

Teacher Excellence Fund



Fact Sheet No. 14-07

April 2014

The adopted 2014-15 New York State Budget included legislation that creates a new Teacher Excellence Fund. Based on action taken at the 2014 NYSUT Representative Assembly (RA), **LOCAL LEADERS ARE URGED TO REFUSE ANY REQUEST TO BARGAIN FOR THESE FUNDS.** This Fact Sheet will provide you with a rationale for NYSUT's position including an overview of the legislation, information on NYSUT policy including the Special Order adopted at the 2014 RA, and "Advice for Local Leaders."

Overview

- Teacher Excellence Fund awards will be available beginning in the 2014-15 school year;
- Performance awards may be provided to teachers rated "Highly Effective" as determined by their most recent Annual Professional Performance Review (APPR);
- Individuals may receive an amount up to \$20,000 annually;
- Eligible school districts must submit an application to SED to request funding on an annual basis;
- Such districts must have entered into an agreement with the collective bargaining representatives of the teachers identified in the district application;
- The State Education Department (SED) must have the district application available by May 15th of the preceding school year;
- SED must issue preliminary awards by October 15th of the grant award school year;
- The award is additional compensation but not considered part of basic annual salary and, therefore, not in the calculation of final average salary or for pension service credit; and
- The award supplements and not supplants compensation agreed upon as part of the collective bargaining agreement.

MINIMUM APPLICATION REQUIREMENTS

- The application must detail the extent the district plan intends to recognize and reward "Highly Effective" teachers:
 - In school buildings with the greatest academic need;
 - In difficult-to-staff subject or certificate areas and/or grade levels; and
 - At critical points in a teacher's career to encourage such teachers to remain in the classroom.
- Applications will be prioritized by factors including:
 - The district plan as detailed above; and
 - The quality of the proposal.

WHICH DISTRICTS ARE ELIGIBLE?

- All public school districts are eligible including Special Act school districts; and
- The district must have also reached an agreement with the collective bargaining unit representing the teachers.

WHICH TEACHERS ARE ELIGIBLE?

- Teachers who:
 - Hold initial, provisional, transitional, permanent, or professional certification in the subject area they teach; and
 - Are subject to the APPR as per Section 3012c of Education Law; and
 - Are rated “Highly Effective” in their most recent APPR.

NYSUT Policy

As a result of a Special Order of Business at the 2014 NYSUT Representative Assembly, delegates adopted a resolution to eliminate the Teacher Excellence Fund. The rationale supporting the resolution noted that APPR ratings are based on a flawed system, and any negotiated or non-negotiated means of obtaining these funds would create a competitive atmosphere among NYSUT members. NYSUT will be working to repeal the Teacher Excellence Fund and instead use these funds to benefit all students.

Advice to Local Leaders

Local leaders are urged to refuse to bargain for Teacher Excellence Funds for the following reasons:

TEACHER EXCELLENCE FUNDS MUST ONLY GO TO TEACHERS RATED AS “HIGHLY EFFECTIVE” THROUGH THE APPR PROCESS!

- Teacher Excellence Funds are, in reality, merit pay. NYSUT’s long-standing policy against merit pay, established in December 1974, voices opposition to the employment of merit pay plans in New York State and rejects the contention that merit pay will lead to a higher quality of education in New York State.
- There is no legislative flexibility to use these funds in any other way that may be agreed upon locally.

RELIANCE ON UNFAIR APPR PROCESS

- The lack of equity in the APPR process has led to inconsistencies in the implementation of APPR. In addition, your members may have had ratings unfairly impacted by the state growth model used for 20% of the APPR rating if their students were assessed in ELA and math in grades four through eight.

INEQUITABLE ELIGIBILITY

- Not all public bargaining units are eligible for consideration such as BOCES locals and teaching assistant locals.
- If your district is eligible, some members of your unit will not be eligible for Teacher Excellence Funds such as Pre-Kindergarten teachers, Pupil Personnel Service titles (such as school psychologists, school social workers, and school counselors), substitute teachers, teachers who provide instructional support services for 40% or more of their assignment, and teachers who are not teachers of record.

Please contact NYSUT Research and Educational Services if you should need more information.