



School Administrators Association of New York State

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If APPR is Not Suspended in 2022-23: What Does This Mean for SAANYS Principals and BOCES Administrators?

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LET'S GET BACK UP TO SPEED AND BE PREPARED TO HAVE YOUR APPR NEGOTIATED BY THE BARGAINING UNIT!

What is the Annual Professional Performance Review (APPR) and where has it been?

The Annual Professional Performance Review, or APPR, is a New York State mandated evaluation process for New York teachers and building principals or administrators in charge of an instructional program of a school district or BOCES. The process was promulgated by New York Education Law § 3012-c, then revised by § 3012-d in addition to various Department of Education regulations and guidance, but ultimately it is the bargaining unit's responsibility to be involved in the process of interpreting and outlining all negotiable aspects of the APPR.

As result of the impact on school districts and BOCES due to COVID-19, in June 2020, the governor signed an executive order that suspended the requirement for school districts and BOCES to complete the annual professional performance review for any classroom teacher or building principal for the 2019-2020 school year. Following the 2019-2020 school year, legislation was passed in June 2021, and then May 2022, continuing the suspension of the requirement for the 2020-2021 and 2021-2022 school years.

While some schools may have continued conducting APPRs despite the state requirement being suspended, as it is not likely that the legislature will suspend professional evaluations in the 2023 session, It is therefore, essential that we prepare for the APPR process again.

As a probationary employee, should I be concerned with how the lack of an APPR may impact the school district's treatment of my tenure consideration?

How this suspension impacted tenure determinations is to be taken note of. With regard to tenure determinations, the legislation accounted for the fact that school districts were temporarily not required to conduct the APPR and thus a teacher or building principal may be without the necessary number of APPR composite ratings. For those appointed during the 2018-2019 or 2019-2020 school year, if a building principal did not receive composite APPR ratings for 3 consecutive years, APPR ratings would not be required in order for superintendents to be able to recommend those individuals for tenure. For individuals appointed during the 2020-2021 school year, building principals would be eligible for tenure if they received composite APPR ratings of either effective or highly effective during two of the prior four years, and they did not receive a rating of ineffective in the final year of their probationary period. In both scenarios, the building principal also must be determined by the superintendent to be qualified for tenure based on their performance during those school years in which they did not receive a composite APPR rating.

If school districts begin conducting APPRs again, what should I expect and what can I do?

The legislative action taken during the 2020-2021 and 2021-2022 school years has not continued into the 2022-2023 school year, and the APPR is again, a mandated requirement of school districts to complete for their classroom teachers and impacted administrators (building principals or administrators in charge of an instructional program of a school district or BOCES). While the process and standards for the APPR have not changed from those that predated the COVID-19 suspensions, the issue of negotiating your APPR remains essential. With many school districts suspending the APPR during the period of time that they were not required by law to conduct them, we believe it is critical that the APPR format and guidelines that you will be evaluated based on be reviewed by your bargaining unit and by SAANYS. Also, you will evaluate the teachers in your building pursuant to the APPR negotiated between the teachers union and the school district.

When negotiating your APPR, your bargaining unit and SAANYS will want to be sure that several essential areas are covered and mutually agreed upon. Negotiating these areas can protect your rights and provide us with more control of the process, as well as a greater mutual understanding of what is expected. These topic areas include:

1. What is the negotiated student achievement measurement, and how is that measurement arrived at?
2. Are SLOs (student learning objectives) to be used?
3. How many announced and unannounced school visits will there be, who will conduct them (supervisor or independent evaluator or is there a waiver in place) and is there a difference in number for tenured and probationary principals?
4. How will the HEDI scores (highly effective, effective, developing and ineffective) be broken down?
5. Should the input model be accepted, or should the observation rubric be changed?
6. What will the terms and direction of any type of IP (improvement plan) improvement plan?
7. What will the appeals process format take?

DO NOT fall victim of being invited into the superintendent's office to sign the "portal document" without negotiations. By signing that document, you are certifying that the contents of that document were negotiated! It is imperative that prior to agreeing to the contents of the document that your bargaining unit and SAANYS have had the opportunity to negotiate on your behalf.

To reiterate, if your school district and superintendent address the issue of agreeing upon your APPR and the format such will take, please be sure to take the time to discuss the APPR with your bargaining unit and SAANYS so that we can assist in the negotiation process. **It is our advice that you do not simply sign off on the APPR that is presented to you, and essentially forgo your right to negotiate it.**

We look forward to assisting you with the APPRs now that they are back, and as always, we are here to help!

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