate traditional standardized tests in grades K-2. Disapprove APPR plans beginning in 2014-15 that include administration of traditional standardized tests in

grades K-2 and remove all grade K-2 traditional standardized tests from the list of approved locally-selected student assessments for APPR purposes. (The state does not administer traditional standardized tests in K-2.)

Establish a 1 percent cap on time for locally-selected standardized testing. *Limit the time students may spend on standardized tests to comply with districts' locally selected measures as part of APPR. (The federally required State assessments in grades 3-8 English Language Arts and Mathematics account for less than 1% of instructional time.)*

Offer flexibility to districts to further reduce local testing time required by APPR. *Allow the use of school-wide measures for APPR purposes for teachers of middle school social studies (grades 6-8) and science (grades 6-7).*

Teacher and Principal Evaluation

Background

As part of the state's successful 2010 Race to the Top application, in which the state was awarded nearly \$700 million in federal funding, landmark education reform legislation was passed that developed a comprehensive teacher and principal evaluation system aimed at improving educator practices and advancing learning for all students. In 2012, the Board of Regents worked with the Governor, the state legislature, and the New York State United Teachers (NYSUT) to strengthen this teacher and principal evaluation system based on multiple measures that for the first time incorporates student learning and provides comprehensive feedback and will inform professional development.

State Education Law §3012-c requires each classroom teacher and building principal to receive an Annual Professional Performance Review (APPR) resulting in a single composite effectiveness score and a rating of "highly effective," "effective," "developing," or "ineffective." Over 80 percent of teachers in the state have composite scores that are exclusively determined by criteria determined and negotiated locally. The composite score is determined as follows:

- 60 percent is based on other measures of teacher/principal effectiveness, including observations and surveys;
- 20 percent is based on student growth on state assessments or other comparable measures of student growth; and
- 20 percent is based on locally-negotiated measures of student achievement that are determined to be rigorous and comparable across classrooms as defined by the Commissioner.

By law, a teacher or principal's annual evaluation must be a significant factor in employment decisions such as promotion, retention, tenure determination, termination, and supplemental compensation, as well as a significant factor in teacher and principal professional development. If a teacher or principal is rated "developing" or "ineffective," the school district or Board of Cooperative Educational Services (BOCES) is required to develop and implement a teacher or principal improvement plan (TIP or PIP). Tenured teachers and principals with a pattern of ineffective teaching or performance – defined by law as two consecutive annual "ineffective" ratings – may be charged with incompetence and considered for termination through an expedited hearing process.

In the 2012-13 school year, the first Common Core aligned assessments were given to students in grades 3-8. The first Common Core Regents exams will be administered in 2014 (Algebra I and ELA (optional)). In October 2013, the Department released 2012-13 composite scores for teachers and principals, and the results revealed that only 1 percent of teachers were rated Ineffective. As school districts' transition to providing

instruction based on the Common Core Learning Standards is varied, concerns have been raised regarding the impact of Common Core aligned assessments on the state assessment component of a teacher's evaluation or a principal's evaluation where districts have not provided timely support in terms of professional development, guidance on curriculum, or other necessary supports.

The teacher and principal evaluation system is about ensuring that educators are provided with the proper supports and targeted professional development they need to succeed in the classroom – not about firing teachers. APPR is not a “gotcha” system and no teachers or principals should unfairly lose their positions if they did not receive timely support from their districts.

Adjustment Options to be considered by the Board of Regents:

Prevent unfair negative consequences to teachers and principals. Provide that if a school district seeks to terminate an educator based on an ineffective rating resulting from student performance on Common Core assessments administered in the 2012-13 and/or 2013-14 school years, he or she may raise as a defense an alleged failure by the board of education to timely implement the Common Core by providing adequate professional development, guidance on curriculum, or other necessary supports to the educator during those school years.

This approach is consistent with the Regents statutory authority. A delay in consequences could also be achieved through a change in law.

Curriculum

Background

As part of the state's successful 2010 Race to the Top application, the Department committed to developing optional curricular materials for school districts. Although curriculum decisions continue to be local, these materials were developed to provide all school districts with access to quality Common Core curricular resources that are designed to be adopted, adapted or ignored. This initiative was the first time the state has provided this type of curriculum support to school districts and was intended to provide optional curricular resources for school districts that may lack the time or resources to develop their own Common Core aligned curriculum. If teachers choose to make significant changes to these optional curricular materials, the Department (in collaboration with Massachusetts and Rhode Island) developed the Tristate/EQuIP rubric to help educators evaluate the quality, rigor and alignment of adapted lessons.

All of the optional state-developed curriculum materials are reviewed by New York P-12 educators with relevant pedagogical expertise and their development is also informed by New York State Content Advisory Panels in the subject (comprising New York State educators from across P-20). Furthermore, all curriculum vendors staffed writing teams with New York educators and Network Team leaders. In addition, all vendor contracts require, and current versions of curriculum modules include, scaffolds and supports for students with disabilities and English language learners.

Full years of curricular materials are currently available on EngageNY.org, for grades K-9 in mathematics and grades K-8 in English language arts (ELA). Core Knowledge, the Department's vendor in constructing a comprehensive grades P-2 Literacy Curriculum, is a nationally recognized, research driven nonprofit organization led by E.D. Hirsch, a thought leader on the role that background knowledge and academic vocabulary play in our current literacy achievement gap. Expeditionary Learning (EL), a non-profit professional development organization which supports schools across the country, is the Department's partner in the development of the grades 3-8 literacy modules. EL has just been awarded the competitive federal Investing in Innovation (i3) Grant from the US Education Department to further enrich and extend the modules. Common Core Inc., the Department's partner in the development of grades P-12 math modules, is staffed by thought leaders and scholars in mathematics content and instruction. PCG, our partner in generating the 9-12 ELA modules, has built a skilled team of scholars, teachers, and writers – including NYS educators – to produce curricula

The Department is working with our partners to deliver high quality curricular materials for all remaining grades in both mathematics and ELA. In mathematics, full years of instruction will be available for all remaining grades this summer (note: the required Geometry exam is changing in 2014-15 and the required Algebra II exam in 2015-16). In ELA, full years of instruction will be available in 9th and 10th grade this summer and 11th and 12th grade this fall (note: the required ELA exam is not changing until 2015-16).

It is essential that teachers are empowered to use their professional judgment to adapt curriculum materials to meet the individual needs of their students. The modules are not intended to be a “script” for delivering instruction. Rather, the resources are tools that may be integrated into an educator’s professional practice. Students have different styles of learning and learn at varying paces and therefore rote and scripted lessons are a disservice to students. Differentiated instruction is especially critical for ensuring that the material is accessible to students with disabilities and English language learners as well as struggling learners.

Just as prior to the State's adoption of the Common Core, it is a federal requirement that students with disabilities receive the appropriate special education supports, services, accommodations/modifications and specially designed instruction to provide them with access to participate and progress in the general education curriculum. We understand that the Common Core Standards present unique challenges – as did the prior state standards – for students with disabilities which must be specifically considered by the Committees on Special Education (CSEs) and by teachers in the design and delivery of each lesson plan. The Common Core defines grade-specific standards, but does not define the intervention methods or materials necessary to support students who are well below or well above grade-level expectations. As always, district have the local responsibility to define the full range of instructional supports appropriate for students with disabilities and to tailor instruction to meet the needs of individual students.

Adjustments Underway

The Department, under direction of the Regents, has already begun to implement the following curriculum adjustments:

- In order to better **support ELLs**, the current mathematics modules will be translated into 5 languages.

Adjustment Options to be considered by the Board of Regents:

Provide new curricular resources for teachers of students with disabilities and English language learners. Develop additional companion materials to the modules focused on differentiated instructional practices and supports that may be utilized to meet the individual needs of students with disabilities and English language learners.

Create a “Teacher Portal.” Develop an online tool to allow educators from around the state to share curricular resources, including adaptations of modules.

Ensure IEPs are appropriate to student needs as Common Core is implemented. Issue guidelines for Committees on Special Education to ensure that Individualized Education Program (IEP) recommendations address key challenges related to a student’s disability and his or her ability to master the Common Core Learning Standards and provide resources and tools to guide lesson planning for teachers to

ensure that they have considered and addressed the unique learning needs of students with disabilities in their delivery of instruction.

Provide new resources to parents of students with disabilities. Continue collaboration with the Commissioner's Advisory Panel for Special Education and Special Education Parent Centers to develop a set of guiding questions for parents to use in IEP meetings and to ask teachers about how their children are being supported to progress in curricula that reflect the Common Core.

Appendix A

Educational Data and Technology were beyond the scope of the Work Group Charge, but Department staff provided the following report:

Background

Data Dashboards

As part of the state's Race to the Top award, educators, parents, and students will have secure access to education records through data dashboards via the EngageNY Portal. This will allow for the for the timely review of data, the confirmation of its accuracy, meaningful conversations around student progress, and early school-level identification of students who may be at risk of not graduating from high school based on indicators that combine academic, attendance and behavioral data. Educational data will be available through one of three different data dashboard options offered by the Department, at no cost, and supported through Race to the Top funding. Because few districts have the capacity to host or develop their own data systems, virtually all school districts – in New York and around the country – partner with third-party providers to provide software services necessary for data management.

The EngageNY Portal's data security and privacy standards must comply with all laws and regulations, including the federal Family Educational Rights and Privacy Act (FERPA). FERPA ensures that no third-party provider will have access to any data unless specifically authorized to do so by the state or the district for specific contracted educational purposes only. InBloom, a non-profit data service provider, and all EngageNY Portal vendors are prohibited by contract and by state and federal law from selling student data for any purpose or using student data for anything other than specific educational purposes as contracted with the state and districts. The Department does not – and will not – collect student Social Security Numbers, and all EngageNY Portal data must be destroyed upon the conclusion of the contract.

Computer-Based Assessments

In January 2010, as part of the state's successful 2010 Race to the Top application, the Regents joined 18 states plus the District of Columbia and the U.S. Virgin Islands in the Partnership for the Assessment of Readiness for College and Careers (PARCC). PARCC is one of two state consortia that is bringing states together to develop a common set of grades 3-11 high-quality computer-based assessments in English language arts and mathematics that will measure student progress on the Common Core.

The Department has requested \$4 million in new state funding to support implementation of pilot projects to better understand districts' capacity to conduct computer-based testing.

Adjustments Underway

The Department, under direction of the Regents, has already begun to implement the following educational data and technology adjustments:

- The Department has contracted with the New York State Technology Enterprise Corporation (NYSTEC), an independent non-profit organization, to evaluate the EngageNY Portal security plans and provisions.
- The Department has delayed consideration of the adoption of the PARCC computer-based assessment to no earlier than the 2015-16 school year.

Actions by the Department:

Delay launch of the education data dashboards. *Delay launch of the EngageNY Portal in order to address concerns about data security protections for the use of 3rd party providers by the state and school districts.*

Support district efforts to build instructional education technology. *Provide technical assistance to districts that use the 2013-14 and 2014-15 school years to build education technology capacity for instructional and student learning purposes.*

Appendix B

Community Forum Schedule

Date	Region	Location	Hosts	Regents Present
October 7, 2013	Central NY – Utica	Whitesboro, NY	SS Joseph Griffo AM Anthony Brindisi	N/A
October 10, 2013	Hudson Valley	Poughkeepsie, NY	NYS PTA	Regent Young
October 15, 2013	Long Island – Suffolk	Oyster Bay, NY	SS Carl Marcellino	Chancellor Tisch Regent Tilles
October 24, 2013	Capital	Albany, NY	AM Pat Fahy AM John McDonald	Regent Jackson
October 28, 2013	Hudson Valley	Port Chester, NY	AM Steve Otis	Chancellor Tisch Regent Phillips
November 7, 2013	Finger Lakes	Brighton, NY	AM Joseph Morelle	Chancellor Tisch Regent Norwood Regent Borwn
November 7, 2013	Central NY – Syracuse	Syracuse, NY	WCNY (PBS)	Vice Chancellor Bottar
November 12, 2013	Long Island – Suffolk	East Setauket, NY	SS John Flanagan	Chancellor Tisch
November 13, 2013	Long Island – Nassau	Garden City, NY	SS Jack Martins	Chancellor Tisch
November 20, 2013	North Country	Schroon Lake, NY	SS Betty Little	Chancellor Tisch
November 20, 2013	North Country	Plattsburgh, NY	WCFE (PBS)	Chancellor Tisch Regent Dawson
November 25, 2013	Southern Tier	Binghamton, NY	SS Tom Libous AM Donna Lupardo	Chancellor Tisch Regent Tallon
November 25, 2013	Southern Tier	Binghamton, NY	WSKG (PBS)	Chancellor Tisch Regent Tallon

Date	Region	Location	Hosts	Regents Present
November 26, 2013	Long Island – Suffolk	Manorville, NY	SS Ken LaValle	Chancellor Tisch Regent Tilles
December 3, 2013	Central NY – Syracuse	Manlius, NY	SS John DeFrancisco	Vice Chancellor Bottar
December 3, 2013	Finger Lakes – Rochester	Rochester, NY	WXXI (PBS)	Regent Norwood Regent Brown
December 4, 2013	Western NY	Jamestown, NY	Jamestown City School District	Chancellor Emeritus Bennett
December 10, 2013	NYC	Brooklyn, NY	AM Karim Camara	Regent Young Regent Cashin
December 10, 2013	NYC	Bronx, NY	BP Ruben Diaz	Chancellor Tisch Regent Rosa
December 11, 2013	NYC	Manhattan, NY	Speaker Silver	Chancellor Tisch
December 12, 2013	Western NY	Buffalo, NY	WNED (PBS)	Chancellor Emeritus Bennett