



**GUIDANCE FOR BOCES  
ON NEW YORK STATE'S**

**ANNUAL PROFESSIONAL PERFORMANCE REVIEW  
FOR TEACHERS AND PRINCIPALS**

**AND DISTRICT-WIDE GROWTH GOAL-SETTING  
PROCESS (SLO)**

**Drafted May 30 and June 1, 2012, by the  
Staff/Curriculum Development Network**

## **Purpose of this Guidance Document**

The purpose of this guidance is to answer questions that educators, administrators, and community stakeholders may have about Education Law §3012-c and its implementation in BOCES. The Staff/Curriculum Development Network of New York generated this suggested guidance at the May/June meeting of 2012.

These answers should be interpreted as guidance and suggestions based on the collective thinking of leaders from BOCES across the state. To be clear, this guidance was developed without SED's assistance and should not be considered as official or approved by SED. It should not be considered legal advice; consult with legal counsel as appropriate and necessary. To the best of our knowledge, however, these suggestions are congruent with law and regulation and represent reasonable interpretations of the regulations in a manner that reflects the organization and mission of BOCES across the state.

## SECTION ONE: SPECIAL EDUCATION

### **How do you create SLOs for teachers of speech/language, visually impaired, or Deaf and Hard of Hearing?**

- Use IEP goals: academic, work ethic, independence level, specially designed instruction (braille)
- SLO skills based (i.e., articulation) vs. learning standards
- Use district-wide rubrics to assess
- Note: It has been recommended that a change be made to the regulations to exclude these professionals from 3012(c) because they do not provide direct instruction, rather, their focus is on therapy and/or support

### **What sources of evidence could be used for students with very low cognitive function?**

District-wide (program-wide) assessments might have to be created for use in these situations. It should align to the NYSAA.

### **How does BOCES supervisor interface with district “supervisor?”**

A BOCES Lead Evaluator should be assigned to each BOCES special education teacher, no matter where the program is located. As for any Lead Evaluator, that is the administrator responsible for SLO-setting and the allocation of points in the APPR. Ideally, the host district administration will collect evidence during the year which is included with the evidence from the itinerant teacher and from the BOCES Lead Evaluator.

### **Can the BOCES Lead Evaluator include evidence collected by the building administrator about an itinerant in the APPR?**

Yes as long as a “certified”/trained evaluator collects the data and the BOCES APPR allows this.

### **If a special education student attends a general education classroom for the purposes of socialization, should that student be included in the SLO for the general education teacher?**

No, because the student is not expected to learn the Standards of the general education classroom. If such is the case, the special education student should not be listed on the general education teacher’s roster in the student information system.

**If a student takes the NYSAA, must that assessment be the source of summative assessment data?**

Yes. The Guidance for SLOs state that a teacher will set one of his/her SLOs using NYSAA performance assessment as evidence.

**Can a teacher use the previous year's NYSAA as a source of baseline evidence?**

Yes. Any source of data that helps the teacher gauge the baseline of the course should be used to assist in setting the appropriate target.

**What happens if NYSAA/AGLI is a "no score?"**

Then there would not be summative data for the student and the student would not be included in the final SLO determination.

**For special education teachers who have SLOs and also have students with individualized education plans, will the criteria for student learning set forth in the IEPs be used in the SLO? *This is D48 from Guidance.***

Teachers who have SLOs must follow the rules set forth in the State's Guidance. District/BOCES leaders may determine that in certain circumstances academic goals in an IEP may be used as appropriate targets within an SLO.

The student learning objective must be specific and measurable, and compare learning data at the start and end of the course. SLOs must also be aligned to learning standards (Common Core Standards, NYS Learning Standards, or National Standards) which means that only academic goals contained in approved IEPs could ever become the basis of student learning objectives. For example, an IEP goal for literacy could be used by the special education teacher.

**Some of our special education teachers in our BOCES have students that are bussed in each day from numerous districts. How will teachers set their SLO in this situation? *This is D49 from Guidance.***

SLOs are course- and teacher-specific. The "sending" district of the students is not relevant for this purpose. Each BOCES teacher will set SLOs for his or her largest courses until at least 50% of students are covered, regardless of where the students come from. Other SLO rules may be established by the BOCES for their teachers.

## **SECTION TWO: CAREER AND TECHNICAL EDUCATION**

### **What should the priority learning content be for CTE courses for use in SLOs?**

The learning content that is covered by SLOs should come from the Standards for the course as well as the ELA/Literacy Standards for Technical Subjects. In the case of CTE, include the curriculum in the program approval and the relevant state/national standards.

### **If there is only one teacher in a particular program, how does that teacher score the summative assessment, in which she/he has a vested interest?**

BOCES should consider working collaboratively to develop SLOs, including the identification of the most important learning content and the sources of evidence and could, in turn, collaborate on the scoring of assessments.

### **Can the sources of evidence for SLOs be performance-based?**

Yes, the assessment can, and probably should, be based at least in part on performance measures. This would be parallel to industry assessments.

### **Must the summative assessment be administered in a secure manner?**

Yes, summative assessments should be secure.

### **How can a performance test be secure?**

As much as possible, the assessment should remain secure. Due to the nature of performance-based assessments, however, it is possible that students will know the task(s) they will be asked to perform. This should not be considered to be in conflict with the regulations about security, again, due to the nature of performance-based assessments.

**Who may score an assessment that is used as the source of summative data in an SLO?**

In CTE, certification exams often involve a combination of written and performance items. In these cases the performance is actually rated by a professional in the field. This should satisfy the requirement that a teacher not grade her/his own summative assessments. In situations when a professional is not scoring the performance piece, a teacher from another site or BOCES should be used to score.

**In order for a locally-developed assessment to be considered rigorous and comparable, must it be the same assessment for all students in a grade level or can the assessment be program specific?**

Whenever possible and appropriate, the learning content and sources of evidence should be uniform within a course and across campuses (if applicable). Because programs vary so much across a BOCES and because of the different student audiences we serve it is possible that learning content and evidence sources might not be the same across grade levels within the BOCES. However, they should be consistent within programs across the BOCES. Ultimately, the District Superintendent is responsible for verifying rigor and comparability.

**Should CTE assessments measure “growth” on literacy and cognition and/or specific skills?**

CTE assessments should align with, but not exclusively assess, the Standards for Literacy in History/Social Studies, Science, and Technical Subjects.

**What is the appropriate summative measure for the “push-in” ELA/Math teacher (for example) who is responsible for ELA/Math Standards (rather than the CTE Standards) for the purposes of dual credit?**

These teachers should work with their “like” colleagues across the BOCES to identify the common, appropriately rigorous and comparable, assessments that assess the standards for which they are responsible. While it might be possible to integrate the assessment with a CTE assessment it is likely that separate assessments will have to be employed.

**What assessment can we use for “World of Work” (not approved CTE courses)?**

As in the case of approved CTE courses, Skills USA and NOCTI exams (if added to the approved 3<sup>rd</sup> party list) could be used. If not, BOCES might need to employ district, BOCES-developed, or regional assessments.

## **SECTION THREE: ITINERANT TEACHERS**

### **How does BOCES supervisor interface with district “supervisor?”**

A BOCES Lead Evaluator should be assigned to each itinerant teacher. As for any Lead Evaluator, that is the administrator responsible for SLO-setting and the allocation of points in the APPR. Ideally, the host district administration will collect evidence during the year which is included with the evidence from the itinerant teacher and from the BOCES Lead Evaluator.

### **Can the BOCES Lead Evaluator include evidence collected by the building administrator about an itinerant in the APPR?**

Yes as long as a “certified”/trained evaluator collects the data and the BOCES APPR allows this.

### **How many SLOs does an itinerant teacher write?**

The same “rules” for determining which SLOs are required should be employed for itinerant teachers. Because a course that is taught in two districts might have the same title but different standards it is possible that it might require additional SLOs for the same course.

### **How does an itinerant teacher develop an SLO? How is the SLO approved?**

If the itinerant teaches a course which is also taught by a host district teacher, the BOCES itinerant teacher should collaborate with the host district teacher to develop the SLO and LAT (if applicable) because learning content and sources of evidence should be consistent across the district. Approval of the SLO, although officially done by the BOCES Lead Evaluator, should be done in conjunction with the host district administration.

If the itinerant is a singleton, the BOCES itinerant teacher could work with a “like” teacher in another district. The BOCES supervisor may have to arrange this. To the extent possible, district decision points should be followed.