

APPR Update: Five Key Issues to Address

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Five Key Issues in Need of Further Attention

The following points focus on areas to be addressed more definitively by the State Education Department and the APPR regulations to facilitate compliance and ease of implementation.

1. Impact of Unprecedented Collective Bargaining Obligations

Districts and BOCES must negotiate areas they did not have to previously, several of which are inter-related and affect compliance with others. Therefore, the regulatory standards must be sufficiently prescriptive to avoid misinterpretations, prolonged negotiations and litigation.

Locally Selected Measures of Student Achievement

- ✘ Negotiate only procedures
- ✘ Define rigor capable of statewide implementation
- ✘ Require commissioner issue guidance rubric on definition and elements of rigor

Sixty Percent Other Evaluation Measures

- ✘ Teaching standards/leadership standards
- ✘ The teaching and leadership standards must be set out in full in the regulations

Appeal Procedures

- ✘ Impact on termination and tenure determinations – regulations must clarify that:
 - + Teachers/principals can be terminated during probationary period for any lawful reason
 - + They do not acquire tenure by estoppel if district/BOCES is unable to make tenure determination within statutory timelines because of a pending appeal
- ✘ Must provide examples of “timely and expeditious” appeal resolution practices

2. SED's share of responsibility for successful implementation of the new evaluation system

- ✘ State Education Department approved rubrics and assessments, and training before the first set of evaluations must be conducted

- ✘ Evaluator training
 - + Make certification requirements applicable to all evaluators
 - + Ensure all evaluators are properly trained
 - + Responsibility to certify evaluators must rest with the State Education Department

- ✘ Establish schedule and process for periodic recertification/retraining of all evaluators

3. Lack of Local Capacity to Ensure Full Compliance with statutory and regulatory requirements

- ✘ Inadequate fiscal resources and staff reductions will have an impact
- ✘ Compliance pre-requisites
- ✘ Data collection/reporting
- ✘ Timely release of student growth information
- ✘ Need for time extensions regarding requirements affected by ongoing negotiations

4. Need for high regulatory standards

- ✘ Students deserve teachers and principals be held to high standards
- ✘ High standards are critical to both improve the practice of teaching and school leadership to terminate ineffective teachers and principals

5. Statewide consistency in application of regulatory standards

- ✘ Commissioner's regulations must be sufficiently prescriptive to provide a consistent, statewide framework
- ✘ Regulations that leave less to the negotiation process help to attain the Regents' reform agenda

Lobbying Efforts