

News & Notes

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www.saanys.org

Governor Delivers State of the State and Executive Budget



On January 21, Governor Cuomo presented his State of the State address and his recommended executive budget, or as he refers to it, the “2015 opportunity agenda.”

In regard to education, the governor indicated that all the recommendations submitted to him by Regents Chancellor Tisch and Acting Education Commissioner Berlin should be implemented. That letter may be found on the SAANYS website. However, the governor went on to make a number of proposals, some of which are not entirely consistent with the letter from SED. A summary is below, as well as in the executive director column on page 2.

SAANYS Reactions

In response to budget proposals, SAANYS delivered testimony before a joint meeting of the legislature on February 3. The testimony provides a comprehensive look at SAANYS’ responses to the governor’s budget proposals and official positions on a number of issues. That document can be found on the homepage at saanys.org.



Summary

Annual Professional Performance Reviews (APPRs)

Fifty percent of the APPR evaluation will be based on the state score and the remaining 50 percent shall be based on observations. Teachers must receive an effective score in both subcomponents in order to receive an overall rating of effective or highly effective.

A teacher could be removed after two ineffective ratings, *continued on page 8*

Financial Planning for Life Workshop



SAANYS kicks off the “Financial Planning for Life Workshop” series, presented by NYSTRS and AXA, with a very successful workshop in Woodbury, Long Island. See the events section on page 4 for upcoming locations and more details.

ECB Groups Call on Governor to Release School Aid Runs



The New York State Educational Conference Board (ECB) – comprised of the seven leading educational organizations representing parents, teachers, school-related professionals, school business officials, building administrators, superintendents, and school boards – called upon the state to immediately release a 2015-16 state aid proposal and corresponding school aid runs allocating the approximate \$1.1 billion increase as presented by the governor. The following statement was issued:

It is unprecedented for the state to withhold the release of executive budget aid runs. These aid runs are not simply a state budget “tradition,” they are necessary and indeed critical to the local budget development process for hundreds of school districts across the state.

Just like at the state level, the budget process begins well before any voting deadlines. All stakeholders in the school district community – including taxpayers, parents, teachers, students, school boards, and other school leaders – play an important role. Without projected aid runs, school districts cannot responsibly develop their budgets or adequately involve our communities in the process.

In fact, the property tax cap, first proposed and enacted by the state in 2011, requires school districts to utilize the executive budget aid runs that are currently being withheld to formulate a tax cap calculation. Under the tax cap law, school districts are required to submit a “2016 Proposed Levy” to the state by March 1 in order

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SAANYS is proud to have been invited by Dr. Stephen Tomlinson, superintendent of Broadalbin Perth Central

School District, to develop and present a Leadership Academy for the school administrators in the fifteen component districts of Hamilton Fulton Montgomery BOCES. As part of an STLE grant, the goal of this Leadership Academy is to provide the opportunity for school leaders to come together as a cohort over six months, January through June 2015, to share and learn from one another and from practitioner presenters on topics aligned with the domains of the multidimensional rubric. The first of six face-to-face sessions kicked off on January 22 at the HFM BOCES site in Johnstown with 37 participants. Their expertise and diversity as a group will make this a true learning opportunity for all. Here is what our participants identified as things they hope to gain from their participation in the academy:

- Skills and strategies to enhance job performance.
- The ability to network and share with others.
- Ways to increase ability to lead, especially through a time of major change.
- Collaboration and sharing of ideas with other schools to see what is working and what is not regarding student achievement.
- Strategies that to use immediately!

Those needs are reflected in these beliefs that guided our development of the Leadership Academy.

- First, we saw the importance of forming a strong and sustained cohort of participants. Since the benefit of

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LEGAL BRIEFS

A New Year Has Prospects



The new year ushers in a series of meetings for some of the twelve SAANYS regional organizations. Members of SAANYS counsel’s office will be attending those meetings in part to update the regions on changes that could affect upcoming local bargaining unit negotiations with their various employers. However, much of the information discussed will invariably be relevant to those units and their members who are not expected to be involved in collective negotiations this year.

Much of the discussions will involve such imperatives as effective preparation for collective negotiations, the importance of planning ahead in anticipation of potential occurrences at the negotiating table, and setting firm rules of conduct and protocol so as to facilitate as smooth a negotiating process as possible. A by-product of these general topics is often some detail about changes in the law that effect particular items in negotiations.

For example, acknowledgment of the current economic and political climate at these meetings will lead to discussion about how to meet the goals of unit negotiators in terms of financial gains for their current active members. The conversation will turn to creative methods being employed on certain topics such as taxable and non-taxable fringe benefits. Of interest to most units are those related to paying for health care above and beyond basic insurance coverage, including flex spending accounts, health reimbursement arrangements, health savings accounts, and medical savings accounts, all of which share much of the same traits but have nuanced differences to meet differing

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Executive Viewpoint

Kevin S. Casey, Executive Director

Cuomo Attacks Public Education

of the questions is that New York's schools are in crisis, despite following a teacher and principal evaluation system, at least in part, of the governor's creation. For a far more measured and realistic look at the state of education in New York, see the 1/23/15 article by Kate Taylor in the *New York Times*, which appeared on page A14 of the 1/24 NY print edition. Chancellor Tisch and Acting Commissioner Berlin dutifully sent a twenty page response to the governor. In his State of the State address, the governor said he was adopting the Tisch/Berlin recommendations (whether these recommendations were supported by other Regents is currently an open question), but such adoption must have been conceptual only, as the content of the governor's budget bill goes beyond the Tisch/Berlin recommendations. I suspect this was done so that the governor can say he has SED support for his changes. It also provides the governor with a place

I like to consider myself a calm and reasonable person not given to hyperbole. I respect those who strike me as considered thinkers who employ reason to challenges without resort to emotional responses. Despite my best efforts to find logic in the governor's budget proposals relating to education, the only thing I can find is unadulterated hostility directed at public education.

I don't know whether the governor is more interested in punishing NYSUT due to their famously contentious relationship, or rewarding the hedge fund billionaires that donate vast sums to the gover-

nor while pursuing their charter school interests. In either event, if these proposals become law, the collateral damage will include students, teachers, administrators, and school districts. Over time our educational landscape will be driven by high-pressure tests being administered by an ever-changing cadre of short-term teachers and administrators, while charter schools expand and local control deteriorates. This is grim.

Back in December, the governors' office sent a letter to Chancellor Tisch and Commissioner King seeking the answers to twelve sets of questions. The underlying premise

to point, when, if these proposals are enacted, the impact of these changes manifest themselves in narrowed curriculum, stressed out students, unfairly fired staff, financially strapped districts, and the inevitable public pushback. The governor has positioned SED to have accountability for his changes. Some of those proposed changes are as follows:

- Increase the weight of the state-developed growth score and other comparable measures (e.g., student learning objectives) given to teachers and principals from 20 percent to 50 percent, despite the fact that many school boards, superintendents, the Value-Added Research Center at the University of Wisconsin, the American Education Research Association, and the American Statistical Association all question the use of SED's data for high stakes purposes. Despite these doubts, the governor agrees the very same test results that are not worthy for placement on student records may be relied upon to fire educators.

- The rubric used by the external observer in conducting a principal observation is not subject to CBA negotiation and will be selected by the outside observer. Principals in the same district could have different observers utilizing different rubrics and still be compared to one and other. The governor's proposal does not address any rubric(s) to be used for teacher observations.
- Extend the probationary period to five consecutive years of receiving an overall rating of effective or highly effective; ratings that would be unattainable as a matter of law in any year a teacher or principal received an ineffective in either of the two subcomponents. One such developing or ineffective overall rating resets the probationary period five-year clock. Over time this will likely result in a predominately probationary workforce, members of which may be dismissed on a whim.

ECB Groups Call on Governor to Release School Aid Runs

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to calculate a district-specific tax cap figure. Establishing a proposed tax levy is impossible without knowing projected state revenue.

In order to establish the tax cap calculation as of March 1, State Education Department guidance directs school districts to use "applicable executive budget computer runs" to estimate anticipated building aid and transportation aid. The withholding of aid runs makes this impossible.

The budget bills also do

not include any language regarding how any potential state aid would be distributed. Even if a school district had the time and capability to decipher the state's traditionally complex school aid formula, they would still not be able to estimate their aid based on the information missing from the executive proposal. We call on the governor to amend his executive budget proposal to include a state aid proposal that allocates and distributes to school

districts the approximate \$1.1 billion school aid increase cited in his State of the State address. For school districts, until that is done, the executive budget is simply incomplete.

This is not a matter of politics or even a policy debate. This is a matter of basic government function and an informed decision making process for our communities. School districts should not be held hostage in this process. The current situation is chaotic and dysfunctional. The governor should release a state aid proposal and associated aid runs without delay. ■

- Eliminate local measures (subcomponent 2) and have the remaining 50 percent of a teacher's and principal's evaluation result from observation in a bifurcated manner. For a teacher, AT LEAST 35 percent of the remaining 50 percent would be from "independent observers" outside of the building or district. This change, in addition to raising significant issues with respect to cost, scheduling, capacity, inter-rater reliability...also eviscerates the authority and relevance of building level administrators. It is entirely contrary to SED's express efforts to have administrators be instructional leaders as opposed to building managers. A maximum of only 15 percent of a teacher's evaluation would be based on observation by their building principal or other member of their school leadership team with whom they regularly interact and confer. This proposal is aslap in the face, and likes to degrade the value of the observations.
- With respect to principal evaluations, observation(s) would be conducted by someone outside the district. This too is an affront to the professionalism of every administrator in the state, regardless of title.

- A student may not be instructed for two consecutive years by two teachers in the same district, each of whom has a current ineffective overall rating. Consider the scheduling and hiring implications of that one for a moment.
 - SED may put failing schools into receivership, and appoint a receiver with the authority of the superintendent AND the board of education, AND have the authority to modify the budget, curriculum and program offerings and CBA's.
 - Sharply increase charter schools, support mayoral control, school vouchers, and incentivize regionalization.
- There's more, but you get the drift. This seems more like an emotional attack, and not a well-considered effort to improve education. Not a single member of the Educational Conference Board (NYSPTA, Big 5, NYSASBO, NYSUT, NYSSBA, NYSCOSS, SAANYS) was asked to react to the impact of these proposals before they were made. I would love to know the extent of the educational experience of the authors. ■

News & Notes

School Administrators Association of New York State

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State Aid	The proposed school aid increase is insufficient. SAANYS recommends an increase of \$1.9 billion in order to more adequately support school districts in implementing the many mandates associated with the state education reform agenda. An increase of \$1.2 billion is essential in order to maintain current programs and services.
Gap Elimination Adjustment & Foundation Aid	SAANYS recommends that the Gap Elimination Adjustment be phased out . Consistent with SED's recommendation, SAANYS supports the allocation of \$597 million directed to GEA restoration and \$526 million directed to Foundation Aid so that school districts will benefit.
Property Tax Cap	SAANYS recommends that the property tax cap be discontinued in favor of a circuit breaker tax relief system.
Investment Incentives Tax Credit	SAANYS opposes this proposal completely.
English Language Learners	SAANYS recommends a .20 weighting for the increase of each LEP enrolled student, without any trigger.
Unaccompanied Minors	SAANYS recommends an immediate current year allocation of \$10 million to school districts that had substantial spikes in enrollment and the re-establishment of growth aid to address future spikes.
APPR	SAANYS adamantly opposes the governor's proposed revisions of the state APPR system. SAANYS and all other organizations comprising the Educational Conference Board have, since 2012, recommended a formal independent evaluation of the state APPR system by a competent entity that is neither employed by, nor affiliated with, the State Education Department.
Probation and Tenure	The governor's proposal seeks to keep principals and teachers in probationary status for as long as possible and to make clear that districts have authority to "dismiss probationary teachers at any time for any reason (performance or otherwise)." The governor's proposal provides credible evidence as to why tenure is absolutely necessary .
Failing Schools and Districts	SAANYS opposes the governor's proposal to appoint to each failing school or failing district a "receiver." Instead, SAANYS recommends the joint selection of a school or school district coach.
Charter Schools	There is no compelling data-based rationale for wanting to increase the number of charter schools. SAANYS opposes the expansion of charter schools.
Universal Prekindergarten	SAANYS recommends that the \$25million proposed to expand prekindergarten to three-year-old students be redirected to programs for students four years of age . Equitable access to all eligible four-year-old children to quality prekindergarten programs should be in place before expanding the program to children who are three years of age.



For more information regarding the SAANYS legislative agenda, the New York State Board of Regents, the Educational Conference Board, or other government relations concerns, contact James Viola, SAANYS director of government relations, at JViola@saanys.org.

SAANYS will soon be launching a completely new website, which includes a much improved legislative advocacy section that provides an easy tool to look up and contact your legislators. Your legislators have to hear your thoughts on the proposed modifications. Now is not the time to be passive. Watch for the announcement coming soon.



The January Meeting of the Board of Regents

The State Board of Regents met in Albany on January 12. Due to the State of the State address being re-scheduled to January 21, the Regents meeting was adjusted to one-day. Just as noteworthy as the items that were discussed at the meeting, were the items that were not discussed. There was no public discussion of the contents of the December 31 letter of response sent by Regents Chancellor Merryl Tisch and Acting Commissioner Elizabeth Berlin to Governor Cuomo's director of state operations, Jim Malatras. Noteworthy items discussed at the meeting follow:

High School Graduation

At the full board meeting, Executive Deputy Commissioner Kenneth Wagner presented information regarding high school graduation rates for five cohorts of students – students who started grade 9 in 2006, 2007, 2008, 2009, and 2010. The executive deputy prefaced his remarks by saying, "We have made good progress in the context of higher expectations, but there is more to be done." Salient points made during the presentation include the following:

- Public school district four-year graduation rates incrementally improved as follows: 73.4 percent, 74.0 percent, 74.0 percent, 74.9 percent, and 76.4 percent.
- Graduation rates for high-need urban/suburban and rural school districts have increased over the past five years, with average and low-need school districts posting the highest graduation rates, 86.6 percent and 94.4 percent, respectively.

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Transitioning From 65 to Aspirational Performance on Regents Examinations

SAANYS has actively engaged the State Education Department in regard to the transition from English and mathematics Regents examinations based on NYS 2005 standards to new Regents examinations based on common core standards. This engagement has resulted in the establishment of the local option for dual administration of both versions of the examinations, and recent actions of SED to extend the dual administration option for English language arts (to August 2015) and for Algebra 1 (to June 2015).

Recently, Executive Deputy Commissioner Kenneth Wagner requested SAANYS' recommendations in regard to high school graduation requirements.

The Issue

In order to receive a Regents High School Diploma, what approach should be employed in transitioning from the current level 3 (score of 65) performance on ELA and mathematics Regents exams to level 4 (74/79) aspirational performance between now and 2022?

- Should it be done incrementally, year-by-year beginning in 2015-16?
- Should it be done using a "light switch" approach, in 2021-22?

SAANYS discussed this matter with a focus group of high school principals in western New York and with members of the Government Relations Committee and Board of Directors. Members overwhelmingly recommended Approach B.

Rationale for Approach A

The primary consideration in support of Approach A (employing two or three incremental shifts, but not every year) is that maintaining the status quo from 2014-15 to 2020-21 may reduce the sense of urgency at the local level to strengthen and enhance instruction and

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Google Docs to Simplify and Enhance Your Day-to-Day Work

Two Session Workshop February 24 and March 3

4:00pm - 6:30pm
SAANYS Headquarters
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Instructor:
Carol LaRow, Authorized
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Session 1: Simplify Your Day-to-Day Work by Writing and Editing Online
Learn the "basics" of Google DRIVE, Docs, and Folders. Write and edit online. Go paperless as you design word processing documents. Import images, create hyperlinks, use revision history, chat with collaborators, translate entire documents, use folders, use comment streams, and more.

Session 2: Learn Additional Features of Docs That Will Enhance the Documents You Create
Features most users have not discovered such as visibility options, Research Tool, Contact Lists, converting PDF files to editable text, batch formatting features, and more.

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In an effort to assist members in achieving the 175-hour professional development requirement, SAANYS provides completion certificates for conference and seminar attendees that can be used as verification of professional development hours.

Go to www.highered.nysed.gov/tcert/faqpd.htm for complete information on requirements.

IDEA SWAP

Edcamp style relaxed "unworkshop"

Like cookies, come with an idea to share and leave with a dozen!

Cost:
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What's working? Is there an idea that has come to life in your school that has caught on, that works, that people relate to, that makes a difference for students? From the most nitty gritty ways to get kids to be on time and bring materials to class, to bigger steps around school climate, culture, academics, data exploration, communication to families, observation practice, teacher collaboration, you name it! Share your story of what's working and what you've learned along the way - this informal get together is a way to listen, learn, and share with your colleagues around the region! Feel free to bring any materials, photo, or video you want to share with the group!

February 25, 2015

4:30pm - 6:00pm
SAANYS Headquarters
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- cookies and light refreshments
- informal get together
- listen, learn, share, or just listen!

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FINANCIAL PLANNING FOR LIFE

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light refreshments
Cost: FREE
SAANYS members spouses welcome

Join your colleagues for this comprehensive retirement planning workshop presented by AXA and a representative from NYSTRS.

AXA Presentation:
AXA specializes in working with New York State employees, helping them to get the most out of their NYS Pension Plan. AXA will provide specific information on understanding the true value of your NYS pension, how to protect your pension during your working years, what to consider in choosing a payout option, as well as examples on how to maximize your pension payments in retirement. The presentation will also discuss the importance of appropriate asset allocation within 403(b) and other retirement savings plans.

NYSTRS Presentation:
Even in turbulent economic times like these, you can achieve future financial strength and security by building a strong pension at NYSTRS. This presentation will provide an overview of the important benefits NYSTRS provides, with an emphasis on issues pertaining to members approaching retirement. Highlights include a review of the fundamental pension components such as service credit and final average salary, key retirement thresholds to reach for, the tools needed to maximize these benefits, retirement benefit options, and much more.

MARCH 2 - VESTAL
AXA Office,
4100 Old Vestal Road, Suite 105, Vestal

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AXA Office,
5 Maxwell Drive, Suite 100, Clifton Park

MARCH 24 - BUFFALO
Giancarlo's Steakhouse, 5110 Main Street, Buffalo

MARCH 25- ROCHESTER
AXA Office,
175 Corporate Woods, Suite 250, Rochester

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Registration Required:
www.saanys.org/events
(scroll to statewide events and click on "register for this event")

March 26, 2015

Hamilton College
 198 College Hill Road, Clinton, NY



Schedule for the Day

8:00 am - 8:30 am	Registration
8:30 am - 9:30 am	Opener Session Vote Audience
9:30 am - 9:45 am	Networking Break
9:45 am - 10:00 am	Session Presentation
10:10 am - 11:00 am	Session 1
11:10 am - 12:00 Noon	Session 2
12:00 Noon - 12:45 pm	Lunch
1:00 pm - 1:50 pm	Session 3
2:00 pm - 2:50 pm	Session 4
3:00 pm - 3:30 pm	App Smackdown Closing Remarks

Topics include but are not limited to:

1. Chromebooks in the Classroom
2. Google Apps Management
3. Google + Hangouts
4. Understanding Google Classroom
5. Going Google
6. Customizing Chrome to make your life awesome!
7. Google Scripts
8. Google Apps for Mobile Devices
9. Deep Dive with Drive
10. Google Glass Demo

Register early to reserve your spot!

Select registration option:

- \$125 per person – includes full program, Google Chromecast, lunch, and breaks
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All attendees are eligible for door prize drawings, to be held during the closing remarks.

What is an Edcamp Format?

An “unconference” without keynoters; everything to be discussed that day is determined by the attendees themselves on the morning of the event. Four exciting, interactive, practical sessions will result, with a focus on all things Google.

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Please register online at:
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SAANYS' Magellan Foundation is an approved NYSED provider for this 6-hour workshop to fulfill harassment, bullying, and discrimination prevention and intervention training required for certification/licensure under the Dignity for All Students Act (The Dignity Act).

PART 1:
 Three hours **online** with course instructor (flexible schedule). **This is a prerequisite for Part 2.**

PART 2:
 Three hours **face-to-face** (see sidebar for locations and times).

- As a result of taking this workshop, participants will:**
- Understand the broad scope of educator responsibilities present in the Dignity Act.
 - Develop an enhanced awareness and sensitivity to the range of experiences of the specific student populations as named in the Dignity Act.
 - Understand how school climate and culture have an impact on student achievement and behavior.
 - Understand bullying, harassment and discrimination, including indicators, early warning signs, prevention and intervention, and how to interact with families of victims and aggressors.
 - Articulate the reporting requirements for educators as specified in the Dignity Act.
 - **Receive a certificate of completion of the required six hour DASA course.**



Workshop Facilitator:
Dr. Michael Johnson has over 30 years of public school experience including serving as an administrator at the elementary, middle, and high school levels.
Dr. Johnson is a NYSED approved DASA trainer.



6 Instructional Hours:

Saratoga City School District
March 12 • 4:00 pm - 7:00 pm
July 17 • 9:00 am - 12:00 pm
 Saratoga High School
 3 Blue Streak Blvd., Room C221-223
 Saratoga

Stillwater Central School District
May 12 • 12:00 pm - 3:00 pm
June 18 • 4:00 pm - 7:00 pm
 Stillwater Middle School Conference Room
 1068 North Hudson Ave.
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COST: \$60
Register online at:
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(scroll down to Region 6)

Cancellation/Refund Policy – Written requests for refunds (less a \$25 processing fee) should be sent by email to: sjaronski@saanys.org and must be received 7 days before the workshop. After that, no refunds will be issued.

SAANYS Professional Development Update



For information on any SAANYS professional development event, contact Karen Bronson at KBronson@saanys.org.

connecting with colleagues from neighboring districts and learning from one another is so vital, the importance of strengthening the bonds between members of school teams as well as the connections between school leaders was a priority.

- Secondly, learning that is sustained and supported beyond an actual face-to-face presentation is essential to success. For that reason, a two hour anchor workshop is followed up by two one hour skype meetings to give participants the opportunity to discuss and ask questions about

implementation efforts since the workshop. Presenters are also available via phone or email for individual questions or implementation support through June.

- Third, since the time spent connecting with colleagues is as important as actual workshops, opportunities are built in on each of the six meeting days to share ideas and perspectives informally with both in district colleagues and those from neighboring districts. A book talk around our two common readings, *The Principal* by Michael Fullan, and *Mindset* by Carol Dweck, starts each day, and there is a roundup discussion and activity at the end of the session.
- Finally, since our participants' time is at such a premium, we want to make sure that the learning at the workshops is truly helpful in meeting the real demands they face back in their districts. The workshop topics: ENVISIONING success, LEADING the Learning, CONNECTING with community, MANAGING Change, REFLECTING for Professional Growth, and SUSTAINING a Positive School Culture are focused on resources and strategies that are the kind of takeaways that can realistically be put into practice without additional time or monetary resources. Our practitioner presenters bring a first-hand understanding of the challenges our attendees face in this time of rapid change.

SAANYS is honored to be working with these outstanding school leaders in the HFM districts! ■

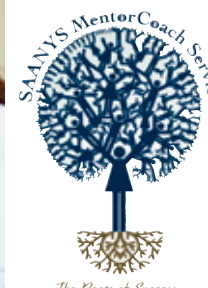
“Treat people as if they were what they ought to be, and you help them become what they are capable of becoming.”

– Johann Wolfgang von Goethe

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LEGAL BRIEFS

A Message From
Andre Dalbec,
 SAANYS Counsel
ADalbec@saanys.org



A New Year Has Prospects...

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financial needs. From there, the discussion will likely touch on the effect of Obamacare, also known as the Affordable Care Act (ACA), on these items. In some instances for 2015, the ACA places new limits on employer contributions and changes the tax implications on these negotiated benefits.

Inasmuch questions arise about the tax implications of both non-health care and health care related fringe benefits. Separate from the health care related items mentioned above, non-health care related items may include reimbursements for personal cell phone use

on work-related matters, use of one's car, or payment of life insurance premiums. It is best in negotiations to follow the general rule that if an item was not expressly created by the legislature to have tax free benefits, it likely does not. Thereafter, you can get specific as to which items need to be precisely delineated as taxable or non-taxable benefits. Critical to remember is that what was considered of value in the previous agreement, which may have been taken away by a legislative act like the ACA, can and should be negotiated back into your contract in one

form or another. Don't settle for the fact that it is gone. Demand something in return.

Similarly, the discussion of the current political and economic climate will raise particular questions from those preparing to retire or merely looking down the road toward retirement. Their interests may involve the pensionability of particular benefits provided in their collective bargaining agreements. Members in the Teacher Retirement System (TRS) currently occupy six tiers with those joining the system after April 1, 2012 labeled as Tier 6 members. The TRS has recently issued clarification on certain particular negotiated benefits that retirees believed were added to their pension calculations but found that they were not.

The general rule that has been applied to the

tiers 3 through 6 had always been that to be included in a pension, the payments had to be reasonably incidental to the work necessary to complete the job of the title, was cumulative and continuous year after

interpretation is the same as that of the district, that a particular item is part of base salary and thus added to a pension calculation. That is always a dangerous presumption but in this case is also an irrelevant presumption.

Even if the parties agree on an interpretation of a contract, such agreement does not bind the TRS. So, as noted above, if you believed something had pensionable value

Even if the parties agree on an interpretation of a contract, such agreement does not bind the TRS.

that it turns out may not, do not despair, it merely presents an opportunity to negotiate its lost value back to your members in another form. Looking positively, SAANYS will impart at these regional meetings the good things that can come from the changes that come with a new year. ■

year, and was not in the mode of a bonus designed to augment a final average salary. Questions have arisen about negotiating tenure stipends, merit pay, longevity bonuses, and the like, as to how they figure in to a member's final average salary, if at all. Each provision or proposal in your negotiation involving such an item must be scrutinized and made clear. Often, bargaining units have proceeded on the presumption that its

that it turns out may not, do not despair, it merely presents an opportunity to negotiate its lost value back to your members in another form. Looking positively, SAANYS will impart at these regional meetings the good things that can come from the changes that come with a new year. ■

It's Time to Take Discipline Reporting Seriously...NOW!

Opinion piece by Scott B. Crowder,
 CEO, Educational Vistas, Inc.

When State Comptroller, Tom Dinapoli, recently released the results of his audit, the findings were not unexpected. As many as 30 percent of violent or substance-related incidents were unreported! Since 2000, when the Safe Schools Against Violence in Education (SAVE) Act was enacted, NYS schools have been grappling with "just what is reportable?" The Violent and Disruptive Incident Report (VADIR) requirements both clarified and confused districts as to which incidents rose to the level of reportability. The Dignity for All Students Act (DASA) has further complicated

district compliance and consistency.

As of 2014, VADIR and DASA material incident reporting is part of the data collection process for School Safety and the Educational Climate (SSEC) reporting: http://www.p12.nysed.gov/irs/school_safety/school_safety_data_collection.html.

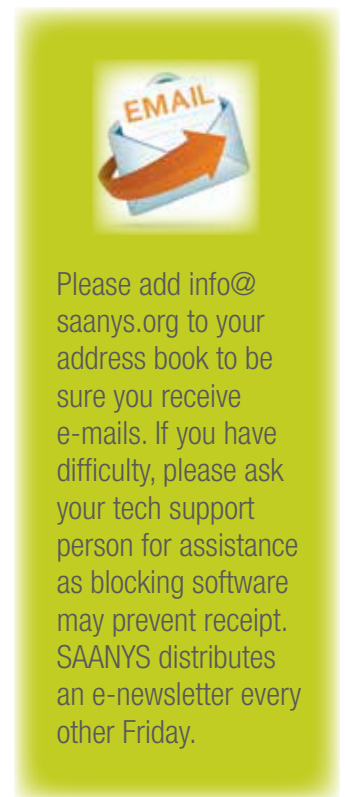
This is a perfect time to take an in-depth look at your district's three "P's" – policies, procedures, and personnel assignments, in regard to all aspects of discipline reporting and management. I am still amazed and disappointed that all schools have not yet adopted a

comprehensive, integrated management system for this difficult requirement. The argument for such a solution is very easy to make: "You would not manage school transportation, IEP's, AIS, lunch services, the library, curriculum, APPR, or many other educational enterprise needs through your Student Information System (SIS), so why would you attempt to handle VADIR, DASA, & discipline in the SIS?" Please read that again.

Since 2003, the Violent and Disruptive Incident Reporting System (VADIRSTM) – now called SafeSchoolsNYTM – has been the leading, complete management system for one-button production of both your VADIR and DASA reports. Beyond that, the program provides all stakeholders access to in-process data and information necessary to protect vulnerable

students, modify the behavior of offenders, and even identify witnesses to disruptive incidents. Powerful reports and surveys allow administrators the ability to gather baseline data, create a process to improve school climate and culture, assess effectiveness, and reduce disruptive and/or violent incidents. I believe that returning this time to classroom instruction will result in both student academic improvement and a reduction in absenteeism and tardiness.

With this web-based software product available under contract through Nassau BOCES, Eastern Suffolk BOCES, WSWHE BOCES, or directly from Educational Vistas, Inc., there is no reason not to make it your discipline management solution. ■



Contact a SAANYS Attorney



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After Hours Pager:
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 Be sure to include your area code when leaving your number.

*"Intelligence plus character-that is the goal of true education."
 — Martin Luther King Jr.*

*"An investment in knowledge always pays the best interest."
 — Benjamin Franklin*



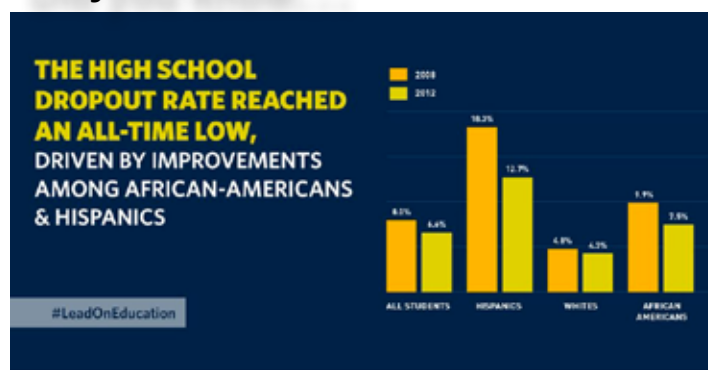
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Did you know...



The January Meeting of the Board of Regents...

continued from page 3

- Over the past five years, the percentage of students graduating with local diplomas has decreased from nine percent to four percent, and the percentage of students graduating with Regents diplomas has increased from 33 percent to 41 percent. The percentage of students earning a Regents diploma with advanced designation has remained 31 percent.
- The four-year graduation rate for English language learners (ELL) decreased each year (40.3 percent, 38.2 percent, 34.3 percent, 31.4 percent, and 31.2 percent), but the graduation rates for students who no longer receive ELL services is comparable to the general population.
- Charter school four-year graduations rates have consistently lagged behind the rates of public school districts and decreased for the 2010 cohort as follows: 56.0 percent, 57.2 percent, 64.7 percent, 70.1 percent, and 63.8 percent.

Regent Kathleen Cashin asked whether data were available to track changes of the incidence of high school graduates needing remediation upon college entry. The executive deputy responded that such data is not available.

Statewide Strategic Plan for Science

The Board of Regents acted to unanimously approve implementation of a five-year strategic plan for transitioning to the new P-12 New York State science learning standards. SAANYS submitted a formal letter of support of the strategic plan, which was included in the Regents item and is posted on the SAANYS website.

Pathways to High School Graduation

Deputy Commissioner Cosimo Tangorra and Assistant Commissioner Charles Szuberla reviewed the "4+1 pathway option" that will be available to students who first enter grade nine in September 2011. Through this option, students may apply a SED-approved assessment in the humanities, STEM, biliteracy, CTE and the arts in lieu of a Regents social studies examination for high school graduation. The presenters indicated that SED received 180 comments regarding the multiple pathways option, of which approximately 95 percent indicated support. Some comments, however, expressed concern regarding the extent to which all students would have access to the option, and other comments (including SAANYS) recommended enhancement of the program to a 3+2 option. During the course of discussion, it was pointed out that SED is considering expansion of the 13 technical assessments that are currently approved. Also, based on a recommendation from Regent Roger Tilles, Chancellor Tisch indicated that the Regents may consider an arts pathway at the February Regents meeting. ■

Transitioning From 65 to Aspirational Performance on Regents Examinations...

continued from page 3

student performance. Moreover, if the interim shifts are demonstrated to be unsuccessful, the transition schedule and approach may be discussed and/or revised sooner at the state level, rather than waiting until 2022.

Rationale for Approach B

- Incrementally increasing level 3 performance requirements for high school graduation will be confusing for the entire education community – students, parents, the general public, and educators. It will constitute a multi-year communications "nightmare."
- There are questions and concerns regarding the sufficiency of notice. Revising the level 3 cut points for 2015-16 would provide markedly less than a year's notice. For many students, especially students with disabilities, high school programs are planned on a multi-year basis. Therefore, revising high school graduation criteria should be announced several years in advance of being effective.
- Each year the level 3 cut points are raised will result in some students meeting the prior year cut point requirements but not the enhanced requirements. This will adversely impact student engagement, school-family relationships, and educators' morale.
- School districts may establish differentiated student progress tracking systems for students currently enrolled in grade 5 (i.e., the class of 2022) and below. AIS and RtI support, after-school and before-school support, and other educational interventions may be targeted and implemented as appropriate; school programs and instructional techniques may be thoughtfully revised and improved.
- Though aspirational graduation requirements would not be effective for students until 2022, school

continued on page 8



SAANYS has always been there for members who need advice or assistance from legal counsel on job-related matters. Now, SAANYS has partnered with the law firm of Feldman, Kramer and Monaco to help when you need *personal* legal advice and assistance.

\$85 annually provides a simple will, power of attorney, health care proxy, living will, and unlimited advice via telephone. Enrollees will also receive certificates good for two free hour-long office consultations with a local referral attorney. For services beyond this package, discounted rates apply.

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Rate applies to regular active, retired active, and retired affiliate members. Associate member fee is \$150.

2015 CALENDAR



Music in Our Schools Month

National Middle Level Education Month

Women's History Month

Youth Art Month

Mar 2-6 National School Breakfast Week

Mar 2 NEA's Read Across America

Mar 3 Adoption of US National Anthem

Mar 8 Daylight Savings Time

Mar 14 Albert Einstein's Birthday

Mar 17 St. Patrick's Day

Mar 20 First Day of Spring



Apr 2 International Children's Day

Apr 3-4 Passover (first days)

Apr 3 Good Friday

Apr 5 Easter

April 10-11 Passover (concluding days)

Apr 12-18 National Library Week

Apr 12-18 National Volunteer Week

Apr 12 Orthodox Easter

Apr 13 Thomas Jefferson's Birthday

Apr 15-16 Holocaust Remembrance Day

Apr 19-25 National Student Leadership Week

Apr 20-24 Public School Volunteer Week

Apr 22 Administrative Professionals Day

Apr 22 Earth Day

Apr 23 William Shakespeare's Birthday

Apr 24 International Dance Day



Recycle Your Resources . . .

Do you know of a website, a book, a grant, or other resource that your colleagues should know about? Share it in this column by emailing MHebert@saanys.org.

Action for Healthy Kids Webinars

Action for Healthy Kids offers a wide variety of virtual learning opportunities. From school breakfast programs and recess before lunch to wellness policy implementation and more, most sessions are of no cost. Register online at <http://www.actionforhealthykids.org/events/webinars>.

Every Kid Healthy™ Week 2015

Tuesday, February 17, 1:00 P.M. - 2:00 P.M. (CT)

Every Kid Healthy Week is focused on the nation's problem of childhood obesity as well as its solutions: sound nutrition, regular physical activity, and health-promoting school programs. Learn how to get involved and find resources to plan a great event!

School Breakfast: Resources to Increase Participation Wednesday, March 25, 3:00 P.M. - 4:00 P.M. (CT)

Various resources available nationwide and at the state level or how to customize your school breakfast efforts will be presented. Discover free resources to impact stakeholder buy in, parental support, and student engagement. Receive links for resources for grab and go models and breakfast in the classroom. Learn how you can find funding and grants to support your efforts. ■

Search Your Site

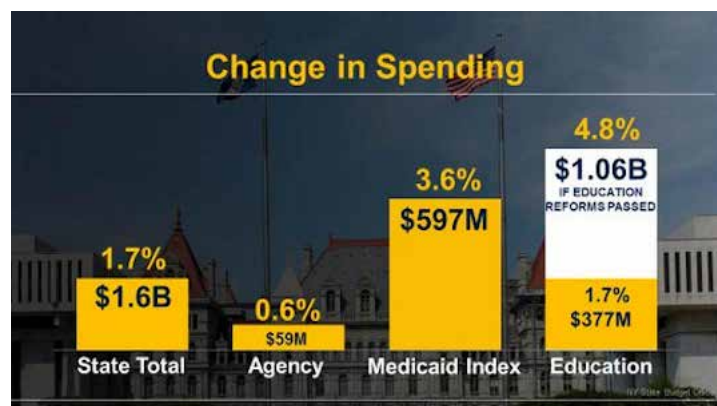


Find regional events throughout the year at saanys.org/events.

Governor Delivers State of the State and Executive Budget...

continued from page 1

unless the teachers proves that the rating is “fraudulent.” Note, this means that removal is not determined based on the validity of the evaluation (before or after appeal) but whether the rating is based on cheating or dishonesty.



Tenure

The governor indicated that all the recommendations submitted to him by Regents Chancellor Tisch and Acting Commissioner Berlin should be implemented. In addition to proposing that the probationary period of teachers be extended to five years, the governor went on to propose that in order to be granted tenure, a teacher must receive *five consecutive* years of effective APPR evaluations.

Early Childhood Education

No additional monetary support beyond the \$365 million allocated last year is proposed by the governor for prekindergarten programs for children four years of age. He proposes an allocation of \$25 million to preschool education for children three years of age.

Mayoral Control

The governor expressed support for mayoral control in New York City, and raised it as a consideration for “other cities.”

Charter Schools

The governor proposes to raise the current charter school cap (460) by 100 to 560 without regional caps (e.g., New York City).

Dream Act

The governor supports passage of the Dream Act. This legislation (previously proposed by the State Education Department) would allow undocumented students who meet in-state tuition requirements to access state financial aid and scholarships for higher education.

State Aid

The governor proposes an incentive/punishment provision whereby if ALL of his education proposals are implemented, state school operating aid will increase 4.8 percent or \$1.06 billion. If ANY proposal of the governor’s is not implemented, state school operating aid will increase by 1.7 percent or \$377 million. ■

Transitioning From 65 to Aspirational Performance on Regents Examinations...

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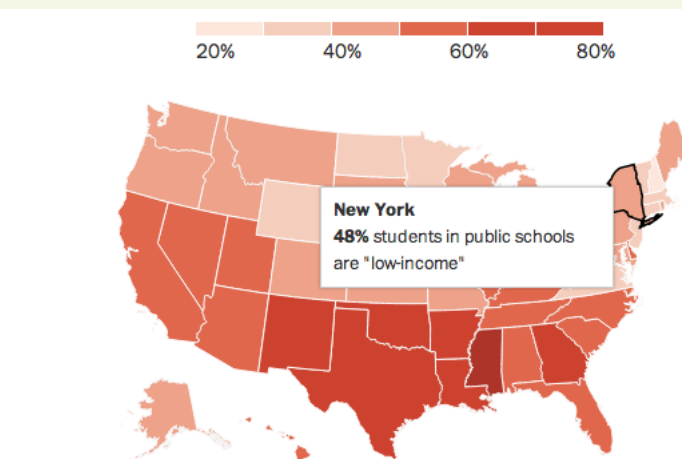
districts may set their own incrementally increased performance targets in a manner deemed strategic and appropriate for local level student and program evaluation. This approach would have no deleterious impact upon students, and may be expected to improve performance on Regents, SAT, and other standardized test instruments.

The SAANYS recommendation was presented to the executive deputy on January 14. During the meeting, discussion focused on related implementation issues such as: for a student who expects to graduate in 2021, and earns Regents scores of 68 in English and 61 in mathematics must the student re-take both exams and score 74/79? The executive deputy responded that the passing score (68) would be “grandfathered.” In regard to sub-populations, SAANYS said that the graduation rate for English language learners remains flat. Many ELL students currently take the English Regents three and four times to earn 65. Achieving a score of 74 does not appear to be a programmatically (or humanistically) fair expectation, especially for SIFE students and students entering at an advanced age. The executive deputy said that SED is considering course and examination flexibility for student subpopulations such as ELL students. He also said that the appeal procedure will remain in place for late arriving ELL students (grade 9 or above) to appeal ELA Regents scores between 55 and 61; and that the special education safety net will remain in place as well.

There is no firm timeline for presenting to the Board of Regents any discussion or action items regarding the timeline and approach for transition to aspirational performance standards on Regents examinations in English language arts and mathematics, though March 2015 was raised as a possibility. ■

Low Income Students Now a Majority in the Nation’s Public Schools

For the first time in at least 50 years, a majority of public school students across the country are considered “low-income,” according to a new study by the Southern Education Foundation. While poor children are spread across the country, concentrations are highest in the South and West.



SOURCE: SEF calculations of NCES Common Core of Data, 2013. Published Jan. 16, 2015.

Read the Southern Education Foundation report here:



<http://www.southerneducation.org/Our-Strategies/Research-and-Publications/New-Majority-Diverse-Majority-Report-Series/A-New-Majority-2015-Update-Low-Income-Students-Now> ■

“Education is not the filling of a pail, but the lighting of a fire.”

—William Butler Yeats

A message from a SAANYS corporate sponsor



Students are natural learners, yet in schools we often create environments where learning doesn’t happen naturally. Educational requirements often force teaching practices to focus more on standardized tests than on real-world skill development. Furthermore, technology in schools is not harnessed and embraced the same way students use it in their everyday lives.

SMART equips educators with the right technology solutions to support learning and collaboration in ways that are natural and intuitive for students. This is delivered with education solutions that are easy-to-use, and allows students to learn naturally, without technology becoming a distraction.

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SMART’s solutions emphasize the process and product of learning, enabling students to build skills and knowledge. They provide educational spaces that can be physical or virtual and are places where technology fades into the background, seamlessly enhancing learning and inspiring collaboration. These spaces extend beyond the walls of the classroom, so learning never has to stop.

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<http://education.smarttech.com>. ■

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