

# Cuomo's Anti-public education agenda

▼ CURRENT PRACTICE ▼

▼ CUOMO'S BILL ▼

## EVALUATION

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| <ul style="list-style-type: none"> <li>■ Eighty percent of a district's educator evaluation plan is negotiated at the local level, with 20 percent based on state testing; 20 percent locally-determined measures and 60 percent based on teacher practice (including observation).</li> <li>■ Negotiated plans are submitted to the State Education Department for approval.</li> <li>■ Scoring bands for 60 percent teacher practice component are negotiated.</li> <li>■ Appeal process for ratings is determined locally.</li> <li>■ If an educator receives two consecutive ineffective ratings, the district may file expedited 3020-a charge.</li> <li>■ Two observations by building administrator per year, with other options negotiated.</li> </ul> | <ul style="list-style-type: none"> <li>■ Fifty percent state test score/ 50 percent classroom observation.</li> <li>■ State measure would be grade 3-8 assessment or comparable measure of student growth.</li> <li>■ At least one of the two observations would have to be conducted by a so-called "independent observer" — an administrator, a SUNY/CUNY professor or an outside "trained independent evaluator" from an SED list.</li> <li>■ Thirty-five percent of the observation would be based on impartial observation; 15 percent could be by a school administrator.</li> <li>■ If educator is rated ineffective on either of the 50-point components, s/he could not get an overall rating higher than developing.</li> <li>■ State would determine scoring bands, rating scale.</li> <li>■ No student would be placed in a class with an ineffective teacher for two consecutive years.</li> <li>■ \$20,000 merit pay for highly effective teachers.</li> </ul> |
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## EXPEDITED DISCIPLINARY PROCESS

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| <ul style="list-style-type: none"> <li>■ 3020-a "Just Cause" hearing with burden-of-proof on district to establish basis for discipline.</li> <li>■ Teacher-supported reforms have made the discipline process faster and more cost efficient, with 80 percent of cases resolved before going to a hearing. The remainder of cases are typically resolved within 90 days.</li> </ul> | <ul style="list-style-type: none"> <li>■ Burden of proof on teacher to establish fraud in the evaluation rating.</li> </ul> |
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## TENURE

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| <ul style="list-style-type: none"> <li>■ Three year probationary period, with an option to extend for one year.</li> <li>■ Decision is made by the Board of Education upon recommendation by the superintendent.</li> <li>■ APPR is a factor in tenure decision.</li> <li>■ District is able to fire probationary teachers.</li> </ul> | <ul style="list-style-type: none"> <li>■ Would effectively gut tenure for new teachers.</li> <li>■ Five year probationary period.</li> <li>■ Five consecutive years earning an effective or highly effective rating, with half of the teacher evaluation dependent on student growth on state tests. Failure to achieve effective or highly effective rating in any one of five years would re-set the clock.</li> <li>■ District retains right to fire during probation.</li> </ul> |
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## TEACHER PRACTICE

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| <ul style="list-style-type: none"> <li>■ Districts create local professional development plans, including Professional Learning Communities and collaborative efforts.</li> </ul> | <ul style="list-style-type: none"> <li>■ Focus on teaching to the test and merit pay would discourage collaboration, encourage competitive atmosphere and foster an environment where educators are reluctant to take on the most challenging students.</li> </ul> |
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## RECERTIFICATION

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- Many steps are needed for an educator to earn a professional certificate, including supervised K-12 clinical experiences, passing state certification exams and earning a master's degree. To maintain certification, teachers must complete 175 hours of professional development every five years; TA's must complete 75. Districts are responsible for providing professional learning opportunities.
- All teachers and teaching assistants (with level III certificates) would have to pay a fee to re-register their certification with the SED every five years. Teachers and TAs (level III) with professional certificates would also have to complete at least 100 hours of state-approved continuing education. SED would issue "rigorous standards for courses and programs that shall qualify."

## TAKEOVER OF "FAILING" SCHOOLS

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- New York has a differentiated accountability system under an ESEA waiver approved by the U.S. Department of Education. Schools identified as Focus District/School must notify the public of their status and develop an improvement plan in consultation with parents and school staff, with approval by the State Education Department.
- If a school building "fails" for three years, Cuomo wants to place it under "receivership."
- Priority schools must develop a three-year redesign model including turnaround, restart, transformation or closure. Schools Under Registration Review are subject to an Integrated Intervention Team appointed by the State Education Commissioner.
- The lowest performing 2.5 percent of districts may also be placed in "receivership."
- SED must establish a plan for closure should the Board of Regents revoke a school's registration.
- State takeover would allow a non-profit, another school district, charter school or turnaround expert to operate the school.
- Ability to overhaul curriculum, override labor contracts, terminate staff, force all teachers to reapply for jobs.
- No seniority rights.

## COLLECTIVE BARGAINING/CONTRACT

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- School districts must negotiate terms and conditions with the union.
- In receivership, the union contract is thrown out and the new management company may act unilaterally on all aspects of work including salary, benefits, workday and workload.
- Any contract violation may be grieved.
- In receivership, any individual found not compliant with unilateral management decisions could be fired on the spot.

## CHARTER SCHOOLS

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- Number of charter school slots statewide is capped at 460, with 184 still available.
- Increases cap by 100 schools (more than 20 percent) and removes regional barriers to expansion.
- Failing charter schools must surrender their NYS charter.
- Charters for schools that close would return to the statewide pool to be reissued.
- Charter schools currently find it difficult to finance capital construction.
- Students from failing schools and children of charter employees would be given admission preference in charter schools.
- In 2010, reforms called for charter schools to admit more students with disabilities and English language learners, but requirements have not been enforced.
- Chartering authorities would be required to consider enrollment targets for ELLs and SWDs when making renewal decisions.
- Increase per pupil reimbursement by \$75 in 2015-16.