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To: District Superintendents of BOCES  
Superintendents of Public Schools

From: Alexander Trikalinos 

Date: July 2, 2024

Subject: Implementation of Teacher and Principal Evaluation Systems for the 2024-25 School Year and Thereafter Pursuant to Education Law §§3012-d and 3012-e as Amended by Chapter 143 of the Laws of 2024

On Friday, June 28, 2024, Governor Kathy Hochul signed Chapter 143 of the Laws of 2024, which amends Education Law §3012-d and establishes Education Law §3012-e. Accordingly, school districts and boards of cooperative educational services (BOCES) will transition to new teacher and principal evaluation systems beginning in the 2024-25 school year.

### **NYSED's Vision for Educator Evaluation Systems Under Education Law §3012-e**

The New York State Education Department (the "Department" or "NYSED") believes that well-designed and implemented evaluation systems can, among other things, help to support teachers and school leaders by encouraging reflection and goal-setting; creating opportunities for collaboration among educators; providing timely, actionable feedback that supports growth and development; identifying personalized professional learning opportunities; and recognizing excellent educators and creating opportunities for great teachers to remain in the classroom, while advancing their careers through teacher leadership roles such as school-based teacher educators, mentor teachers, instructional coaches, and other differentiated roles.

The enactment of Education Law §3012-e provides an opportunity for school districts and BOCES to reflect on their current educator evaluation practices and develop new locally designed systems consistent with NYSED's vision and our shared goal of [supporting teacher and leader development](#) across the career continuum. These new Standards-based Educator Evaluation and Professional Support plans ("NYS STEPS") should support all educators' professional growth as a part of a comprehensive, systemic approach to advancing excellence in teaching and learning aligned to [our New York State Teaching and Educational Leadership Standards](#), including the [Culturally Responsive-Sustaining Education Framework](#). Through multiple measures, including observation, educators will receive meaningful feedback on their practice and intentional professional learning and growth opportunities.

### **Key features of the NYS-STEPS framework include:**

#### **Local Flexibility in Design**

- Each local educational agency ("LEA") will have the flexibility to locally design a NYS-STEPS plan that reflects their expectations for teaching and learning and school leadership, while

maintaining fidelity to our State's Teaching and Educational Leadership Standards, including the Culturally Responsive-Sustaining Education Framework.

- STEPS plans will consist of multiple measures, at least one of which will be observations for teachers and school visits for principals.
- Unlike prior evaluation systems, a STEPS plan can be differentiated for different educators, and school leader evaluations are no longer required to mirror teacher evaluations.
- Each measure will align to one or more of the NYS Standards, and LEAs will establish their own criteria for assigning a Level 1-4 rating for each Standard and an overall rating.
- In the coming months, the Department will provide guidance and exemplars, consistent with research and evidence-based practices, that LEAs may use or adapt to their local needs and context.

### **Emphasis on Professional Learning & Growth**

- As part of its STEPS plan, each LEA will develop a formal process to ensure that all educators are provided with timely, actionable feedback on their practice and differentiated professional growth opportunities, with enhanced supports for educators whose overall ratings are Level 1 or 2.
- Chapter 143 of the Laws of 2024 also eliminates the mandatory use of overall evaluation ratings as part of tenure determinations and expedited disciplinary proceedings under Education Law §§3020-a and 3020-b, thereby ensuring that the STEPS plan can be used as a tool to support growth.
  - These statutory amendments do not affect the unfettered right of boards of education to terminate a probationary educator's employment for any statutorily or constitutionally permissible reason, including performance.

### **Timeline for adoption of new plans under 3012-e**

- LEAs will be able to transition to their STEPS plans once the Department has adopted regulations approved by the Board of Regents and made available the form and process for submitting a STEPS plan to the Department for review.
- We anticipate completing this process by Fall 2024 so that LEAs that wish to transition to their new STEPS plans for the 2024-25 school year are able to do so.
- LEAs may continue to implement and modify their current evaluation systems under Education Law §3012-d until the 2031-32 school year.
- LEAs are required to adopt their STEPS plans no later than June 30, 2032.

A preliminary Questions and Answers document is attached to this memorandum. Please stay tuned as the Department will be releasing guidance and other resources over the summer and into the fall to support LEAs in developing their new STEPS plans. Please check the Office of Educator Quality and Professional Development [website](#) for updates. Questions can be directed to the office by e-mail at [educatoreval@nysed.gov](mailto:educatoreval@nysed.gov).

## **Questions and Answers**

### **Can we still use our current Educator Evaluation/APPR Plan in the 2024-25 school year?**

**Yes.** The new law provides that LEAs may continue to implement their current plans, including submitting modifications, through the 2031-32 school year. After the 2031-32 school year, all plans must be designed, submitted, and implemented in accordance with the new NYS-STEPS framework.

### **Can my currently approved educator evaluation plan under Education Law §3012-d be used as part of my new STEPS plan?**

**Possibly.** The NYS-STEPS system under Education Law §3012-e must include multiple measures that together address all of the [State's Teaching and Educational Leadership Standards](#), with one of the required measures being teacher observations/principal school visits. As such, the measures included in an LEA's currently approved evaluation system may also be used as part of their STEPS plan as long as the LEA can demonstrate that those measures appropriately address all applicable Standards.

### **Do I have to implement my current plan in the 2023-24 school year?**

**Yes.** The new law does not waive the requirement that each LEA have an evaluation plan in place for the current and succeeding school years. Until an LEA has a Department-accepted STEPS plan pursuant to Education Law §3012-e, it must continue to implement its most recently approved educator evaluation plan under Education Law §3012-d. The new law also allows an LEA to continue to implement and modify its current §3012-d evaluation plan, subject to Department approval, through the 2031-32 school year. All LEAs are required to adopt a STEPS plan by June 30, 2032.

### **Do LEAs still have to report data for each school year?**

**Yes.** LEAs are still required to submit data. Information and resources related to the submission of staff evaluation data will be provided annually and will be posted on the [Resources for Staff Evaluation Data Collection page](#).

### **What if I have an approved variance under Education Law §3012-d?**

If your LEA is currently implementing a Department-approved variance, you may continue to implement it during the approved term. You may also renew that variance and/or make material changes to your currently approved plan under Education Law §3012-d through the 2031-32 school year.