

Alternative Suggestions for Revising the State’s APPR Legislation

Governor’s proposal	Legislative Language – Principal Recommendations
<p>Reduces measures of teacher’s effectiveness to two, one set of test scores (or approved substitute) for 50% of evaluation, and observations (at least 35% from outside evaluators, at most 15% from teacher’s own principal) for 50% of evaluation.</p>	<p>Retain concept of multiple measures of student performance (in fact, expand them from two to three, although the first two could use the same state test data, analyzed differently)</p> <p>Increase weight allocated to student performance to <u>60%</u>, divided between three measures (each counting 20 points):</p> <ul style="list-style-type: none"> <li>• an assessment of all students learning compared to statewide scores of “similar” students (based like the Governor’s proposal on above average, average, below average, well-below average performance, which is what produces the seemingly inflated ratings the Governor objects to but his own proposal leaves untouched)</li> <li>• an assessment of growth of “struggling” students (those who didn’t achieve proficiency the previous year) compared to fixed cutoffs, without statistical adjustments that disguise the “brutal facts” of low performance of marginalized groups and the need to close achievement gaps</li> <li>• a locally-chosen measure of students’ growth toward “student learning objectives” that a district has identified as critical to learning in a teacher’s class (with development criteria set by local negotiations, as they are currently)</li> </ul> <p>Rather than having test data generate fixed ratings, have them generate “presumptive” ratings, which a principal may affirm or raise or lower by one level if he/she finds “compelling evidence” that a presumptive rating doesn’t accurately reflect the teacher’s contribution to student growth, after face-to-face conferences in which all teachers (not just weak ones) must account for how their decisions affected student learning and what they will commit to doing to improve future performance..</p>
<p>Reduces weight of observation from 60% to 50%, at least 35% conducted by “independent observers” and no more than 15% conducted by the teacher’s own principal, undercutting principal’s ability to hold teachers accountable and making no provision for covering the huge costs for administering such outside reviews</p>	<p>Drop formal observation percentage to 40%, but retain and expand building principal’s role as evaluator responsible for 100% of the evaluation, by requiring teachers to “account” for their students’ growth and their own performance in face-to-face conferences, and giving principals the authority to adjust teachers’ test-generated presumptive ratings up or down by one level if they find “compelling evidence” that a rating doesn’t accurately reflect a teacher’s contributions to student growth. Allow for less detailed observations than those currently used, except when a teacher is up for tenure or could receive an overall ineffective rating. Require all teachers (not just weak ones) to develop annual improvement plans, and have principals evaluate how a teacher has fulfilled the previous year’s improvement plan.</p>

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<p>Principals’ evaluations would reflect the same 50-50 split as teachers’ evaluations, with one set of test scores and one observation measure (although 35 of the latter points would be allocated by an outside evaluator, and only 15 points by the superintendent), undermining a superintendent’s ability to hold principals accountable and making no provision for paying for outside evaluators</p>	<p>Retain the superintendent as the main evaluator, although outside reviewers would scrutinize principals’ decisions to affirm, raise or lower teachers’ “presumptive ratings” on student performance assessments, based on paper-reviews of a principal’s decisions rather than on-site observations, giving outsiders control of 10 points.</p> <p>Principals would be held responsible to account for teachers’ measures of student learning in their own evaluations. (The same data for teachers’ first two assessments would be used in principals’ evaluations, and the same teacher “student learning objectives” data could be used for the principal’s third student performance measure, although the superintendent could choose an alternative measure approved by the commissioner.) Superintendent would have the authority to affirm, lower, or raise a principal’s “presumptive ratings” from test scores, just as principals would have for teachers’ rating.</p>
<p>Would implement all changes in the 2015-16 school year.</p>	<p>Implement changes in the 2016-17 school year, to allow the Commissioner time to carefully develop and seek feedback on implementing regulations, and to provide for training in new aspects of the system, including preparing principals to conduct evaluation feedback conferences..</p>
<p>Would tie teacher evaluations to tenure conferral and removal under 3020-a procedure; extends tenure period to five years and effectively extend it indefinitely, by requiring five consecutive years of effective ratings; makes one or two years (the Governor’s proposal is ambiguous) of ineffective ratings prima facie evidence of incompetence, fraud being the only grounds for challenge.</p>	<p>We haven’t provided legislative language for these issues. If the Governor’s basic tenure proposal to extend tenure conferral to five years is accepted, we suggest that <u>three</u> years of effective ratings rather than five be required before tenure is conferred: many beginning teachers are likely to have a few years of “developing” ratings, and should have a grace period before affecting the five-year tenure clock.</p> <p>For 3020-a dismissals involving incompetence, we recommend that <u>three</u> years of ineffective ratings be treated as presumptive (not prima facie) evidence of incompetence, and that the charge be rebuttable but the burden be on the teacher to demonstrate that the principal was in error in not finding “compelling evidence” to adjust ineffective ratings. Giving teachers the responsibility to account for their students’ performance and their own plans to improve them in the evaluation process, and giving them the option of giving their principal “compelling evidence” to adjust presumptive ratings during the evaluation process (and giving outsiders the role of reviewing the principal’s decision not to do so) should give districts more leverage and evidence in dismissal proceedings, while preserving the teacher’s right to challenge the decision. Using the three-year benchmark for both tenure and dismissal would seem inherently fair.</p>

