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S7792 RULES 12167-01-2 Same as [A 10786](#) Rules (Jaffee)

S 7792 RULES Same as [A 10786](#) Rules (Jaffee)

Governor Program # 48

ON FILE: 06/18/12 Education Law

TITLE....Provides for the public disclosure of the final quality ratings and composite effectiveness scores of teachers and building principals

06/18/12 REFERRED TO RULES

06/21/12 ORDERED TO THIRD READING
CAL.1502

06/21/12 PASSED SENATE

06/21/12 DELIVERED TO ASSEMBLY

06/21/12 referred to education

06/21/12 substituted for a10786

06/21/12 ordered to third reading rules cal.466

06/21/12 passed assembly

06/21/12 returned to senate

06/22/12 DELIVERED TO GOVERNOR

06/25/12 SIGNED CHAP.68

A10786 Rules (Jaffee) Same as [S 7792](#) RULES

Governor Program # 48

Education Law

TITLE....Provides for the public disclosure of the final quality ratings and composite effectiveness scores of teachers and building principals

06/18/12 referred to education

06/19/12 reported referred to rules

06/20/12 reported

06/20/12 rules report cal.466

06/20/12 ordered to third reading rules cal.466

06/21/12 substituted by s7792

S07792 RULES

06/18/12 REFERRED TO RULES

06/21/12 ORDERED TO THIRD READING CAL.1502

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06/25/12 SIGNED CHAP.68

STATE OF NEW YORK

7792

IN SENATE

June 18, 2012

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to requiring public disclosure of the results of annual professional performance reviews of teachers and principals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 3012-c of the education law is amended by adding a
2 new subdivision 10 to read as follows:

3 10. Each school district and board of cooperative educational services
4 shall fully disclose and release to the public and the department the
5 final quality ratings and composite effectiveness scores from the annual
6 professional performance reviews of its teachers and principals as
7 provided in this subdivision.

8 a. The commissioner shall fully disclose professional performance
9 review data for teachers and principals in each school district and
10 board of cooperative educational services on the department website and
11 in any other manner to make such data widely available to the public.
12 Such data shall be suitable for research, analysis and comparison of
13 professional performance review data for teachers and principals. Such
14 public disclosure shall include but not be limited to the final quality
15 ratings and composite effectiveness scores by school district for prin-
16 cipal evaluation data, by school building for teacher evaluation data
17 and, within each district and school building, by class, subject and
18 grade; final quality ratings and composite effectiveness scores by
19 region, district wealth, district need category, student enrollment,
20 type of school (i.e. elementary, middle and high school), student need
21 (e.g., poverty level), and district spending; final quality ratings and
22 composite effectiveness scores by the percentage or number of teachers
23 and principals in each final quality rating category, moving to a higher
24 rating category than the previous year, moving to a lower rating catego-
25 ry than the previous year, and retained in each rating category; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD12167-01-2

1 data on tenure granting and denial based on the final quality rating
2 categories.

3 b. Each school district and board of cooperative educational services
4 shall fully disclose and release to the parents and legal guardians of a
5 student the final quality rating and composite effectiveness score for
6 each of the teachers and for the principal of the school building to
7 which the student is assigned for the current school year upon the
8 request of such parents and legal guardians. The governing body of each
9 school district and board of cooperative educational services shall
10 provide conspicuous notice to parents and legal guardians of the right
11 to obtain such information. Parents and legal guardians may review and
12 receive such data in any manner, including by phone or in person; shall
13 receive an oral or written explanation of the composite effectiveness
14 scoring ranges for final quality ratings; and be offered opportunities
15 to understand such scores in the context of teacher evaluation and
16 student performance. Reasonable efforts shall be made to verify that
17 any such request is a bona fide request by a parent or guardian entitled
18 to review and receive such data pursuant to this paragraph.

19 c. The department and each school district and board of cooperative
20 educational services shall ensure that any release to the public of
21 annual professional performance review data, or any other data that is
22 used as a component of annual professional performance reviews, does not
23 include personally identifying information for any teacher or principal,
24 provided, however, that nothing shall impair the right of parents and
25 legal guardians to review and receive the final quality rating and
26 composite effectiveness score of individual teachers and principals as
27 provided in paragraph b of this subdivision. Annual professional
28 performance reviews of individual teachers and principals shall not be
29 subject to disclosure pursuant to article six of the public officers
30 law.

31 d. Nothing in this subdivision shall prohibit the department from
32 collecting such data and materials from school districts and boards of
33 cooperative educational services as is necessary to carry out its func-
34 tions and duties, including its responsibilities related to the federal
35 Race to the Top program.

36 § 2. This act shall take effect July 1, 2012.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S7792

SPONSOR: RULES

TITLE OF BILL:

An act to amend the education law, in relation to requiring public disclosure of the results of annual professional performance reviews of teachers and principals

PURPOSE:

This bill would require public disclosure of the new Annual Professional Performance Reviews ("APPRs") of teachers and principals (L. 2012, ch. 21).

SUMMARY OF PROVISIONS:

Section 1 would amend Education Law § 3012-c by adding a new subdivision 10 that would:

- o Require school districts and boards of cooperative educational services ("BOCES") to fully disclose and release to the public and the department the final quality--Highly Effective, Effective, Developing and Ineffective, or "HEDI" ratings and composite effectiveness scores--the 0-100 point system to determine the final HEDI rating--from the annual professional performance reviews of its teachers and principals.
- o Require the Commissioner of Education to fully disclose APPR data on its website and by other means to make such data widely available to the public. This APPR data must be suitable for research, analysis and comparison and shall include, but not be limited to:
 - the final HEDI ratings and composite effectiveness scores by school district for principal evaluation data, by school building for teacher evaluation data and, within each district and school building, by class, subject and grade;
 - final HEDI ratings and composite effectiveness scores by region,

district wealth, district need category, student enrollment, type of school (i.e. elementary, middle and high school), student need (e.g., poverty level), and district spending;

- final HEDI ratings and composite effectiveness scores by the percentage or number of teachers and principals in each rating category, moving to a higher rating category than the previous year, moving to a lower rating category than the previous year, and retained in each rating category; and

- data on tenure granting and denial based on the final HEDI rating categories.

- o Require school districts and BOCES to fully disclose and release to the parents and legal guardians of a student, in any manner, including by phone or in person, the final HEDI rating and composite effectiveness score for each of the teachers and for the principal of the school building to which the student is assigned for the current school year upon the request of such parents and legal guardians. Districts would also be required to:

- give all parents and legal guardians conspicuous notice of their right to obtain this information;

- explain the scoring ranges for the HEDI ratings to parents and legal guardians orally or in writing;

- offer parents and legal guardians opportunities to understand the scores in the context of teacher evaluation and student performance; and

- make reasonable efforts to verify that any review request is a bona fide request by a parent or guardian entitled to review and receive the requested data.

- o Require the State Education Department ("SED") and each school district and BOCES to ensure that any public release of APPR data, including APPR component data, does not contain personally identifying information for any teacher or principal (without impairing the APPR review rights of parents and legal guardians) and provide that individual APPR results are not subject to release pursuant to Article 6 of the Public Officers Law; and

- o Ensure that SED can collect the data and materials it needs to meet its Race to the Top obligations and carry out its other functions and duties.

These provisions would apply to the new APPR systems being implemented by districts pursuant to L. 2012, ch. 21.

Section 2 would provide for a July 1, 2012 effective date.

PURPOSE:

Section 3012-c of the Education Law, as amended by L. 2012, ch. 21, requires school districts and BOCES to conduct APPRs for teachers and principals.

JUSTIFICATION:

The enhanced APPR, also known as the teacher and principal evaluation system law, created a tool to improve teaching and learning in the classroom, as well as principal leadership, by providing an accountability system for student achievement and targeted professional development that will strengthen teacher and principal effectiveness.

The teacher and principal evaluation system offers an opportunity for parents and the general public to assess how schools across New York are performing. Accordingly, this legislation would require school districts and BOCES to fully disclose their APPR results to the public and require SED to post and make widely available important data that will allow the public to analyze and compare how schools are performing. School districts and BOCES would also be required to fully disclose to parents and legal guardians the final HEDI ratings and composite evaluation scores of the teachers and principals to which their student is assigned.

This legislation would protect the rights of parents and the public to access information about how the teachers, principals and schools

charged with educating New York's children are performing, while also respecting teacher and principal privacy.

LEGISLATIVE HISTORY:

This is a new bill.

BUDGET IMPLICATIONS:

This legislation has no fiscal implications for the state.

EFFECTIVE DATE:

The bill would take effect July 1, 2012 and would, therefore, apply to teacher and principal evaluation systems being implemented under the new teacher and principal evaluation system pursuant to L. 2012, ch. 21.

