

May 8, 2015

The Honorable Merryl H. Tisch, Chancellor  
New York State Board of Regents  
State Education Building  
89 Washington Avenue  
Albany, New York 12234

Dear Chancellor Tisch:

I write on behalf of the New York State Federation of School Administrators (NYSFSA) to share our insights and view regarding the Board of Regent's implementation of a new system of teacher and principal evaluation.

NYSFSA represents 14,000 active and retired Principals, Assistant Principals, Education Administrators and other school supervisors from Buffalo, Yonkers and New York City. We hope that you will include in your deliberations the perspectives and recommendations of the more than 7,000 school administrators across the state to which this third iteration of the APPR requirements will apply.

### **APPR Requirements for Teachers**

*Student Performance Category* – The present formula needs to be revised to include a more differentiated weighting for:

- Students with disabilities,
- English Language Learners, or
- Students who reside in supportive housing (children of high-risk families, youth aging out of foster care, etc.).

*Teacher Observations Category* – Teachers, principals and superintendents believe that the "Other Measures" subcomponent of the current APPR system is effective, in that it promotes teacher-to-teacher and administrator-to-teacher program planning to implement Common Core curricula, to align instruction grade-to-grade and across subjects, and to scaffold instruction and re-teach content to meet student needs.

One of the positive results of the current APPR system is the increased frequency of class observations by principals and other administrative personnel. However, this has come at a price – it has resulted in a significantly increased administrative workload, because all the previous building management issues remain as administrative responsibilities.

With respect to teacher observations, NYSFSA makes the following recommendations:

Classroom Observations: The range of the number, frequency and duration of classroom observations by the principal or other administrator should be with possible observation requirements associated with rubrics in mind (e.g., The Marzano rubric requires many short-duration observations of the teacher.). We urge you to also take into consideration the overall administrative workload. We also recommend that it should remain permissible to establish different observation schedules for new (untenured) teachers and for veteran teachers.

Observation of Teachers by Independent Observer: The use of outside observers should be minimized to the extent possible. Research demonstrates that other than each student’s teacher, the quality of the school leader is the greatest variable impacting student performance. This finding does NOT extend to a school administrator from another school, to a school administrator from another school district, or to a private contractor. The imposition of an outside observer is disruptive and insults the professionalism of school administrators.

Weighting of Classroom Visits: Classroom visits conducted by the school principal or other administrator should be weighted as much as the statute allows, and the class observation conducted by the independent evaluator should receive the minimum weighting practicable.

Teacher Rubrics: The State Education Department has developed a list of approved rubrics related to teacher observation and performance, and each school district has adopted a rubric that provides a lens for observing teacher performance and for identifying opportunities for improvement, and includes a lexicon related to pedagogy and program delivery. The listing of SED-approved rubrics for the annual evaluation of teachers should be maintained, and school districts should continue to collectively bargain which rubric shall be adopted. For independent observer subcomponent of this category, where the statute requires that an independent observation be conducted by an “impartial independent trained evaluator,” this requirement should be interpreted to mean “trained in the rubric adopted by the school district for teacher observation.” Revision of the current rubric requirements or conducting teacher observations using a rubric other than the instrument adopted by the district would be damage school cohesiveness and stifle teacher planning meetings and program planning.

## **APPR Requirements for Principals**

Education Law § 3012-d.14 requires the adoption of regulations that align the principal evaluation system with the new teacher evaluation system. Such *alignment* should not be construed to require an identical system of categories and subcomponents as those set for teachers. Rather, it should be interpreted to mean a system that appropriately recognizes the different and specific roles of school principals, and is equally – or more – effective in identifying and addressing opportunities for improvement, and that holds such building leaders accountable for their performance and school results.

*Student Performance Category* – Improving and maximizing student performance is an essential role of all principals, regardless of whether they lead a school in advanced accountability status or a reward school. However, the assignment of state-developed growth scores is especially problematic for school principals. The scope and nature of principals’ responsibilities are substantially different than teachers’. Principals’ responsibilities are much broader, involving many and diverse programs, classrooms, and students. They also include the development and implementation of building systems. Further, the present formula needs to be revised to include a more differentiated weighting for:

- Students with disabilities,
- English Language Learners, or
- Who reside in supportive housing (children of high-risk families, youth aging out of foster care, etc.).

With respect to student performance, NYSFSA makes the following recommendations:

Student Performance: For principals, student performance should include the performance of all students and subpopulations of students; address performance of school missions (for example, in STEM magnet schools); and performance of the school and its students in the context of district-level goals. We recommend that a system similar to Student Learning Objectives (SLOs) be established for all school principals.

Supplemental Student Performance Measure: The supplemental student performance measure should not apply to school principals.

Parameters for Growth for the Student Performance Category: For the performance evaluation of principals, it is essential that student performance targets, growth targets, and observations be linked, set on an individual basis for each principal, and not exceed 20 percent of the overall APPR evaluation. Therefore, the parameters for determining growth in student performance should be set at the local level, documented in each principal’s SLOs.

*Principal Observations Category:* Each principal is currently required to be observed at least twice annually by their supervisor, once announced and once unannounced. The observations are framed and focused around a SED-approved rubric that is consistent with the Interstate School Leaders Licensure Consortium (ISLLC) standards and collectively bargained with the principals' collective bargaining unit. No parameters are set in Education Law § 3012-d for the conduct of annual observations of school principals.

With respect to principal observations, NYSFSA makes the following recommendations:

Principal Observations: School districts and principals' collective bargaining units should continue to collectively bargain the manner in which observations of school principals should be conducted by their superintendent/supervisor, including the number, frequency and duration of observations. The independent observer subcomponent should not apply to school principals. Implementing such a procedure would add no value to the evaluation process and would result in a significant unfunded mandate on school districts.

Further, the peer observation subcomponent, involving observation by a school principal within the school district who has been rated Effective or Highly Effective in the most recent APPR evaluation, should be optional and determined at the local level.

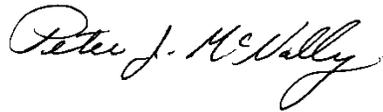
Principal Rubrics: The listing of SED-approved rubrics for the annual evaluation of principals should be maintained, and school districts should continue to collectively bargain which rubric shall be adopted. Regulations should allow for the adoption of the ISLLC standards, themselves, as the rubric to be used for principal observation. Similar to the case for teachers, a substantial revision of the rubric requirements in November 2015 would be extraordinarily counterproductive. Further, we recommend that no waivers for rubrics should be granted without the expressed approval of both the collective bargaining unit/association representing principals and the LEA.

*APPR Scoring Ranges and Weights among Subcomponents of Categories:* Teachers, principals and district leaders agree that the observations portion of the current APPR system is the most successful and effective aspect of the system in improving school climate and culture, program cohesiveness and student performance. Thus, the weighting of observation of performance category should be maximized to the extent possible. Alternatively, for the state-developed growth score, educators have never been provided information and details as to HOW the performance of their students is compared to other students who are, actually, computer profiles of students. Educators and others remain incredulous about the validity of the state generated growth scores. We are disappointed and disagree with the apparent statutory weighting of the two categories under Education Law § 3012-d.

NYSFSA's recommendations are consistent with the provisions of Education Law § 3012-d and are therefore within the Department's scope of authority. Please also find enclosed our recommendations presented at the Learning Summit on Teacher and Principal Evaluation on May 7, 2015. We would be pleased to meet with you or other members of the Board of Regents to discuss these recommendations, if you so desire.

Please feel free to contact me directly at [peter@nysfsa.org](mailto:peter@nysfsa.org) or 917-287-2643 should have any questions or concerns in this regard. Thank you for your consideration of NYSFSA's perspectives on this important matter.

Sincerely,

A handwritten signature in black ink that reads "Peter J. McNally". The signature is written in a cursive style with a large, looping initial "P".

Peter McNally  
Executive Director

cc:

The Honorable Members of the State Board of Regents  
Senior Deputy Commissioner Kenneth Wagner  
Acting Commissioner Elizabeth R. Berlin  
The Honorable Catherine T. Nolan, NYS Assembly  
The Honorable John Flanagan, NYS Senate