

“De-link” School Aid and Educator Evaluations

A.10569 (Rules-Nolan)/S.8034 (Kaminsky); S.7641 (Serino) A.9829 (Paulin)

The Council supports legislation to decouple eligibility for School Aid increases from a requirement to negotiate and gain State Education Department approval for new teacher and principal evaluation plans.

Under revisions enacted to the Annual Professional Performance Review (APPR) law in 2015, school districts face ***the loss of two years of state aid*** if they are unable to negotiate revised evaluation plans with their teacher and principal unions and gain approval for those plans from the State Education Department by September 1.

The above referenced bills would permit districts to retain eligibility for School Aid increases so long as they continue to conduct educator evaluations using a plan approved by the State Education Department under either the 2015 statute (Education Law section 3012-d), or the prior law (§3012-c).

It is inconceivable that students would be hurt more by having their teachers evaluated using a plan approved under the prior state law than by having their schools lose state aid. For high need districts in particular, the impact of the aid loss would be drastic, requiring cuts equivalent, on average, to more than 5 percent of the budgets they asked voters to approve on May 17.

Even where districts are able to meet the deadline, the threat of losing aid forces negotiating compromises that do not serve the best interests of students or taxpayers. A similar deadline, back in 2013, contributed to some of the problems which changes in the 2015 law were intended to fix. Thus the new law repeats a crucial defect of the old.

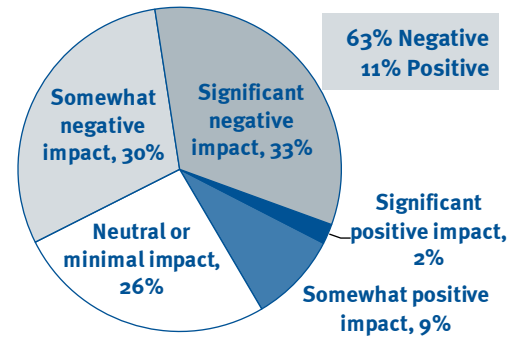
Finally, even where local negotiations are proceeding smoothly toward meeting the deadline, there is a sense that the new law is so flawed that all the effort will have little or no value in improving teaching or school leadership.

For example, in a summer 2015 survey, the Council found that, by a 63 percent to 11 percent margin, more superintendents anticipated the new evaluation law would have a negative rather than positive impact on efforts to improve teaching. Also, one part of the prior law which was working was the "other 60 percent" professional practice component, primarily classroom observations – 74 percent of superintendents in our survey said that part of the prior law was having a positive impact. But the new law dismantles that component, in part by imposing a costly and nonsensical mandate for districts to have some professional observations done by "independent evaluators" who may have no grasp of a school's goals, culture or problems.

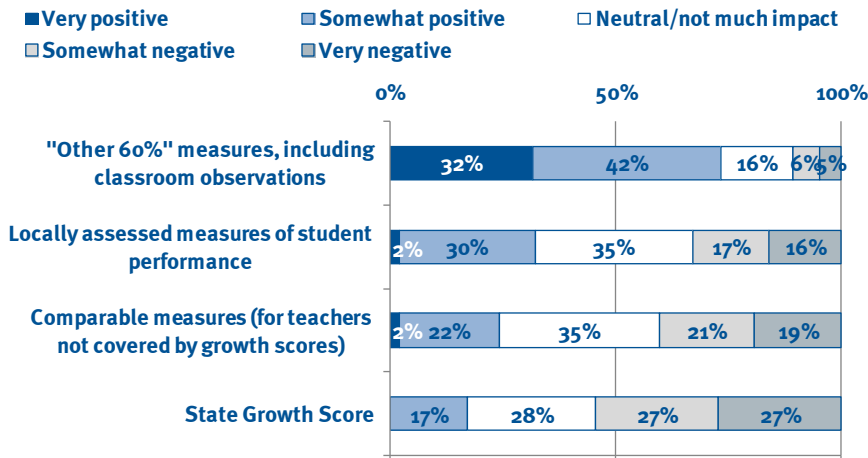
It makes no sense to compel school districts to rush to implement a badly flawed law under a threat of losing state aid which may necessitate choices not in the best interest of effective instruction and school leadership, or fiscal soundness.

**Results from a summer 2015
Council survey of school
district superintendents**

How do you see the latest changes in the evaluation law affecting efforts to improve the quality of teaching?



How would you assess the impact of the various components of the evaluations in improving teaching in your schools?



The transition regulations approved by the Board of Regents have imposed a 4-year moratorium on use of the state growth score, seen as having a negative impact by superintendents by a 54-17% margin.

But the 2015 law itself undermined part of the prior law that was working – the "other 60% measures," including classroom observations. 74% of superintendents saw this piece as having a positive impact on efforts to improve teaching.

Background

In December, pursuant to recommendations of the Governor’s Common Core Task Force, the Board of Regents adopted regulations providing for a four-year transition period in the conduct of teacher and principal evaluations, while the state reviews, revises and implements new state learning standards and assessments.

During this transition period, Annual Professional Performance Review (APPR) ratings are to be calculated by excluding any evaluation measures tied to grades 3 through 8 state assessments in English language arts or mathematics, or state-provided growth scores derived from Regents Examinations.

During the current (2015-16) school year, the transition regulations permit school districts to conduct evaluations under either the APPR statute enacted in 2015 (Education Law section 3012-d), or the prior law (§3012-c). However, districts must negotiate APPR plans compliant with the new §3012-d with their local unions and gain approval for those plans by the State Education Department by September 1, 2016 or face the loss of two years of aid increases. Prior aid penalty deadlines for APPR plans have led to some of the problems that provoked subsequent legislative changes.