

Teachers who have SLOs must follow the rules set forth in the State's Guidance: <http://engageny.org/wp-content/uploads/2012/03/slo-guidance.pdf>. 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; an IEP goal relating to occupational therapy could not be used.

D49. 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?

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.

E. Locally-selected Measures of Student Achievement

Use of State Assessments and Student Learning Objectives Within Locally-selected Measures

E1. Do the regulations require that 40% of a teacher's or principal's evaluation be based on State assessments?

No. The regulations do not require that 40% of a teacher's or principal's evaluation be based on State assessments.

Education Law §3012-c requires that 20% of a teacher's or principal's evaluation (increases to 25% with a Regents-approved value-added model) be based on student growth on State assessments or other comparable measures. The statute also requires that 20% be based on other locally-selected measures of student achievement (decreases to 15% with the approved value-added model). The law and regulations provide several local options for the 20% based on locally-selected measures of student achievement, including the use of State assessments.

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However, the law requires districts and BOCES to ensure that the measures used for the locally-selected measures subcomponent are different from the measure used for the Growth subcomponent. The choice of whether to use State assessments for the locally-selected measures subcomponent of the evaluation is a decision determined through collective bargaining.

E2. What are the ways in which State assessments may be used for purposes of a locally developed measures subcomponent? When will the information be available from the State to use these measures?

If a District agrees in collective bargaining to use State assessments, Regents exams or Regent equivalents for its locally-selected measure(s), the following options are allowable:

Measures based on:

- 1) The change in percentage of a teacher's students who achieve a specific level of performance as determined locally, on such assessments/examinations compared to those students' level of performance on such assessments/examinations in the previous school year (e.g., a three percentage point increase in students earning the proficient level (three) or better performance level on the 7th grade math State assessment compared to those same students' performance levels on the 6th grade math State assessment, or an increase in the percentage of a teacher's students earning the advanced performance level (four) on the 4th grade ELA or math State assessments compared to those students' performance levels on the 3rd grade ELA or math State assessments).
- 2) Teacher specific growth score computed by the Department based on the percent of the teacher's students earning a State determined level of growth. The methodology to translate such growth into the State-established sub-component scoring ranges shall be determined locally.
- 3) Teacher specific achievement or growth score computed in a manner determined locally based on a measure of student performance on the State assessments, Regents examinations and/or Department approved alternative examinations other than the measure described in subclause 1) or 2) of this clause.

When the State provides student-level State test results to districts, information about the first and second items above will be available to districts.

The State will provide teacher and principal growth scores to districts as soon as possible after student-level State test results are released. These results will

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include information about the percentage of students who achieve a State-determined level of growth as well as growth information the district may need to construct “other” different measures as determined locally.

E3. Can SLOs be used as a locally-selected measure for all teachers?

No. SLOs cannot be used within the locally-selected measures subcomponent for a teacher in any grade or subject where there is a growth or value-added model approved by the Board of Regents at that grade level or in that subject.

E4. Can a teacher's scores from his/her SLO under Growth be used for his/her local 20% measure as well? That is, can the SLO scores cover 40% of the evaluation?

No, measures used for the locally-selected measures subcomponent must be different from the growth measures used in the growth subcomponent.

However, the locally-selected measure may be based on the same state assessment, State-approved 3rd party assessment, or district/BOCES-developed assessment as the SLO used for the State growth or other comparable measures subcomponent as long as a different measure of growth is used for each subcomponent.

Therefore, if districts use SLOs as a locally-selected measure for teachers who do not have a State-provided growth measure, the SLO must measure something different from the teacher’s SLOs used as comparable growth measures. This would include, but not be limited to, measuring results from different courses or students, using different assessments and/or using a different measures on the same assessment (achievement instead of growth or a subgroup of students, for example).

Please note: districts and BOCES have a number of options for measuring achievement and/or growth within the locally-selected measures (see: <http://engageny.org/wp-content/uploads/2012/03/nys-evaluation-plans-guidance-memo.pdf>). SLOs are one of the options available for locally-selected measures of student achievement for a teacher who does not have a State-provided growth or value-added measure for the subject or grade he or she is teaching.

Comparability

E5. In our small district, we only have one teacher per grade/subject. Are the locally-selected measures we collectively bargain “comparable across classrooms” if we only have one classroom?

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Yes. The use of a locally-selected measure from the allowable list of options would be considered “comparable” across classrooms even if you only have one classroom in that grade/subject.

Adjustments and Controls

E6. Can districts or BOCES use student-growth percentile or value-added statistical methodologies to calculate growth in connection with assessments used for the locally-selected measures subcomponent?

This is a local decision. Districts may choose to use locally-developed student growth percentile or value-added methodologies in assigning evaluation points based on assessments other than the State assessments for the locally-selected measures subcomponent if the district or BOCES has the capacity to ensure that the assessments they have selected are suitable for these kinds of measures.

E7. Are any adjustments allowed (for example, for student demographic characteristics, attendance, etc) in setting targets or measuring results as part of locally-selected measures for any grades and subjects?

The rationale for including adjustment factors and processes that will be used to mitigate potentially problematic incentives associated with the control or adjustment must be described in the district/BOCES’ APPR plan. Assurances must be made that enrolled students in accordance with teacher of record policies are included and may not be excluded, and that use of locally developed controls will not have a disparate impact on underrepresented student subgroups in accordance with civil rights laws. For any adjustment factors selected, there must also be assurances by the district/BOCES in the APPR agreement that the application of locally-developed controls will be rigorous, fair, and transparent and that procedures for ensuring data accuracy and integrity are being used.

It is important to note that research shows that by far the best predictor of a student’s result on an assessment is his or her prior academic history. Therefore, districts and their collective bargaining agents may want to put the strongest emphasis on how to construct locally-selected measures that use growth from baselines based on past academic history.