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## MEMORANDUM

**To: Superintendent Mark McNeill, NANUET UFSD**  
**From: Dr. Julia Rafal-Baer, Assistant Commissioner**  
**Date: 06/15/2014**  
**Re: Assessment Administration in Conjunction with Annual Professional Performance Reviews (APPRs)**

The Department recognizes that during the first year of full implementation of Annual Professional Performance Reviews (APPR), a variety of pressures at the state and local level may have resulted in students in some districts and BOCES being tested more than needed or in rote standardized test preparation that crowds out quality instruction. Numerous stakeholders, including – and most importantly – families and students, have raised concerns as a result of these local decisions.

The State has not created any additional tests as part of the implementation of the Common Core. All required state tests other than two high school social studies Regents exams – including all grades 3-8 assessments and high school exams in English, math, and science – are required by federal law. On February 11, 2014, the Board of Regents adopted emergency regulations to address the concerns raised by stakeholders and to adjust and improve the implementation of the Common Core standards and teacher/principal evaluation. The approved regulatory amendments to the APPR system are intended to help districts and BOCES reduce local testing and ensure that the amount of testing is the minimum necessary to inform effective decision-making. At its March 2014 meeting, the Board of Regents made a series of technical amendments to the regulations to clarify the requirements for districts and BOCES that opt to use an assessment that is not a traditional standardized assessment for grades K-2 for APPR purposes. The Department has developed a webpage with multiple resources in order to help districts and BOCES successfully navigate the regulatory amendments and efficiently access relevant material: <http://www.engageny.org/resource/guidance-on-the-approved-regulatory-amendments-to-appr-to-help-reduce-local-testing>.

Based on the concerns conveyed to the Commissioner surrounding the use of assessments, and in accordance with Section 1 of Subpart F of Chapter 56 of the laws of 2014, the Commissioner has directed the Office of Teacher and Leader Effectiveness to review your APPR plan to identify opportunities for you to act locally to ensure that your district is using the minimum assessments necessary to inform effective decision making, consistent with your instructional vision. As you are now in the second full year of APPR implementation, the Department encourages you to use this letter to help review your currently approved APPR plan to identify modifications that would be approvable by the Department and result in less testing for your students. As you know, the Department has consistently communicated that **the amount of testing should be the minimum necessary** to inform effective decision-making at the classroom, school, and district/BOCES level.

The Department has developed guidance and technical support materials regarding the role of assessments within the APPR system. These materials include methods to eliminate, where consistent with the district's or BOCES' instructional vision, the use of pre-tests and other locally-adopted standardized tests. In lieu of pre-tests, districts and BOCES can use past performance trends, historical data and/or prior-year test results to establish targets for determining student learning growth. Additionally, locally-adopted standardized tests can be replaced with state assessments, school-wide growth measures, or performance-based assessments. Education Law §3012-c provides you with design flexibility. The Department encourages you and your local bargaining units to use the available resources to ensure that thoughtful conversation occurs, and strategic decisions are made, regarding the use of student assessments. *Teaching, not testing, is the core of our work.* There are an assortment of ways in which a district or BOCES can design a meaningful and authentic assessment program that provides information to drive instructional decisions, ultimately leading to an increase in students' knowledge and skills. By taking the time to re-review your local assessment practices, you can engage in collaborative conversations with your local stakeholders about ways in which you might choose to use data and/or evidence more effectively and efficiently to ensure that all local tests help inform instruction and improve student learning, rather than needlessly add to the number of assessments administered within your district.

To help further facilitate these conversations on the local level, the Office of Teacher and Leader Effectiveness has reviewed your APPR plan and determined that there are a number of ways in which, through a material change request, you could make thoughtful adjustments consistent with your district's instructional vision to your currently approved APPR plan to reduce and/or refine assessments used, subject to collective bargaining decisions<sup>1</sup>.

***Teaching, not testing, is the core of the Regents Reform Agenda.***

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<sup>1</sup> Please note: material changes for the 2014-15 school year must be submitted by March 1, 2015 (see: [APPR Guidance: C8](http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf) <http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf>). For districts or BOCES that want to make a material change to their APPR plan solely to eliminate unnecessary student assessments, the Department provides an expedited review process using the Expedited Material Change Form (<https://www.engageny.org/file/96856/download/expedited-mc-fill-in-form-distribute.pdf>). Please also see: <https://www.engageny.org/file/96851/download/expedited-mc-cover-letter-2-24-14.pdf> for further information).

### Consideration 1: Use of Pre-Assessments

**The use of pre-assessments in a grade or subject is a local decision to be made consistent with your district’s instructional vision.**

The APPR team has found the following examples of where your district has collectively bargained the use of a pre-assessment as a baseline measurement in Task 2, the State Growth or Other Comparable Measures subcomponent and/or in Task 3, the Locally-selected Measures subcomponent (please note that the information below reflects information taken directly from your district’s currently approved APPR plan):

Task 2 Course Name
K ELA
1 ELA
2 ELA
3 ELA
K Math
1 Math
2 Math
3 Math
6 SCI
7 SCI
8 SCI
6 SS
7 SS
8 SS
Global 1
Global 2
American History
Living Environment
Earth Science
Chemistry
Physics
Algebra 1
Geometry
Algebra 2
9 English
10 English
11 English
Music Courses K-12
Technology Courses K-12
Studies in Short Fiction
Studies in Film
Special Education (not covered by state examinations)
Public Speaking
Other Social Studies Courses 5, 9-12

English Senior Seminar
Other Math Courses 9-12
All other Teachers
Library Media Specialist K-12
Journalism
Health and Physical Education Courses
Foreign Language Courses 7-12
Writing Workshop
ESL K-12
Art Related Courses K-12
Other Science Courses 5, 9-12

Task 3 Course Name
4 ELA
5 ELA
6 ELA
7 ELA
8 ELA
4 Math
5 Math
6 Math
7 Math
8 Math
K ELA
1 ELA
2 ELA
3 ELA
K Math
1 Math
2 Math
3 Math
6 SCI
7 SCI
8 SCI
6 SS
7 SS
8 SS
Global 1
Global 2
American History
Algebra 1
Geometry
Algebra 2
9 English
10 English

11 English
Other Science Courses 5, 9-12
Writing Workshop
Technology Courses K-12
Studies in Short Fiction
Studies in Film
Special Education Classes (for classes not covered in other sections)
Health and Physical Education K-12
Other Social Studies Courses 5, 9-12
Other Math Courses 9-12
Music Courses K-12
Library Media Specialist
Journalism
Art and Related Courses K-12
English Senior Seminar
ESL
Foreign Language Courses 7-12
All other Teachers
Public Speaking

Since pre-assessments are not a Department requirement with student learning objectives (SLOs), one possible approach through which your district could reduce the number of assessments given is by using past performance trends, historical data, and/or prior-year assessment results to inform the baseline used to set targets within SLOs, rather than requiring teachers to give a pre-assessment to students at the beginning of the interval of instruction (year, semester, quarter, etc.).

The following resources may be particularly helpful:

- The [SLO 103 for Teachers](http://www.engageny.org/resource/slo-103-for-teachers) webinar  
(<http://www.engageny.org/resource/slo-103-for-teachers>)
- The [Assessments in APPR](http://www.engageny.org/resource/assessments-in-annual-professional-performance-review-appr) webinar  
(<http://www.engageny.org/resource/assessments-in-annual-professional-performance-review-appr>)
- Sections D28, D29, D37, D47, and D69 of the [APPR Guidance](http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf) document  
(<http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf>)

In addition, please allow the following districts' approved APPR plans to serve as examples of districts that have made decisions to eliminate pre-assessment use in their APPR plans:

- [Tuckahoe Union Free School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/tuckahoe-ufsd-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/tuckahoe-ufsd-appr-plan.pdf>)
- [Rochester City School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/rochester-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/rochester-appr-plan.pdf>)
- [Webster Central School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/webster-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/webster-appr-plan.pdf>)

## Consideration 2: Use of Multiple Assessments in Task 2 and Task 3

**The use of different assessments for the Locally-selected Measures subcomponent from those used for the State Growth or Other Comparable Measures subcomponent is a local decision made through collective bargaining.**

The APPR team has found examples of where your district has collectively bargained the use of different assessments in Task 3, the Locally-selected Measures subcomponent, than the district selected in Task 2, the State Growth or Other Comparable Measures subcomponent, to assess the same students within the same grade and subject.

There are a number of possible approaches through which your district can, subject to collective bargaining decisions, reduce the number of assessments in these subcomponents. Please see the chart below:

Course	Task 2 Assessment Name	Task 3 Assessment Name
4 ELA	NYS Grade 4 ELA Assessment	NANUET UFSD-Developed Grade 4 Subject-specific Assessment
5 ELA	NYS Grade 5 ELA Assessment	NANUET UFSD-Developed Grade 5 Subject-specific Assessment
6 ELA	NYS Grade 6 ELA Assessment	NANUET UFSD-Developed Grade 6 Subject-specific Assessment
7 ELA	NYS Grade 7 ELA Assessment	NANUET UFSD-Developed Grade 7 Subject-specific Assessment
8 ELA	NYS Grade 8 ELA Assessment	NANUET UFSD-Developed Grade 8 Subject-specific Assessment
4 Math	NYS Grade 4 Math Assessment	NANUET UFSD-Developed Grade 4 Subject-specific Assessment
5 Math	NYS Grade 5 Math Assessment	NANUET UFSD-Developed Grade 5 Subject-specific Assessment
6 Math	NYS Grade 6 Math Assessment	NANUET UFSD-Developed Grade 6 Subject-specific Assessment
7 Math	NYS Grade 7 Math Assessment	NANUET UFSD-Developed Grade 7 Subject-specific Assessment
8 Math	NYS Grade 8 Math Assessment	NANUET UFSD-Developed Grade 8 Subject-specific Assessment
K ELA	AIMSWEB	NANUET UFSD-Developed Grade K Subject-specific Assessment
1 ELA	AIMSWEB	NANUET UFSD-Developed Grade 1 Subject-specific Assessment
2 ELA	AIMSWEB	NANUET UFSD-Developed Grade 2 Subject-specific Assessment
3 ELA	NYS Grade 3 ELA Assessment	NANUET UFSD-Developed Grade 3 Subject-specific Assessment
K Math	AIMSWEB	NANUET UFSD-Developed Grade K Subject-specific Local Assessment
1 Math	NANUET UFSD-Developed Grade 1 Math Assessment	NANUET UFSD-Developed Grade 1 Subject-specific Local Assessment
2 Math	AIMSWEB	NANUET UFSD-Developed Grade 2 Subject-specific Local Assessment
3 Math	NYS Grade 3 Math Assessment	NANUET UFSD-Developed Grade 3 Subject-specific Local Assessment

6 SCI	NANUET UFSD-Developed Grade 6 Science Assessment	NANUET UFSD-Developed Grade 6 Subject-specific Local Assessment
7 SCI	NANUET UFSD-Developed Grade 7 Science Assessment	NANUET UFSD-Developed Grade 7 Subject-specific Local Assessment
8 SCI	NYS Grade 8 Science Assessment	NANUET UFSD-Developed Grade 8 Subject-specific Local Assessment
6 SS	NANUET UFSD-Developed Grade 6 Social Studies Assessment	NANUET UFSD-Developed Grade 6 Subject-specific Local Assessment
7 SS	NANUET UFSD-Developed Grade 7 Social Studies Assessment	NANUET UFSD-Developed Grade 7 Subject-specific Local Assessment
8 SS	NANUET UFSD-Developed Grade 8 Social Studies Assessment	NANUET UFSD-Developed Grade 8 Subject-specific Local Assessment
Global 1	NANUET UFSD-Developed Global 1 Assessment	NANUET UFSD-Developed Global 1 Local Assessment
Global 2	Global 2 Regents	NANUET UFSD-Developed Global 2 Local Assessment
American History	American History Regents	NANUET UFSD-Developed American History Local Assessment
Living Environment	Living Environment Regents	NANUET UFSD-Developed Living Environment Assessment
Earth Science	Earth Science Regents	NANUET UFSD-Developed Earth Science Assessment
Chemistry	Chemistry Regents	NANUET UFSD-Developed Chemistry Assessment
Physics	Physics Regents	NANUET UFSD-Developed Physics Assessment
Algebra 1	Algebra 1 Regents	NANUET UFSD-Developed Algebra I Assessment
Geometry	Geometry Regents	NANUET UFSD-Developed Geometry Assessment
Algebra 2	Algebra 2 Regents	NANUET UFSD-Developed Algebra 2 Assessment
9 English	NANUET UFSD-Developed Grade 9 ELA Assessment	NANUET UFSD-Developed Grade 9 ELA Local Assessment
10 English	NANUET UFSD-Developed Grade 10 ELA Assessment	NANUET UFSD-Developed Grade 10 ELA Local Assessment
11 English	Comprehensive English Regents	NANUET UFSD-Developed Grade 11 ELA Local Assessment
ESL	NANUET UFSD-Developed ESL Assessment	NANUET UFSD-Developed ESL Local Assessment
Studies in Film	NANUET UFSD-Developed Studies in Film Assessment	NANUET UFSD-Developed Studies in Film Local Assessment
Writing Workshop	NANUET UFSD-Developed Writing Workshop Assessment	NANUET UFSD-Developed Writing Workshop Local Assessment
Public Speaking	NANUET UFSD-Developed Public Speaking Assessment	NANUET UFSD-Developed Public Speaking Local Assessment
Journalism	NANUET UFSD-Developed Journalism Assessment	NANUET UFSD-Developed Journalism Local Assessment
Studies in Short Fiction	NANUET UFSD-Developed Studies in Short Fiction Assessment	NANUET UFSD-Developed Studies in Short Fiction Local Assessment
English Senior Seminar	NANUET UFSD-Developed English Senior Seminar Assessment	NANUET UFSD-Developed English Local Assessment
Art and Related Courses K-12	NANUET UFSD-Developed Art Assessment	NANUET UFSD-Developed Art Local Assessment
Technology Courses K-12	NANUET UFSD-Developed Technology Assessment	NANUET UFSD-Developed Technology Local Assessment

Foreign Language Courses 7-12	NANUET UFSD-Developed Foreign Language Assessment	NANUET UFSD-Developed Foreign Language Local Assessment
Other Math Courses 9-12	NANUET UFSD-Developed Math Assessment	NANUET UFSD-Developed Math Local Assessment
Music Courses K-12	NANUET UFSD-Developed Music Assessment	NANUET UFSD-Developed Grade K-12 Subject-specific Local Assessment
Health and Physical Education K-12	NANUET UFSD-Developed Physical Education, Health Assessment	NANUET UFSD-Developed Health, Physical Education Local Assessment
Other Science Courses 5, 9-12	NANUET UFSD-Developed Science Assessment	NANUET UFSD-Developed Science Local Assessment
Other Social Studies Courses 5, 9-12	NANUET UFSD-Developed Social Studies Assessment	NANUET UFSD-Developed Social Studies Local Assessment
Special Education Classes (for classes not covered in other sections)	NANUET UFSD-Developed Grade- & Subject-specific Assessment	NANUET UFSD-Developed Grade- & Subject-specific Local Assessment
Library Media Specialist	NANUET UFSD-Developed Library Media Specialist Assessment	NANUET UFSD-Developed Library Media Specialist Local Assessment
All other Teachers	NANUET UFSD-Developed Grade- & Subject-specific Assessment	NANUET UFSD-Developed Grade- & Subject-specific Local Assessment

For Consideration Two, please keep in mind these possible approaches to reducing assessments given within a district:

1. ***State Growth and Locally-selected subcomponent measures may use different measures based on the same assessment.*** Remove one of the assessments used for either Task 2 or Task 3 and use the same assessment in both subcomponents, but in different ways (e.g., growth versus achievement; student sub-groups, such as lowest or highest performing students).
2. ***State assessments may be used in both State Growth and Locally-selected subcomponent measures (requiring no additional testing).*** Remove the current use of locally-adopted assessments and replace with existing State assessments and/or use a school- or BOCES-wide, group, or team growth measure (e.g., in a K-8 school building, for the State Growth subcomponent in those grades/subjects that do not lead to a State or Regents assessment: school-wide measure based on 4th grade ELA and Math State assessments; for the Locally-selected subcomponent: State-provided school-wide growth score for all students taking 4-8 ELA State assessments).
3. ***School-wide growth or achievement results may be used based on one or more State assessment(s) or other approved assessment(s).*** Remove the current use of locally-adopted assessments in one subcomponent and replace with school- or BOCES-wide, group, or team measures based on State assessments (State Growth subcomponent) or with school-wide growth or achievement based on State or locally-adopted assessments (Locally-selected subcomponent).

Please also keep in mind the following:

- “Assessments” need not be standardized tests, but could instead be performance assessments (e.g., extended essay responses, science experiments, and/or another authentic application of skills). For students in kindergarten through second grade, traditional standardized third party assessments are prohibited<sup>2</sup>.
- For non-core subject areas in the State Growth or Other Comparable Measures subcomponent, you can remove additional assessments in favor of using school-wide, group, or team measures based on State/Regents assessments already given in the building. The only grades/subjects that cannot use a school-wide, group or team measures for the State Growth subcomponent are those with a State/Regents assessment in that grade/subject. All other grades/subjects are considered “non-core” and may use a school-wide, group, or team measure (Section D21 of the [APPR Guidance](http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf) document: <http://www.engageny.org/sites/default/files/resource/attachments/appr-field-guidance.pdf>).
- For principals, the same assessments that are used for the teachers’ State Growth or Other Comparable Measures and/or Locally-selected Measures subcomponents can be used for principals in these subcomponents to avoid administering additional assessments to students.

The following resources may be particularly helpful:

- The [School-wide SLOs](http://www.engageny.org/resource/school-wide-slos) webinar (<http://www.engageny.org/resource/school-wide-slos>)
- The [Assessments in APPR](http://www.engageny.org/resource/assessments-in-annual-professional-performance-review-appr) webinar (<http://www.engageny.org/resource/assessments-in-annual-professional-performance-review-appr>)
- For K-2 assessments used for the purposes of APPR, please see:
  - The [Removal of Traditional Standardized Third Party Assessments in K-2 FAQ](https://www.engageny.org/file/96701/download/k-2_removal_of_traditional_standardized_third_party_assessments_guidance.pdf) that provides further information as to the removal of K-2 traditional standardized third party assessments from the State-approved list ([https://www.engageny.org/file/96701/download/k-2\\_removal\\_of\\_traditional\\_standardized\\_third\\_party\\_assessments\\_guidance.pdf](https://www.engageny.org/file/96701/download/k-2_removal_of_traditional_standardized_third_party_assessments_guidance.pdf))
  - The [K-2 APPR Assessment Guidance](https://www.engageny.org/file/96706/download/k-2-assessment-guidance.pdf) document that provides guidance to districts and BOCES on selecting third party assessments for use with students in kindergarten through grade two (K-2) for the purposes of teacher and principal APPRs. This document replaces the Request for Qualification (RFQ) process previously used to determine state-approved K-2 assessments for APPR purposes (<https://www.engageny.org/file/96706/download/k-2-assessment-guidance.pdf>)
  - The [APPR Guidance Document](http://www.engageny.org/resource/appr-guidance-document), specifically F15
  - The [K-2 Assessment Pathways](http://www.engageny.org/resource/early-elementary-assessments) document (<http://www.engageny.org/resource/early-elementary-assessments>)
- Task 2 of [Task-by-Task Guidance](http://www.engageny.org/resource/task-by-task-guidance) (see: Sections 2D24-2D28) and Task 3 (Sections 3D25-3D29) (<http://www.engageny.org/resource/task-by-task-guidance>)
- [APPR Training Modules](http://www.engageny.org/resource/appr-training-modules) for Task 2 (slides 36-38) and Task 3 (slides 16, 30-35) (<http://www.engageny.org/resource/appr-training-modules>)

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<sup>2</sup> Please note: Effective March 2, 2014, the Department has removed all third party assessments for use in kindergarten through grade two **only** from its posted approved third-party assessment list. For further information about the regulatory amendments adopted at the February and March 2014 Regents’ meetings, please see: <http://www.engageny.org/resource/guidance-on-the-approved-regulatory-amendments-to-appr-to-help-reduce-local-testing>, the [K-2 Annual Professional Performance Review \(APPR\) Assessment Guidance Document](http://www.engageny.org/resource/k-2-annual-professional-performance-review-appr-assessment-guidance-document), the [Removal of Traditional Standardized Third Party Assessments in K-2 FAQ](https://www.engageny.org/file/96701/download/k-2_removal_of_traditional_standardized_third_party_assessments_guidance.pdf) and F15 of the [APPR Guidance Document](http://www.engageny.org/resource/appr-guidance-document). Please note that school districts or BOCES with an APPR plan that was approved or determined by the Commissioner prior to April 1, 2014 that provides for the use of an approved student assessment for students in grades K-2 remains in effect in accordance with Education Law §3012-c(2)(l) and the district or BOCES may continue to use such assessments until a material change is made to their APPR plan and approved by the Commissioner to eliminate such use.

In addition, please allow the following districts' approved APPR plans to serve as examples of districts that have made decisions to eliminate assessments used in their APPR plans:

- [Parishville-Hopkinton Central School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/parishville-hopkinton-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/parishville-hopkinton-appr-plan.pdf>)
- [Rochester City School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/rochester-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/rochester-appr-plan.pdf>)
- [Webster Central School District](http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/webster-appr-plan.pdf)  
(<http://usny.nysed.gov/rttt/teachers-leaders/plans/docs/webster-appr-plan.pdf>)

Please note that the items listed in this memorandum are in no way an exhaustive list of ways in which your district could adjust your approved APPR plan and are intended solely for informational purposes. Districts, within the context of state regulations and frameworks, should locally determine the most appropriate assessments to use within the APPR system after first analyzing their unique priorities and needs. To the extent it would be helpful, the APPR Team can provide additional technical assistance or clarify existing guidance to ensure that your district receives the support necessary to successfully make a material change to your approved APPR plan.

In accordance with Section 1 of Subpart F of Chapter 56 of the laws of 2014, please also note that all school districts are required to:

- publicly post this memorandum on the school district's website (if one exists);
- supplement the information contained in this memorandum to include any standardized tests not specified by the Department; and
- ensure a public discussion of the contents of this memorandum in a manner to be determined by the district, including discussion on the extent to which the standardized tests not required by state or federal law are beneficial to the educational process or may be eliminated to reduce over testing.

The New York State Education Department and the Office of Teacher and Leader Effectiveness will work alongside you to continue to look for ways to reduce testing that is not needed without sacrificing the valuable information provided by assessments. The Department encourages districts to do the same. Together, our collective goal is to ensure that every school has world-class educators in the classroom, every teacher has a world-class principal to support his or her professional growth, and every student achieves college and career readiness.

Please feel free to reach out to the APPR team via [educatoreval@mail.nysed.gov](mailto:educatoreval@mail.nysed.gov) for more information and assistance.