



LOWER HUDSON EDUCATION COALITION

450 Mamaroneck Ave, Harrison, NY 10528 • (914) 345-8737 • www.lhec.org • lhec@lhec.org

MEMO

A.10475 (Nolan)/S.8301 (Marcellino)

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

The Lower Hudson Education Coalition (LHEC) appreciates the sponsors' intent to address serious flaws in the Annual Professional Performance Review (APPR) process for teachers and school principals pursuant to New York State Education Law Section 3012(d).

The current APPR process has led to significant issues and is in need of amendments. While we support the intent and some of the provisions of this legislation, we also wish to raise some concerns, which we hope will be considered.

The LHEC supports adjustments to the matrix related to the over emphasis on the grades 3-8 state assessments and to the penalties in relation to the use of the optional second subcomponent.

We also are supportive that current APPR plans would remain in place until a successor plan is established. This would not force districts into a rushed plan because of the threat of losing state aid.

While we appreciate the aforementioned steps, this legislation takes to revamp the APPR process, we wish to raise caution on the following provisions:

The legislation redefines "local control," which raises significant concern for the coalition. We believe that the selection and use of an assessment in a teacher or principal evaluation should be a school district decision and not be subject to the collective bargaining process. By subjecting the selection and use of an assessment tool to collective bargaining, this would establish a significant shift from the long established, fundamental management prerogative regarding management's rights and control to ensure the success of all students. Input from management is essential to the accountability system, as management is responsible for the implementation.

Additionally, the LHEC strongly believes that a new assessment tool requires a researched based approach that includes input from practitioners and stakeholders. This input process is already underway by the New York State Education Department (SED) and we suggest to the Legislature that this process should be allowed to finish and be considered.

Finally, we are concerned that this bill could have the unintended consequence of over testing of students. This is due to the fact that the grade 3-8 tests are mandated by the Federal Government and thus alternative assessments selected under the proposed collective bargaining process could be in addition to the required State assessments. For example, since the NYS Regents exams are required for graduation, many districts choose to not "double test" students and instead use those exams as the student's final exam. However, if this legislation includes collectively bargained alternative assessments, students in grades 3-8 and in Regents Exam classes might have to take both the State assessment and the alternative assessment.