



# New York State Senate Office of Majority Counsel and Finance



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## ***Fact Sheet - S.7792 - APPR Disclosure***

This bill would amend section 3012-c of the education law, to provide for limited public disclosure of the results of annual professional performance reviews of classroom teachers and building principals.

Specifically, this bill would provide that:

### **Part One: Method and Manner of Release**

#### ***Final Quality Ratings and Composite Effectiveness Scores***

- Each school district and BOCES must fully disclose and release to the public and the Department of Education, the final quality ratings and composite effectiveness scores from the annual professional performance reviews of its teachers and principals.

#### ***Data Release on Department of Education's Website***

- The Commissioner of Education must fully disclose such professional performance review data in each school district and BOCES, on the Department of Education's website, and in any other manner to make such data widely available to the public.

#### ***Data Must Be Suitable for Research***

- Such data must be suitable for research, analysis and comparison.

#### ***What Would Be Disclosed***

- Such public disclosure would include but not be limited to:
  - The final quality ratings and composite effectiveness scores:
    - By school district for principal evaluation data;
    - By school building for teacher evaluation data and;
    - Within each district and school building, by class, subject and grade;
  - Final quality ratings and composite effectiveness scores by:
    - Region;
    - District wealth;
    - District need category;
    - Student enrollment;
    - Type of school (i.e. elementary, middle and high school);
    - Student need (e.g., poverty level), and
    - District spending;

- Final quality ratings and composite effectiveness scores by the percentage or number of teachers and principals in each final quality rating category:
  - Moving to a higher rating category than the previous year;
  - Moving to a lower rating category than the previous year; and
  - Retained in each rating category;
- Data on tenure granting and denial based on the final quality rating categories.

### ***Parents Ability to Get Information***

- Each school district and BOCES must further fully disclose and release to the parents and legal guardians of a student the final quality rating and composite effectiveness score for each of the teachers and for the principal of the school building to which the student is assigned for the current school year upon the request of such parents and legal guardians.
- The governing body of each school district and BOCES must also provide conspicuous notice to parents and legal guardians of the right to obtain such information.
- Parents and legal guardians:
  - May review and receive such data in any manner, including by phone or in person;
  - Must receive an oral or written explanation of the composite effectiveness scoring ranges for final quality ratings; and
  - Must be offered opportunities to understand such scores in the context of teacher evaluation and student performance.
- Reasonable efforts must be made to verify that any such request to review data is a bona fide request by a parent or guardian entitled to review and receive such data pursuant to this act.

## **Part Two: Limitations on Release of Information**

### ***Non Disclosure of Personally Identifying Information:***

This bill would further provide that the Department of Education, and each school district and BOCES, must ensure that any release to the public of annual professional performance review data, or any other data that is used as a component of annual professional performance reviews, does not include personally identifying information for any teacher or principal.

Nothing, however, in this limitation shall impair the right of parents and legal guardians to review and receive the final quality rating and composite effectiveness score of individual teachers and principals as provided in this act.

### ***Exemption from FOIL***

This bill would additionally provide that annual professional performance reviews of individual teachers and principals shall not be subject to disclosure pursuant to article six of the public officers law (the Freedom of Information Law).

### ***Ability to Collect Information for Race For The Top***

This bill would also expressly provide that it would not prohibit the department of education from collecting any data and materials from school districts and BOCES as is necessary to carry out its functions and duties, including its responsibilities related to the Federal Race to the Top program.