



Educational Issues Update August 2023

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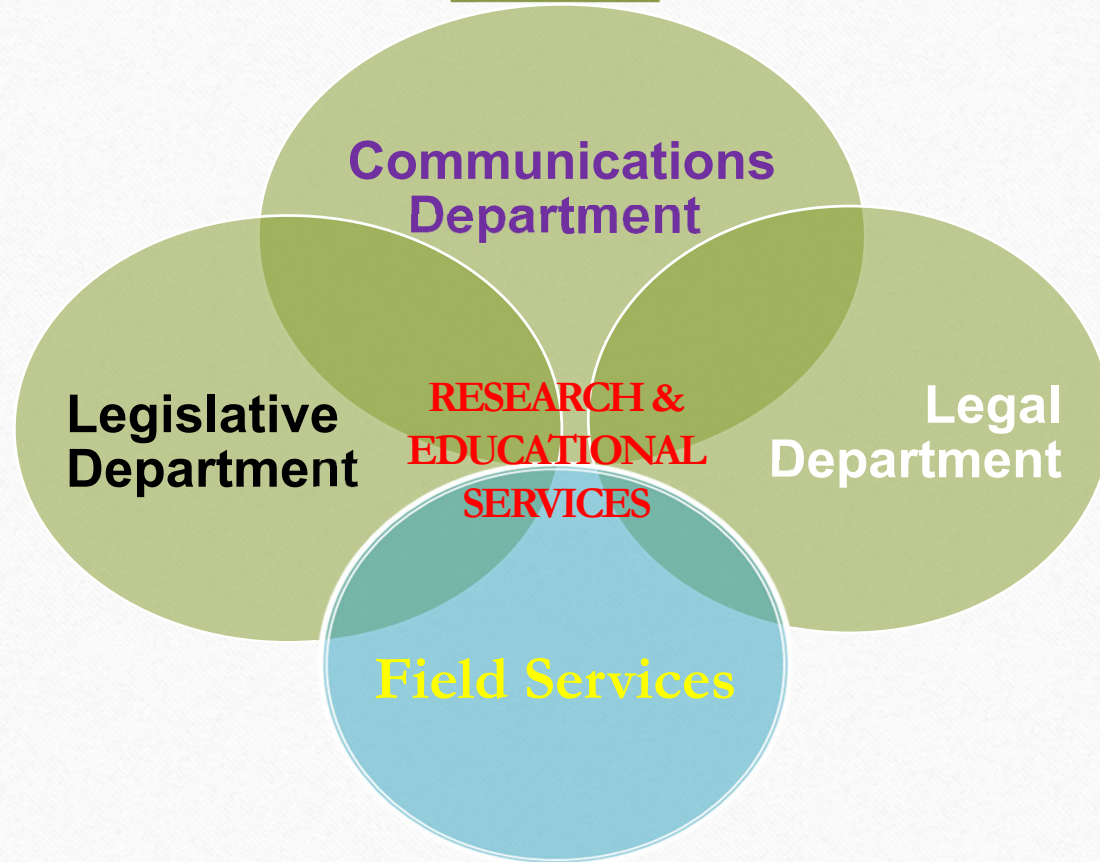
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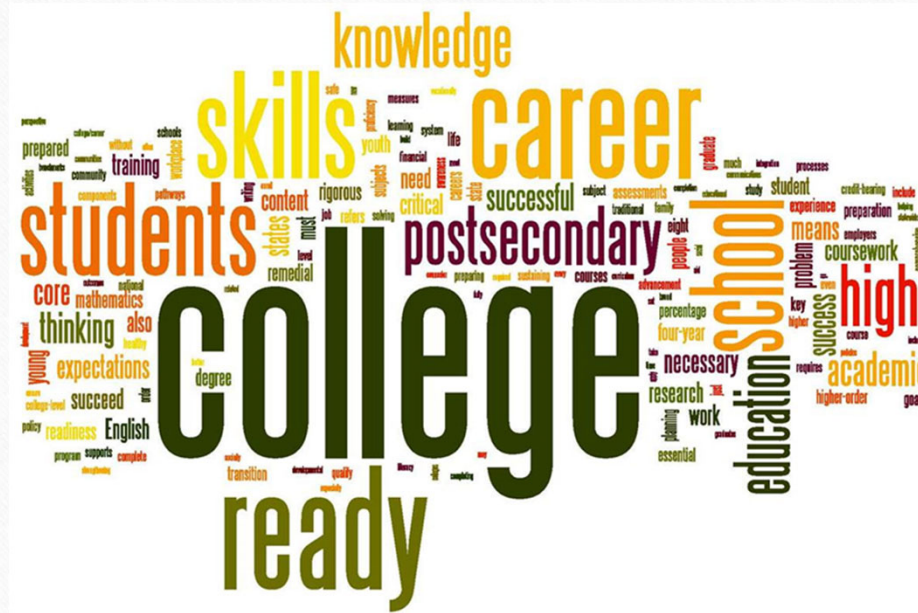
Agenda

- Standards and Assessment Update
- Graduation Measures
- APPR
- Regulatory Changes
- Data Privacy
- Federal Accountability (ESSA)

NYSUT



NYS Standards & Assessments



A Little History

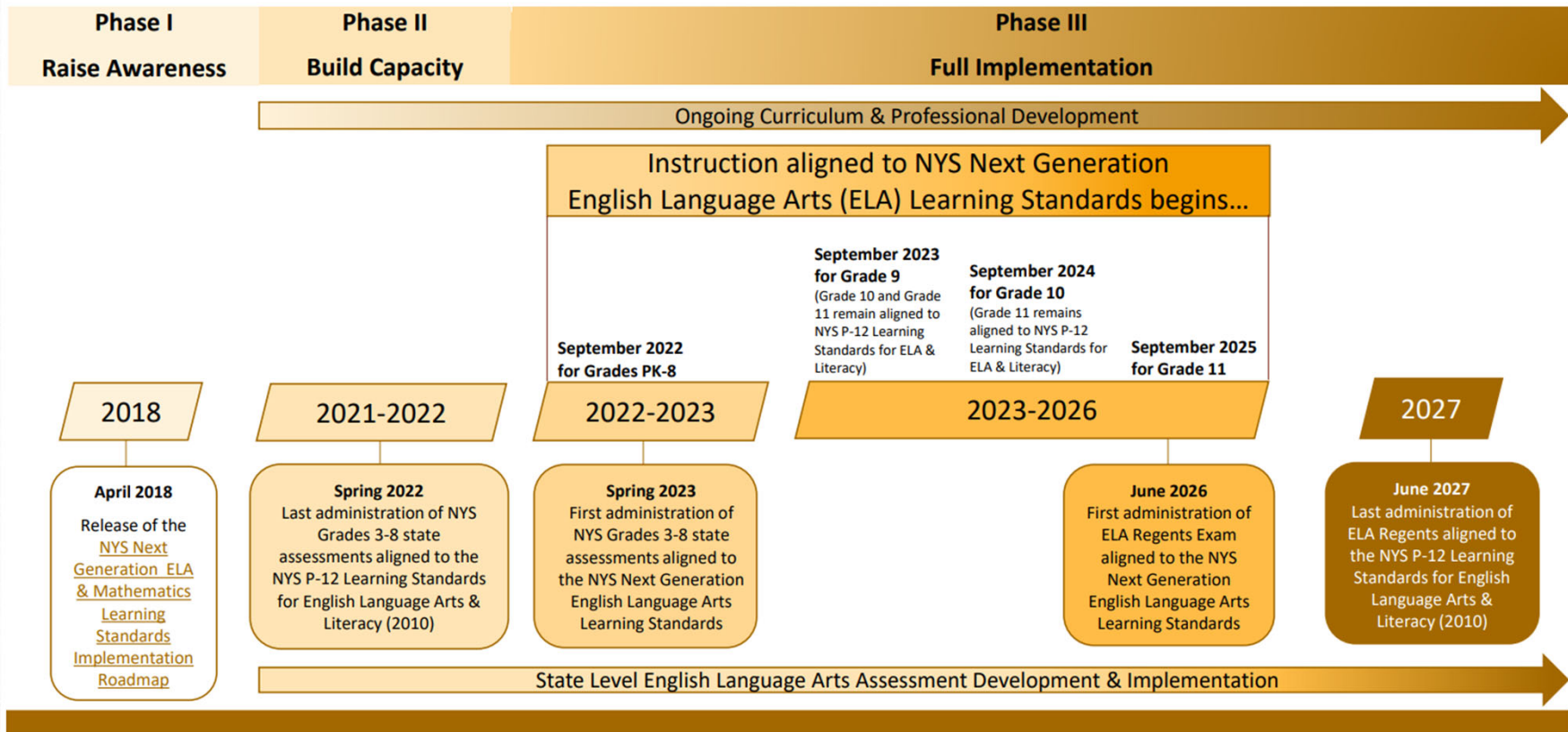
In 1996 NYS adopted 28 learning standards in 7 content areas to define what students should know and be able to do in each subject.

- 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.

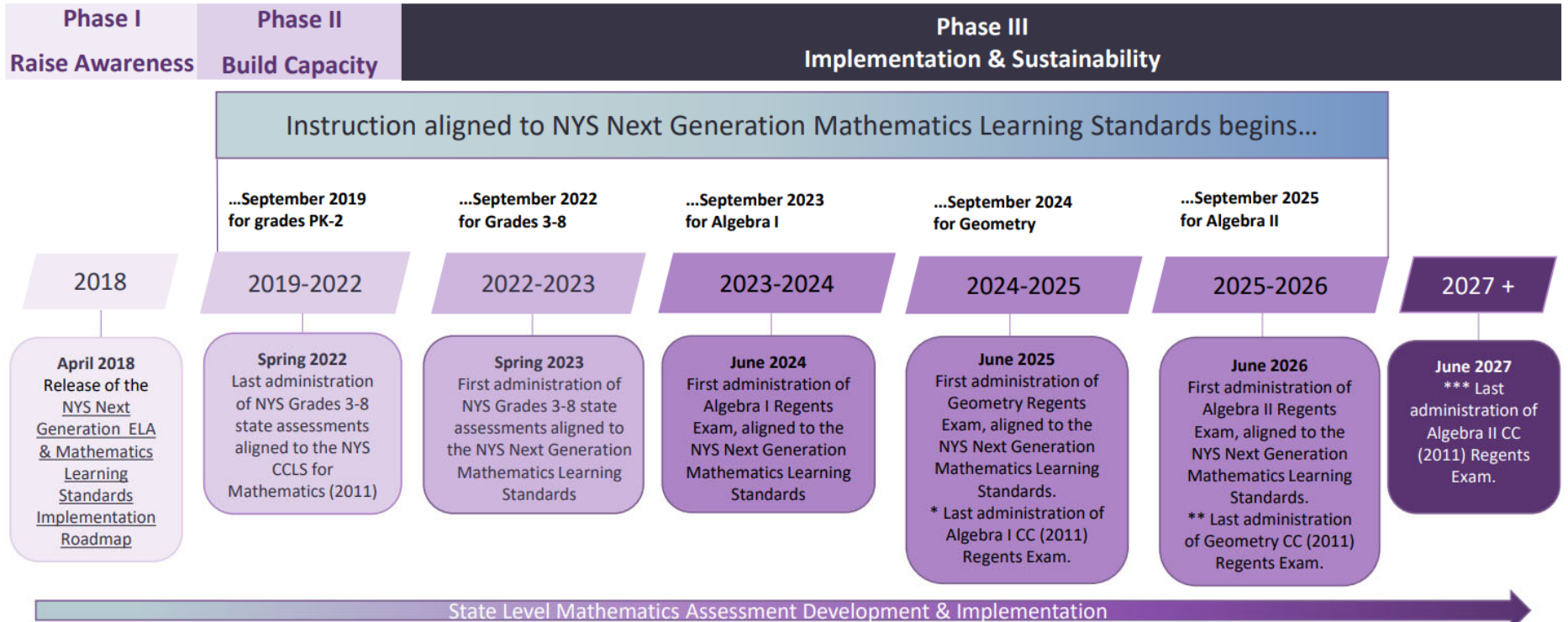
Before Common Core (2011) and Next Generation (2017), ELA and mathematics were the only standards to be reviewed and revised, 2005

Revised April 2021

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



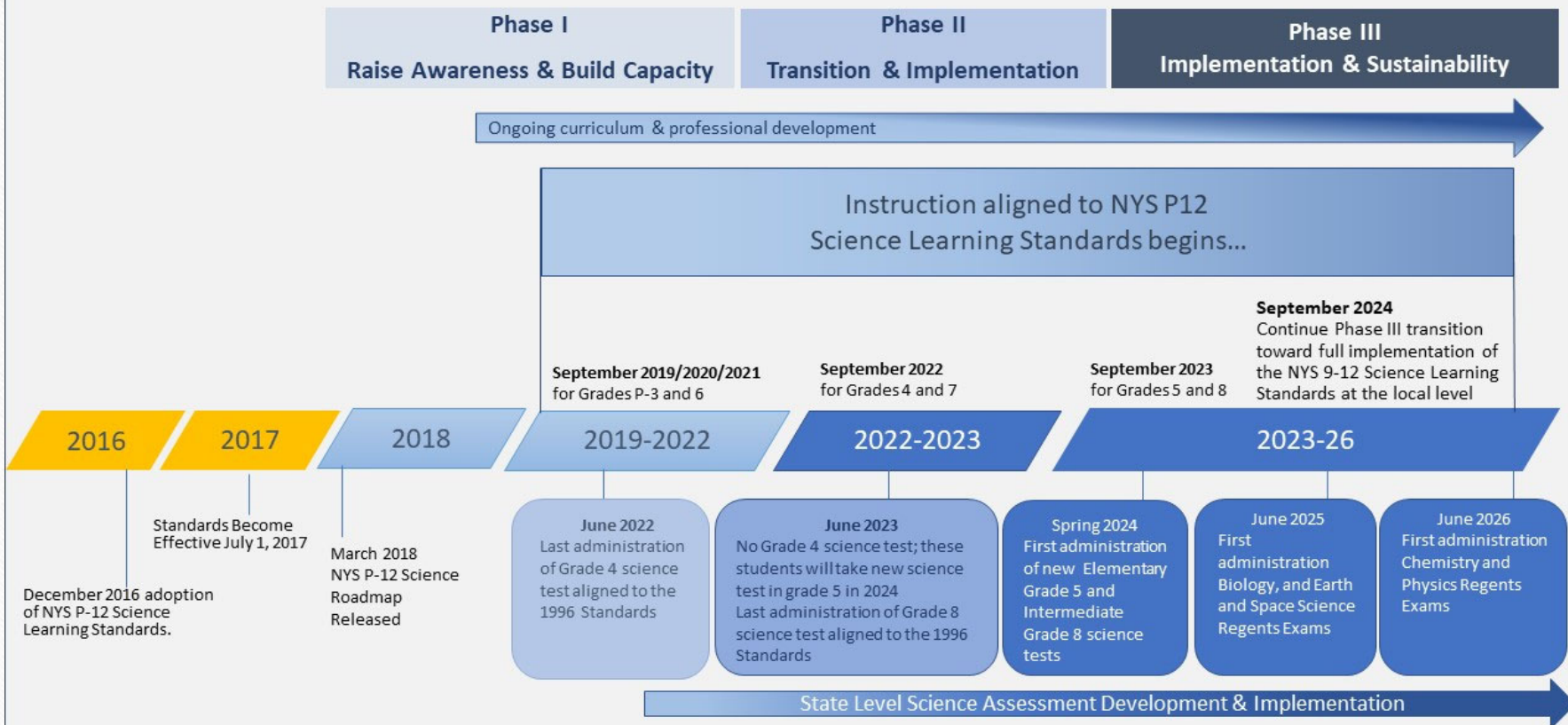
New York State Next Generation Mathematics Learning Standards Instruction and Assessment Implementation Timeline



*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.

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

Revised April 2021



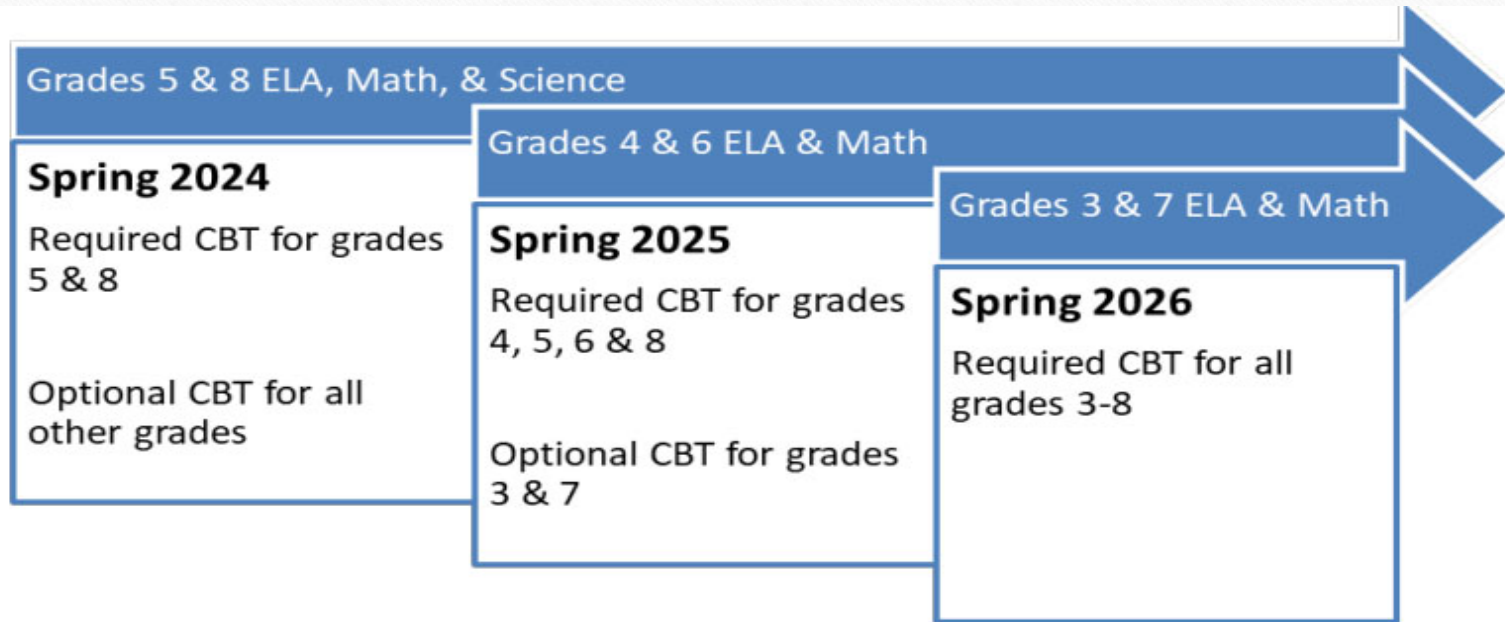
Other Standards Implementation

- Computer Science and Digital Fluency Standards - Full Implementation: September 2024
- Social Studies Standards - First administration of the new U.S. History Regents Exam, after many years of delay, was given in 2023.
- Physical Education Standards – Full Implementation Fall 2023
- Arts Standards - Full implementation by 2021-2022
- Health and Family & Consumer Science standards have not been reviewed or revised

Individual Arts Assessment Pathway

- Individual Arts Assessment Pathway (IAAP) is a graduation pathway option in which students demonstrate, through a collection of creative works, growth over time that meets the Arts Learning Standards (High school II Accomplished performance indicators).
- Application to offer the IAAP was open to all districts for the 2023-24 school year (Applications window closed 8/1/23).
- Work is continuing the IAAP, with piloting in certain schools that started September 2022 and will continue until June 2025.

SED Plans for Full Implementation of Computer-based Testing (CBT)



[Statewide Implementation of Computer-Based Testing \(nysed.gov\)](https://nysed.gov)

SED Blue Ribbon Commission on Graduation Standards





Blue Ribbon Commission

The members of the Blue Ribbon Commission were appointed last Fall by Commissioner Rosa.

Their charge was to examine the current graduation requirements and develop recommendations on measures of learning and achievement.



Blue Ribbon Commission

This Commission was originally given two years to complete their work, but the timeline was shrunk to one year shortly after their appointment.

The Commission has met on a monthly basis via Zoom for half day events and had a final three day in person event last month.

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The Commission is co-chaired by Regent Finn (Hudson Valley/Capital Region) and Regent Chin (Queens) and contains 64 members – 8 of those members are classroom teachers.

The Commission has now completed its work and a final report is expected to be delivered this Fall to the Regents – tentative date is November.

Blue Ribbon Commission on Graduation Measures

This Commission is expected to propose significant changes to graduation requirements.

Many members of the Board of Regents have been critical of the current Regents exam system.

We have been actively monitoring the Commission and supporting our teacher members.

Current NYS Graduation Requirements

NYS has two benchmarks that students must meet in order to graduate – earning credits and testing requirements.



In addition to successful completion of the 22 units of credits, students must pass 4 Regents exams one in each discipline (English Language Arts, Mathematics, Science, Social Studies); and one pathway.

Regents Diploma




Pathways to Graduation

There are nine pathways to graduation they include Arts, CTE, STEM-Math, STEM-Science, and Humanities.



Humanities is by far the most popular option with 168,852 students opting for it from the 2018 Cohort. The next most popular is STEM-Science with 3,452.



The Humanities pathway requires an additional social studies or English language arts course culminating in a Regents exam, or approved examination Alternative.

22 units of credit and students must pass two additional math assessments and one additional science assessment. This totals 7 Regents exams and one pathway plus additional requirements.

Regents Diploma with Advanced Designation

English Language Arts	Math	Math	Math	Science	Science	Social Studies	Pathway
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Regents Diploma with Advanced Designation

In addition, to earn the advanced designation, students must choose **one** of the three sequence options below:

- 2 additional credits in World Languages (for a total of 3 credits) and the locally developed Checkpoint B World Languages Exam
- 5-unit sequence in the Arts
- 5-unit sequence in CTE



2018 Cohort (June 2022 graduates) Graduation Outcomes

- Graduation Rate 87%
- Regents Diploma 45%
- Advanced Designation 42%
- Dropped Out 5%
- Still Enrolled 7%

Federal Requirements

There are federal testing requirements in high school – there are no federal testing requirements that must be used for graduation. States set their own graduation requirements.

ESSA does require that state administer a math, ELA and science exam once each in high school to all students - but the results are not required to be used as a graduation requirement.



Potential Options

SED will most certainly propose at a minimum a graduation option that does not include any Regents exams.

This will most likely be packaged as a “performance assessment” option.



Potential Options

SED could also propose to eliminate Regents exams entirely for use as a graduation requirement and just administer the three exams needed for federal ESSA compliance purposes.

In place of Regents exams performance assessments and/or local assessments could be used as graduation requirements.

SED “PLAN Pilot”

While SED is engaged in the Blue Ribbon Commission, simultaneously they are engaged in a grant focused on Performance-Based Learning and Assessment. They refer to it as the PLAN Pilot. PLAN stands for Performance-Based Learning and Assessment Network.

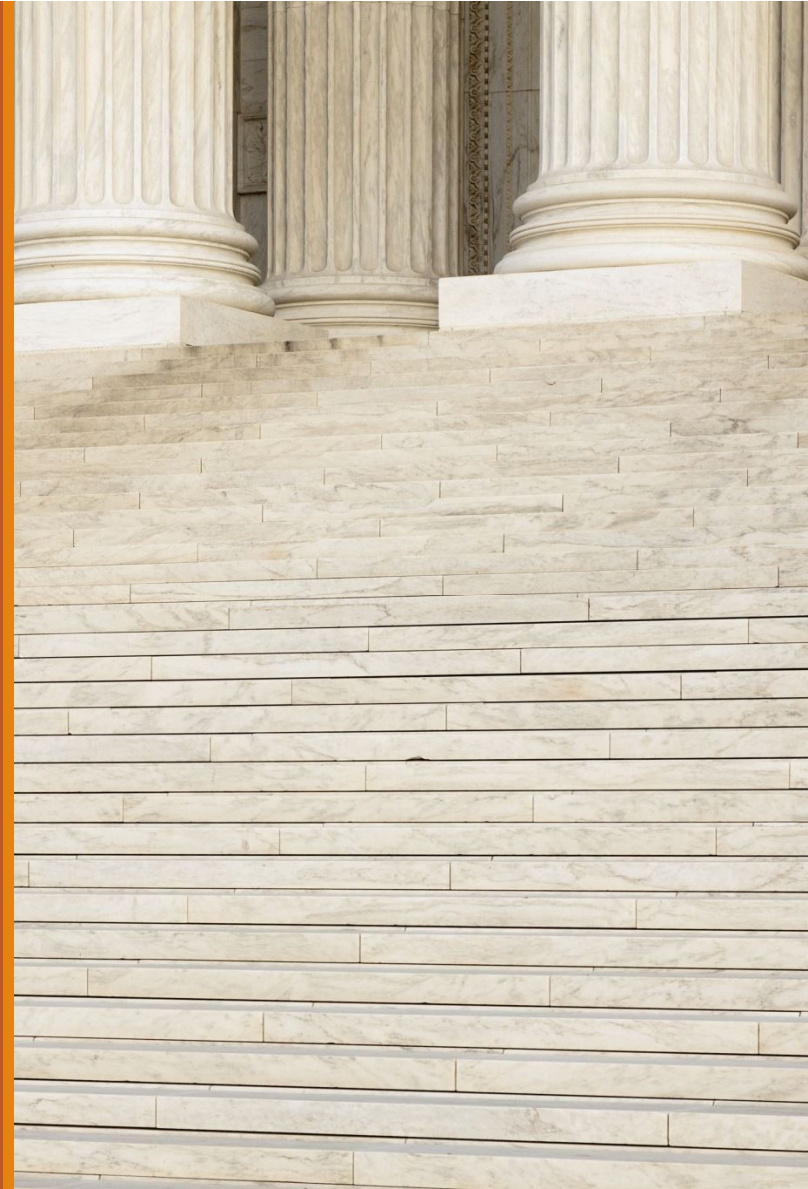
According to SED’s own website, the Pilot’s goals are: “to look at how performance-based assessment approaches can be implemented in a diverse range of schools, and how to support schools in making that transition.”

SED “PLAN Pilot”

Elementary schools are not eligible for the PILOT and the Department has indicated that they will be focusing on High Schools mostly, with Middle Schools as a secondary option. The number of schools participating in the PILOT is not clear at this time.

During the 2023-24 school year districts will self- identify for participation in the PILOT program.

Regulatory Changes





Incidental teaching

- Increased the amount of incidental teaching permitted in schools, for the past 3 years, from up to five classroom hours a week to up to 10 classroom hours a week in response to the COVID-19 pandemic and teacher shortage.
- This was extended to cover the 2023-2024 school year.

Computer Science Certification

Teachers must hold the Computer Science Statement of Continued Eligibility (SOCE) or Computer Science (All Grades) certificate to teach computer science courses after September 1, 2024.

Indigenous Mascots, Logos, and Names

- Use of indigenous mascots, logos, or team names have been banned by SED using the Dignity for All Students Act.
- Impacted districts must have agreed by the end of 2022-23 to make the required changes by the end of 2024-2025.


Indigenous Mascots, Logos, and Names

- It appears that districts which in the past cast aside offensive logos and names (Red Warriors) but kept a remnant of that name (Warriors) **will** be required to change their team names.
- SED indicates that this **does not** apply to district/building names.

<https://www.p12.nysed.gov/natamer/mascot-guidance.html>




Remote Emergency Days

- The Board of Regents gave final approval to regulatory changes that permanently allow districts to operate remotely when buildings are closed due to an emergency (adverse weather conditions, impairment of heating equipment, etc.).
 - These days/hours would count toward the 180 days 900/990 hour requirement.
 - There was a temporary pilot program in place for the 2020-21 and 2021-22 school years
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Data Privacy & Ed Law 2-D

- Education Law 2-d and Commissioner's Regulations Part 121 provide educational agencies and their 3rd 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 your district policy's regarding FERPA, Ed Law 2-d secure e-mail transfer of student data and any other data privacy policies (IDEA, COPPA, PPRA, HIPAA).
- 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.


Special Education Aging Out

- IDEA allows SPED to remain in school to the age of 21.
 - NYS guidance recommended students could stay in school until the end of the school year in which they turned 21.
 - A recent court decision clarifies that a student is 21 until they turn 22.
 - NY has issued guidance recommending that students be allowed to stay in school until the end of the school year in which they turn 22.
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Coming to a School Near You

- Professional development for **all staff** on the school's policies and procedures related to the use of timeout and physical restraint.
- Stay tuned for a Fact Sheet on changes to corporal punishment.

Still in process

- 180 day change (Lunar New Year)
 - Substitute teaching flexibility (exceeding the 40 day limit)
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Annual Professional Performance Review



APPR How did we get here?

**1965
ESEA**

**Fed
commitment
to “quality
and equality”**

Provided
grants to
districts
serving low-
income
students

2009

**Granting of Race
to the Top Funds**

- Student growth
in evaluations
required
- NYS applied and
received funds

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

2002

**NCLB
Reauthorize
ESEA
100%
proficiency**

2012

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

2018

**NYS ESSA Plan
was approved by
USDOE**

This ensures NY will
continue to get Title
1 funds

New York's APPR Law Remains

- 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.
- There are 227 3012-d plans that have not been updated since the 2019 amendment.

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 NYSSESLAT 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)

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.
 - 452 plans have been negotiated under the 2019 amendment 359 of those use group measures (SLOs) for all teachers. 95 plans have some teachers with individual SLOs

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:

- 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.
- 12 districts have plans under a variance.

Every Student Succeeds Act (ESSA)

- In September 2022 the USDE) approved the one-year restart ESSA State Plan for making 2022-23 school year accountability determinations using 2021-22 school year results.
- Schools and districts were identified in May 2023
 - Target Districts and Schools identified for TSI are identified annually.
 - Schools identified for CSI and for ATSI are identified at least once every 3 years.
- NYSED has proposed a two-year rebuild model for the ESSA Accountability System for the 2023-24 using 2022-23 results and 2024-25 using 2023-24 results. They are waiting for USDOE approval.

QUESTIONS

