Education Law §3012-c

Requires a new performance evaluation system for classroom teachers and building principals.
Section 30-2.1 of the Commissioner’s Regulations

Clarifies that the existing APPR regulations (section 100.2[o] of the Commissioner’s regulations) remain in effect for teachers and principals who are not subject to the provisions of the new law.
Section 30-2.1 of the commissioner’s Regulations

- Reiterates the language from the statute that says the regulations do not override conflicting provisions of any collective bargaining agreement in effect on July 1, 2010 until the agreement expires and a successor agreement is entered into; at that point, however, the new evaluation regulations apply.
Section 30-2.4

- Provides that 20 points of the evaluation will be based on student growth on state assessments and 20 points will be based on locally selected measures.
- Explains what types of locally selected measures of student achievement may be used.
In the 2011-2012 school year, the new evaluation system must include teachers of English Language Arts or mathematics in grades 4-8 (including common branch teachers who teach ELA or mathematics) and the building principals of the schools in which those teachers are employed.
Teachers

- For purposes of the 2011-12 school year, teachers who have more than 50% of their students in subjects other than grades 4-8 ELA and math will not be required to be evaluated under the new evaluation system.
If fewer than 30% of the students in the principal’s school or program are being taught ELA and/or math in grades 4-8, then the principal is subject to evaluation under Section 100.2(o).
Phase-in

- Beginning in the 2012-2013 school year, the evaluation system must include all classroom teachers and building principals.
Options for Local Assessments

- Assessments from list of State-approved of 3rd-party-developed, State, or Regents-equivalent assessments
- District-, regional-, or BOCES-developed assessments whose rigor and comparability is verified by the district or BOCES;
- School-wide, group, or team metrics using State assessments or a district, regional or BOCES-developed assessment;
- Structured district-wide goal setting process with any State- or other school- or teacher-created assessment agreed to by an evaluator and teacher.
District or Regional Assessments

- District-, regional-, or BOCES-developed assessments will not be reviewed by the State, provided the district/BOCES intends to use the assessment for the local portion of their educators’ evaluations or as a comparable growth measure for subjects that are not considered “core” subjects under the regulations. Districts and BOCES that develop their own assessments for the local portion of educators’ evaluations must include in their APPR plan an assurance that their district- or BOCES-developed assessment is rigorous and comparable across classrooms in accordance with the Commissioner’s Regulations.
Assignment of Evaluation Points

Districts must determine locally the details of their approach to assigning 0-20 points to educators for this subcomponent of evaluation, within the scoring ranges and text descriptions for each rating category for this subcomponent, as prescribed in section 30-2.6 of the Commissioner’s regulations. The district’s process for the assignment of points within this subcomponent must be transparent and provided in advance to those who will be rated. The district or BOCES must also include such process in their APPR plan, which shall be made publicly available on its website.
Distribution of Items

Districts or BOCES must describe in their APPR plan their processes for ensuring that any assessments and/or measures used to evaluate their teachers and principals are not disseminated to students before administration.