

APPR Regulations and Teacher/ Principal Evaluation Legislation



Fact Sheet No.: 12-19

April 2012

Background on Teacher and Principal Evaluation

In 2010, legislation was enacted (Chapter 103 of the Laws of 2010), adding Section 3012-c of Education Law, prescribing changes to the annual performance evaluation of all teachers and principals.

NYSUT went to court to challenge the Commissioner’s Regulations (CR), adopted by the Board of Regents, which were not consistent with the law. A State Supreme Court decision, largely in the union’s favor, was then appealed by the New York State Education Department (SED).

Governor Cuomo compelled NYSUT and SED to end the lawsuit, indicating that without agreement he would propose his own evaluation system in

his 30-day budget amendments. Negotiations with NYSUT, the Governor’s office, SED and the United Federation of Teachers (UFT) produced an agreement on February 16, 2012.

On March 14, 2012, the Assembly and Senate passed the teacher and principal evaluation law agreed to by the four parties. The legislation was signed into law on April 4, 2012.

The settlement is firmly based on the provisions of the original law, maintaining the three subcomponents of the annual teacher evaluation and the protection that 80 percent of the teacher’s evaluation must be collectively bargained.

Under the law, school districts and BOCES are required to conduct an Annual Professional Performance Review (APPR) on each teacher and principal, resulting in a single composite effectiveness score and a rating of “highly effective,” “effective,” “developing,” or “ineffective.”

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The composite score will be determined as follows:

- ▶ **20 percent:** Student growth on state assessments or a comparable measure of student growth using a Student Learning Objectives (SLOs) process for non-tested subjects (increased to 25 percent upon implementation of a value-added growth model);
- ▶ **20 percent:** Other locally selected measures of student growth or achievement (decreased to 15 percent upon implementation of a value added growth model); and
- ▶ **60 percent:** Other multiple measures of teacher/principal effectiveness.

Regulations have been amended, consistent with the new statute, to conform to the changes to Subpart 30-2 of Commissioner's Regulations.

Summary of the Revised Commissioner's Regulations, Section 100.2

- The APPR regulations have been amended to clarify that Section 100.2 of the CR remain in effect for all teachers providing instructional services or pupil personnel services except classroom teachers subject to Subpart 30-2.
- School districts and BOCES are required to annually review the performance of their building principals according to procedures developed by the governing body in consultation with building principals.

Subpart 30-2 Annual Professional Performance Reviews of Classroom Teachers and Building Principals

A new Subpart 30-2 is added, effective April 4, 2012.

Section 30-2.1 – Applicability

- Clarifies that during the 2011-12 school year, teachers who are not common branch teachers of grades 4-8 ELA and math must still be evaluated under the existing APPR regulations and school districts and BOCES must comply with the requirements in Subpart 30-2 for classroom teachers and building principals covered by the new law.
- Clarifies that during the 2012-2013 school year and subsequent years, reviews of all classroom teachers and building principals are subject to the requirements of Section 3012-c of Education Law and Subpart 30-2.
- Includes language from Section 3012-c that indicates the regulations do not override any 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 successor agreement must comply with Part 30.
- Clarifies that nothing in the regulations can be construed to affect the statutory right of a school district to terminate a probationary teacher or principal for statutorily and constitutionally permissible reasons other than the performance of the teacher or principal in the classroom or school, including but not limited to misconduct.
- A school district or BOCES is not precluded from adopting a new APPR plan for the 2011-2012 school year that applies to all classroom teachers and principals.

Section 30-2.2 – Definition of Terms Used in Part 30 – See Appendix A

Section 30-2.3 – Requirements for APPR Plans Submitted

- School districts/BOCES with APPR plans not finalized by Sept. 1, 2011, due to pending collective bargaining, may submit amended plans when negotiations are finalized.
- By July 1, 2012 or upon completion of collective bargaining negotiations, the governing body of each school district/BOCES is required to adopt an annual or multi-year plan and submit on a prescribed form to the Commissioner of Education for approval. The Commissioner has until September 1, 2012, or as soon as practicable to approve or reject the submitted plan. If a plan is rejected, the Commissioner must inform the school district/BOCES the reasons for rejection and that each deficiency must be resolved through collective bargaining to the extent required under Article 14 of Civil Service Law.
- Requires APPR plans to be filed in the school district/BOCES office. The approved plan must be made available to the public on the district/BOCES web site no later than September 10 of each school year, or within 10 days of approval by the Commissioner.
- Indicates the content that every school district/BOCES must include in its APPR plan, including:
 - A process for ensuring that SED receives accurate teacher/student data on enrollment, attendance and any student teacher, school course linkage data and a process to allow each teacher/principal to verify subject/student rosters assigned to them.
 - A description of how the school district/BOCES will report subcomponent and total composite scores for each teacher/principal to SED, in a format and timeline prescribed by the Commissioner.
 - A description of the development, security, and scoring process which must ensure that any assessments and/or measurements to evaluate teacher and principals should not be disseminated to students before administration and that teachers and principals do not have a vested interest in the outcome of the assessments they score.
 - A description of the school district's/BOCES evaluation system, including local measures of student achievement, name of the approved rubric and other instruments of teacher (principal) effectiveness for the remaining 60 points of the evaluation, and the scoring methodology for the assignment of points to the subcomponents consisting of locally selected measures of student achievement and other measures of teacher or principal effectiveness.
 - A description of how the school district or BOCES will provide timely and constructive feedback to classroom teachers and building principals on their APPR.
 - A description of the appeal procedures that the district/BOCES is using under section 30-2.11.
 - Include any required certifications.
- A provision indicating that the entire APPR must be completed and provided to the teacher or principal as soon as practicable but no later than Sept. 1 of the following school year for which the teacher (principal) is being evaluated. School districts/BOCES must notify teachers (principals) in writing of their rating and score on the locally selected and other measures of teacher and principal effectiveness subcomponents, in writing, no later than the last day of the school year for which they are being evaluated. A teacher (principal) is not authorized to begin the appeals process until they receive their composite score or rating.

Section 30-2.4 – Standards and Criteria for Conducting Annual Professional Performance Reviews Conducted in 2011-2012

- Describes the standards and criteria for conducting Annual Professional Performance Reviews and for scoring the subcomponents for evaluating classroom teachers in common branch subjects, English language arts (ELA), and math in grades 4-8 and their building principals for the 2011-12 school year.
- Requires the APPR to differentiate teacher and principal effectiveness using a composite effectiveness score and assign a rating of Highly Effective, Effective, Developing or Ineffective.

State Assessments or Other Comparable Measures Subcomponent:

- 20 percent of the composite score will be based on the teacher's student growth percentile score on the state's ELA and/or mathematics assessments grades 4-8.

Other locally selected measures:

- 20 percent of the composite score will be based upon other locally selected measures of student achievement that are determined to be rigorous and comparable across classrooms as defined in the proposed regulations.
 - ▶ **Rigorous** means aligned to the New York state learning standards or, in instances where there are no standards that apply to a subject/grade level, evidence of alignment to research-based learning standards.
 - ▶ **Comparable across classrooms** means the same locally selected measure is used across a subject and/or grade level within school district/BOCES.

Types of locally selected measures of student achievement or growth which may be used for the evaluation of classroom teachers:

- (1) A student assessment approved by SED based on the qualification described in Section 30-2.8.
 - (2) A school district, regional or BOCES-developed assessment.
 - (3) A school-wide group or team metric based on an approved student assessment or state assessment or a district, regional or BOCES-developed assessment, across multiple classrooms in a grade level or subject area.
 - (4) Student achievement on state assessment, Regents examinations and/or Department approved alternative examinations (including, but not limited to, Advanced Placement exams, International Baccalaureate exams, SAT II, etc.) that is a different measure of student growth than on the state assessment or other comparable measures subcomponent.
 - (5) A structured district-wide student growth goal setting process to be used with any:
 - State assessment
 - approved student assessment, or
 - other school or teacher-created assessment
- Requires school districts and BOCES chief operating officers to certify that measures (2) (3) or (5) that are not state approved are rigorous and comparable across classrooms.
 - If more than one of the local measures are used for a grade/subject area, the chief operating officer must certify in the APPR plan that the measures are comparable according to the testing standards.
 - Requires the selection of local measures be determined through collective bargaining.

Other Measures of Teacher Effectiveness:

- Requires school district to use multiple measures aligned with the state’s Teaching Standards for determining the 60 points of a teacher’s composite effectiveness score. Appendix B includes the seven teaching standards.
- Requires school districts/BOCES to use an SED approved rubric to assess the teacher’s performance. The same rubric must be used for all classroom teachers in a specific grade/subject across the district. <http://usny.nysed.gov/rttt/teachers-leaders/practicerrubrics/>
- Authorizes districts to request a variance from SED to use other (currently in use or new) rubrics not on the state approved list. The rubric must meet the criteria in section 30-2.7 plus demonstrate that it has a history of use that would justify continuing the use of that rubric.
- Requires the class observation to comprise a majority (31) of the 60 points and that multiple observations be performed by a principal or other trained administrator, in-person or by video.
- In the 2011-12 school year, the remaining 60 points will be based on a combination of any of the following:
 - Evidence of student development and performance through structured reviews of student work and/or artifacts of teacher practice using portfolios or the evidence binder processes;
 - Evidence that the teacher develops effective relationships with students, parents, caregivers and relevant stakeholders to maximize student growth, development and learning through the use of structured survey tools; or
 - Evidence that the teacher sets informed professional growth goals (maximum of five points).
- Any teaching standards not addressed by classroom observation will be assessed at least once a year.

Section 30-2.5 – Standards and Criteria for Conducting Annual Professional Performance Reviews Conducted in 2012-2013 and Each Year Thereafter

- Includes the standards and criteria for evaluating all classroom teachers and building principals and for scoring the subcomponents for the 2012-13 school year and thereafter.
- Requires the APPR to differentiate teacher and principal effectiveness using a composite effectiveness score and rate as Highly Effective, Effective, Developing or Ineffective.

State Assessments or Other Comparable Measures of Student Growth:

- For classroom teachers of ELA and mathematics in grades four to eight or those who teach a subject in any grade there is a State assessment (e.g., Regents exam, State assessments in grades four and eight or any other State assessment that may be created) with an approved value-added growth model (VAM), a score of 0-25 points will be generated for this subcomponent.
- If a VAM for ELA or mathematics grades four to eight is not approved, a score of 0-20 will be generated for this subcomponent using the teacher’s/principal’s student growth percentile score on the state assessments for 2012-2013 and thereafter until a VAM is approved.
- For classroom teachers who teach ELA, mathematics, science or social studies in one of the core subjects where there is no approved growth or VAM (state assessment), student growth shall be based on:

- A Student Learning Objective (SLO) (state determined district or BOCES student goal setting process) based upon a state assessment if one exists, or a Regents exam or SED approved alternative exam (AP exam, IB exam, SAT II, etc.).
- If there is no state assessment or Regents exam for these grades/subjects, the district or BOCES will measure student growth based on Student Learning Objectives with an approved student assessment or a department-approved alternative exam or a district, regional or BOCES-developed assessment.
- A score of 0-20 points will be generated for this subcomponent. [Core subjects are defined as science and social studies in grades six to eight and high school courses in ELA, mathematics, science and social studies that lead to a Regents exam in 2011-2012 school year, or a State assessment in 2012-2013 or thereafter.]
- For all other classroom teachers who teach grades/subjects where there is no approved VAM, the school district/BOCES will generate a 0-20 score for this subcomponent based on a Student Learning Objective (State-determined district or BOCES student growth goal-setting process) to be used with one or more of the following district selected student assessments for each subject:
 - State-approved student assessments;
 - District, regional or BOCES-developed student assessments;
 - State assessments; or
 - School/BOCES-wide group or team results based on State assessments.
- Requires the school district/BOCES to measure student growth using the same measure(s) for all classroom teachers in a course and/or grade level.
- For classroom teachers responsible for a course(s) with an approved VAM and one or more other course(s) with no approved student growth or VAM, a score will be generated by a methodology prescribed by the Commissioner.

Locally Selected Measures:

- Assigns a score of 0-20 points for this subcomponent and 0-15 points only after there is an approved VAM.
- Options for locally selected measures include:
 - Student achievement or growth on State assessments, Regents examinations and/or department approved alternative examinations (including, but not limited to Advanced Placement, International Baccalaureate, SAT II, etc.), using a different measure from the growth score on State assessments or other comparable measures subcomponent that is either:
 - (1) Teacher-specific change in percentage of students who achieve a specified level of performance on State assessments;
 - (2) Teacher-specific growth computed by the State based on percentage of students who achieve a State-determined level of growth;
 - (3) Other teacher-specific growth or achievement measure using State assessments, Regents examinations and/or department-approved alternative examinations computed in a manner determined locally.
 - Student growth or achievement based upon State-approved list of 3rd party assessments;
 - Student growth or achievement based upon district, regional or BOCES-developed assessment that is rigorous and comparable;
 - School-wide growth or achievement results based on:

- State-provided school-wide growth score for all students in a school taking the State ELA or Math assessment in grades 4-8.
- Locally-computed measure based on State assessment, State-approved 3rd party assessment or a district, regional or BOCES-developed assessment for which the district or BOCES verifies comparability and rigor.
- Student Learning Objectives (if teachers do not have State-provided growth or Value-Added measures for Growth subcomponent):
 - Used with any State, State-approved 3rd party, or district, regional, or BOCES-developed assessment, provided that the district or BOCES verifies comparability and rigor.
 - These measures must be different than the measures used with Student Learning Objectives as a Comparable Growth measure in the Growth Subcomponent.
- Prohibits the use of the same measure (must be used differently) of student growth on the State Assessment or other comparable measure subcomponent for the locally selected measures subcomponent.
- Requires the selection of local measures to be determined through collective bargaining.

Other Measures of Teacher Effectiveness:

- In addition to changes described in Section 30-2.4, for evaluations conducted for the 2012-2013 school year and thereafter, at least one observation must be unannounced.
- Options for the remaining 60 points, to be locally negotiated, may include one or more of the following:
 - One or more classroom observations by independent, impartial trained evaluators who are/were teachers;
 - Classroom observation by trained in-school peer teachers;
 - State approved parent and/or student surveys;
 - Evidence of student development and performance through lesson plans, student portfolios, and other artifacts of teacher practices through a structured review process.

Section 30-2.6 – Scoring Ranges for Rating Categories

- Requires that the rating category for each teacher/principal is determined by a single composite effectiveness score that is calculated based on the scores received by the teacher/principal in each of the subcomponents.
- For the 2013-2014 school year, the Commissioner will review specific scoring ranges annually before the start of each school year and recommend any changes to the Board of Regents.
- The process for assigning points in the locally-selected measures and the Other Measures of Teacher Effectiveness are established through collective bargaining.
- The scoring bands for the Other Measures of Teacher Effectiveness subcomponent are established through collective bargaining.
- The process for assigning points and scoring ranges must be transparent and available to those being rated before the beginning of each school year.
- Ensures that it is possible to obtain each point in the scoring ranges, including 0, for each subcomponent and obtain any of the four rating categories.
- Districts and collective bargaining units, where one exists, must certify that the process for assigning points will use the narrative descriptions (provided below) to effectively differentiate educators’ performance in ways that improve student learning and instruction.

- For 2011-2012, 2012-2013 school years and thereafter, for teachers whose score is not based on a value-added model for the State assessments or other comparable measures subcomponent:

| 2012-2013 No Approved Value-Added Measure | Growth or Comparable growth Measures | Locally-selected Measures of Growth or Achievement | Other Measures of Effectiveness (60 points) | Overall Composite Score |
|--|---|---|--|--------------------------------|
| Ineffective | 0-2 | 0-2 | Ranges | 0-64 |
| Developing | 3-8 | 3-8 | Determined | 65-74 |
| Effective | 9-17 | 9-17 | Locally | 75-90 |
| Highly Effective | 18-20 | 18-20 | | 91-100 |

- For 2012-2013 school year and thereafter, for teachers whose score is based on a value-added model for the State assessments or other comparable measures subcomponent:

| 2012-2013 Approved Value-Added Measure | Growth or Comparable Growth Measures | Locally-selected Measures of Growth or Achievement | Other Measures of Effectiveness (60 points) | Overall Composite Score |
|---|---|---|--|--------------------------------|
| Ineffective | 0-2 | 0-2 | Ranges | 0-64 |
| Developing | 3-9 | 3-7 | Determined | 65-74 |
| Effective | 10-21 | 8-13 | Locally | 75-90 |
| Highly Effective | 22-25 | 14-15 | | 91-100 |

- Other Measures of Teacher Effectiveness

| Level | Measures of Student Growth | Other Locally-Selected Measures of Student Achievement | Other Measures of Teacher Effectiveness |
|-------------------------|---|--|---|
| Ineffective | Results are well below State average for similar students (or district goals if no state test). | Results are well below district-adopted expectations for growth or achievement | Overall performance and results do not meet the NYS Teaching Standards |
| Developing | Results are below State average for similar students (or district goals if no state test). | Results are below district-adopted expectations for growth or achievement | Overall performance and results need improvement to meet the NYS Teaching standards |
| Effective | Results meet State average for similar students (or district goals if no state test). | Results meet district-adopted expectations for growth or achievement | Overall performance and results meet the NYS Teaching Standards |
| Highly Effective | Results are well above State average for similar students (or district goals if no State test). | Results are well-above district-adopted expectations for growth or achievement | Overall performance and results exceed the NYS Teaching Standards |

Section 30-2.7 – Approval Process for Teacher/Principal Practice Rubrics

- Establishes the process by which SED will review and approve teacher and principal practice rubrics for use in district and BOCES teacher and principal evaluation systems.
- Requires that a provider seeking to include a rubric on the state’s list of approved rubrics submit a written application to the Commissioner within a prescribed timeline.
- Each proposal must meet the following minimum criteria:
 - Rubrics must broadly cover the teaching standards and their related elements;
 - Rubrics must be grounded in research about teaching practice that supports positive student learning outcomes;
 - Rubrics must have four performance rating categories or be easily convertible to four rating categories (Highly Effective, Effective, Developing and Ineffective);
 - Rubrics must define expectations for each rating category and encourages excellence beyond a minimally acceptable level of effort;
 - Rubrics must rely on specific desirable and/or measurable behaviors by students and teachers in the classroom with direct evidence of student engagement and learning;
 - Must use clear precise language that facilitates common understanding;
 - Must be specifically designed to assess the classroom effectiveness of teachers;
 - Include descriptions of any specific training and implementation details; and
 - Rubrics should be applicable to all grades/subjects.
- Describes procedures including timelines for the removal of a rubric from the approved list of rubrics, including an SED determination that the rubric is not identifying meaningful and/or observable differences in performance levels across schools/classrooms.

Section 30-2.8 – Approval Process for Student Assessments

- Establishes procedures and criteria an assessment provider must meet for including a student assessment on the list of SED approved student assessments for the locally selected measures, based on the following minimum criteria:
 - The assessment is aligned with NYS learning standards or show evidence of alignment to research-based learning standards where there is no NYS learning standard that applies, and
 - There is strong evidence of alignment with industry standards of reliability and validity as defined in the *Testing Standards*.
- Establishes procedures and criteria for inclusion of a student assessment for student growth in non-tested subjects based on the criteria above, and
 - Demonstrate a detailed procedure for measuring growth using the student assessment, resulting in normative inferences about individual student growth, and
 - Provide information on the one or more norming groups used to calculate normative growth as well as required testing administration procedures and timelines.
- Establishes procedures and timelines of removal of assessments from SED’s approved list.

Section 30-2.9 – Trainings of Evaluators and Lead Evaluators

- Each school district/BOCES must ensure that evaluators have appropriate training before conducting evaluations and that each “lead evaluator” is certified by the district/BOCES as a qualified evaluator before conducting and/or completing an evaluation. Nothing in the regulations prohibits a lead evaluator who is certified as a school administrator or superintendent of schools from conducting classroom observations or school visits as part of an APPR before

completing the required training provided the training is completed before the completion of the evaluation.

- To qualify as a lead evaluator, individuals must successfully complete a course that provides training on the following minimum requirements:
 - (1) NYS Teaching Standards/Leadership Standards and their related elements and performance indicators.
 - (2) Evidence-based observation techniques, grounded in research.
 - (3) Application and use of student growth percentile model and the VAM growth model.
 - (4) Application and use of approved rubrics selected by the school district/BOCES.
 - (5) Application and use of any assessment tools that the school district or BOCES uses to evaluate teacher/principals including, but not limited to: portfolio reviews, surveys, professional growth goals, and school improvement goals, etc.
 - (6) Applications and use of any State-approved locally-selected measures of student achievement.
 - (7) Use of Statewide Instructional Reporting systems.
 - (8) The scoring methodology used by the SED and/or school district/BOCES to evaluate a teacher or principal, including how scores are generated for each subcomponent and the composite effectiveness score, and application and use of the scoring ranges for the four designated rating categories used for the teacher/principal overall rating and subcomponent ratings.
 - (9) Specific considerations in evaluating teachers and principals of English language learners and students with disabilities.
- Requires districts/BOCES to include in the APPR plan a description of the training for evaluators and lead evaluators and the process for certifying lead evaluators.
- Requires a process in the APPR plan for ensuring that lead evaluators maintain inter-rater reliability over time (such as data analysis to detect disparities, periodic comparisons with another evaluator's assessment of the same teacher, annual calibration sessions across evaluators) and a process for periodically recertifying all lead evaluators.
- Prohibits any individual who fails to achieve required training, certification or re-certification from conducting or completing a teacher/principal evaluation.

Section 30-2.10 – Teacher or Principal Improvement Plans

- Requires school districts/BOCES to develop and implement teacher improvement plans for a teacher rated ineffective or developing on an APPR, no later than ten days after the opening of classes in the school year following the school year the teacher performance was measured.
- Teacher improvement plans are to be developed locally through collective bargaining and must include but need not be limited to:
 - Identification of needed area(s) for improvement;
 - Timeline for achieving improvement;
 - Procedures for assessing improvement; and
 - Where appropriate, differentiated improvement.

Section 30-2.11 – Appeal Process

- Requires the APPR plan to include an appeal process through which the teacher may only challenge his/her annual performance review based on :

- The substance of the APPR;
- The school district's/BOCES adherence to the required standards and methodologies;
- Adherence to the regulations of the Commissioner any applicable locally negotiated procedures and the school district's/BOCES issuance and/or implementation of the terms of the teacher improvement plan.
- Nothing in this section can be construed to abate the authority of the governing body of a school district or BOCES to terminate probationary teachers or deny tenure to a probationary teacher for statutorily and constitutionally permissible reasons other than the teacher's performance that is the subject of an appeal.
- A teacher is not authorized to trigger an appeal process prior to the receipt of the composite effectiveness score and rating from the district/BOCES.

Section 30-2.12 – Monitoring and Consequences for Non-Compliance

- The Department will annually monitor and analyze trends and patterns in teacher and principal evaluation results and data to identify districts, BOCES and/or schools where evidence suggests that a more rigorous evaluation system is needed to improve educator effectiveness and student learning outcomes.
- The Department will analyze submitted data to identify schools, districts or BOCES with:
 - unacceptably low correlation results between student growth on state assessments or other comparable measures subcomponent and any other measures of teacher/principal effectiveness and/or teacher/principal composite scores; and/or
 - subcomponent scores and/or ratings that show little or no differentiation and are not justified by student achievement results.
- Ongoing monitoring may result in schools, districts or BOCES highlighted in public reports and /or the Commissioner may order a corrective action plan, which may include, but not limited to, requirements that the district/BOCES:
 - Arrange for additional professional development
 - Provide additional in-service training, and/or
 - Utilize independent trained evaluators to review the efficacy of the evaluation system provided that the corrective action plan does not conflict with law and any applicable collective bargaining agreement.

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Glossary of Terms Used in Part 30

Approved Teacher or Principal Practice Rubric — Means a rubric approved by the Commissioner according to Section 30.2.7 of this part, and included on the state’s list of approved rubrics.

Approved Student Assessment — The definition of approved student assessment means a standardized student assessment on the list approved by the Commissioner for the locally selected measures subcomponent and/or the measures of student growth in non-tested subjects.

Building Principal or Principal — Means a principal/co-principal or an administrator in charge of an instructional program of a school district or BOCES.

Classroom Teacher or Teacher — A classroom teacher is defined as a teacher in the classroom teaching service as defined in Section 80-1.1, as the teacher of record and exempts evening school teachers of adults enrolled in nonacademic, vocational subjects and supplemental school personnel. (Part 80-1.1 excludes pupil personnel services from the definition.)

Common Branch Subjects — Means common branch subjects as defined in 80-1.1 (any or all subjects usually included in the daily program of an elementary classroom).

Composite Effectiveness Score — Defines composite score of effectiveness as a score based on a 100 point scale that includes three subcomponents:

- 1) Student growth — As measured on State assessments or other comparable measures, 0-20 points for the 2011-2012 school year and 0-25 points in subsequent years for those grades/subjects where a value-added growth model is approved by the Board of Regents.
- 2) Student achievement — Based on locally selected measures, 0-20 points for the 2011-2012 school year and 0-15 points in subsequent years for those grades/subjects where a value-added growth model is approved by the Board of Regents.
- 3) Teacher effectiveness — For the 2011-2012 school year and all subsequent years, 0-60 points.

Ineffective — A rating received by a teacher (or building principal) that falls in the range for the composite effectiveness score as found in Section 30-2.6 of the Regulations.

Developing — A rating received by a teacher (or building principal) that falls in the range for the composite effectiveness score as found in Section 30-2.6 of the Regulations.

Effective — A rating received by a teacher (or building principal) that falls in the range for the composite effectiveness score as found in Section 30-2.6 of the Regulations.

Highly Effective — A rating received by a teacher (or building principal) that falls in the range for the composite effectiveness score as found in Section 30-2.6 of the Regulations.

Co-Principal — A certified administrator under Part 80 who has authority, management and instructional leadership responsibility for all or a portion of a school or BOCES instructional program in which there is more than one designated administrator.

Evaluator — Means an individual who conducts an evaluation of a classroom teacher or building principal.

Governing Body of a School District — The Board of Education of each school district or the Chancellor of the City School District of New York City, BOCES, or to the extent provided by the law, the Board of Education of the City of New York.

Lead Evaluator — Means the primary individual responsible for conducting and completing on evaluation of a classroom teacher or building principal. To the extent practicable, the building principal, or his or her designee, will be the lead evaluator of a classroom teacher.

Leadership Standards — Means the Educational Leadership Policy Standards (ISLLC 2008).

Student Growth — Means the change in student achievement between two or more points in time.

Student Growth Percentile Score — Means a statistical calculation that compares student achievement on state assessments or comparable measures to similar students.

Subcomponents – The three elements of the teacher or principal composite score.

Teacher or Principal Growth Percentile Score — Means the student growth percentile score with student characteristics of poverty, students with disabilities and English language learners taken into consideration.

Teachers of Record — For 2011-2012 this term includes the teachers who are primarily and directly responsible for student learning activity aligned to the performance measures of a course consistent with guidelines prescribed by the Commissioner. For 2012-13 this term will be defined by the Commissioner.

Testing Standards — Means the “standards for educational and psychological testing.”

Value Added Growth Score — Means the result of a statistical model that incorporates a student’s academic history and other demographics and characteristics, school characteristics and/or teacher characteristics to isolate statistically the effect on student growth from those characteristics not in the teacher’s or principal’s control.

Appendix B

- **The New York State Teaching Standards**
<http://www.highered.nysed.gov/tcert/resteachers/teachingstandards1.html>
- **Commissioner’s Regulations on APPR** <http://usny.nysed.gov/rttt/regs.html>
- **Educational Leadership Policy Standards: ISLLC 2008**
http://www.ccsso.org/Documents/2008/Educational_Leadership_Policy_Standards_2008.pdf
- **Chapter 103 of the Laws of 2010** <http://public.leginfo.state.ny.us/menugetf.cgi>
- **A Chapter 21 of the Laws of 2012 - AN ACT to amend the education law, in relation to annual professional performance review of classroom teachers and building principals and the teacher evaluation appeal process in the city of New York**
<http://public.leginfo.state.ny.us/menugetf.cgi>
- **NYSED Approved Rubrics** <http://usny.nysed.gov/rttt/teachers-leaders/practicerrubrics/>
- **NYSED 3rd Party Assessments** <http://usny.nysed.gov/rttt/teachers-leaders/assessments/>
- **NYSUT** www.nysut.org