

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d**Task 1. General Information - General Information****Annual Professional Performance Review COVID-19 Variance (Education Law 3012-d)**

For guidance related to the Annual Professional Performance Review variance, see NYSED APPR Guidance.

At its October 2019 meeting, the Board of Regents amended sections 30-3 of the Rules of the Board of Regents to allow LEAs to apply for a variance from Annual Professional Performance Review (APPR) plan requirements, while complying with the requirements of Education Law §3012-d.

This streamlined form is provided for a variance related only to the ongoing COVID crisis. Districts seeking approval of a variance for a "New and Innovative" APPR Plan should contact APPRVariance@nysed.gov.

In instances where a variance is approved, the term(s) described in the approved variance will replace the related sections of the LEA's currently approved APPR plan. However, please note that all other terms as are present in the LEA's currently approved plan will remain in effect and must be implemented without modification.

Once a variance is approved by the Department, it shall be considered part of the LEA's APPR plan during the approved term of the variance. **In any instance in which there is an approved variance and such variance contains information that conflicts with the information provided in the approved Education Law §3012-d APPR plan, the provisions of the approved variance will apply during the approved term of the variance.**

Variance Application Timeline

Variance applications must be approved by the Department by December 1 of a school year to be implemented in that school year.

Submission by November 1 is suggested to allow time for review, revision and approval in order to meet the approval deadline for implementation in the same school year.

Absent a finding by the Commissioner of extraordinary circumstances, a variance application approved after December 1 of a school year will not be implemented until the following school year.

For more information regarding the variance approval deadline, including a possible extension, please contact APPRVariance@nysed.gov.

Variance Assurances**Please check all of the boxes below**

- Assure that the contents of this form are in compliance with Education Law Section 3012-d.
- Assure that a detailed version of the LEA's variance is kept on file and that a copy of such variance will be provided to the Department upon request for review of compliance with Education Law Section 3012-d.
- Assure that this variance will be posted on the LEA's website, in addition to its current full APPR plan, no later than September 10th of each school year, or within 10 days after the plan's approval by the Commissioner, whichever shall occur later.
- Assure that it is understood that this LEA's variance will be posted in its entirety on the NYSED website* following approval.

Teacher Variance**Please check the appropriate box below.**

- Assure that any task not included in the following variance request(s) for teachers will be carried out in the manner described in the currently approved APPR plan.

Principal Variance

Education Law §3012-d requires that the principal evaluation system be aligned to the requirements for teacher evaluation. Therefore, when completing a variance request for the evaluation of principals, the processes identified must be aligned to such requirements.

Please check the appropriate box below.

- A variance is not requested for any subcomponent or category for principals; all principals will be evaluated using the currently approved APPR plan.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d**Task 2. TEACHERS: Required Student Performance - Variance Request**

Required Student Performance Subcomponent

For guidance on the Required subcomponent of the Student Performance category, see NYSED APPR Guidance.

100% of the Student Performance category if only the Required subcomponent is used or locally determined if the Optional subcomponent is selected.

Education Law §3012-d requires that each teacher have a Student Learning Objective (SLO) consistent with a goal-setting process based on appropriate growth targets. The process must include, at a minimum, the following elements:

A description of the measure(s) of student growth to be used (e.g., the SLO goal setting process; SLO components),

Applicable evidence of student learning (e.g., how growth will be measured through various forms of assessment, evaluation of student performance),

A method for converting student results to a score on a scale from 0-20,

A scale for conversion of the score of 0 to 20 to a HEDI rating.

This requirement must be met through either the LEA's current APPR plan or this variance. To the extent that the variance does not address a requirement, the currently approved APPR plan will apply.

Variance Request

LEAs may use this variance application to develop an SLO process for a teacher or group of teachers that differs from the process described in the Commissioner's regulations.

Any teachers not covered by this variance request will be evaluated under the terms of the LEA's currently approved APPR plan.

Please make the appropriate selection below.

- A variance is not requested for the required student performance subcomponent for teachers.
- The details of the variance request for the required student performance subcomponent for teachers is described in the subsequent section.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 3. TEACHERS: Optional Student Performance - Variance Request

Variance Request

LEAs may use this variance application to develop an optional second measure for a teacher or group of teachers that differs from the process described in the Commissioner's regulations.

Any teachers not covered by this variance request will be evaluated under the terms of the LEA's currently approved APPR plan.

Please make the appropriate selection below.

- A variance is not requested for the optional student performance subcomponent for teachers.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Variance Request

Variance Request

LEAs may use this variance application to evaluate teacher practice in a manner that differs from the process described in the Commissioner's regulations.

Any teachers not covered by this variance request will be evaluated under the terms of the LEA's currently approved APPR plan.

Please make the appropriate selection below.

The details of the variance request for the teacher observation category is described in the subsequent section.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Applicability & Rubric

Applicable Teachers

Please indicate all teachers to whom this teacher observation variance request applies.

Core Teachers

Use the table below to list the core teachers this teacher observation variance request is applicable to (teachers of other courses should be listed in the subsequent section).

	All Core Teachers in LEA	Common Branch / Uniform Departmentalized	ELA	Math	Science	Social Studies
Courses	<input checked="" type="checkbox"/> All core teachers (K-3; 4-8 ELA, math, science, social studies; high school ELA and Regents courses, as applicable to LEA) [if this option is selected, please do not make selections in subsequent columns]					

Other Teachers

- Teachers of other courses are not included in this teacher observation variance request.
- Teachers of other courses included in this teacher observation variance request are listed in the table below.

Fill in the following for all other teachers in additional grades/subjects that are included in this teacher observation variance request:

Column 1: lowest grade that corresponds to the course

Column 2: highest grade that corresponds to the course

Column 3: subject of the course

Follow the examples below to list other courses.

	(1) lowest grade	(2) highest grade	(3) subject
All Other Courses	K	12	All courses not named above
K-3 Art	K	3	Art
Grades 9-12 English Electives	9	12	English Electives

Click "Add Row" to add additional courses. Only list additional courses if they are included in this teacher observation variance request.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Applicability & Rubric

Grade From	Grade To	Subject
K	12	All courses not named above

Applicable Areas

A variance may be requested for the following components of the teacher observation subcomponent:

- Teacher practice rubric
- Rating and scoring of the teacher practice rubric
- Weighting of the domains/subcomponents of the teacher practice rubric
- HEDI scoring bands
- Weighting of the teacher observation subcomponents
- Required principal/supervisor and/or independent evaluator observations
- Optional peer observations

Please indicate the area(s) of the teacher observation subcomponent for which a variance is being requested.

- Teacher observation subcomponent weighting
- Required principal/supervisor and/or independent evaluator observations

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Subcomponent Weighting

Teacher Observation Subcomponent Weighting

Please indicate the weight of each observation type and be sure the total of the weights indicated equals 100%.

Principal/Administrator	Independent Evaluator(s)	Peer Observer(s)	Group for which this weighting will apply. If the indicated weighting will be used for all teachers listed in the 'Applicability' section, note "All Teachers."
100	0	0	Tenured Teachers
90	10	0	Probationary Teachers

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Required Principal/Supervisor Observations

Required Subcomponent 1: Observations by Principal(s) or Other Trained Administrators

At least one observation must be conducted by the building principal or another trained administrator.

Indicate the minimum number of unannounced and announced observations by principal(s) or other trained administrators, as well as the method of observation, in the table below.

If an observation type is not applicable, please indicate '0' for the minimum number and 'N/A' for the observation method.

	Minimum number of observations	Observation method (check all that apply)	Other observation method (only complete if 'Other' is selected in the previous column)
Unannounced	0	<input checked="" type="checkbox"/> N/A	(No Response)
Announced	1	<input checked="" type="checkbox"/> Live	(No Response)
Totals:	1		

To which teachers does the information in the above table apply?

A subgroup of teachers listed in the 'Applicability' section (provide details below).

Describe the subgroup of teachers to whom the information in the table above applies (i.e., probationary teachers), then complete the next page for an additional subgroup.

Tenured Teachers

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Principal/Supervisor Observations

Required Subcomponent 1: Observations by Principal(s) or Other Trained Administrators

At least one observation must be conducted by the building principal or another trained administrator.

Describe the subgroup of teachers to whom the information in the table below applies (i.e., tenured teachers).

Probationary Teachers

Indicate the minimum number of unannounced and announced observations by principal(s) or other trained administrators, as well as the method of observation, in the table below.

If an observation type is not applicable, please indicate '0' for the minimum number and 'N/A' for the observation method.

	Minimum number of observations	Observation method (check all that apply)	Other observation method (only complete if 'Other' is selected in the previous column)
Unannounced	0	<input checked="" type="checkbox"/> N/A	(No Response)
Announced	2	<input checked="" type="checkbox"/> Live	(No Response)
Totals:	2		

Subgroup Three

An additional subgroup is needed to fully describe the principal or other trained administrator observation process.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Required Independent Evaluator Observations

Required Subcomponent 2: Observations by Impartial Independent Trained Evaluator(s)

Independent Evaluator Assurances

Please check all of the boxes below.

- Assure that independent evaluator(s) are not employed in the same school building, as defined by BEDS code, as the teacher(s) they are evaluating.
- Assure that independent evaluator(s) will be trained and selected by the LEA.

Number and Method of Observation

Indicate the minimum number of unannounced and announced observations by impartial independent trained evaluator(s), as well as the method of observation, in the table below. At least one observation must be conducted by an impartial independent trained evaluator.

If an observation type is not applicable, please indicate '0' for the minimum number and 'N/A' for the observation method.

	Minimum number of observations	Observation method (check all that apply)	Other observation method (only complete if 'Other' is selected in the previous column)
Unannounced	1	<input checked="" type="checkbox"/> Live	(No Response)
Announced	0	<input checked="" type="checkbox"/> N/A	(No Response)
Totals:	1		

To which teachers does the information in the above table apply?

- A subgroup of teachers listed in the 'Applicability' section (provide details below).

Describe the subgroup of teachers to whom the information in the table above applies (i.e., probationary teachers), then complete the next page for an additional subgroup.

Probationary Teachers

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 4. TEACHERS: Observations - Required Independent Evaluator Observations

Required Subcomponent 2: Observations by Impartial Independent Trained Evaluator(s)

Number and Method of Observation

Describe the subgroup of teachers to whom the information in the table below applies (i.e., tenured teachers).

Tenured Teachers

Indicate the minimum number of unannounced and announced observations by impartial independent trained evaluator(s), as well as the method of observation, in the table below. At least one observation must be conducted by an impartial independent trained evaluator.

If an observation type is not applicable, please indicate '0' for the minimum number and 'N/A' for the observation method.

	Minimum number of observations	Observation method (check all that apply)	Other observation method (only complete if 'Other' is selected in the previous column)
Unannounced	0	<input checked="" type="checkbox"/> N/A	(No Response)
Announced	0	<input checked="" type="checkbox"/> N/A	(No Response)
Totals:	0		

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d**Task 4. TEACHERS: Observations - Variance Details & Assurances**

Variance Details

Please read the questions below and answer each prompt in a concise manner.

Rationale

Please provide a rationale for this variance request.

> Your rationale should include information regarding the specific, identified COVID-related needs and/or challenges of the LEA, and how such needs and/or challenges inform development of the teacher observation variance request.

Due to circumstances surrounding the impact of Covid19, this waiver is requested by the CCSD to reduce the number of observations for tenured teachers.

Limiting the number of unannounced observations by an independent evaluator for tenured teachers will enable principals more time for informal check ins to support teachers' innovative practices in socially distanced classrooms and in hybrid and remote settings. It will also enable principals to spend more time throughout the building, dealing with the multiple challenges of socially distanced practices, quarantining classrooms when necessary, and ensuring the technology needs of virtual teachers and learners are met. We wish to continue the same number of observations for probationary teachers to allow a more formalized level of support in addition to informal supports.

Due to Covid 19 we also request that the building principal become the independent evaluator for probationary teachers to limit travel between buildings.

Adjustments due to Covid have altered administrative and teaching responsibilities in CCSD school settings. Reducing the number of observations for tenured teachers will enable instructional leaders to spend more time providing focussed conversations and support necessary for new teaching and learning environments, whether in a remote, hybrid, or socially distanced setting, as teachers face new challenges due to Covid. Reducing the number of observations would also minimize the number of people coming into classrooms and buildings and limit observations to the administrators assigned to the building.

Standards and Procedures

Please provide a description of the standards and procedures that will be used in lieu of those included in the LEA's most recently approved evaluation plan.

> This description should include a specific, detailed explanation of the approach that the LEA is seeking to implement as part of its variance request.

> This description should include, but not be limited to, a description of the alternate measures and/or evidence of teacher practice that will be used to evaluate educators.

The building's trained evaluator (s) will conduct one full announced observation with optional pre conferences and required post conferences to count for 100% of the observation component in tenured teachers' overall APPR rating. Unannounced observations will not be conducted for tenured teachers. All four domains will be evaluated and weighted as described in the District's APPR plan - Domains 1 and 4 at 16.7% each and Domains 2 and 3 at 33.3% each. Principals will spend more time informally checking in with teachers and will provide assistance where needed. Probationary teachers will continue to receive 2 announced and one unannounced observation using the same process and weighting as detailed in our APPR plan.

Observation Assurances

Please check each of the boxes below as applicable to all teachers included in this teacher observation variance request.

- Assure that the process for assigning points for the Teacher Observation category will be consistent with the process described in the LEA's approved APPR plan and/or this variance application and in compliance with Education Law Section 3012-d.
- Assure that once all observations are complete, the process for determining an overall Teacher Observation category score and rating will incorporate the evidence collected across all observations to produce an overall Teacher Observation category rating on a HEDI scale.
- Assure that it is possible for a teacher to obtain any number of points in the applicable scoring ranges, including zero, in each subcomponent.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d

Task 5. TEACHERS: Overall Scoring - Variance Request

Category and Overall Ratings

For guidance on APPR scoring, see NYSED APPR Guidance.

Education Law §3012-d requires that each teacher be given a final score for both the Student Performance and Teacher Observation categories, which will be converted to a final category rating based on the HEDI scale, and that these ratings be used to provide an Overall Rating using the prescribed scoring matrix.

These requirements must be met through either the LEA's current APPR plan or this variance. To the extent that the variance does not address a requirement, the currently approved APPR plan will apply.

Variance Request

LEAs may use this variance application to define the HEDI ranges for the Student Performance and/or Teacher Observation category that is different than those included in the Commissioner's regulations.

Any teachers not covered by this variance request will be evaluated under the terms of the LEA's currently approved APPR plan.

Please make the appropriate selection below.

A variance is not requested for category ratings for teachers.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d**Task 6. TEACHERS: Additional Requirements - Variance Request**

Additional Requirements for Teachers

For more information on the additional requirements for teachers, see NYSED APPR Guidance.

Education Law §3012-d requires that a complete APPR plan must include a process for teacher improvement plans, appeals, and evaluator training as determined by the Commissioner. The following minimum requirements under Education Law §3012-d are applicable to teachers:

- A form for development of a Teacher Improvement Plan,
- A timely and expeditious process for resolving educator's appeals of APPR ratings,
- A process for training all evaluators of applicable educators.

These requirements must be met through either the LEA's current APPR plan or this variance. To the extent that the variance does not address a requirement, the currently approved APPR plan will apply.

Variance Request

LEAs may use this variance application to develop a process for Teacher Improvement Plans, appeals and/or training in a manner that differs from the process described in the Commissioner's regulations.

Any teachers not covered by this variance request will be evaluated under the terms of the LEA's currently approved APPR plan.

Choose the appropriate response below.

- A variance is not requested for teacher improvement plans, appeals, or training.
- The details of the variance request applicable to teacher improvement plans, appeals, and/or training is described in the subsequent section.

Annual Professional Performance Review - COVID-19 Variance, Education Law 3012-d**Task 12. Joint Certification of APPR Variance - Applicability and Certification**

Variance Details**Assurances: Rigor, Professional Learning, and Effectiveness of Implementation****Please check each of the boxes below as applicable to this variance application.**

- Assure that evaluations are rigorous and enable strong and equitable inferences about the effectiveness of the LEA's educators.
- Assure the LEA will use the information collected through the evaluation system, including the assigned effectiveness ratings, to provide personalized professional learning opportunities for educators.
- Assure that the LEA will assess the effectiveness of the implementation of the variance.

Applicability of Variance**Assurances****Prior to certifying this variance application, please check each of the boxes below.**

- Assure that this variance application is prompted by the impact of COVID-19 on the LEA.
- Assure that when this 2021-22 COVID-19 variance expires on June 30, 2022, your currently approved APPR plan will take effect.

Upload APPR Variance Certification Form

Please Note: SED Monitoring timestamps each revision and signatures cannot be dated earlier than the last revision. To ensure the accuracy of the timestamp on each task, please submit from Task 12 only.

Please obtain the required signatures, create a PDF file, and upload your joint certification of the APPR Variance using the "Variance Certification Form" found in the 'Documents' menu on the left side of the page.

APPR Variance Signatures.pdf