

LEGAL IMPLICATIONS OF NEW YORK STATE'S NEW TEACHER AND PRINCIPAL EVALUATION SYSTEMS

Supervision, Evaluation & Tenure Decisions

- What is the effect of Education Law §3012-c on a school district's ability to terminate probationary teachers and principals?
- How might overly prescriptive, rigid statutory and regulatory policy frameworks, such as §3012-c, regarding teacher evaluation, tenure, and employment decisions withstand teacher and principal appeals?

Statistical Reliability and Validity of Data in Supervision, Evaluation & Tenure Decisions

- How might the statistical reliability and validity of measures of teaching effectiveness – state assessments, VAM, SLO's, school-wide assessment scores - affect teacher evaluation, tenure, and employment decisions?
- How will the metric of 'confidence intervals' be considered in a legal decision about a teacher's effectiveness?
- How will the number of years of value-added assessment data to determine teacher quality be a factor in a teacher or principal appeal?
- In what ways will the use of locally-developed assessments, such Student Learning Objectives (SLOs), be challenged in an appeal?
- How will the individual evaluation of a teacher based on school-wide data, such as the 4th grade math assessment, withstand an appeal?

Implementation, Professional Development, and Resources

- How will such factors as consistency, training, and quality be considered in observations and evaluations developed by supervisors?
- How will equity issues, such as the access to materials (e.g., Common Core units) or technology, be a factor in an appeal?
- Experts in child and adolescent development have asked for a review of the Common Core to ensure that all of the standards are developmentally appropriate. Since assessments are being developed on the basis of Common Core and teachers and principals being assessed accordingly, how will the aforementioned concerns be considered?

Other

References

“Evaluation Law Could Limit Ability to Terminate Probationary Teachers”; Warren Richmond III (Harris Beach), *New York Law Journal*, (May 2013)

“Legal Issues in the Use of Student Test Scores and VAM to Determine Educational Quality”; Diana Pullin, *Education Policy Analysis* (2010 Manuscript)