

REPORT TO LOCAL PRESIDENTS

Draft Recommendations for Changes in APPR

*from the NYSUT APPR Workgroup
and the NYSUT Policy Council*

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Redesigning APPR

A DISCUSSION FRAMEWORK FOR LOCAL PRESIDENTS SUPPORTING MEMBER ENGAGEMENT

OVERVIEW

NYSUT local presidents are asked to weigh in by May 16 on draft recommendations for changing APPR developed by the union's APPR Workgroup.

Formed in response to an April 2013 RA resolution, the APPR Workgroup was charged with recommending changes in state requirements for teachers' Annual Professional Performance Reviews (APPR). To further this work, NYSUT surveyed local presidents on problems with the current APPR process and held focus groups of teachers and parents to supplement survey findings. The workgroup, comprising local presidents from around the state, developed five recommendations calling for significant changes in the state's approach to APPR. Those recommendations were reviewed by the NYSUT Policy Council and will go to the Board of Directors after input from locals.

Local presidents are asked to share the draft recommendations with members and convey their feedback to NYSUT Research and Educational Services by May 16.

(See attached Q&A for details and forms.)

Member feedback is the foundation of everything we do: It drives the work of our committees, our Policy Council, our Board of Directors and our ongoing advocacy with the Legislature and the Board of Regents.

Please get the word out: **NYSUT wants to hear from members on crucial next steps regarding APPR.**

NYSUT wants to hear from members on crucial next steps regarding APPR.

OVERARCHING ISSUES IDENTIFIED BY THE WORKGROUP

1. The goal of a teacher evaluation and development system is to continuously support teacher growth and improve student learning.
2. The state growth model is not a fair or valid measure of student learning or teacher effectiveness and must not be used to evaluate teachers.
3. Students should not be subjected to unnecessary tests and assessment procedures for the purpose of teacher evaluation.
4. The State Education Department's (SED) APPR regulations and guidance are overly restrictive, reveal a lack of respect for teachers and disregard the diversity of New York's schools.
5. Risks associated with re-opening the law need to be weighed against potential gains. NYSUT should pursue regulatory changes that improve the fairness and effectiveness of the teacher evaluation system.
6. The "one-size-fits-all" system is not an effective strategy to improve teacher performance spanning a range of professional abilities.

Flexibility should be increased at the local level.

PROPOSED RECOMMENDATIONS

1. Empower local unions, school districts and BOCES to negotiate all the components of APPR through collective bargaining.

The annual teacher evaluation effectiveness rating should be based on two — not three — components: (1) multiple measures of teaching practice and (2) a composite of multiple measures or a single measure of student learning. State assessments may be one of the multiple measures of student learning, but should not be required. Choice of the measures of student learning needs to be flexible and not limited to a pre-determined SED-approved list. State policies regarding comparability need to be relaxed to encourage the use of alternative authentic assessments, teacher-created assessments and other options that can measure both student and teacher effectiveness.

- Student learning objectives (SLOs) should be optional. SLO procedures and choice of assessments should be bargained.
- Flexibility should be increased at the local level to determine number and weight of observations, choice of peer reviewer in place of an administrator and choice of artifacts. Districts should not be required to collect evidence on all seven teaching standards each year.

2. Support a differentiated evaluation process for all teachers, determined through collective bargaining.

- Districts should be required to afford all teachers opportunities for professional learning and growth and varied methods and timeframes for demonstrating their effectiveness. Teachers' APPR results should determine these opportunities, thus making teacher evaluation a cyclical process.
- SED should amend its regulatory professional development requirements to require a school district to develop a professional development plan (PDP) that supports teacher professional learning plans based on the APPR results.

3. Limit the use of state assessments to their original purpose under ESEA as a measure of program accountability.

- State assessment reports need to be transparent, timely and detailed in their analysis of individual classroom and school/district performance to provide districts, schools and teachers with information to improve programs and instruction.
- Test questions must be made public after each administration.

4. Improve evaluator training and measure conditions of teaching and learning.

- All evaluators should participate in state-approved evaluator training programs that require skills development that ensures inter-rater reliability and fair, unbiased, consistent teacher evaluations.
- Each school district should administer a survey of its culture and environment to analyze factors that bear on successful teaching and learning conditions. Teachers, administrators, parents and high school students should be surveyed.

5. Restore trust in practitioners.

- Teachers should be allowed to score their students' assessments.
- District procedures should address scoring integrity to ensure authenticity of student performance.

APPR RECOMMENDATIONS: GENERAL Q&A

Q: How were the proposed recommendations to redesign APPR developed?

A: At the NYSUT Representative Assembly in April 2013, delegates passed a comprehensive resolution calling on NYSUT to advocate for changes to the APPR system. The focus of this advocacy would be based on feedback from NYSUT members on the current APPR system and the NYSUT Innovation Initiative’s groundbreaking work on best practice in evaluations. The process included:

- A survey of local presidents to collect data on problems with APPR based on teachers’ 2012-13 evaluations.
- Teacher and parent focus groups to supplement survey findings.
- Formation of an APPR Workgroup comprising NYSUT local presidents to identify issues and develop recommendations.
- NYSUT Policy Council review of the workgroup recommendations.

Q: How do these recommendations strengthen local decision-making and improve the APPR process?

A: The recommendations are part of a two-pronged strategy to redesign the APPR process; they encompass both short- and long-term strategies to fortify and improve teacher development. The recommendations emphasize district and teacher autonomy and collective bargaining in order to shape an APPR process that is responsive to local needs.



Q: How can the local president most effectively interact with members to generate helpful feedback?

A: Local presidents should have a clear understanding of how APPR is operating in their districts — especially the components that work and those creating problems for members. Presidents are asked to communicate the workgroup’s recommendations to members through whatever medium works best: paper, email or in person.

Members should be invited to share APPR feedback (anonymity is always an option) in a uniform manner. Feedback can be generated in comment form or by asking members to respond by rating scales, completing surveys or answering yes/no/maybe questions. We’ve provided an optional form that may be used to collect feedback — the “Members in the Field” report, attached.

Finally, local presidents are asked to synthesize or summarize the responses they collect and submit the “Local President’s Summary Field Report” to Dan Kinley *no later than May 16, 2014, via email (dkinley@nysutmail.org) or fax at 518.213.6450.*

Summary of recommendations:

1. Empower local unions, school districts and BOCES to negotiate all of the components of APPR through collective bargaining.
2. Support a differentiated evaluation process for all teachers, determined through collective bargaining.
3. Limit the use of state assessments to their original purpose under ESEA as a measure of program accountability.
4. Improve evaluator training and measure conditions of teaching and learning.
5. Restore trust in practitioners.

Q: How will NYSUT use the feedback from locals?

A: Engagement of members is critical as we identify what needs to change in a redesign of APPR. Feedback from members will confirm the work of the APPR Workgroup and identify areas in need of clarification or change prior to the Board action on the recommendations.

Q: What issues need more development?

A: ■ Coming up with a methodology for calculating a final rating with a two-component system;

- Addressing the state's practice of tying state aid to district APPR implementation; and
- Determining NYSUT's response to SED's request that the union advocate for funding to pay for more test forms, achieving the elimination of field tests.

APPR RECOMMENDATIONS: EXPLORING THE RATIONALES

Q: Why the hesitancy about re-opening the law when the system so clearly needs to be changed? (*Fundamental issue*)

A: There were divergent views among members of both the Policy Council and the APPR Workgroup over whether to re-open the law. Re-opening the law could lead to a better system but could also result in harmful changes and unintended consequences, once other interested parties become involved in the negotiations. Members need to be cautioned that unless there could be significant improvements made to the law, it would not be worth the additional risk caused by the need to bargain and implement a new APPR system.

Q: How is it helpful to have one sub-component for student learning and one for measures of teaching practice instead of the three sub-components we currently have? (*Recommendation 1*)

A: Limiting the evaluation to two components would provide flexibility at the local level to negotiate all the measures of student achievement, not just the local measures allowed under current law. Whether or not to use state assessments as a measure of student achievement would be a local decision. Locals would have the ability to negotiate the methodology used for calculating the composite rating, including whether to weight some measures more than others. Although multiple measures are recommended, a single measure of student learning could be negotiated. The workgroup did not reach consensus on the percent based on student learning but most support 15-20 percent.

Q: How would the student-learning component be different from the options we have now for local measures? (*Recommendation 1*)

A: The APPR was intended to be based on multiple measures of teacher effectiveness. However, SED rules and restrictions have resulted in the selection of single assessments that become high-stakes tests when the results account for 20 or sometimes 40 percent of a teacher’s evaluation. The intent is to give districts and locals the ability to negotiate a student-learning component that reduces dependence on any single measure of student achievement and allows teachers to use assessments that are already aligned to classroom instruction. These assessments could include any of those currently allowed by SED, but could also include teacher-developed assessments, additional commercially developed tests aligned to the curriculum, industry-based assessments (CTE) and any other measure that can be reliably used to provide an overall teacher performance rating. Group measures would still be an option, but could be expanded to include district wide measures and graduation rates, if agreed to through collective bargaining.

Q: Do any of these recommendations do anything to help teachers frustrated by the over-reliance on standardized tests? (*Recommendation 1 and 5*)

A: Workgroup members strongly support reducing the use of standardized tests and believe that removing restrictions on teachers scoring their students’ assessments and relaxing comparability rules will encourage the use of more appropriate performance-based assessments that are created by teachers.

The SED’s comparability rules have resulted in districts looking for “one-size-fits-all” solutions. Part 30 of the Regulations requires school districts to establish “assessment and scoring procedures to ensure that ... teachers do not have a vested interest in the outcome of the assessments they score.” This restriction has resulted in lost professional development opportunities, undermined morale and reduced confidence in the SED. Both have led to the proliferation of bubble tests.

Q: Why include SLOs? Do they have any value for classroom teachers?
(*Recommendation 1*)

A: The workgroup acknowledged that some members and superintendents would like to eliminate SLOs. However, despite all of the issues with SLOs, other members recognize that SLOs are one area that has potential value to members and students, particularly in more performance-based subject areas, if teachers can create their own assessments. That makes it worth getting the SLO design and process right through collective bargaining, rather than throwing it out.

Workgroup members strongly support reducing the use of standardized tests.

There are flaws with the state growth model that raise issues of fairness and validity.

Q: If state assessments are not a valid measure of student achievement, why are they still listed as an option? (*Recommendations 1 and 3*)

A: State assessments include Regents exams, the 3-8 ELA and math, and grades 4 and 8 science. Some members of the workgroup felt strongly that state assessments should be an option because they were used successfully in their respective districts. Ultimately, all agreed that it should be an option as long as it is bargained and not required. All members further agreed that there are flaws with the state growth model that raise issues of fairness and validity and it should be decoupled from individual teacher evaluations. For example, all teachers should have the opportunity to be effective; however, with the state growth model methodology, even if all students were proficient, the model would still identify some percent of teachers as ineffective.

The workgroup supports using the 3-8 ELA and math assessments for their intended purpose: to evaluate district/school programs as required under ESEA. This is why increased transparency and timely, useful reports are critical.

Q: Why would the workgroup recommend evaluating some teachers differently than others? (*Recommendation 1*)

A: In the past, some locals negotiated evaluation systems where teachers identified as “effective” and “ineffective” were evaluated differently. For example, “effective” and “highly effective” teachers would have less frequent observations or observations conducted by a peer or teachers engaging in professional learning communities. Locals would like to have this flexibility. The number and frequency of observations, choice of artifacts, or use of a peer reviewer instead of an administrator should be flexible. The teacher’s APPR results should guide the focus of the teacher’s subsequent year’s APPR, versus the current requirement to annually collect evidence on all seven teaching standards. Any change to this component would need to be a local decision, collectively bargained.

Q: What is a differentiated evaluation process, and how does its flexibility differ from the flexibility described above? (*Recommendation 2*)

A: This recommendation addresses how the results of the APPR should be used to inform and improve teacher development, and uses past performance data to determine which teachers should be evaluated with more or less intensity in subsequent evaluations. Section 3012-c of the Education Law recognizes that a teacher’s evaluation results would be a significant factor in promotion and other employment decisions, as well as decisions related to professional development, including coaching, induction support and differentiated professional development. While the law indicates a proscribed process for improving teachers identified as ineffective and developing, the law is silent in regard to the professional growth of effective and highly effective teachers. This narrow focus on remediation or potential dismissal has led to a system that is punitive and misses the critical objective of teacher evaluation as a system to promote professional growth for the entire teacher workforce.

Q: It is the district’s responsibility to provide evaluator training according to the district’s APPR plan approved by SED. How is the recommendation different than what we have now? (*Recommendation 4*)

A: Each school district’s APPR plan must include how all evaluators will be properly trained and specify that lead evaluators will be certified to conduct evaluations, consistent with the regulations. District plans must ensure that lead evaluators maintain inter-rater reliability over time, and specify how evaluators will be periodically recertified. However, there is no quality review or verification that this actually occurs. The intent of this recommendation is to ensure that each evaluator participates in a state-approved evaluator training program and demonstrates acceptable inter-rater reliability, based on a state-approved metric that addresses three specific areas: bias, accuracy and alignment. The state-approved evaluator training program could include one administered by a school district, BOCES or vendor that demonstrates experience in this function.

Q: Why are we recommending a survey about teaching and learning conditions? (*Recommendation 4*)

A: Most education reformers have traditionally focused on teacher impacts and presume that the factors affecting successful teaching and learning are classroom-based and that devoting resources to teacher evaluation and development will result in improved student outcomes. However, a growing body of research indicates that successful teaching and learning is affected by the school’s culture and learning environment. These conditions include various factors related to time for collaboration, managing student conduct, community and parent support and engagement, professional development, instructional practices and support, and school leadership — to name a few. The workgroup recognized the importance of teaching and learning conditions in providing the context in which districts can make sense of student achievement and the results of teacher evaluation. The state should establish a mechanism for surveying these conditions in school districts and provide an analysis of results. School districts and locals may use the survey results to make improvements related to the findings, including negotiating a plan that makes adjustments to a teacher’s evaluation results based on conditions that may be out of the control of the teacher. The results should also be used by policy makers to ensure districts have needed resources.

Successful teaching and learning is affected by the school’s culture and learning environment.



APPR: LOCAL PRESIDENT'S SUMMARY FIELD REPORT

Please return this report no later than May 16, 2014, via fax 518-213-6450, email dkinley@nysutmail.org, or mail to the attention of Dan Kinley, 800 Troy-Schenectady Road, Latham, NY 12110.

Local President (name) _____ School District _____

_____ Estimated number of members with whom you shared "Redesigning APPR."

How did you share the information? (meeting, email, etc.): _____

Recommendations <i>Please summarize member feedback regarding each recommendation</i>	1. Do not support	2. Mild objection	3. Indifferent	4. Generally support	5. Strongly support
1. Empower local unions, school districts and BOCES to negotiate all the components of APPR through collective bargaining.					
Comment:					
2. Support a differentiated evaluation process for all teachers, determined through collective bargaining.					
Comment:					
3. Limit the use of state assessments to their original purpose under ESEA as a measure of program accountability.					
Comment:					
4. Improve evaluator training and measure conditions of teaching and learning.					
Comment:					
5. Restore trust in practitioners.					
Comment:					

APPR: MEMBERS IN THE FIELD: FEEDBACK REPORT

Dear Member: We value your feedback!

Below we've identified a few key recommendations that the NYSUT Policy Council, in conjunction with the APPR workgroup, would like to make to the NYSUT Board of Directors for action in the coming year. Please rate your personal sense of support for each issue. If you have additional comments or concerns, please state briefly in the space provided. Return this form to your local president as soon as possible.

Please mark "X" in the box to indicate your level of support for each recommendation.

Recommendations <i>Please summarize your feedback regarding each recommendation</i>	1. Do not support	2. Mild objection	3. Indifferent	4. Generally support	5. Strongly support
1. Empower local unions, school districts and BOCES to negotiate all the components of APPR through collective bargaining.					
Comment:					
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Comment:					
4. Improve evaluator training and measure conditions of teaching and learning.					
Comment:					
5. Restore trust in practitioners.					
Comment:					

Please return this form to your local president by _____. Thank you!

Local president contact information: _____



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