



AMENDMENT REQUESTED

S.1262 (Mayer)/A.783 (Benedetto)

An act to amend the education law, in relation to state assessments and teacher evaluations

The New York State School Boards Association *requests amendments* to the above referenced legislation prior to its enactment.

Under current law, districts are required to use state designed and administered exams (3-8 ELA and math) as the measure of student growth in Annual Professional Performance Reviews (APPR) for the educators teaching tested classes and subjects.

If enacted, this bill would eliminate the mandate to use the 3-8 tests and other state exams and allow districts to select the state or an approved alternative assessment for use as a measure of student growth while eliminating the state growth model. As currently written, the student growth measure would still be required to be an assessment, and the district would be required to collectively bargain the assessment selection. This bill would also make permanent the prohibition on state 3-8 test scores appearing as a part of a student's permanent record.

While NYSSBA supports the elimination of the mandate to use the 3-8 tests as the measure of student growth in APPR, we do not believe that this bill, as drafted, goes far enough to make significant improvements to the existing APPR system. In addition, we have serious concerns that if enacted, this legislation would likely lead to an increase in student testing.

NYSSBA requests the following amendments be made, to expand the scope of the changes, and limit the potential for additional testing:

- Allow school districts to select the measure or measures of student performance including student portfolios, state assessments and local assessments approved by the State Education Department.
- Remove the threat of state aid loss if a district does not have an annually approved APPR plan.
- Eliminate the requirement to use independent observers in addition to principals and other administrators.
- Restore the permissive use of currently prohibited evaluation elements, such as lesson plans and other artifacts of teaching, and parent and teacher surveys.
- Allow districts to differentiate the appropriate number and scope of observations conducted of tenured teachers with a track record of success, and probationary teachers and tenured teachers who require more coaching.
- Districts should be authorized to implement these local options at their discretion, without collectively bargaining these new flexibilities.

If incorporated, these amendments would take an important step towards addressing some of the most contentious issues around the current APPR system.

By expanding the scope of allowable measures of student growth, districts will have the option to lessen their reliance on standardized testing as a singular measure of student growth. By allowing other measures back into the total evaluation, such as lesson plans and other artifacts of teaching, district administrators can draw from a greater data set that is currently available to them, and allow educators additional ways to demonstrate their skills. By allowing districts the option to differentiate between their tenured, effective and highly effective employees, and those employees who may need additional support, the district will be better able to support them accordingly.

If these amendments are incorporated, they will reestablish a needed element of local control and managerial discretion in the employee evaluation process in school districts.

For these reasons, NYSSBA requests amendments to the above referenced legislation. For additional information, please contact NYSSBA Governmental Relations at 518-783-0200.