

PROGRAM BILL # 56

GOVERNOR'S PROGRAM BILL

2014

MEMORANDUM

AN ACT relating to temporary provisions for the implementation of common core learning standards

Purpose of Bill:

This bill would enact temporary provisions related to a teacher's or principal's annual professional performance review rating pursuant to Education Law § 3012-c when such individual is being scored based upon an assessment aligned with the Common Core Learning Standards adopted by the Board of Regents.

Summary of Provisions:

Section 1 has three subdivisions. Subdivision one would provide that the bill would only apply to classroom teachers or building principals rated as ineffective or developing in the 2013-14 and/or 2014-15 school years in an annual professional performance review (APPR) pursuant to N.Y. Education Law § 3012-c, and only if some portion of such rating was based on a state assessment aligned with the common core in English language arts and math in grades 3-8.

Subdivision 2 would provide a temporary calculation methodology that would apply to classroom teachers and building principals as defined in subdivision 1. For teachers and building principals who are rated "developing" or "ineffective" as defined in subdivision 1, this calculation determines whether their rating is due to the inclusion of APPR subcomponents scores based on state assessments aligned with the common core in English language arts and math in grades 3-8; if so, the calculation utilizes a teacher's or principal's score on local assessments and other factor, instead.

Subdivision 3 sets forth the purposes for which the temporary calculation pursuant to subdivision 2 may be used to determine whether certain employment related consequences apply for teachers and principals subject to the provisions of this section.

Section 2 of the bill provides the effective date.

Statement in Support:

In 2010, New York State adopted the Common Core Learning Standards ("Common Core"). The goal of the Common Core is to set high, real-world standards for learning that prepare students to be college- and career-ready. In New York, the adoption of these standards

led to a series of changes to the student assessment requirements, which first began with some student assessments in the 2012-13 school year.

As part of the 2014-15 Enacted Budget, the Legislature and Governor enacted a series of reforms to improve the implementation of the Common Core in New York State. Among the reforms, the legislation ensured that the results of English and math Common Core testing for grades 3-8 are not used against students and will not appear on their permanent records during a transition period. Similarly, this legislation would address consequences for teachers and principals whose evaluation ratings are ineffective or developing in 2013-14 and/or 2014-15 due to the Common Core State tests.

This bill would protect New York's standing as a national leader in teacher evaluation. It maintains the State's evaluation system, which bases 20% of a teacher or principal's evaluation on State tests and an additional 20% of the evaluation on locally-determined student achievement measures. The bill does not include a moratorium or a delay.

For two years – 2013-14 and 2014-15 – high-stakes consequences for teachers and principals who are rated developing or ineffective will be determined based on their evaluation factors excluding Common Core State tests. A teacher or principal who is still ineffective or developing based on the non-State factors will face all of the consequences under current law, including the expedited hearing process for termination for teachers who are rated ineffective two years in a row.

Budget Implications:

This legislation is not anticipated to have a fiscal impact to the State in the current fiscal year.

Effective Date:

This legislation would take effect immediately and first apply to certain employment-related decisions on July 1, 2014.