

APPR Safety Net



Fact Sheet No. 18

June 2014

This fact sheet provides information on the legislation passed by the Legislature, which is expected to be signed by the Governor, that protects teachers rated ineffective or developing on their annual professional performance review (APPR) for 2013-14 and 2014-15 from certain employment consequences because of the rushed implementation of the Common Core Learning Standards.

SUMMARY OF THE LEGISLATION

The legislation applies to those teachers or principals whose APPR includes a state-provided growth measure, or a student learning objective (SLO) or local measure based either partly or solely on the grade 3-8 ELA and/or math, Common Core aligned state assessments, who receive an ineffective or developing final rating for 2013-14 or 2014-15.

- Highly effective and effective teachers are not impacted by this legislation and their APPR continues to be governed by the previous provisions contained in Section 3012-c of the Education Law for the two school years.
- Other teachers including secondary teachers whose students participate in the Regents ELA and Algebra Examinations are also not impacted by the changes contained in this legislation, and their APPR will continue to be governed solely by the provisions of Section 3012-c of the Education Law and their districts' APPR plans. (Based on SED policy, school districts may, at local discretion, have students take the non-Common Core Regents examinations or those aligned with the Common Core Learning Standards. For purposes of APPR under Section 3012-c of the Education Law, if the students take the two exams, the higher of the two scores must be used for the state growth and/or the locally selected measures subcomponents of the APPR.)

The intent of the legislation is to protect teachers and principals from the poorly executed implementation of the Common Core Learning Standards. Districts are required by the legislation to recalculate the APPR for teachers whose scores on the student growth (the State 20%) or student achievement (the Local 20%) subcomponents are based in whole or in part on grade 3-8 ELA and/or math assessments. For example, where an APPR plan includes measures of student growth or achievement that are not based on the grade 3-8 ELA and math common core aligned state assessments, those measures will be used in the recalculation. If all of the measures of student growth or achievement are based on the use of the grade 3-8 Common Core state assessments, the 60% "Other Measures of Teacher Effectiveness" subcomponent will be scaled up to determine the entire recalculated composite score.

Districts are required to recalculate the composite rating for eligible teachers using one of the following methodologies stipulated by the Legislature: *(for a graphic view of the Composite Score Recalculations see chart on page 5)*

- ❖ If the teacher received a growth score from the state, or a group or team metric based on the grade 3-8 ELA and or math state assessment, for the State 20% and has a local measure that does not include the grade 3-8 ELA or math state assessments in any way, then the teacher's score on the local 20% will be doubled, with a maximum value of 40 points, and then added to the other measures of teacher effectiveness, maximum of 60 points, for an APPR composite score of 0-100. *(See chart below)*

Example 1

	<i>Original Score</i>	<i>Revised Score</i>	<i>Note</i>
State 20%	2	No score	Removed because based on grade 3-8 Common Core state assessments
Local 20%	10	20	Doubled no grade 3-8 common core state assessments in determining this score
Other Measures (60%)	58	58	
Total composite	70 Developing	78 - Effective	

- ❖ If the teacher received a growth score from the state, or a group or team metric based on the grade 3-8 ELA and or math state assessment, for the State 20%, and has a local measure that does include the grade 3-8 ELA and/or math state assessments as part of multiple measures, then the state assessment portion of the multiple measure calculation is removed, and the remaining multiple measure score is recalculated and becomes the teacher's score on the Local 20% which will be doubled, with a maximum value of 40 points, and then added to the other measures of teacher effectiveness, maximum of 60 points, for an APPR composite score of 0-100. *(See chart below)*

Example 2

	<i>Original Score</i>	<i>Revised Score</i>	<i>Note</i>
State 20%	2	No score	Removed because based on grade 3-8 Common Core state assessments
Local 20%	10 points total (comprised of 3 points based on state assessments and 7 points based on local tests)	28 (14x2)	In this example the grade 4-6 ELA and math state assessments counted for 10 of the 20 points – the remaining 10 points were based on local assessments. By removing the state assessment scores (state = 3 and local = 7) and recalculating the teacher received a 14 (7x2) That score is then doubled to account for the removal of the state 20 points
Other Measures (60%)	58	58	
Total composite	70 Developing	86 -Effective	

- ❖ If the teacher received a growth score from the state, or a group or team metric based on the grade 3-8 ELA and or math state assessment, for the State 20% and has a local measure that is based solely on results of the grade 3-8 ELA and/or math state assessments, then the teacher’s scores on both the State and Local 20% will be dropped, and the composite score will be based on the results of the other measures of teacher effectiveness by scaling up the 0-60 point score to a 0-100 point scale. (See chart below)

Example 3

	<i>Original Score</i>	<i>Revised Score</i>	<i>Note</i>
State 20%	2	No Score	Removed because based on grade 3-8 Common Core state assessments
Local 20%	10	No score	Removed because based solely on grade 3-8 Common Core state assessments
Other Measures (60%)	58	97	58 is 97% of 60 so the teacher would receive 97% of the possible points 0-100 which is 97.
Total composite	70 Developing	97 Highly Effective	

- ❖ If the teacher’s state assessments and other comparable measures subcomponent (state 20) is not based, in any part, on the grade 3-8 ELA and or math state assessment, and has a local measure that is based solely on the grade 3-8 ELA and/or math state assessments, then the teacher’s score on the state 20% will be doubled, with a maximum value of 40 points, and then added to the other measures of teacher effectiveness, maximum of 60 points, for an APPR composite score of 0-100. (See chart below)

Example 4

	<i>Original Score</i>	<i>Revised Score</i>	<i>Note</i>
State 20%	13	26	Doubled no grade 3-8 common core state assessments in determining this score
Local 20%	3	No score	Removed because based solely on grade 3-8 Common Core state assessments
Other Measures (60%)	57	57	
Total composite	73 Developing	83 Effective	

- ❖ If the teacher’s state assessments and other comparable measures subcomponent (State 20%) is not based, in whole or in part, on the grade 3-8 ELA and/or math state assessment, and has a local measure that does include the grade 3-8 ELA and/or math state assessments as part of multiple measures, then the State assessment portion of the multiple measure calculation is to be removed and the remaining multiple measure score is re-calculated and becomes the teacher’s score for the Local 20%, then the teacher’s score on the State 20% will be added to the recalculated Local 20% with a maximum value

of 40 points, and then added to the other measures of teacher effectiveness with a maximum of 60 points, for an APPR composite score of 0-100. *(See chart below)*

Example 5

	<i>Original Score</i>	<i>Revised Score</i>	<i>Note</i>
State 20%	13	13	
Local 20%	4	9	In this example the grade 7-8 ELA and math state assessments were averaged in with local assessments. By removing the state assessments and recalculating the average of the local assessments only, the teacher’s average score resulted in a subcomponent score of 9.
Other Measures (60%)	57	57	
Total composite	74 Developing	79 Effective	

PROTECTIONS AFFORDED BY THE LAW

If the recalculation results in a lower rating than the original APPR composite score, then the higher score is used. This ensures that no teacher receives a lower rating due to the recalculated APPR score. If the recalculation results in a higher score than the original APPR composite score, then the original score shall not be used for the following employment related decisions:

- Termination
- Granting or denial of tenure
- Expedited hearings pursuant to section 3020-a
- Decisions related to retention

Where there is an entitlement to recalculation under the new legislation, the higher of the two results shall be used for the requirement that teachers receiving ineffective or developing composite scores be given a teacher improvement plan (TIP).

For the purposes of disclosure to parents who request composite scores and ratings pursuant to Section 3012-c(10) of the Education Law, both the original and the recalculated score and rating must be released upon request along with an explanation of the recalculated score.

COMPOSITE SCORE RECALCULATION CHART

<i>State 20%</i>	<i>Local 20%</i>	<i>Calculation</i>
Growth score or Group/Team metric based on 3-8 ELA and/or math*	Does not include 3-8 ELA or math in any way	Local score (0-20) X 2 + Other measures of teaching practice (0-60)
	Includes 3-8 ELA and/or math as part of a multiple measure	Re-calculate local score removing the 3-8 ELA and math portions. New local score (0-20) X 2 + Other measures of teaching practice (0-60)
	Solely based on use of 3-8 ELA and/or math	Scale up other measures of teaching practice (0-60): $60 \text{ point score} / 60 = 0 / 100\%$
Does not include 3-8 ELA or math in any way	Solely based on use of 3-8 ELA and/or math	State score (0-20) X 2 + Other measures of teaching practice (0-60)
	Includes 3-8 ELA and/or math as part of a multiple measure	Re-calculate local score removing the 3-8 ELA and math portions. State score (0-20) + New local score (0-20) + Other measures of teaching practice (0-60)

Note: If the newly calculated score results in a lower rating than the original score, the higher score is used.

*If the Board of Regents approves a Value-Added (VA) measure for the 2014-15 school year, the process for “scaling up” the points in the locally developed subcomponent will be based on 15 rather than 20 total available points.

PROBATIONARY TEACHERS

At the June 24 Regents meeting the board amended the definition of performance as it applies to probationary teachers. The amendment defines performance as a teacher’s overall composite rating pursuant to an APPR. NYSUT continues to assert that this means that probationary teachers cannot be dismissed, based on classroom performance, prior to receiving a final composite APPR score and rating (including any appeal of the resulting score).