



# Educational Issue Update

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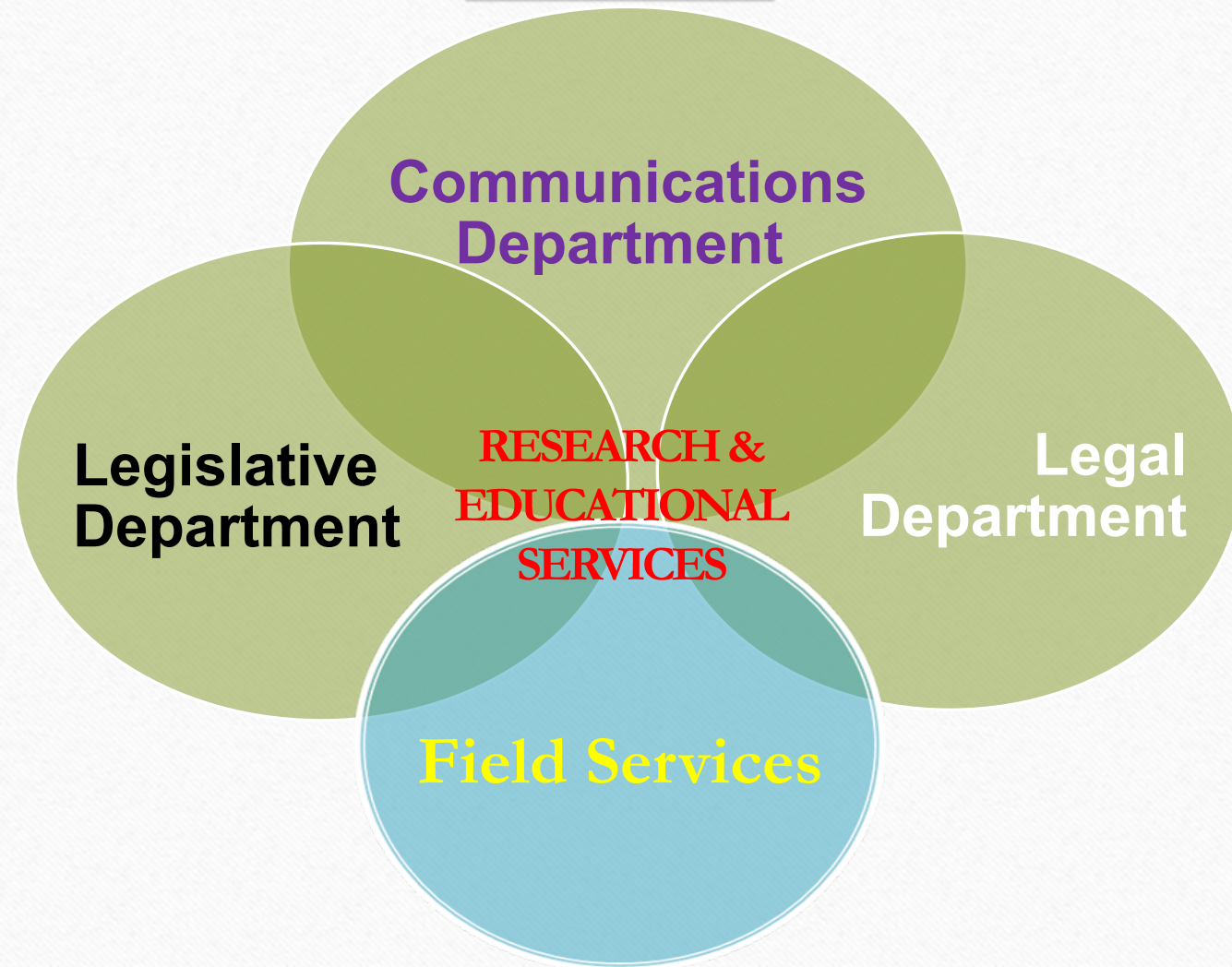
# Agenda

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- Standards and Assessment Update
- Graduation Measures
- APPR 2019 Amendment and the COVID Years
- Data Privacy
- Federal Accountability (ESSA)



# NYSUT



# NYSUT Research & Educational Services

Track and provide the most current research and up-to-date information on issues and trends shaping local, state and federal education policy (P-12 and Higher Education) including:

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- Standards (teaching and learning)
- Certification
- Testing
- Data Privacy
- APPR
- ESSA
- Family and Community Engagement
- ELT (Education and Learning Trust)



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# A Little History

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In 1996 NYS adopted 28 learning standards in 7 content areas to define what students should know and be able to do in each subject.

- The Arts;
- Career Development and Occupational Studies (CDOS);
- English Language Arts;
- Health, Physical Education, and Family and Consumer Science;
- Languages other than English;
- Mathematics, Science, and Technology; and
- Social Studies.

Before Common Core (2011) and Next Generation (2017), ELA and mathematics were the only standards to be reviewed and revised, 2005



# ELA and Math Standards

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- Chapter 20 of the Laws of 2015, requires the Commissioner of Education to conduct a review every five years of the New York State P-12 Common Core Learning Standards.
- Key recommendation in the 2015 report of the NYSUT Task Force on Standards, Modules and Assessments.
- The Governor's Task Force on Common Core Standards, recommended adopting locally-driven high quality New York education standards.
- Resulting in the development of the 2017 Next Generation ELA and Math learning standards.

# ELA and Math Standards

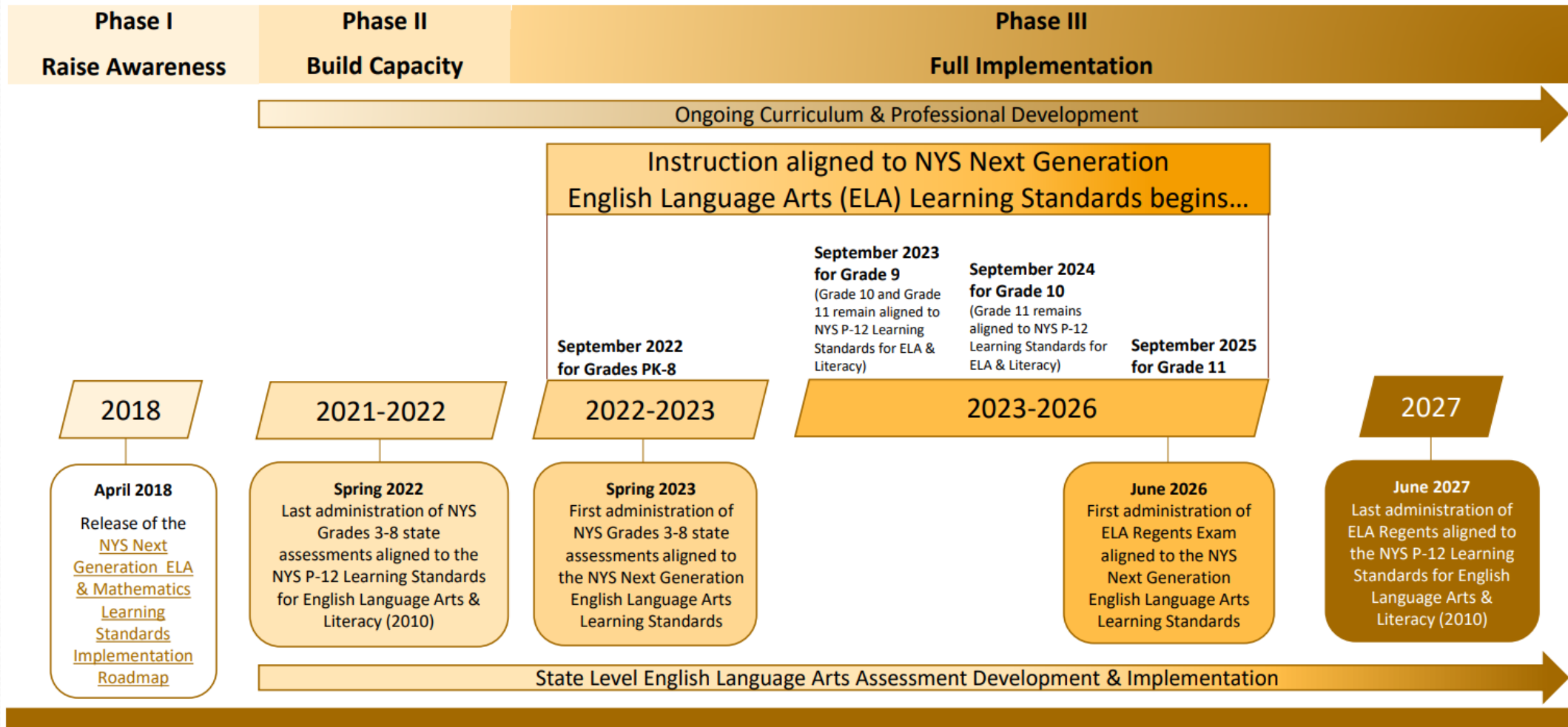
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- The 2011 ELA and Math Learning Standards were reviewed and revised beginning in 2015.
- The NYS Next Generation ELA and Math Learning Standards were adopted in 2017
- Phase 3 Full Implementation begins this September (2022)
- New Grade 3-8 tests measuring the NYS Next Generation Learning Standards will be given in spring of 2023.

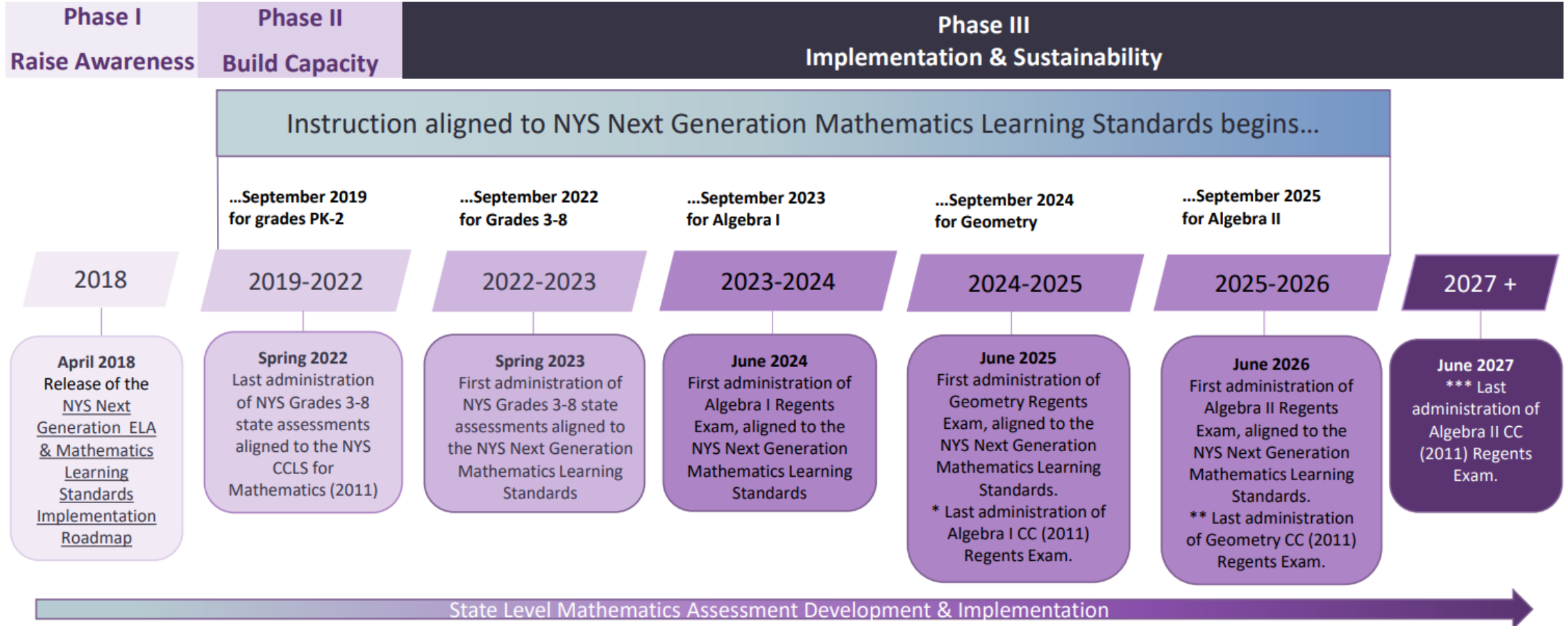


Revised April 2021

# New York State Next Generation English Language Arts (ELA) Learning Standards Instruction and Assessment Implementation Timeline



# New York State Next Generation Mathematics Learning Standards Instruction and Assessment Implementation Timeline



\*Algebra I CC (2011) will be administered June 2024, August 2024, Jan 2025 and June 2025.

\*\*Geometry CC (2011) will be administered June 2025, August 2025, Jan 2026 and June 2026.

\*\*\*Algebra II CC (2011) will be administered June 2026, August 2026, Jan 2027 and June 2027.



# Computer Science and Digital Fluency Standards

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- Standards adopted December 2020
- SED holding firm on deadlines:
  - Currently in Capacity Building Phase: July 2022 – August 2023
  - Initial Implementation: September 2023 - August 2024
  - Full Implementation: September 2024
- Many Math/Science/Technology certified teachers teaching Computer Science with certification questions and concerns.
  - After September 1, 2023, the certifications eligible to teach computer science will change.
  - There will be cases where a teacher who has been teaching a computer science course will need to either have the new certification or apply for the Statement of Continued Eligibility.
- Many policy issues remain that need to be addressed

# Arts Standards

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- NYS Learning Standards for the Arts were adopted in September 2017.
- SED's Arts Standard Implementation timeline indicates full implementation by 2021-2022.
- Individual Arts Assessment Pathway (IAAP) will be, pending BOR approval, a graduation pathway option in which students demonstrate, through a collection of creative works, growth over time.
- Work is continuing on the IAAP, with piloting in certain schools taking place in September 2022.



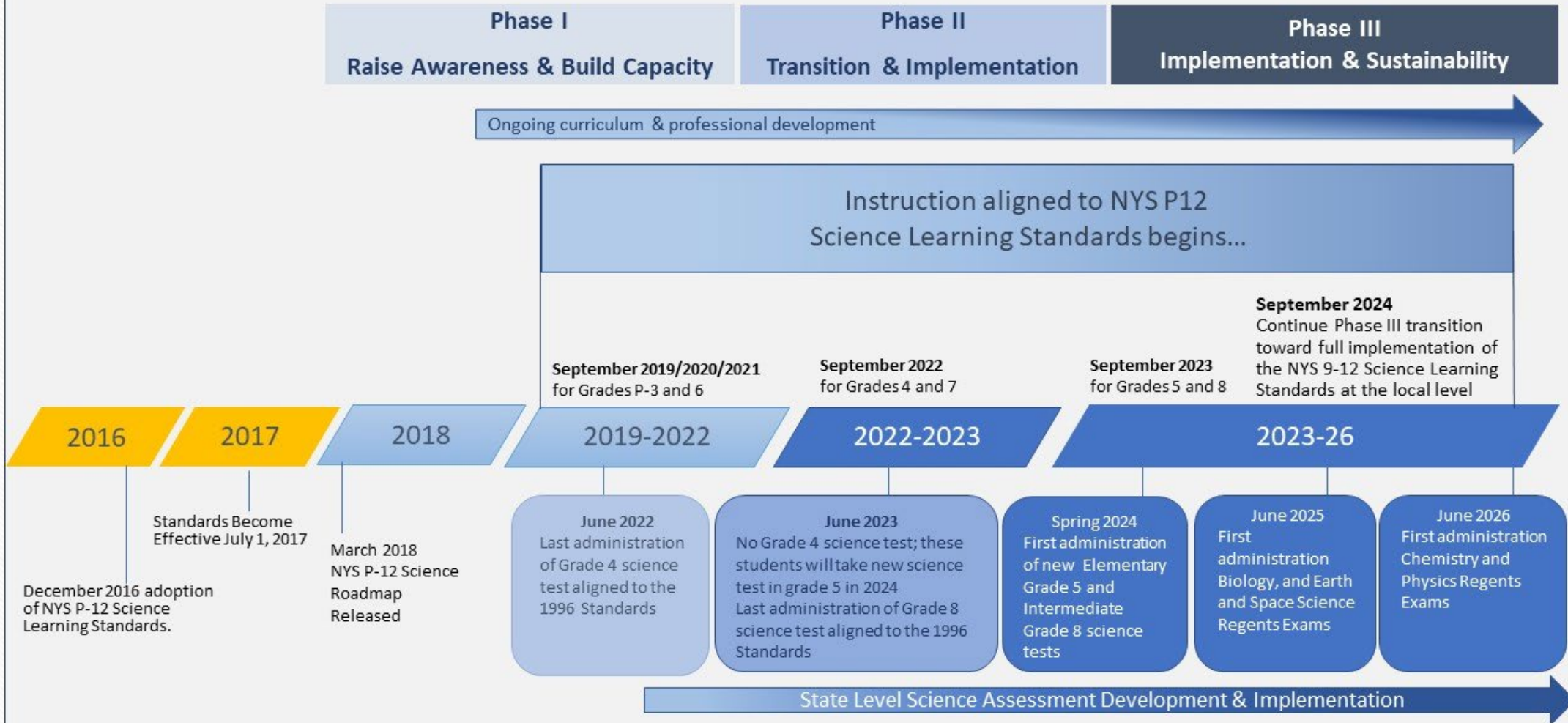
# Science Standards

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- New P-12 Science standards were adopted in 2016.
- No Grade 4 Science Test in 2023. **New** Grade 5 Science Test in 2024.
- In order to prepare for these tests with authentic, hands-on laboratory experiences, students will participate in a series of required activities called Investigations.
- Science implementation webinar:
  - [Statewide Science Update Webinar | New York State Education Department \(nysed.gov\)](#)
- New science resources:
  - [Science Standards Implementation Resources | New York State Education Department \(nysed.gov\)](#)
- Field testing returns in Spring 2022 and will include a choice of CBT for Elementary and Intermediate Science.

# New York State P-12 Science Standards Development, Adoption, and Implementation

Revised April 2021





# Social Studies Standards

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- Learning standards 1996
- K-12 Framework adopted in 2014 and revised in 2016 and 2017 and is now fully implemented.
- First administration of the new U.S. History Regents Exam aligned to the framework was scheduled for June 2020 then postponed initially to June 2021 and again to June 2022, due to COVID-19.
- The 2022 Exam was canceled due to content that had the potential to compound student trauma following the mass shooting in Buffalo (we have no more details).
- Seal of Civic Readiness pilot is underway and anticipate full implementation in 2022-2023 school year (+1 Civics Pathway) the application for 2022-2023 school year has closed.

# Physical Education Standards

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- The 1996 standards (Health, Physical Education and Family & Consumer Sciences) were reviewed and revised for Physical Education in 2018.
- Currently in Phase 2 – Building Capacity (Fall 2021-Fall 2023)
- [Physical Education Learning Standards | New York State Education Department \(nysed.gov\)](#)
- Health and Family & Consumer Science standards have not been reviewed or revised.



# NYSED Data-Sharing

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- NYSED is streamlining its data-sharing practices to provide state assessment data to schools, teachers, parents, and the public more quickly.
- NYSED will provide the Grades 3-8 English Language Arts and Mathematics preliminary assessment data to districts and schools prior to the beginning of the 2022-23 school year in August so it can be used to help inform instructional decisions and to develop individualized learning plans for students.
- This will also allow parents to receive their student's information much earlier than in past years.
- The Department will publicly release all final state assessment data – including Regents exams – at the same time this fall.
- This will allow the Department to provide earlier public access to final annual assessment data for all state assessments (each fall rather than April of the following year).
- [More information about the 2022 Grades 3-8 English Language Arts and Mathematics Data Reporting is available here](#)

# Review of Graduation Measures

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- Beginning in fall of 2022, A Blue-Ribbon Commission will begin meeting to develop recommendations to the Board of Regents on what measures of learning and achievement could better serve NY's diverse student population as indicators of what they know and their readiness for college, career, and civic life.
- Performance-Based Learning and Assessment Networks (PLAN) Pilot will look at how these approaches can be implemented in a diverse range of schools, and how to support schools in making that transition.



# DRAFT TIMELINE

for the Review of Graduation Measures in NYS

## Phase I: Information Gathering & Learning

- **November 2019 – March 2020:**
  - Literature review of research and practices in other states.
  - Regional meetings held beginning Jan. – Mar. 2020 to gather feedback from across the state.
- **March 2020:** All workshops canceled due to COVID-19 pandemic.
- **Fall 2021 – Spring 2022:** Workshops held in virtual format.
- **Spring / Summer 2022:** Compile Regional Meeting feedback.
- **Fall 2022:**
  - Present regional meeting and literature review findings to the Board.
  - Establish the Blue Ribbon Commission (BRC) and draft meeting schedule.

## Phase II: Blue Ribbon Commission

- **Fall 2022 – Winter 2023:**
  - Commission's first meeting – the BRC convenes and defines its scope of work.
  - Blue Ribbon Commission second meeting to identify priority areas and a framework for moving forward. Establish sub-groups for priority areas.
- **Winter 2023 – Spring 2023:** Sub-groups meet.
- **Spring 2023 – Summer 2023:** Sub-groups develop proposed recommendations.
- **Fall 2023 – Winter 2024:** Sub-groups advance recommendations to the BRC.
- **Winter 2024 – Spring 2024:** The BRC finalizes recommendations and a report is prepared.

## Phase III: Regents Discussion

- **Spring / Summer 2024:** The Blue Ribbon Commission's final report is presented to the Board of Regents for consideration.

# Regents Special Appeal 2021-22 & 2022-23

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- In response to widely varied teaching and learning conditions caused by the continued impact of the COVID-19 pandemic, the Board of Regents approved for Emergency Action at its May meeting a temporary expansion of the existing process to appeal to graduate with a lower score on a Regents Examination (between 50 & 64).
- The purpose of this expansion is to provide flexibility to students taking Regents Examinations in the 2021-22 and 2022-23 school years in meeting assessment requirements for a diploma.
- This flexibility will be known as the special appeal.
- In addition, the Department reminds districts and schools that while grading policies are locally determined, the inclusion of Regents Examination scores in the calculation of final course grades is neither required nor recommended.



# APPR How did we get here?

2015

ESEA reauthorized by ESSA  
Federal law that outlines how states can use federal \$ to support public schools  
\$ allocated through formula and some competitive grants

2009

Granting of Race to the Top Funds  
Student growth in evaluations required  
NYS applied and received funds

2012

Flexibility from some of NCLB provisions  
Adopt college and career-ready standards and assessments & evaluations must have student performance

2002

NCLB  
Reauthorize ESEA  
100% proficiency

1965

ESEA  
Fed commitment to “quality and equality”  
Provided grants to districts serving low-income students

2018 NYS ESSA  
Plan was approved by USDOE  
This ensures NY will continue to get Title 1 funds

# New York's APPR Law Remains

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- ESSA (Every Student Succeeds Act), which replaces the former requirements, now leaves it up to states to determine how to define effective teachers.
- USDE is prohibited from mandating states use of any particular evaluation system or requiring student performance in teacher evaluation.
- However, ESSA does not supersede or alter state law. This means that 3012-d, the Annual Professional Performance Review (APPR) statute, remains in effect as amended by the laws of 2019.



# 2019 APPR changes

- Here is what the law does:

1. Eliminates the state growth model from the law. The growth scores will no longer be calculated by the state for individual teacher evaluations.
2. It eliminates the requirement to use state tests in APPR. This change includes 3-8 Testing, Regents Exams, the NYSES LAT and the Alternative Assessment for students with disabilities.
3. The law places the decision about student performance at the bargaining table. This means the entire APPR plan will be subject to collective bargaining.

## 2019 APPR Changes (cont'd)

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4. The law ensures every local can continue their current APPR plan used in transition until a new CBA is negotiated compliant with the 2019 amendment.
5. It allows all teachers to be covered by group measures removing the high stakes nature of individual SLOs.
  - Most locals that have negotiated new plans since the 2019 amendment have used this approach.



# Variance

Although newly negotiated plans must adhere to the law (3012-d as amended by Chapter 59 of the Laws of 2019), districts can apply for a variance from one or more of the requirements, outlined in regulations. These variances may be granted to a district that:

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- Negotiate the development and implementation of new and innovative approaches to evaluation.
  - These approaches must meet specific criteria.
  - District must demonstrate how it will ensure differentiated results over time.
  - District must demonstrate how the results of the evaluation will be used to provide personalized professional learning opportunities to teachers.
- Submit and receive approval of an evaluation plan that complies with all the requirements of Education Law section 3012-d and Subpart 30-3 of commissioner's regulations prior to or at the same time as the variance submission.

# COVID – 19

June 7, 2020

Executive order 202.39

Removed requirement  
that all classroom teachers  
and building principals  
have an APPR for 2019-  
20 school year.

May 13, 2022

Chapter 201 of the laws of 2022  
Extension of Chapter 112 of the laws  
of 2021

June 7, 2021

Chapter 112 of the Laws of 2021 (amended  
June 11)

Removed requirement that all classroom  
teachers and bld. principals have an APPR for  
2020-21 school year.

Delt more fully with tenure issues



# Data Privacy

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- Education Law 2-d and Commissioner's Regulations Part 121 provide educational agencies and their 3<sup>rd</sup> party contractors on ways to strengthen data privacy and security to protect student data and APPR data.
- Participate in and practice the best practices in the data privacy, phishing and electronic security training provided by your district.
- Learn you district policy's regarding Ed Law 2-d and secure e-mail transfer of student data.
- Make sure any electronic tools, software, apps or programs you use in your classroom is on the district's approved list – those have been through a vetting process and have agreements to be compliant with 2-d.
- Ask district (District Data Protection Officer) before you click through an agreement – you are entering into a contractual agreement, only the School Board can do that.

# Every Student Succeeds Act (ESSA)

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- ESSA was paused during COVID-19
- SED asked USDOE for a waiver for the restarting of NY's ESSA plan, our plan requires multiple years of data for some measures, including building level growth scores which could not be calculated, USDOE rejected the request.
- In order to comply with Federal requirements SED has proposed a 1 year “soft re-opening” of the accountability system based primarily on a single year, 2021-22 data.
- NYSUT has raised concerns with SED regarding the metrics that will be used to identify schools during this transitional year.
  - Currently identified CSI schools ( $\approx 5\%$  of buildings) if reidentified as CSI would go into receivership.
  - The metrics of the accountability system create a penalty for having a high optout rate.



Questions?

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Thank you