

**NEW YORK STATE COUNCIL OF SCHOOL SUPERINTENDENTS
TASK FORCE ON TEACHER AND PRINCIPAL EFFECTIVENESS**

**Position Paper #4:
From Vision to Implementation:
Chapter 103 of the Laws of 2010**

Introduction:

This paper focuses on the work of Superintendents and the capacity to implement Chapter 103 of the Laws of 2010 in a manner that fulfills the full promise of this reform initiative. Different from the first three, this paper is guidance specifically to the Commissioner and the Board of Regents. Therefore, the New York State Council of School Superintendents Task Force on Teacher and Principal Effectiveness has asked the field the following two questions:

- 1) “What does it mean to prepare the culture and the capacity of school personnel for the implementation of the revised Annual Professional Performance Review (APPR) process for the opening of school in September 2011?”
- 2) “What does it mean to the teacher, the student, the instructional leaders and the school community to evaluate a teacher well?”

Answers to these questions must include consideration of capacity building and learning for teachers and principals to do the work. These answers will also enable Superintendents to lead this work and have a meaningful impact on student learning and professional practice. The NYSCOSS Task Force in Position Paper #3 asked and answered the following questions:

- 1) “What is critical for superintendents in order to be able to implement specific parts of the law and, therefore, must be included in regulation?”
and
- 2) “What does it mean for superintendents to implement the agenda in a meaningful manner?”

Superintendents advocate that all achievement measures used as a part of the Race to the Top (RTTT) initiative and, therefore, included the APPR process are rigorous and based upon the Common Core Standards. Measures must be consistent across the State; affordable; involve as little negotiations as possible; and phased-in over time, given their importance and high stakes nature.

Our advocacy of these principles is based on the Regents Examination testing system that dates back to the late 1800's. In addition, our principles are grounded in the model of the pre-collegiate curriculum of the Advanced Placement and International Baccalaureate programs. Since their inception these programs have challenged students and teachers with a non-negotiable, high-quality university based curriculum framed around a common set of assessments to ensure valid and reliable measures of student achievement.

Regents Examinations, the Advanced Placement and International Baccalaureate programs were never collectively bargained and superintendents now ask “Can you imagine if they had been?” and “So why now for local assessments?” It is worthy to note that in recent years significant adjustments to Regents Examinations have been made with little input from the field. Does the State Education Department now want to give up authority to seven hundred bargaining tables?

The RTTT assessments must be consistent across districts and not allow for local variability or a lessening of the rigorous standard the Commissioner is seeking to implement. This is critical as the next generation of assessments is implemented and districts are held accountable for student growth and achievement. Superintendents advocate for a system that has, at its core, improved learning outcomes for students. This can only be achieved if the State's model disallows locally developed measures or ones that may not align with a consistent high statewide standard of measurement.

This paper, the fourth in a series, identifies specific implementation concerns and anticipated barriers to successful implementation of Chapter 103 of the Laws of 2010. The concerns and anticipated barriers comprise the perspective of approximately 700 superintendents representing all regions of the state including districts of varying size, socio-economic status and demographic diversity. Superintendents are charged with ensuring high quality education for all students and ensuring students are college and career ready. Superintendents believe that strong consideration must be given to specific elements of strategic implementation and capacity building. Providing answers to the implementation concerns and anticipated barriers included in this paper are imperative for the development, implementation and sustainability of a quality teacher and principal evaluation system.

Subject:

From Vision to Implementation: Chapter 103 of the Laws of 2010

General Position:

There appears to be a disconnect between the vision to improve student learning and professional practice, and what is needed in regulations/guidelines to implement the vision in a meaningful manner. Superintendents agree that the intent of the law was a fair and equitable application intended to raise student achievement, not multiple versions subject to collective bargaining. For Chapter 103 of the Laws of 2010 to become reality, the regulations need to be consistent, practical, concise, clear, easily understood, affordable and provide limited options that would not dilute rigor while minimizing the need to collectively bargain the process. With respect to the collective bargaining process, NYSCOSS Task Force White Paper #1 clearly delineates the issues. Simply stated, the vision cannot be collectively bargained and will lose its focus and consistency as districts throughout the state resolve these issues with different rules for implementation.

In addition there appears to be another disconnect related to the work of the superintendent. The evaluation of teachers and principals and their professional development is but one of a number of superintendent responsibilities related to student learning and the growth in student achievement. In a time of significant reductions in

state fiscal support for education and the resulting diminished administrative capacity across the state, there is a major concern among superintendents that without consistent regulations/guidelines from the Commissioner the ability to implement the revised APPR process in a meaningful way for students and professional staff is compromised.

The Specifics:

The reality of implementing a revised appraisal plan between the time superintendents receive the new regulations in July and when they must begin preparing all educators in September to implement the plan includes, at the very least, these activities:

- 1) Collectively bargaining all “processes”, where required.
- 2) Establishing both teacher and administrator committees to discuss and agree upon the content (“the other 60%”) of the evaluation not specific to student growth and achievement.
- 3) Insuring that the technical and clerical staff necessary to implement the plan is oriented to the process, trained and in place.
- 4) Training all evaluators and/or insuring that an approved trainer is scheduled to train all evaluators. Plans for ongoing follow-up sessions to increase the probability of efficacy and consistent reviews, and to decrease the probability of successful appeals are critical to implementation. Certification for administrators and peer reviewers also is critical to a meaningful and successful process.
- 5) Orienting and training all administrators and teachers to the scoring bands, process and timelines.
- 6) Orienting faculty, Boards of Education, parents and the larger community to the process and timelines, as well as to how scoring bands measure effectiveness and student growth.
- 7) Developing a “manual” of the background, procedures, forms, and tools to implement the revised appraisal process. This piece is critical for explanation, reference and to insure that new staff each school year are inducted and mentored in the same way for consistency.

These are all essential ingredients to successful implementation of any new district initiative, none more important than the revision of teacher and principal evaluation. Appendix I provides additional detail with respect to application and implementation. This process is a change to district culture with higher stakes and, as noted in White Paper #3, will take time to achieve desired results.

Based upon what superintendents believe they understand about Chapter 103 and the knowledge about what is necessary for quality teacher evaluation, Appendix II delineates a case study describing the administrative commitment needed in a typical elementary school with one administrator and a faculty of 40 teachers with various levels of experience and skill. It outlines the time required to effectively implement the process in a way that increases the probability of improved student learning and quality professional practice.

Considering, conservatively, a fifty (50) hour work week, the effort represents approximately twenty-three (23) weeks of the forty week school year. Also considering the high stakes of the revised process (compensation, promotion and dismissal) and the probability of a significant number of appeals, particularly in the early years of implementation, the disconnect from vision to practice is clear.

Due to the practical considerations and capacity limitations articulated, the obstacles to implementing the revised appraisal system in this considerably abbreviated timeframe include:

- 1) the high stakes nature of the process;
- 2) the requirement to negotiate an appeals process, and the clear implications for consistency and equity statewide;
- 3) other collective bargaining implications in multiple sections of the law, (for example, the Commissioner would not negotiate a mathematics curriculum so why would he have superintendents negotiate a mathematics assessment?);
- 4) the cost, another unfunded mandate; and
- 5) too many options and too much flexibility in the law to ensure consistency of rigor.

These and other issues have been highlighted throughout NYSCOSS White Papers #1 (Appeals Process), #2 (Locally Selected Assessments) and #3 (Regulation and Implementation Considerations). Superintendents implore the Commissioner and the Board of Regents to develop regulations/guidelines that provide clear and concise direction and ones that take the politics (through collective bargaining) out of the discussion about what assessments are best suited for children.

Conclusion:

Given the considerations outlined in this paper and in White Papers 1, 2 and 3, how do superintendents proceed from the vision of Chapter 103 to reality, from theory to practice? *If we assume together that everyone involved (the Commissioner, the Board of Regents, State Education Department staff, the Fellows, and all practitioners) agrees that this is about raising the bar and insuring that every student is college or career ready, we then would need to agree on the topics for decisions and definitions that need to be accomplished in Regulations for the following:*

- 1) 20% tested subjects;
- 2) 20% non-tested subjects;
- 3) 20% locally selected assessment;
- 4) 60% teacher non-tested criteria; and
- 5) 60% principal non-tested criteria.

Further, if we agree that in five months school districts will receive regulations and guidance that superintendents will use to develop each district's "Manual for Teacher and Principal Evaluation", then the Commissioner and the Board of Regents must move from:

- 1) theory to practice that is "do-able", that allows for proper implementation moving professionals from the abstract to the concrete using a backwards planning model;
- 2) vision to reality that is "do-able", that can be mapped and put into action with an approach that provides realistic timelines for moving an organization forward;

- 3) regulations to implementation that are “do-able”, that support what is in the best interest of children and allow for consistent and pervasive implementation of the goals for all students;
- 4) dialogue to organizational structures that are “do-able”, that are systematic and can be interpreted consistently by the field; and
- 5) regulations for a “Manual for Implementation” that is “do-able” and consistent across the state.

To have regulations that are “do-able”, rigorous, comparable, and can be implemented for September, 2011, they must:

- 1) consistently be applied across the state;
- 2) be minimally flexible;
- 3) have limited options;
- 4) be able to be implemented with meaning within the next five months;
- 5) be practical;
- 6) be clearly understood;
- 7) be concise;
- 8) be monitored (to ensure that they have a positive impact on student learning and professional practice);
- 9) be progressing from low stakes to high stakes over the first few years to ensure research about growth and value-added models can inform the system;
- 10) be affordable; and
- 11) be non-negotiable except where mandated.

The hope that all parties will soon agree on what the Regents Advisory Committee is discussing will lead to well constructed regulations, is suggestive at best. There is much work to be done to achieve an agreement on so many important matters in the law. Then practical regulations must be promulgated. Superintendents have already initiated strategic plans, preparing for implementation in September 2011. The disconnect is clear and something must be done to connect the vision with the reality of implementation. Superintendents remain available to advise in regards to that connection.

Superintendents are the “gatekeepers of instructional leadership” who set the agenda for each year, establish goals in conjunction with Boards of Education, set the stage and tone for the year on opening day and make sure what is important gets done. Superintendents are invested in New York’s reform agenda, but it must be practically implemented so as to be done right and effectively. Regulations/guidelines that address the issues articulated during the last eight months (by THE COUNCIL Task Force), do not erode the authority of the Commissioner, Board of Regents and instructional leaders. Further, a phase-in of scoring bands will go a long way to making the agenda meaningful and not another clinical exercise.

Superintendents realize that going from the simple objective to improve student learning and achievement to regulations and procedures is complicated. Superintendents worry that some entrusted in leading this work may not understand, and thus have lost sight of the goal and what we, parents and the general public truly desire. Superintendents continue to advocate for a system where:

- all students should be learning at levels which prepare them to be successful;

- assessments should measure whether learning is taking place or not;
- teachers and principals are accountable for whether students are learning;
- everyone understands that some students face bigger challenges than others and adjustments are made for that; and
- poorly performing teachers and principals should be given help to try to improve and, if they do not, superintendents should be able to dismiss them without a long legal battle and excessive cost.

It should be simple, straightforward and fair.

An event in a school district takes planning and is over in a day. Changing culture takes precise planning and requires time. The reform agenda is a change in culture for all schools in New York State. Superintendents refer the Commissioner and the Board of Regents to what Michael Fullan and other change theorists expound. Change must be “bold in vision and careful in planning”. The regulations/guidelines must be developed accordingly. We believe the considerations articulated in this paper support this principle.

APPENDIX I

FROM VISION TO IMPLEMENTATION: CHAPTER 103 OF THE LAWS OF 2010

Timeline of Activities for Implementation

What follows is a suggested timeline of activities necessary to facilitate in a meaningful way the proper implementation of Chapter 103 of the Laws of 2010. This timeline assumes that a draft of the Commissioner's Regulations has been received by the field by April, 2011. It does not factor in other duties inherent in the Superintendent's responsibilities during the summer months to prepare for the opening of school in September 2011.

April 1-6

- Complete budget development process for the 2012-13 school year to include:
 - dedicated funds for professional development for teachers and principals
 - capacity to support the implementation of APPR
 - data analysis services and reports from Regional Information Centers

June 1-24

- Identify negotiation teams to address procedures for evaluation changes required under the law
- District leadership teams meet and review regulations on locally selected assessments.
- Schedule meetings with bargaining units to begin to develop locally selected criteria for 20% measure of student performance and locally selected multiple measures of Teacher /Principal Effectiveness (the 60%)

Week of June 27:

- Initiate APPR team to revise document for compliance with the law
- Develop APPR evaluation forms to align with rubrics and rating scales identified by regulation

Week of July 3:

- Establish turnkey training protocols for "train the trainers" on evaluation of staff
- Establish staff development plans for evaluators (e.g., teacher leaders, principals, directors) provided by district turnkey trainers
- Design training package(s) (for Peer Evaluators/Observers) and plans for the training

Weeks of July 10 and 17:

- Network and Inquiry team required training through BOCES for analysis of student data
- Develop self-reflection forms to implement with staff that aligns with the Commissioner's vision for a comprehensive review

- Map out the staff training schedules for the Superintendent's Conference Day

Week of July 17:

- Provide to the Board of Education and community groups an overview of the implications of the law
- Finalize (if possible) the negotiations for procedures for evaluation appeals
- Submit APPR plans to the Board for approval
- Finalize (if possible) the work on selecting locally selected assessments and procedures for implementing such evaluations

Week of July 24:

- Develop protocol for evidence binders as part of the staff evaluation process under the APPR (e.g., portfolios, self reflection forms, goal setting template)

Week of July 31

- Convene committee of stakeholders to develop, collect, and analyze: (Components which are inclusive of the Commissioner's vision for a comprehensive evaluation)
 - parent surveys
 - student surveys

Week of Aug 7:

- (Anticipated student data received from SED) Data analysis (error coding of data with teacher/administrative teams)
- Contract with RIC for services to provide data reports

Week of August 14:

- Develop presentation for Title I parent night to review Board policy and regulations for student services
- Develop TIP/PIP plans and procedures with APPR committees
- Develop and plan for TIP training for all evaluators

Week of August 21:

- Create District newsletter, and parent letter to inform stakeholders of new legislation
- Conduct parent in-service on teacher/principal surveys
- Convene committees to develop training packages and presentations for Opening Day
- Begin to develop opening day address to faculty and staff and plans for the day

Week of Aug 28:

- Review and endorse student implementation plans for student plans for AIS/ RTI services
- Write and distribute parent notification letters for Title 1
- Organize and hold meetings for Title 1 families

Week of Sept 1:

- Sample Superintendent's Conference Day agenda - Staff Introduction and Training on APPR Regulations
 - 8 AM: Faculty and Staff Address -Overview of law and regulations
 - 9 AM: Overview of APPR changes (Evaluation forms and procedures)
 - 10 AM: TIP/PIP review, weightings and procedures
 - 11 AM: Data analysis and locally developed assessment review
 - 1 PM: Goal setting
 - 2 PM: Review student planned services
 - 3 PM: Review evidence binders and expectations

APPENDIX II

FROM VISION TO IMPLEMENTATION: CHAPTER 103 OF THE LAWS OF 2010

Implementation at a Typical Elementary School

The times for each activity are estimates; however, reflect input from experienced practioners.

<i>K- 4 School Size:</i>	675
<i>Number of Teaching and Pupil Services Staff:</i>	40
<i>Number of Administrators:</i>	1
Activities in a Quality Appraisal Process: (for each certificated staff member):	
Previous Year Data Review and Analysis	1 hour
Goal Setting Meeting	1 hour
Classroom Observations (minimum 3)	3 hours
Pre-Observation Meetings	3 hours
Post-Observation Meetings	3 hours
Classroom Observation Written Reports	9 hours
Mid-Year Meeting/Goal Status Discussion	1 hour
End-of-Year Data Analysis and Review	1 hour
End-of-Year Evaluation Meeting	2 hours
<u>End-of-Year Written Report</u>	<u>3 hours</u>
Estimated Total (per staff member)	29 hours
Estimated Total (per year)	1,160 hours (23 work weeks)