

APPR LEGISLATION 3012-d

Implications for School Districts (*Adapted from Nassau BOCES
Presentation*)

Education Law §3012-d: Evaluation of Teachers Principals

- Statutory mandate for Annual Professional Performance Review (APPR), effective July 1, 2015
- Attached to the Governor's budget and became effective April 1, 2015 (APPR revisions attached to State Aid)
- Board of Regents reviewed and approved changes at June 15, 2015 meeting
- Approved changes will impact all current APPR plan
- We are required to have an approved APPR plan by November 15, 2015, or apply for a waiver.

A November Deadline?

- Districts and/or BOCES must demonstrate a "good faith" effort to meet, negotiate, and train relevant staff on the new evaluation system
- Districts and/or BOCES need to track number of times that we meet with teacher and principal associations
- A "hardship" waiver can be issued depending on whether various factors are met
- A four month hardship waiver to extend November deadline may be granted

A November Deadline?

- If a district does **not** have a plan in place by November 15, 2015, the district will not be eligible to receive NYS School Aid increases
- Collective bargaining agreements entered into after April 1, 2015 must be consistent with the new law
- Districts and/or BOCES are expected to continue to work toward an agreement
- **Current** APPR plan, based on 3012-c, is still in place during hardship period

Guidance Documents

SED has released guidance on the changes to APPR

- A "blue" memo [blue-memo-3012-d.pdf](#)
- **August 2015** Guidance document [Guidance\appr-guidance-3012-d.pdf](#)
- **Teacher Road Map** [..\Guidance\teacher-evaluation-road-map-2015-2016_3012-d.pdf](#)
- **Principal Road Map** [..\Guidance\principal-evaluation-road-map-2015-2016_3012-d.pdf](#)

Basic Design

Old

- 20% state provided growth score/or locally developed SLO
- 20% locally assessed measure of student performance
- 60% "other measures" (at least 31 points from observations)

Total: Composite Effectiveness Score and HEDI rating

New

All educators receive two ratings

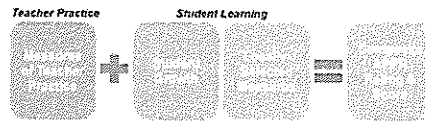
- One based on student performance
- One based on observations

Combination of results determines overall HEDI rating – "the matrix"

APPR §3012-d

- Retains the HEDI ratings for teachers

- Highly Effective
- Effective
- Developing
- Ineffective



- Moves from composite score (60-20-20) = 100% \Rightarrow to Matrix (50-50)

New Scoring Matrix

	Observation			
Student Performance	H	E	D	I
H	H	H	E	D
E	H	E	E	D
D	E	E	D	I
I	D*	D*	I	I

*If a teacher is rated ineffective on the Student Performance category, and a state-designed supplemental assessment was included as an optional subcomponent of the Student Performance category, the teacher can be rated no higher than Ineffective overall.

Significant Changes Three Subcomponents to Two Categories

Category 1- Student Performance

- **Required** - Growth scores provided by the State, based on Grades 3-8 assessment
- **Required** - Locally developed growth score based on Student Learning Objectives (SLOs) adopted by the district and/or BOCES and approved by the State
- Can use specific, state-designated group metric for teachers who do not have growth score.

Category 2 - Observations based on a rubric

- Must use a State-approved rubric
- Jericho has used NYSUT 2011 and Danielson rubrics for observations of teachers and the Multi-Dimensional rubric for principals in last year's plan.

Student Performance

- State provided growth score for teachers of courses ending in a State administered ELA and Math assessments, **plus back-up SLOs in case there is no growth score**
- For teachers in non-tested areas, an SLO based on district/BOCES-determined assessments
 - State-approved third party assessment (**new RFQ process**)
 - State-approved district, regional, or BOCES-developed assessment (**new – RFQ process**)
 - School or BOCES-wide group, team, or linked results based on State/Regents assessments

Student Performance Rating Decisions....

- Use of only the required state growth or SLO component (based on state assessments)
 - Counts as 100% of the student performance category
- Mandatory growth score + optional assessment demonstrating student growth
 - State score – min. 50%
 - Optional score – no more than 50% ←

Overall Student Performance Category Score and Rating 0-20

Rating	Minimum	Maximum
Highly Effective	18	20
Effective	15	17
Developing	13	14
Ineffective	0	12

If an optional student performance assessment is used, and a teacher gets an Ineffective on this category, the teacher cannot get any higher than an Ineffective rating overall.

Teacher and Principal Scoring Ranges - SLOs

Highly Effective	Effective	Developing	Ineffective
18-20 Points	15-17 Points	13-14 Points	0-12 Points
90-100% of students meeting or exceeding expected growth targets determined by the Superintendent	75-89% of students meeting or exceeding expected growth targets determined by the Superintendent	60-74% of students meeting or exceeding expected growth targets determined by the Superintendent	0-59% of students meeting or exceeding expected growth targets determined by the Superintendent

Standardized SLO Score Setting

Percent of Students Meeting Target	Score/Rating	Percent of Students Meeting Target	Score/Rating
0-4%	0: Ineffective	49-54%	11: Ineffective
5-8%	1: Ineffective	55-59%	12: Ineffective
9-12%	2: Ineffective	60-66%	13: Developing
13-16%	3: Ineffective	67-74%	14: Developing
17-20%	4: Ineffective	75-79%	15: Effective
21-24%	5: Ineffective	80-84%	16: Effective
25-28%	6: Ineffective	85-89%	17: Effective
29-33%	7: Ineffective	90-92%	18: H. Effective
34-38%	8: Ineffective	93-96%	19: H. Effective
39-43%	9: Ineffective	97-100%	20: H. Effective
44-48%	10: Ineffective		

Optional Local Assessment

- Use of optional second measure is negotiated
- **Must measure growth – not achievement – up to 50% of total growth score**
- **Can measure percentage of student growth using a state determined level of growth on a State assessment**
- **School-wide results based on State growth scores of students who take 4-8 ELA or math assessment**
- **School-wide results based on a subset of State provided growth scores**
- **Growth on a locally selected State designed or approved supplemental assessment (i.e., STAR)**

Observations

- Based on a State-approved rubric
- Minimum of two observations (one must be unannounced)
- Observations must be conducted by a trained principal or trained administrator (worth at least 80%); and
- **At least one observation must be conducted by "impartial, independent trained evaluator" (new – worth at least 10%)**
 - ✓ *May be an administrator within district, but cannot be in the same building as evaluated teacher;*
 - ✓ *Selected by the district and/or BOCES*
 - ✓ *Observation by trained peer teacher – rated Effective or Highly Effective in prior school year (optional)*

Rubrics

- Must be on state-approved list
- May use different rubrics for teachers who teach different grades and/or subjects
- All observable teaching standards must be addressed across the total number of annual observations
- Standards that cannot be observed during observation may be observed during pre/post observation conferences or other "natural conversations" between administrator and teacher
- **No points awarded for artifacts**

Overall Teacher/Principal Observation Scoring and Rating

Overall Rubric Score Conversion

	Permissible Statewide Ranges	
	Minimum	Maximum
Highly Effective (H)	3.50 to 3.75	4.0
Effective (E)	2.5 to 2.75	3.49 to 3.74
Developing (D)	1.5 to 1.75	2.49 to 2.74
Ineffective (I)	0	1.49 to 1.74

- Each observation type is scored using a 1-4 rubric scale
- **An overall score between 1-4 is produced**
- **Observations are combined using a weighted average (80%/20%) and produce an overall observation category score**
- **Under 3012-d every observation has to have a score.**

No Longer Used...

- **Evidence of student development and performance as derived from lesson plans, other artifacts of teacher practice, except when discussed as part of a pre/post observation conference or part of a "natural conversation" between the observer and teacher**
- **Student portfolios, except for student portfolios measured by a state-approved rubric, where permitted**
- **Parent/student surveys**
- **Use of professional goal-setting as evidence of teacher or principal effectiveness;**
- **Any district or regionally-developed assessment that has not been approved by the department; and**
- **Any growth or achievement target that does not meet the minimum standards as set forth in Commissioner's regulations**

And Then There's Tenure..

- Teachers and administrators "appointed" to probationary appointments on or after July 1, 2015 will have longer probationary periods.
- Probationary period is now 4 years for "new" teachers/principals.
- Teachers who have previously received tenure in New York State will have a probationary period of 3 years or less.

Tenure under 3012-d

	Current Probationary Period	Probationary Period as of 7/1/15
Administrative position	3 years	4 years
New Teacher	3 years	4 years
Teacher w/ prior tenure	2 years	3 years*
Teacher w/ up to 2 years of regular substitute service	1 year	2 years*

*Subject to APPR evaluation

Where are we right now?

- We have met with the JTA and JEAA and are negotiating in good faith.
- We have not yet reached an agreement on a new APPR Plan.
- We will continue to negotiate to try to reach an agreement.
- Until a new agreement is reached, the APPR Plan used in 2014-2015 will continue to be utilized.

Questions?

