



New York State
EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Annual Professional Performance Review (APPR) Update

December 2019

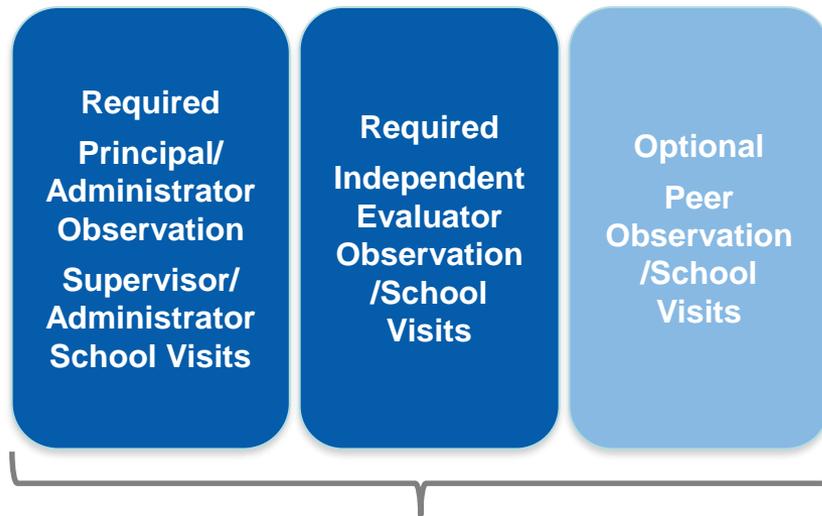
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Professional Development

Education Law §3012-d

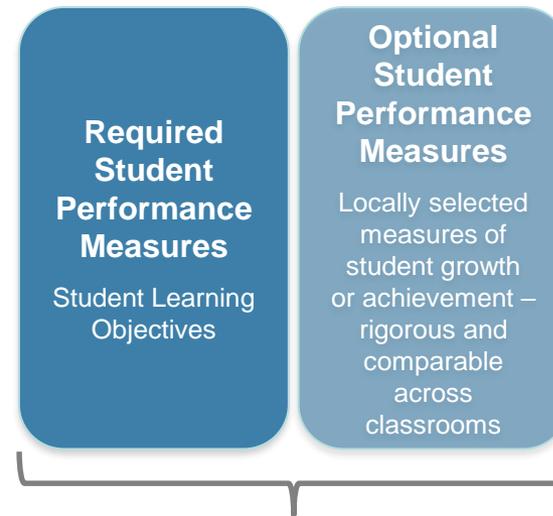
Components of the APPR Evaluation System

- Evaluations include educator practice and student learning measures
- Measures result in a single overall educator effectiveness rating

Educator Practice



Student Learning



Teacher Observation/Principal School Visit Category Rating

Evidence-based observations/school visits.
Combined required and optional subcomponents, per weighting indicated in approved APPR plan.

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Student Performance Category Rating

Combined required and optional subcomponents, per weighting indicated in approved APPR plan.



Overall APPR Rating

Overall annual evaluation HEDI rating based on both category ratings, as applied to the evaluation matrix

Education Law §3012-d

Overall Rating Calculation

		<u>Observation/School Visit</u>			
		<u>Highly Effective (H)</u>	<u>Effective (E)</u>	<u>Developing (D)</u>	<u>Ineffective (I)</u>
<u>Student Performance</u>	<u>Highly Effective (H)</u>	H	H	E	D
	<u>Effective (E)</u>	H	E	E	D
	<u>Developing (D)</u>	E	E	D	I
	<u>Ineffective (I)</u>	D	D	I	I

What did we hear from the field?

- **Since March, the Department has continued to engage with stakeholders on how the Department should revise its regulations given the statutory changes to APPR.**
- **Two main ideas emerged from those conversations:**
 - **Many districts and bargaining units are satisfied with most aspects of their existing plans and the Department should allow them to make small changes to those plans without having to develop completely new evaluation systems.**
 - **Some stakeholders believe the existing regulations are too prescriptive and are requesting greater flexibility to explore alternate approaches to evaluating teachers and principals.**

How do the proposed amendments honor stakeholder feedback?

- **Where possible, we have carried forward existing regulatory requirements and only made edits necessary to conform those requirements to the statutory amendments.**
 - **This allows LEAs to keep as much of their existing plans in place as possible upon entry into successor CBAs consistent with Chapter 59 of the Laws of 2019.**
- **At the request of the NYCDOE and UFT, we have created alternate scoring bands and ranges for SLOs specific to New York City to address a specific issue with combining multiple student performance measures.**

How do the proposed amendments honor stakeholder feedback?

- A new section, 30-3.16, is included in the regulations, which creates a variance process.
- This section enables LEAs to request a variance from one or more regulatory requirements to implement new and innovative approaches to evaluating teachers and principals.
- Variances can be requested from regulatory provisions that are not specifically prescribed by Education Law 3012-d.

What Will Be Different For Plans Approved for 2019-20 and Thereafter?

- **The required student performance measure for all teachers and principals is an SLO.**
 - **No requirement to use State-provided growth scores.**
 - **State assessments can but are not required to be used as underlying evidence for SLOs.**
 - **Selection and use of assessments for SLOs is a mandatory subject of collective bargaining.**
 - **50%/30% rule are not required to be used in determining the courses/grade levels for SLOs.**
 - **Any educator's SLO(s) may incorporate group, team, or linked results, which can be school/program-wide and/or district/BOCES-wide.**

What Will Be Different For Plans Approved for 2019-20 and Thereafter?

- The optional student performance measure for teachers and principals can be based on a wide variety of locally selected measures of student growth or achievement.
 - No requirement for the optional measure to be a second State-provided growth score.
 - No requirement for the optional measure to be based on a statistical growth model.
- Optional measures include:
 - A second SLO;
 - A growth score based on a statistical growth model;
 - A locally calculated measure of student growth other than an SLO
 - A performance index;
 - An achievement benchmark; and
 - Other approved measures.

What Will Stay The Same?

- **All SLOs must use the goal-setting process determined by the Commissioner.**
 - This includes the elements defined in our regulations.
 - This includes requirements for measuring growth and minimum growth targets aligned to the interval of instructional time.
- **All SLOs and optional student performance measures must be based on State-developed or administered assessments or State-approved assessments.**
 - Assessments are approved separately for the required and optional subcomponents.
- **The decision to use the optional student performance subcomponent as well as what measures and assessments to use and the parameters for those measures are subject to collective bargaining, but are also required to be reviewed by the Department for rigor.**

The Department determines the weights and scoring ranges for measures in both subcomponents.

What Will Stay The Same?

- **No changes to the existing regulations around:**
 - **Teacher Observations/Principal School Visits**
 - **Use of the matrix to calculate overall ratings**
 - **Teacher and principal improvement plans**
 - **Use of evaluation ratings to determine employment decisions**
 - **Requirements for evaluator training**
 - **Requirements for local appeal processes**
 - **Deadlines for material changes and completing APPRs**
 - **Requirements for providing data to NYSED**

What Does the Variance Process Allow?

- LEAs may request a variance from one or more of the Department's regulatory provisions to pursue new and innovative evaluation methods.
- Variances cannot be granted for statutory requirements (e.g., no student performance measures; using something other than the matrix for overall ratings).
- Examples of areas where a variance could be granted:
 - Alternate procedures for using student learning information to measure teacher effectiveness
 - Alternate procedures for scoring and rating SLOs
 - Alternate procedures for using practice rubrics for observations/school visits
 - Alternate parameters for conducting and completing observations/school visits, including minimum numbers, duration, announced/unannounced, etc.
 - Alternate procedures for TIPs/PIPs
 - Vested interest rules (non-State assessments)
 - Differentiated evaluation systems for early career teachers vs. more experienced educators

What Does the Variance Process Allow?

- **LEAs can only obtain a variance once they have an approved APPR plan.**
 - Variance requests can be submitted at the same time as or after the “regular” APPR plan.
- **Variance process does not override collective bargaining requirements.**
- **Variance applications must include the following information:**
 - A description of the areas for which the variance is sought and the alternate procedures that will be employed;
 - A rationale for the alternate procedures;
 - A description of how the LEA will ensure that the alternate procedures are rigorous and enable strong and equitable inferences regarding educator effectiveness;
 - A description of the how information collected as part of the evaluation process will be used for personalized professional learning opportunities; and
 - A description of how the LEA will assess the effectiveness of the implementation of the variance.

Timeline and Next Steps

- LEAs are not required to move to new evaluation systems by any particular date.
- Statutory amendments do not abrogate existing collective bargaining agreements.
- Instead, LEAs will negotiate and receive approval of new APPR plans consistent with the amended requirements upon expiration of CBAs effective on April 12, 2019.
- The APPR plan template is located in the [NYSED Business Portal](#) and is now available for LEAs who want to submit material change requests.
- Material changes submitted by March 1 are effective in the same school year, so long as approved by the end of the school year.
- Material changes submitted after March 1 do not take effect until the subsequent school year.

Timeline and Next Steps

- Resources will be posted, as they are developed, on [the Office of Educator Quality and Professional Development's website](#).
- The Regents Item and Department regulations as well as a memo summarizing the regulatory provisions (“The Orange Memo”) have already been posted on the website.
- Upcoming Resources will include:
 - APPR Guidance;
 - SLO Guidance;
 - Variance Guidance; and
 - New SLO templates – differentiated for teachers, principals, and school/program and district/BOCES-wide measures.
- New mailbox for questions around SLOs: SLOHelp@nysed.gov

Questions?