

Simon Boehme

Advisors: Alex Colvin and Sally Klingel

Introduction to research:

Annual Professional Performance Review (APPR) teacher evaluation systems were implemented in every New York school district starting in 2012. Teachers and school districts negotiated over the provisions. Our research examines the appeals process of the evaluation systems. We have created a database from over 690 contracts. With this database, we hope to understand how disputes are resolved, the actors involved and relationships between APPR and teacher collective bargaining contracts. This research is the first to analyze

Results:

- 65% of APPR appeals processes are the exclusive means for a teacher to appeal
- 14% of contracts allow teachers to also retain the right to appeal in the collective bargaining agreement
- 73% of all panels in the appeals process are have the authority to make a decision, whereas 26% are advisory in nature
- 10% of contracts have a special appeals process if you get a second ineffective (and sometimes developing) rating

APPR.



Methods:

- Created a coding scheme to analyze structures of appeals processes from the contracts
- All contracts are available to the public on the New York State Department of Education website: http://usny.nysed.gov/rttt/teachers-leaders/plans/ The data from the contracts were recorded on a standardized Excel sheet by three research assistants

Only 2% of contracts allow for teachers to appeal if compensation affected

6.3) Appeals Process Pursuant to Education Law section 3012-c, a teacher may only challenge the following in an appeal: the substance of the annual professional performance review (2) the school district's or BOCES' adherence to the standards and methodologies required for such reviews, pursuant to Education Law section 3012-c (3) the adherence to the regulations of the Commissioner and compliance with any applicable locally negotiated procedures, as well as the school district's or BOCES' issuance and/or implementation of the terms of the teacher or principal improvement plan, as required under Education Law section 3012-0 Describe the procedure for ensuring that appeals of annual performance evaluations will be handled in a timely and expeditious way Teachers can only appeal a composite rating of "ineffective" or "developing". This is the only procedure for challenging composite ratings. The teacher can only appeal the substance of the annual professional performance review, the districts adherence to the standards and methodologies required for such reviews, and the adherence to the regulations of the Commissioner and compliance with all applicable locally negotiated procedures or the teacher improvement plan. The teacher bears the burden of proving by substantial evidence that an evaluation should be overturned and may only file one appeal on a performance review. Therefore, the teacher must raise all issues at the time of the initial appeal. Said appeal must be submitted to the superintendent, in writing, within fifteen(15) calendar days of receiving their composite score. The appeal must include a detailed explanation of the basis of the appeal, including any documentation to support the appeal. The Lead evaluator will be given a copy of the appeal documents and must submit a response within five (5) days of receipt of the appeal. The Superintendent's office will refer the appeal documents to each member of Addison's Evaluation Appeals Committee (EAC) within five (5) days. The EAC will be composed of one (1) person selected by the Addison Teachers Association (ATA), one(1) person selected by the Superintendent, and one (1) person mutually agreed upon by the Superintendent and the president of the ATA. The EAC will review the submitted paperwork and render a decision by consensus within fifteen (15) days of the written appeal. If the decision is to uphold the appeal, the decision of the evaluator will be overturned, and the EAC will order an adjustment to the eacher's composite score. If the vote is to deny the appeal, the decision of the evaluator will stand. If a consensus decision is not reached, the EAC members shall summarize the opposing viewpoints in writing and submit the summary within fifteen (15) days of the written appeal. The Superintendent will then review the EAC's findings and render a decision within five (5) days of receipt of the EAC's submission. The decision of the Superintendent is final and binding Implications:

The statistical analysis is just under way but we hope to release short reports to teachers, unions, principals, administrators and other education stakeholders to understand how disputes will be handled in APPR ratings. Ultimately, we intend to correlate teacher appeals in respective school districts to our database seeking best practices in resolving APPR disputes.

All 695 contracts have been analyzed



