

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

To: District Superintendents
Superintendents of Public Schools
Teacher Education Contacts at Higher Education Institutions
Statewide Education Organizations
Other Interested Parties

Date: April 27, 2021

From: James A. Kadamus, Deputy Commissioner, Elementary, Middle, Secondary, and Continuing Education
Gerald Patton, Deputy Commissioner, Higher Education
Lawrence Gloeckler, Deputy Commissioner, Vocational and Educational Services for Individuals with Disabilities

Subject: Recommendations for Regulations to Implement the Regents Paper on Professional Development, "Teaching to Higher Standards: New York's Commitment."

The attached Issue Paper solicits comments regarding the professional development requirements related to the Regents Paper, "Teaching to Higher Standards: New York's Commitment." Due to the relatively short timeline for implementing these regulations, we encourage reaction from you and members of your organization to the questions posed in the Professional Development/Annual Professional Performance Review Issue Paper.

The professional development requirements are from the Regents paper: "Teaching to Higher Standards: New York's Commitment." The complete Regents paper can be viewed on the Department's web site at www.nysed.gov. Please feel free to respond to any or all of the questions in the Issue Paper. Responses received on or before October 16 will be helpful in shaping the initial drafts of regulations for professional development and the annual professional performance review. You may direct your response to:

Joseph Frey, Coordinator
Office of Higher Education
New York State Education Department
Room 981-EBA
Albany, NY 12234

You may also email your response to: jfrey@mail.nysed.gov

We appreciate your assistance.

Attachment

**Professional Development/Annual Professional
Performance Review Issue Paper**

The Regents paper, "Teaching to Higher Standards: New York's Commitment," requires policy changes that need the active involvement of the educational community to identify effective and practical implementation procedures and to develop appropriate regulations. The following shows the text of the paper and questions to stimulate discussion and solicit recommendations on the text in the paper:

Regents Paper Text, pages 29-33	Issues
<p><u>Professional Development</u></p> <p>1. Effective September 1, 1999, all districts will be required to develop a plan to provide all their teachers with substantial professional development programs <u>directly related to student learning needs as identified in the School Report Card</u>, State initiatives and implementation of New York State standards and assessments. The plan must be approved by the Commissioner. Professional development, while the responsibility of the school district, should be paid for by the State and should not diminish student instructional time. As we did for the past two years, the Regents will continue to advocate for additional funding for professional development through the Regents State Aid proposal, as well as ensuring that current professional development funds are used to maximum effect. The Regents will establish in regulations the responsibility of the teacher and school district personnel in developing the professional development plan. To create appropriate access to professional development activities, districts will use current superintendent conference days and release time for teachers; may include activities such as mentoring and statewide curriculum development/assessment; and may use programs offered at teacher centers, colleges, school districts and other educational providers, either inside or outside the school day and year. School districts failing to develop an approved professional development plan shall be subject to State sanctions.</p> <p>2. Professional development activities must be</p>	<p><u>Professional Development Plan</u></p> <p><i>What needs to be included in a written professional development plan for all teachers in a school? Should the same elements of the plan apply to each individual teacher? What data, in addition to School Report Card data, should be used in developing the plan?</i></p> <p><i>Who will review the plan – SED? SED and District Superintendents? What criteria should be used for review? What are the timelines for the plan development and implementation?</i></p> <p><i>Should this plan be a component of the Comprehensive District Education Plan? How should the professional development plan connect to other State and federal professional development plans and requirements?</i></p> <p><i>How do we ensure this plan uses research which identifies effective professional development approaches and/or activities?</i></p> <p><i>How do we tie professional development activities to student learning needs? How will we know that professional development makes a difference in teaching/learning in the classroom?</i></p> <p><i>Professional development activities must be developed collaboratively by administrators and teachers, taking into account teachers' capacities, and consulting with others as is appropriate. What is the best way for this to occur?</i></p>

developed collaboratively by administrators and teachers, taking into account teachers' capacities, and consulting with such others as is appropriate, e.g., teacher educators. As noted above, activities can either be in or outside the school day and year, but if outside the school day or year, they will be volitional for teachers. Where mechanisms do not exist, districts may wish to create professional development committees to address such issues as program content, providers, funding and schedule of offerings.

3. Alternatives to the district professional development program should be identified and might include, for example, performing exemplary professional service such as mentoring, shaping or providing professional development or completing the evaluation process for achieving advanced certification from the National Board for Professional Teaching Standards.
4. To receive State or federal funds for professional development through the State Education Department, a school district must demonstrate how these funds will be used to provide professional development to meet student learning needs.
5. Each board of education will evaluate annually the effectiveness of the district's professional development activities in relation to the learning needs of its students and make needed adjustments.

Maintaining Certification

1. All teachers receiving a professional certificate on or after September 1, 2000 will be required to successfully complete at least 175 hours of professional development every five years, directly related to student learning needs as identified in the School Report Card, state initiatives and implementation of New York State standards and assessments to maintain their certificate in good standing. The conditions under which professional development is provided and acquired shall be consistent with the principles in Section A (Professional Development). The Regents and the Commissioner, in consultation with all stakeholders, will monitor the effectiveness of the professional development requirement and make changes, if warranted.

175 Hour Professional Development Requirement

What professional development activities should be eligible for meeting the requirement? How can we ensure an impact on the teacher's practice? On student achievement?

What should a teacher's professional development transcript look like? What process should be used to implement the use of a transcript to verify that a teacher has met the 175 hour requirement?

What documentation and criteria should be the basis for a teacher to appeal to the Professional Standards and Practices Board if a district does not certify that the teacher has completed the 175 hour requirement?

2. Each district will maintain a professional development transcript for each teacher affected by the 175-hour requirement. The transcript will document completion of the State-mandated professional development consistent with the district's student learning needs. Wherever possible, the transcript should be accessible to the State Education Department through electronic transfer and will be used to assess a teacher's completion of the requirements for continuing certification.
3. The offering of professional development activities by districts and the obtaining of professional development by teachers should be distributed reasonably over the five-year period.
4. Teachers whose transcripts are not complete and who may not be eligible for continuing their certificate will be provided full due process, including the opportunity to present additional information, including extenuating circumstances, to the Department and the right to a hearing before a panel of the Professional Standards and Practices Board. The panel will make recommendations to the Commissioner to continue a teacher's certificate, grant the teacher additional time to complete specified professional development activities, suspend or, in willful cases, revoke the certificate. The Commissioner may accept, reject or modify the panel's recommendation. During the period of due process, the teacher's certificate will remain in effect. If the Commissioner elects to revoke the certificate, the district will pursue the existing expedited disciplinary procedure under Education Law 3020-a to remove the teacher.
5. The proposed process for professional development and the maintenance in good standing of a certificate will not affect the district's right or ability to initiate disciplinary proceedings to remove an incompetent teacher under Education Law 3020-a.
6. The Commissioner will establish equivalent regulations describing the process for maintaining a certificate in good standing for teachers on leaves of absence and for teachers not otherwise covered by these provisions: nonpublic school teachers where the school elects not to provide the mandated professional

How should the regulation apply to nonpublic teachers and teachers on approved leave? How should teachers working in other professions have a means to maintain or re-establish certification?

Annual Professional Performance Review

How do we develop a system that is a constructive process for improvement for most teachers, yet also provides a measure of accountability for a few low performing teachers?

What are existing research-based models of staff evaluation? How will we know if staff evaluation supports good teaching and learning?

Must all districts/schools use the same model?

What should be the process for implementing the training? What fund sources can be used to help pay for this training?

How can a teacher performance review, a teacher improvement plan and a school professional development plan fit together?

development, unemployed teachers, and teachers with service in two or more districts within any five-year certificate maintenance cycle.

Improving Local Accountability

The existing requirement in Commissioner's Regulations for an annual performance review of all classroom teachers will be revamped immediately. The new system will include the following:

1. The Commissioner and the Regents will establish in regulations model criteria for staff performance reviews consistent with the teacher standards set forth in this plan. Districts may require additional criteria for staff performance reviews.
2. Current administrators will receive training in performing staff evaluations based on proven models. Existing professional development funds will provide this training. In addition, college preparatory programs for administrators will include comprehensive training in conducting staff evaluations.
3. Classroom teachers whose performance is evaluated as unsatisfactory by a school administrator will be required to undertake a teacher improvement plan established by the district in consultation with the teacher. Such a plan may include peer review and assistance, and professional development activities to meet the needs of the teacher.
4. For individuals possessing a transitional or initial certificate, an evaluation of the teacher's portfolio will be required. The portfolio may include a video of teaching performance, a sample of lesson plans, a sample of student work and student assessment instruments and teacher reflection on his/her classroom performance.