



INFORMATION BULLETIN

Annual Professional Performance Review (APPR)

Introduction

The Annual Professional Performance Review (APPR) is the section of state education regulation that refers to evaluation of the performance of teachers providing instructional or pupil personnel services. This regulation requires annual evaluation of all professional personnel in public school districts and BOCES except evening school teachers of nonacademic, vocational subjects and supplementary school personnel. The procedures for evaluating teachers are a mandatory subject of collective bargaining.

Regulatory Information

- ◆ The regulation is entitled “Annual Professional Performance Review, Subdivision (o) of Section 100.2” of the Commissioner’s Regulations as amended effective September 3, 1999 to be implemented by September 1, 2000.
- ◆ The regulation specifies, “ Formal procedures for the review of the performance of teachers shall be determined by the school district or BOCES, consistent with the requirements of Article 14 of the Civil Service Law.”

Regulation Background

The APPR regulation was passed in 1999 but many districts applied for and were granted waivers at that time. Consequently even though the regulation is three years old, many districts and BOCES are writing APPR plans for the first time in 2003. In part this is because the passage of the reauthorized Title I program, No Child Left Behind Act, has brought greater attention to the teacher evaluation process and the general topic of teacher quality.

Who is subject to the APPR Regulations?

Teacher is the term used in this regulation but teachers is a broader term implying certification in New York State as defined in Part 80. All certificated teachers providing instruction are included. In addition, teachers providing pupil support services include: school attendance teacher, school counselor, school dental hygiene teacher, school nurse-teacher, school psychologist and school social worker.

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Who is exempt from the APPR Regulations?

Those exempted include evening school teachers of non-academic vocational subjects and supplementary school personnel (teacher aides and assistants, visiting lecturer, supplementary services for which no certificate exists). Teachers in private schools are not subject to this regulation.

Key ideas about the development and adoption of the APPR plan

- ◆ The governing body of the school district or BOCES (the Board of Education) is responsible for adopting an APPR plan. The plan is filed in the district or BOCES and is not submitted to SED.
- ◆ The APPR plan is to be developed by the superintendent (or chancellor, in NYC) “in collaboration with teachers, pupil personnel professionals, administrators and parents selected by the superintendent.”
- ◆ The APPR plan must be available for review by any individual no later than September 10 of each year. The Board of Education is required to provide “organizations representing parents and the recognized representative of the teachers’ bargaining unit with an opportunity to comment on such plan prior to its adoption.”
- ◆ An APPR plan may be for a single year or for multiple years.
- ◆ An APPR plan describes the **evaluation process** to be used to assess performance of all teachers and professional staff providing instructional and pupil personnel services as defined in Section 80.1.
- ◆ The only professional **staff not required** to be in the APPR plan are evening school teachers of adults enrolled in nonacademic, vocational subjects; and supplementary school personnel as defined in Section 80-5.6.
- ◆ Districts can add additional criteria to the mandated state criteria and can adjust criteria for pupil personnel professionals.

Key ideas about the content of the plan

- ◆ The APPR plan must define the **criteria** to be used to evaluate teachers providing instructional services and must include but not be limited to the following areas:
 - Content knowledge
 - Preparation, knowledge of pedagogical practices
 - Instructional delivery
 - Classroom management
 - Student development
 - Student assessment
 - Collaboration with students, parents, caregivers and support personnel
 - Reflective practice and ability to adjust instruction
- ◆ The APPR plan must also describe the **criteria** to be used to evaluate teachers providing pupil personnel services as described in section 80.1.
- ◆ The APPR plan must describe the **assessment methods** to be used to evaluate teacher performance. Methods may include but are not limited to:
 - Classroom observation
 - Videotape assessment
 - Self review
 - Peer review
 - Portfolio review
- ◆ The APPR plan must include a separate description of the evaluation process to be used for a **teacher holding a transitional** (in place now) **or initial certificate** (in place in September 2004). The APPR

regulation requires that those holding transitional or initial certificates be evaluated using a portfolio review which may include but is not limited to:

- A video of teaching performance
 - A sample lesson plan
 - A sample of student work
 - Student assessment instruments
 - Teacher reflection on classroom practice
- ◆ The APPR plan must describe how the school district or BOCES will provide **training** for those who will conduct performance evaluations.
 - ◆ The APPR plan also must include the procedure used to annually **review the performance of the superintendent**. This procedure must be filed in the district and be available for review by any individual no later than September 10th of each year.

Key ideas about Teacher Improvement Plans (TIP)

- ◆ The APPR plan must describe how the school district or BOCES addresses the performance of teachers whose performance is evaluated as unsatisfactory and requires a teacher improvement plan which shall be developed by the district or BOCES in consultation with the teacher.
- ◆ Each district's APPR plan establishes the levels of proficiency and evidence required for satisfactory performance in that district.
- ◆ The TIP is a teacher improvement plan, written as a recommendation or plan of action to help a teacher found to have unsatisfactory practice using the review process established in the APPR plan.
- ◆ Each district must report annually to SED on the district's efforts to address the performance of teachers whose performance is considered unsatisfactory.

Advice to Local Leaders about APPR

1. Requirements for the annual performance review of teachers have been in place since 1999.
2. This regulation does not include a template or recommended system for evaluation. The APPR plan development is the responsibility of the superintendent who may choose to consult the teacher union. However, even if other teachers are consulted by the superintendent, remember that the evaluation procedures are a mandatory subject of collective bargaining. Resources for models of assessment of performance may be obtained from your LRS, and from your teacher center.
3. As the APPR plan is developed, urge your district to make connections with your district Professional Development Plan (PDP), your mentor program, and your district in-service programs.
4. NYSUT's Education and Learning Trust can provide background information and workshops on different models of teacher evaluation, teacher portfolio development, and use of video taping for assessment.
5. Build a teacher evaluation model that supports the continuous improvement of the educators in your local. Seek models that encourage professional conversations and the creation of a learning community in your school district.
6. Resources for evaluation models can be obtained from American Society of Curriculum Development (ASCD), American Federation of Teachers (AFT), local BOCES and professional educational associations.
7. The regulation grants the teacher's union and parent organization the right to review the plan and comment prior to its implementation (by September 10).

Advice to Local leaders about Teacher Improvement Plans (TIP)

1. TIPs are intended to help teachers with professional performance, not to be used as disciplinary tools or to gather evidence to terminate an individual.
2. The responsibility for providing the help to the teacher is with the district. In a TIP the district proposes how it will help the teacher. The teacher must be involved in determining the activities suggested to remediate the areas of unsatisfactory performance.
3. TIPs are to be developed in consultation with a teacher and a district representative. A teacher should not receive a TIP or “Be Tipped”. Consultation implies a level of mutual respect.
4. TIP meetings can be very tense situations if a teacher does not understand or agree with the evaluation as unsatisfactory or if a district is misusing the process.
5. The process and/or procedure for the Annual Professional Performance Review is a mandatory subject of collective bargaining. Therefore, the contract can stipulate that a union representative accompany the teacher for the TIP meeting.
6. Development of a TIP should be a helpful, professional conversation, identifying solutions to problems and resources that will HELP the teacher. TIP consultation meetings should not be adversarial or be used as a negotiation tool.
7. The language of APPR applies to both tenured and non-tenured teachers.
8. There is no recommended template for a TIP in the APPR regulations. Each district or BOCES defines its own TIP form and process in the district APPR plan.
9. A good TIP may include the following:
 - a. Identification of the specific behavior to be changed
 - b. The link to the criteria in the district or BOCES APPR plan.
 - What does the teacher have to change?
 - What evidence will demonstrate that the teacher has changed?
 - c. A timeline for accomplishing the change, with intermediate benchmarks.
 - d. A statement of what the teacher agrees to do to make the required change.
 - e. A statement of who will support the teacher and monitor progress in the change effort.
 - f. Identification of multiple resources to help the teacher.
 - Resources can include mentors, district Professional Development Plan, Teacher Centers, BOCES, Higher Education Institutions, personal counselors, employee assistance programs, and medical referrals and others.
 - g. Release time for courses, workshops and observation.
 - h. Signatures by the teacher and district representative indicating agreement.
10. If a TIP is used as a threat, or as a disciplinary tool by a district representative, the teacher should immediately contact the local president to identify options. Local presidents should ensure that building representatives know who has been identified as needing to participate in the TIP process.

Attachments (also available at www.emsc.nysed.gov/development/regulations):

1. SED Summary of APPR (http://www.emsc.nysed.gov/development/requirements_summary-APPR.htm)
2. SED Frequently Asked Questions (http://www.emsc.nysed.gov/development/faq_appr_all.htm)
3. APPR Regulations (http://www.emsc.nysed.gov/development/regulations_appr.htm)

New Important Information: See Briefing Bulletin # 03-08 Teacher Improvement Plan (May 2003) and Briefing Bulletin 04-14 Update your APPR: Professional Portfolios Required for Evaluation of Newly Certified Teachers (September 2004.)