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SAANYS 2013 Legislative Positions

- Annual Professional Performance Reviews
 - Recommend: Independent Study of NYS System

- Annual Professional Performance Reviews
 - Recommend: Delay Implementation of APPR Expedited 3020-a Process Until 2015-16

- Annual Professional Performance Reviews
 - Recommend: Delay SED Disclosure of APPR Evaluation Data Until 2013-14

- New York State Teachers Retirement System
 - Recommend: School Administrator Representation on NYSTRS Board of Trustees



SAANYS Recommends: Independent Evaluation of State APPR System

- Are APPR Evaluations Valid?
- Do APPRs Lead to Better Support for Teachers and Principals?
- How Much Does the State APPR System Cost School Districts?
- How Much Does *Race to the Top* Pay for the APPR System?
- Does the State APPR System Improve Education Results?
- APPR Evaluations Comparable Across Schools and Districts?
- How Can the State APPR System be Improved?

**SAANYS, NYFSFA, CSA, NYSSBA, NYSCOSS, NYSUT,
PTA, NYSASBO, Conference of the Big 5**

**ALL Nine Organizations Recommend
That a Formal and Independent Review of New
York State's APPR Process and Its Implementation
be Commissioned and Undertaken as Soon as
Practicable**



SAANYS Recommends: Delay APPR Disclosure by SED Until 2013-14

- **§3012-c.10 Requires:**

That SED “fully disclose professional performance data for teachers and principals” in a manner that will make such data widely available and “suitable for research, analysis and comparison.”

Recommendation: This Provision Should be Held in Abeyance until the 2013-14 APPR Cycle.

It is IMPOSSIBLE to Validly Compare APPRs this Year Because:

- **Opportunity -- Catastrophic Weather Has Differentially Impacted School Districts with Closures and Prioritized Health and Safety Services**
- **SED Guidance -- 75% of Administrators Surveyed by SAANYS Did Not Receive Clear and Meaningful Guidance from SED**
- **SED Materials -- The SED Release of Common Core Aligned Curricula and Instructional Materials was Late and Incomplete**
- **SED Testing – Too Different to Compare**
 - **SED’s Senior Regents Fellow: Last Year’s Tests Cannot be Compared to this Year’s Tests – Even the Scales are Different**
 - **Regent James Tallon: In Using 3-8 State Assessments for APPRs, “Take year one with a grain of salt.”**



SAANYS Recommends Delay Expedited APPR Hearings Until 2015-16

- **Amend Section 5 of Chapter 103 of Laws of 2010**
- **Current Law Allows for Expedited 3020-a Process After Two Consecutive Ratings of “Ineffective”**
- **Teacher and Principal APPRs May be Lower Due to:**
 - **New State Tests are NOT Comparable to 11-12**
 - **Late & Incomplete Transition to Common Core**
 - **Differential Impact of Catastrophic Weather**
 - **An Independent Study Should be Undertaken to Validate New York State’s APPR System**
- **Recommend: Statutory Provision Regarding the Expedited 3012-a Process Should be Held in Abeyance Until 2015-16.**



SAANYS Recommends School Administrators Should be Represented on NYSTRS Board of Trustees

- **Recommend Revision of Section 504 to:**
 - **Add One Member – Active School Administrator**
 - **Appointed by Education Commissioner**

- **Negligible Costs – Travel Reimbursement Only**

- **Current Members:**
 - **2 School District Superintendents**
 - **2 Bank Executives**
 - **1 Insurance Executive**
 - **1 Rep from Office of State Comptroller**
 - **1 Retired Teacher**
 - **3 Active Teachers**
 - **0 Active School Administrator**



APPR Implementation Considerations

- **SED Senior Regents Fellow Kristen Huff, Regarding last year's and this year's 3-8 State Tests, *"The performance on these assessments is not really comparable."***
- **Regent James Tallon: For State Tests in 2012-13 APPRs, *"Take Year one with a grain of Salt."***
- **To Date, SED Has NOT Yet Decided:**
 - **Is the State Growth Score 20 or 25 Points?**
 - **Is the Local Measure Score 20 or 15 Points?**
- **Catastrophic Weather Differentially Impacted School Districts: Protracted Closures, Health and Safety Were the Priorities**
- **75% of SAANYS Surveyed Administrators Say Clear and Meaningful Guidance NOT Received from SED**
- **SED Was Untimely in Issuing Common Core Aligned Curricula – Still Not Complete**

- **Instructional Materials Released in August 2012, Too Late to Arrive Before School Opening, After Materials Budgets Were Exhausted.**
- **There is a growing parents movement: against over-testing and phasing-in new tests without sufficient preparation. Many are seeking a means to “opt out.” This will impact schools’ ability to meet the 95% student participation requirement.**
- **Many students did not have sufficient time to complete the new ELA tests in grades 3 to 8.**
- **Many educators feel that curriculum is being narrowed to “what will be tested”**



2013 Legislative Issues – *At a Glance*

Annual Professional Performance Review

- **Independent Review of State APPR System** – We strongly support more effective and constructive annual evaluation of principals and teachers. The Governor twice declared the state APPR system a success – but upon what basis? Information from school administrators throughout the state lead us to believe that the system is largely an unfunded or underfunded mandate that is in need of improvement. Therefore, we recommend that a formal and independent review of the state APPR system be under taken as soon as practicable. Note: This position is fully supported by the 7 organizations comprising the Education Conference Board (ECB). A letter documenting such support is in the legislator packets. This position is also supported by the NYS Federation of School Administrators and by the Council of School Administrators and Supervisors.
- **APPR Expedited Hearings** – Section 5 of Chapter 103 of education law should be revised to delay implementation of the APPR expedited 3020-a provision until 2015-16. The State Education Department’s chief test designer says that this year’s 3-8 tests are not comparable to last year’s tests. In fact, Regent Tallon said the grade 3 to 8 state tests should be “taken with a grain of salt” for this year’s APPRs. In addition, Super Storm Sandy devastated some districts, districts are at different points in transitioning to common core standards due to late release of materials by SED and limited funding to purchase new instructional materials, and in many school districts parents and students have “opted out” of the state tests. In some cases, teachers and principals may receive low APPR scores due to circumstances that were out of their control.

Note: The two issues above are addressed in Legislative Bill A-5079 by Assemblyman James Brennan. We support this bill.

- **SED Disclosure of APPR “HEDI” Ratings and Composite Scores** – §3012-c.10 requires that the State Education Department post on their website and through other means fully disclose APPR data (for each of the three subcomponent scores and for the overall composite score) in a manner suitable for research, analysis and “comparison.” It is literally impossible to publish “comparable” data this year. Catastrophic weather has impacted different districts in different ways, 75% of surveyed school administrators feel that they did not receive adequate guidance from SED, many students and parents have “opted out” of testing, SED curriculum materials were issued late, and SED itself says that this year’s tests are not comparable with last year’s tests (and Regent Tallon said the tests “Should be taken with a grain of salt” for APPR purposes). Releasing APPR data this year will misinform the public. This provision should be delayed for one year, after the completion of the 2013-14 APPR cycle.

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NYS Teachers Retirement System Board of Trustees

- **School Administrator Representation** – We are recommending a no-cost revision to Section 504 of Education Law to add one member, an active school building administrator, to the NYS Teachers Retirement System Board of Trustees. The member would be appointed by the Commissioner of education. Currently there are 10 members: 2 school district superintendents, 2 bank executives, 1 insurance executive, 1 representative of the State Comptroller, 1 retired teacher, and 3 active teachers. School administrator representation is conspicuous by its absence on the board.

Other Issues that Legislators May Raise for Discussion:

School District Consolidation

- We oppose forced or mandated school district consolidation. Such action flies in the face of local control; and may be expected to further politicize education, constrain community engagement, and compromise travel safety and school responsiveness in emergency situations. Any proposal to promote and encourage consolidation must include measures to ensure the system is responsive to the needs of students, parents, educators, and the community. Public participation and transparency must also be ensured.

Regional High Schools

- SAANYS does not oppose the establishment of regional high schools as a local option to cost effectively provide a broader array of educational services/programs. The State Education Department and legislation introduced in 2012 (S-5184, C. Young; A-8002, C. Nolan) indicate that all displaced teachers will have employment rights to positions in the regional high school based on seniority, but no similar employment protections have been articulated for principals and other school administrators. School administrators must have the same seniority and tenure protections accorded to teachers – as they currently do.

Shared Services

- The BOCES system has a long history of providing quality educational, administrative and managerial services in a cost-effective manner. Based on this record of success, we support the expanded use of the BOCES model to provide shared services to school districts (including large cities), municipalities, libraries, charter schools and institutions of higher education. The extent and types of services would likely be different from BOCED-to-BOCES, as it is for school districts.

Early Retirement Program

- Educators and civil service employees who are at least 55 years of age with 25 or more years of service should be permitted to retire without penalty. This will result in the controlled departure of veteran employees (who will receive a pension less than would be the case if they remained employed), achieving school district costs savings by hiring a new employee or not replacing the position.