



THE STATE EDUCATION DEPARTMENT

To: District Superintendents of BOCES  
Superintendents of Public Schools  
Public School Principals

From: Alexander Trikalinos 

Date: June 14, 2021 **REVISED June 16, 2021**

RE: 2020-21 School Year Annual Professional Performance Review (APPR) **REVISED June 16, 2021**

On June 7, 2021 Governor Andrew Cuomo signed Chapter 112 of the Laws of 2021 which was subsequently amended on June 11, 2021 by Chapter 147 of the Laws of 2021. As amended, Chapter 112 provides, in part, that for the 2020-21 school year, no school districts or BOCES shall be required to complete an annual teacher or principal evaluation for any classroom teacher or building principal due to concerns related to the ongoing response to the COVID-19 pandemic.

In effect, the bill excuses school districts and BOCES from the requirement to complete a teacher's or principal's evaluation under Education Law § 3012 and Regents Rules 30 for the 2020-21 school year. The bill also eliminates any state aid penalties for school districts that fail to implement any component of their approved APPR plans. to appoint on tenure those classroom teachers and building principals recommended by the superintendent of schools who are in the final year of the probationary period.

- In all instances, the superintendent must determine that ~~such~~ educators would have qualified for appointment on tenure based upon performance had their evaluations been completed in the ~~2019~~ and/or 2020/21 school years

The bill also provides that previously tenured classroom teachers who accept a position at ~~any~~ school district or BOCES in 2021 will be appointed for a three-year probationary period provided that they have received an APPR rating in either the 2018 or 2019 school years, rather than in their final year of service, as is currently required by law. Additionally, for those teachers who accept a position at a BOCES, their 2017 or 2018-19 APPR rating must have been either effective or highly effective.

Any questions related to this memorandum should be directed to the Office of Educator Quality and Professional Development (OEQPD) e-mail at [educatoreval@nysed.gov](mailto:educatoreval@nysed.gov)

Questions and Answers

Can we still complete evaluations if we were able to implement our APPR plan for this school year?

Yes. The amendments to the law eliminate the requirement for LEAs to complete teacher and principal evaluations for the 2020-21 school year, but do not prohibit evaluations from being completed where an LEA is able to do so

Do LEAs still have to report APPR data for the 2020-21 school year?

Yes. To the extent that LEAs are able to complete all or part of an educator's evaluation, the Department expects that such scores and ratings will be reported. Information and resources related to the submission of data are available on the Department's website.