

BOND

SCHOOL LAW INFORMATION MEMO

JUNE 1, 2022

APPR Updates for 2021-2022

On May 13, 2022, Gov. Hochul signed Chapter 201 of the laws of 2022. Included in this legislation, which passed unanimously in both the Senate and Assembly, was the elimination of the requirement for school districts and BOCES to complete an annual professional performance review (APPR) for any classroom teacher or building principal for the 2021-22 school year. The bill also pledges that state funding will not be withheld from any school district for not completing the APPR in these school years. This bill acts as an extension of Chapter 112 of the laws of 2021. These changes ensure that teachers hired in recent years will not be penalized due to the lack of APPR ratings.

In addition to the APPR waiver, under these amendments, classroom teachers or building principals appointed during the preceding four school years (2017-2018, 2018-2019, 2019-2020 or 2020-2021), are eligible for tenure if they received APPR ratings of either effective or highly effective in at least one of the four preceding years and did not receive an ineffective rating in the final year of their probationary period, or during the most recent school year where a rating was received and is, in the superintendent's discretion, qualified for tenure.

Classroom teachers or building principals appointed during the 2018-2019 or 2019-2020 school year who have not received composite APPR ratings for three consecutive years are still eligible for tenure without such ratings. The superintendent may recommend tenure where the superintendent believes the teacher or principal is qualified based upon performance.

Classroom teachers or building principals appointed during the 2021-22 school year would be eligible for tenure if they have received composite APPR ratings of either effective or highly effective in at least two of the four preceding years and did not receive an ineffective rating in the final year of their probationary period, or during the most recent school year where a rating was received, and would have been, in the superintendent's discretion, qualified for appointment on tenure based on performance.

If you have questions about the topics referenced in this memo, please contact [Kristin Warner](#), any attorney in Bond's [School Law practice](#), or the attorney at the firm with whom you are regularly in contact.

