

New York State Teacher and Principal Evaluation
2015-16 and thereafter

Summary of regulations approved by the Board of Regents on June 16, 2015 to implement
Education Law 3012-d

Student Performance Category: Teachers		
	ELA/Math 4-8	All Other Classroom Teachers
<p>Required - State-provided Growth Score on State Assessments¹</p> <p><i>100% (At least 50%, locally determined, if an optional student performance measure is selected)</i></p>	<ul style="list-style-type: none"> • State-provided teacher growth scores comparing student growth to those with similar past test scores and includes considerations for poverty, ELL, and SWD status² • Policies on Teacher of Record and linked students • See below for teachers whose State-provided growth scores do not cover at least 50% of all students on the teacher’s course rosters. 	<ul style="list-style-type: none"> • Additional grades/subjects covered by growth scores, as measures become available, based on existing and new State assessments
<p>Required - Growth Using Student Learning Objectives (SLOs)³</p> <p><i>100% (At least 50%, locally determined, if an optional student performance measure is selected)</i></p>	<ul style="list-style-type: none"> • <i>All teachers who receive a State-provided growth score must also have a back-up SLO set by the Superintendent or his/her designee in case there are not enough students, not enough scores, or other unforeseen data issues that will not allow the Department to generate a growth score.</i> • Where the State-provided growth score covers less than 50% of a teacher’s students, SLOs must be developed following the rules and options set forth for “all other classroom teachers.” 	<p>For subjects associated with a State assessment or Regents exam (or, in the future, with any new State assessments): State/Regents assessment(s) must be used as the evidence for the SLO where they exist.</p> <p>For other grades/subjects where no State assessment or Regents exam currently exists, SLOs based on district-determined assessments from the options below:</p> <ul style="list-style-type: none"> • State-approved assessment consisting of the following: <ul style="list-style-type: none"> ○ State-approved third-party assessment⁴ ○ State-approved district, regional, or BOCES-developed assessment⁵ • School- or BOCES-wide, group, team, or linked results based on State/Regents assessments

¹ All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

² For the 2015-16 school year, State-provided growth scores will be calculated using the existing growth model. Factors may be updated in future school years depending on decisions by the Board of Regents. The Department will consult with stakeholders and technical experts on recommendations for future school years.

³ Student Learning Objectives shall be developed and approved by the Superintendent or his/her designee. All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

⁴ 3rd party assessments that are currently approved for use under Education Law §3012-c may be re-submitted by their providers, in an expedited manner, to be considered for use with SLOs. These assessments must be able to measure one year of expected growth.

⁵ Assessments will be approved by the Department through an RFQ. All assessments that are submitted for use with SLOs must be able to measure one year’s expected growth.

<p>Optional - Locally Selected Measures of Student Growth⁶</p> <p><i>Up to 50%, locally determined</i></p>	<p>The same locally selected measures of student growth across all classrooms in the same grade/subject in the district/BOCES must be used in a consistent manner to the extent practicable.</p> <p>Growth measures from these options:</p> <ul style="list-style-type: none"> • A second State-provided growth score on a State-created or administered test, provided that this is different than the measure used for the required student performance subcomponent: <ul style="list-style-type: none"> ○ Teacher-specific growth score computed by the State based on the percentage of students who achieve a State-determined level of growth (e.g., the percentage of students whose growth is above the median for similar students); ○ School-wide growth results based on a State-provided school-wide growth score for all students attributable to the school taking the State ELA or math assessment(s) in grades 4-8; ○ School-wide, group, team, or linked growth results using available State-provided growth scores computed in a manner determined locally. • Growth scores based on a State-designed supplemental assessment, calculated using a State-provided or approved growth model.⁷ <ul style="list-style-type: none"> ○ Such growth score may include teacher-specific growth scores or a school or BOCES-wide, group, team, or linked results where a State-provided or approved growth model is capable of generating such a score.
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Teacher Observation Category	
<p>Menu of State-approved rubrics⁸ (or State-approved variance to use alternative rubric) to assess performance based on the NYS Teaching Standards</p>	
<p>Requirements and options based on practice rubric: All observations for a teacher for the school year, and across observer types, must use the same approved rubric; provided that districts may locally determine whether to use different rubrics for teachers who teach different grades and/or subjects during the school year.</p>	
<p>Required - Observation by principal or other trained administrator</p> <p><i>At least 80%, locally determined</i></p>	<ul style="list-style-type: none"> • At least one observation by building principal or other trained administrator: <ul style="list-style-type: none"> ○ Observations may occur live or by live or recorded video, as determined locally. ○ Districts/BOCES may locally determine whether to use more than one observation by principal or other trained administrator. ○ Nothing shall be construed to limit the discretion of management to conduct observations in addition to those required by this section for non-evaluative purposes. ○ At least one of the required observations must be unannounced. ○ The frequency and duration of observations are locally determined.

⁶ All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

⁷ Assessments on this list must be approved by the Department pursuant to an RFQ/RFP. These assessments must have a corresponding growth model that meets the requirements specified in the RFQ/RFP.

⁸ Rubrics approved for use under Education Law §3012-c will be available for use under §3012-d. Additional rubrics may be approved by the Department through an RFQ process.

	<ul style="list-style-type: none"> • Evaluators may select a limited number of observable rubric subcomponents for focus within a particular observation so long as all <u>observable</u> Teaching Standards/domains of the selected practice rubric (e.g., Domains 2 and 3 of the Danielson’s 2013 Framework for Teaching) are addressed across the total number of observations. <ul style="list-style-type: none"> ○ New York State Teaching Standards/domains that are part of the rubric but not observable during the classroom observation may be observed during any optional pre-observation conference or post-observation review or other natural conversations between the teacher and evaluator and incorporated into the observation score. ○ Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent (e.g., a lesson plan viewed during the course of the classroom observation may constitute evidence of professional planning).
<p>Required - Observation by impartial independent trained evaluator</p> <p><i>At least 10%, locally determined</i></p>	<ul style="list-style-type: none"> • At least one observation by impartial independent trained evaluator(s): <ul style="list-style-type: none"> ○ Observations may occur live or by live or recorded video, as determined locally. ○ Impartial independent trained evaluators are trained and selected by district/BOCES. ○ May be employed within the district, but may not be assigned to the same school building as the teacher being evaluated. This could include other administrators, department chairs, or peers (e.g., teacher leaders on career ladder pathways), so long as they are not from the same building (defined as same BEDS code) as the teacher being evaluated. ○ Districts/BOCES may locally determine whether to use more than one observation by impartial independent trained evaluator(s). ○ At least one of the required observations must be unannounced. ○ The frequency and duration of observations are locally determined. • Evaluators may select a limited number of observable rubric subcomponents for focus within a particular observation so long as all <u>observable</u> Teaching Standards/domains of the selected practice rubric (e.g., Domains 2 and 3 of the Danielson’s 2013 Framework for Teaching) are addressed across the total number of observations. <ul style="list-style-type: none"> ○ New York State Teaching Standards/domains that are part of the rubric but not observable during the classroom observation may be observed during any optional pre-observation conference or post-observation review or other natural conversations between the teacher and evaluator and incorporated into the observation score. ○ Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent (e.g., a lesson plan viewed during the course of the classroom observation may constitute evidence of professional planning).
<p>Optional – Observation by trained peer teacher</p> <p><i>Locally determined, consistent with the</i></p>	<ul style="list-style-type: none"> • May include at least one observation by trained peer teacher: <ul style="list-style-type: none"> ○ Trained peer teacher must have been rated Effective or Highly Effective on his or her overall rating in the prior school year. ○ Observations may occur live or by live or recorded video, as determined locally.

<p>requirements that at least 80% of the overall Observation category score be based on observations by the principal/other trained administrator and at least 10% of the overall Observation category score be based on observations by impartial, independent trained evaluator(s) selected by the district</p>	<ul style="list-style-type: none"> ○ Peer teachers are trained and selected by district/BOCES. ● Evaluators may select a limited number of observable rubric subcomponents for focus within a particular observation so long as all <u>observable</u> Teaching Standards/domains of the selected practice rubric (e.g., Domains 2 and 3 of the Danielson’s 2013 Framework for Teaching) are addressed across the total number of observations. ○ New York State Teaching Standards/domains that are part of the rubric but not observable during the classroom observation may be observed during any optional pre-observation conference or post-observation review or other natural conversations between the teacher and evaluator and incorporated into the observation score. ○ Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of an otherwise observable rubric subcomponent (e.g., a lesson plan viewed during the course of the classroom observation may constitute evidence of professional planning).
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Student Performance Category: Principals		
	Elementary/Middle and High Schools	All Other Building Principals
<p>Required - State-provided Growth Score on State Assessments⁹</p> <p><i>100% (At least 50%, locally determined, if an optional student performance measure is selected)</i></p>	<p><u>Elementary/Middle Schools</u></p> <ul style="list-style-type: none"> ● Result of student growth measure as applied to State assessments in 4-8, ELA/math ● Add grades and/or subjects as growth measure applies <p><u>High Schools (all of grades 9-12)</u></p> <ul style="list-style-type: none"> ● Result of principal student growth percentile measure as applied to State assessments and/or graduation rates ● Add subjects as growth measure applies <p>See below for principals whose State-provided growth scores do not cover at least 30% of all students in the principal’s building/program.</p>	<ul style="list-style-type: none"> ● Additional building configurations/programs covered by growth scores, as measures become available, based on existing and new State assessments
<p>Required - Growth Using Student Learning Objectives (SLOs)¹⁰</p>	<ul style="list-style-type: none"> ● <i>All principals who receive a State-provided growth score must also have a back-up SLO set by the Superintendent or his/her designee in case there are not enough</i> 	<p>For subjects associated with a State assessment or Regents exam (or, in the future, with any new State assessments): State/Regents assessment(s) must be used as the evidence for the SLO where they exist.</p>

⁹ All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

¹⁰ Student Learning Objectives shall be developed and approved by the Superintendent or his/her designee. All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

<p>If principal has less than 30% of his/her students covered by the State-provided growth score</p> <p><i>100% (At least 50%, locally determined, if an optional student performance measure is selected)</i></p>	<p><i>students, not enough scores, or other unforeseen data issues that will not allow the Department to generate a growth score.</i></p> <ul style="list-style-type: none"> Where the State-provided growth score covers less than 30% of a principal’s students, SLOs must be developed following the rules and options set forth for “all other building principals.” 	<p>For other grades/subjects where no State assessment or Regents exam currently exists, SLOs based on district-determined assessments from the options below:</p> <ul style="list-style-type: none"> State-approved assessment consisting of the following: <ul style="list-style-type: none"> State-approved third-party assessment¹¹ State-approved district, regional, or BOCES-developed assessment¹²
<p>Optional Subcomponent: Locally Selected Measures of Student Growth¹³</p> <p><i>Up to 50%, locally determined</i></p>	<p>The same locally selected measures of student growth across all buildings with the same grade configuration or program in district/BOCES must be used.</p> <p>Growth measures from these options:</p> <ul style="list-style-type: none"> A second State-provided growth score, provided that this is different than the measure used for the required student performance subcomponent: <ul style="list-style-type: none"> Principal-specific growth computed by the State based on the percentage of students who achieve a State-determined level of growth (e.g., percentage of students whose growth is above the median for similar students). School-wide growth results using available State-provided growth scores computed in a manner determined locally. Growth scores based on a State-designed supplemental assessment, calculated using a State-provided or approved growth model¹⁴ 	

Principal School Visit Category	
Menu of State-approved rubrics ¹⁵ (or State-approved variance to use alternative rubric) to assess performance based on ISLLC 2008 standards	
Requirements and options based on practice rubric: All school visits for a principal for the year, and across observer types, must use the same approved rubric; provided that districts may locally determine whether to use different rubrics for a principal assigned to different grade level configurations or building types.	
<p>Required – School visit by supervisor or other trained administrator</p> <p><i>At least 80%, locally determined</i></p>	<ul style="list-style-type: none"> At least one school visit by supervisor or other trained administrator: <ul style="list-style-type: none"> Districts/BOCES may locally determine whether to use more than one school visit by superintendent or other trained administrator. Nothing shall be construed to limit the discretion of a board of education or superintendent of schools from conducting additional school visits for non-evaluative purposes.

¹¹ 3rd party assessments that are currently approved for use under Education Law §3012-c may be re-submitted by their providers, in an expedited manner, to be considered for use with SLOs. These assessments must be able to measure one year of expected growth.

¹² Assessments will be approved by the Department through an RFQ. All assessments that are submitted for use with SLOs must be able to measure one year’s expected growth.

¹³ All measures must result in a 0-20 HEDI point score following the State’s scoring ranges.

¹⁴ Assessments on this list must be approved by the Department pursuant to an RFQ/RFP. These assessments must have a corresponding growth model that meets the requirements specified in the RFQ/RFP.

¹⁵ Rubrics approved for use under Education Law §3012-c will be available for use under §3012-d. Additional rubrics may be approved by the Department through an RFQ process.

	<ul style="list-style-type: none"> ○ At least one of the required school visits by the supervisor or other trained administrator must be unannounced. ○ The frequency and duration of school visits are locally determined. ● Evaluators may select a limited number of observable rubric subcomponents for focus within a particular school visit, so long as all <u>observable</u> ISLLC 2008 standards are addressed across the total number of annual school visits. <ul style="list-style-type: none"> ○ Leadership Standards and their related functions that are part of the rubric but not observable during the course of the school visit may be observed through other natural conversations between the principal and the evaluator and incorporated into the school visit score. ● Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of a rubric subcomponent observed during a school visit. ● Professional goal-setting is a prohibited element of principal evaluations under Education Law §3012-d. However, organizational goal-setting may be used to the extent that it is evidence from the school visit and related to a component of the selected practice rubric. ● School visits may not occur by live or recorded video.
<p>Required – School visit by impartial independent trained evaluator</p> <p><i>At least 10%, locally determined</i></p>	<ul style="list-style-type: none"> ● At least one school visit by impartial independent trained evaluator(s): <ul style="list-style-type: none"> ○ Impartial independent trained evaluators are trained and selected by district/BOCES. ○ May be employed within the district, but may not be assigned to the same school building as the principal being evaluated. This could include other administrators, department chairs/directors, or peers, so long as they are not from the same building (defined as same BEDS code) as the principal being evaluated. ○ Districts/BOCES may locally determine whether to use more than one school visit by impartial independent trained evaluator(s). ○ The frequency and duration of school visits are locally determined. ● Evaluators may select a limited number of observable rubric subcomponents for focus within a particular school visit, so long as all <u>observable</u> ISLLC 2008 standards are addressed across the total number of annual school visits. <ul style="list-style-type: none"> ○ Leadership Standards and their related functions that are part of the rubric but not observable during the course of the school visit may be observed through other natural conversations between the principal and the evaluator and incorporated into the school visit score. ● Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of a rubric subcomponent observed during a school visit.

	<ul style="list-style-type: none"> • Professional goal-setting is a prohibited element of principal evaluations under Education Law §3012-d. However, organizational goal-setting may be used to the extent that it is evidence from the school visit and related to a component of the selected practice rubric. • School visits may not occur by live or recorded video.
<p>Optional – School visit by trained peer principal</p> <p><i>Locally determined, consistent with the requirements that at least 80% of the overall School Visit category score be based on school visits by the superintendent/other trained administrator and at least 10% of the overall School Visit category score be based on school visits by impartial, independent trained evaluator(s) selected by the district</i></p>	<ul style="list-style-type: none"> • May include at least one school visit by trained peer principal: <ul style="list-style-type: none"> ○ Trained peer principals must have been rated Effective or Highly Effective on his or her overall rating in the prior school year. ○ Trained peer principals are trained and selected by district/BOCES • Evaluators may select a limited number of observable rubric subcomponents for focus within a particular school visit, so long as all <u>observable</u> ISLLC 2008 standards are addressed across the total number of annual school visits. <ul style="list-style-type: none"> ○ Leadership Standards and their related functions that are part of the rubric but not observable during the course of the school visit may be observed through other natural conversations between the principal and the evaluator and incorporated into the school visit score. • Points shall not be allocated based on any artifacts, unless such artifact constitutes evidence of a rubric subcomponent observed during a school visit. • Professional goal-setting is a prohibited element of principal evaluations under Education Law §3012-d. However, organizational goal-setting may be used to the extent that it is evidence from the school visit and related to a component of the selected practice rubric. • School visits may not occur by live or recorded video.

Teacher and Principal Category and Overall Ratings

Teacher and Principal Performance Scoring Ranges¹⁶: SLOs

Highly Effective	Effective	Developing	Ineffective
18-20 points	15-17 points	13-14 points	0-12 points
90-100% of students meeting or exceeding expected growth targets determined by the superintendent	75-89% of students meeting or exceeding expected growth targets determined by the superintendent	60-74% of students meeting or exceeding expected growth targets determined by the superintendent	0-59% of students meeting or exceeding expected growth targets determined by the superintendent

- Each performance measure (State-provided growth, SLO using State assessments, other SLOs, State-

¹⁶ All assessments used for APPR purposes must be capable of generating a growth score from 0-20.

designed supplemental assessments, other additional measures using State-provided or approved growth model scores) must result in a score between 0-20.

- Multiple measures will be combined using a weighted average to produce an overall Student Performance category score between 0-20.
- This overall Student Performance score will be converted into a HEDI rating based on the ranges listed below:

	Overall Student Performance Category Score and Rating	
	Minimum	Maximum
H	18	20
E	15	17
D	13	14
I	0	12

Teacher Observation/Principal School Visit Scoring Ranges:

	Overall Observation/School Visit Category Score and Rating	
	Min	Max
H	3.50 to 3.75	4.0
E	2.50 to 2.75	3.49 to 3.74
D	1.50 to 1.75	2.49 to 2.74
I	0 ¹⁷	1.49 to 1.74

- Each set of observations/school visits (by supervisor/other trained administrator, independent, or peer) will be completed using a rubric with rating categories that are aligned to HEDI ratings and 1-4 levels. Each observation/school visit will be scored between 1 and 4.
- Once all evaluations are complete, the different types of observations/school visits will be combined using a weighted average, producing an overall Observation/School Visit category score between 1-4.
- This overall Observation/School Visit score will be converted into a HEDI rating based on locally determined ratings consistent with the ranges listed above.

What is State-determined:

- Scoring ranges for the Required and Optional subcomponents of the Student Performance to determine an educator’s rating category of Highly Effective, Effective, Developing, and Ineffective (HEDI)
- The minimum and maximum scores aligned to each of the HEDI rating categories for the Teacher Observation/Principal School Visit categories.
- Minimum growth targets for SLOs under the Required subcomponent of the Student Performance category representing at least one year of expected student growth and following State guidance.
- The weights for all subcomponents of the Student Performance and Teacher Observation/Principal School Visit categories to assign a final rating category of HEDI.

What is locally-established through negotiations:

- Whether to use the Optional subcomponent of the Student Performance category, and which option will be used.

¹⁷ In the event that an educator earns a score of 1 on all rated components of the practice rubric across all observations, a score of 0 will be assigned.

- Whether to use the Optional subcomponent of the Teacher Observation/Principal School Visit category.
- How to implement the Teacher Observation/Principal School Visit categories, consistent with the corresponding Commissioner's Regulations, including, but not limited to, the scoring ranges aligned to each HEDI category within the parameters determined by the State.

Additional Notes

- The process by which weights and scoring ranges are assigned to subcomponents and categories must be transparent and available to those being rated before the beginning of each school year.
- Districts and collective bargaining units, where one exists, must certify that the process for assigning ratings will use the scoring bands and weighting processes specified in the regulations.
- Superintendents must certify that all individual growth targets used for SLOs represent, at a minimum, one year of expected growth consistent with State guidance.
- All teachers/principals who receive a State-provided growth score, must also have back-up SLOs set by the Superintendent or his/her designee in case there are not enough students, not enough scores, or other unforeseen data issues that will not allow the Department to generate a growth score.
- Annual Professional Performance Reviews conducted pursuant to a collective bargaining agreement entered into on or before April 1, 2015 and which remain in effect on or after April 1, 2015, shall be conducted pursuant to that agreement until a subsequent agreement is reached.
- Pursuant to Education Law §3012-d(6), the following elements may no longer be used in any evaluation subcomponent:
 - Evidence of student development and performance derived from lesson plans, other artifacts of teacher practice, and student portfolios, except for student portfolios measured by a state-approved rubric where permitted by the department;
 - Use of an instrument for parent or student feedback;
 - Use of professional goal-setting as evidence of teacher or principal effectiveness;
 - Any district or regionally-developed assessment that has not been approved by the department; and
 - Any growth or achievement target that does not meet the minimum standards as set forth in Commissioner's regulations.
- The entire Annual Professional Performance Review shall be completed and provided to the teacher or the principal as soon as practicable but in no case later than September 1 of the school year next following the school year for which the teacher or principal's performance is measured. The teacher's and principal's score and rating on the observation/school visit category and in the optional subcomponent of the student performance category, if available, shall be computed and provided to the teacher or principal, in writing, by no later than the last day of the school year for which the teacher or principal is being measured, but in no case later than September 1 of the school year next following the school year for which the teacher or principal's performance is measured.
- Upon rating a teacher or a principal as Developing or Ineffective overall through an Annual Professional Performance Review conducted pursuant to Education Law §3012-d and Subpart 30-3 of the Rules of the Board of Regents, a district shall formulate and commence implementation of a

teacher or principal improvement plan for such teacher or principal by October 1 in the school year following the school year for which such teacher's or principal's performance is being measured or as soon as practicable thereafter.