

# News & Notes

VOL. XLIV No. 4 • APRIL 2015

## Sharing the Perspectives and Recommendations of School Administrators

The SAANYS Government Relations Committee (GRC) engaged state legislative and educational leaders on March 10. In order to maximize outreach and impact, colleagues from New York City's Council of School Supervisors and Administrators and the NYS Federation of School Administrators from Buffalo and Yonkers were included. All members met with Governor Cuomo's



SAANYS Executive Director Kevin Casey meeting with New York State lawmakers.

educational leadership team, Deputy Secretary for Education Elana Sigall and Assistant Secretaries for Education Jay Quintance and Johannah Chase. A very direct and substantive discussion proceeded for more than an hour. Although the governor's representatives did

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### SAANYS Welcomes New Unit:

- REGION 2 -

Association of Garden City  
Public School Administrators

## The NYS Budget for 2015-2016 - Ed Outcomes

Although "a budget deal" was announced the evening of March 29, a complete spending plan was not passed until early in the morning of April 1. Though progress was achieved in the allocation of state aid to schools, many of the program issues addressed in the budget are felt to constitute a large step backward. Important aspects of the state budget follow:

**School Aid:** The state budget for 2015-16 includes an increase of approximately \$1.6 billion for education. State aid runs have been disseminated by SAANYS and are posted on the SAANYS website.

**Annual Professional Performance Reviews:** The State Education Department is required to promulgate regulations by June 30, reflecting and building upon the following aspects of a new APPR system that must be implemented by school districts and BOCES by November 15. The components of the new system will be more prescribed, by the budget bill and by SED regulation, with a concomitant decrease in items to be collectively bargained. Local collective bargaining will address:

- Whether to use a second measure of student performance and, if so, specify the measure
- How to implement teacher observations
- All collective bargaining agreements entered into after April 1, 2015 must be consistent with the new requirements.

The "HEDI" continuum of rating categories will remain in place. There will be just two components – student performance and teacher observations. SED will determine the weights and scoring ranges of the required and

*continued on page 2*

## PD in Action



Dr. John McKenna of Tonawanda CSD presents a workshop entitled "Envisioning Success in a Time of Change" at the first of six gatherings of the HFM/SAANYS Leadership Academy cohort on January 22, 2015.



Administrators from Hamilton Fulton Montgomery component districts engage in a classroom observation activity at the HFM/SAANYS Leadership Academy's February 26, 2015 meeting of the cohort at HFM BOCES in Johnstown.

*see more PD in Action on page 4*

## LEGAL BRIEFS

### Friendly Reminder Concerning Deadlines Relating to APPR

As the school year winds down and you have a chance to catch your breath, summer is a good time to review your APPR and determine if changes are needed. Is the scoring working out as you expected? Are you satisfied with who is designated as your lead evaluator? Are your scores tied to those of your teachers? Does that work for you? The deadline for submitting changes to APPR plans for the 2014-2015 school year with SED was March 1, 2015 so there cannot be changes for the current year, but 2015-2016 will be another matter entirely. SAANYS attorneys and negotiators are highly trained in the latest APPR developments and are here to help you find what works best for your unit and negotiate any changes with your employing district.

It is also a good time to make sure that your district has adhered to the negotiated deadlines within your APPR. Failure to meet deadlines is part and parcel of an appeal for an ineffective rating, and depending on what was negotiated, developing ratings. It may also be the basis for a contractual grievance. SAANYS has several arbitrations pending across the state seeking to hold districts accountable to the integrity of process, even if the principals were ultimately deemed to be effective or highly effective. We will keep you apprised of these matters as they are decided.

As the fall approaches, there are also two important deadlines to keep in mind. First, by statute, composite scores must be provided to all teachers and principals no later than September 1. The importance of this deadline is a subject for

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## Executive Viewpoint

**Kevin S. Casey, Executive Director**

### There's Always Another Day

At the time of this writing it was just announced that a budget deal was reached with just enough time to be passed by April 1, and become the fifth consecutive New York budget completed on time. This achievement is held up by the governor and legislators as evidence of effective government. While I agree that there are positive aspects to an on-time budget, it is important to look at how the budget was arrived at.

Shortly after the announcement of the budget agreement, details started to emerge from the governor's office and the office of the speaker of the assembly. This is

necessary because of the secretive way in which budget negotiations occur in New York. Most people are not privy to the evolution of the final budget proposal. Several of those details were conflicting, leading many (including myself) to conclude that while a deal was announced, they were still hammering out the final details. Until the final details are set, the budget bill cannot be finalized. This was later confirmed by several legislators who voiced doubt that they would fully understand what it is they were being asked to vote on.

The state constitution requires that a bill be delivered to legislators

at least three days before it's voted upon. This is designed to allow legislators the opportunity to read and digest sometimes voluminous and complex bills. I honestly do not know what percentage of our legislators actually do so, but hope springs eternal.

An exception to this three day aging requirement is when the governor provides a message of necessity, which allows an immediate vote upon a bill. As the name implies, a message of necessity contemplates exigent circumstances. In recent times however it has been utilized more and more for political expediency, such as being able to say you have an on-time budget, even when many legislators will not have had the opportunity to read the bill that they will be voting upon very shortly after it is finalized. This process isn't pretty, nor do I think it can be fairly characterized as effective government.

The rushed finalization

of the budget is certainly not a new occurrence, but the stakes have been raised by the inclusion of more and more policy issues into the budget bill. There is no reason, other than the governor having less leverage to get what he wants, that education reform could not be extracted from the budget bill and handled in a stand-alone bill that would not have the time pressure of an essentially artificial deadline. I read recently where Mario Cuomo had said that a late budget is better than a bad budget. I wish his son agreed. I would argue that Mario Cuomo's logic would extend equally to stand-alone bills. A late bill is better than a bad bill.

I believe we are driven too much by appearances, and that we tolerate superficiality to accommodate the need to demonstrate (apparent) accomplishment. As of this writing, after the announcement of a final budget bill, many questions remain. I have heard no talk of piloting any proposed changes in

a meaningful way. I have heard no acceptance of our oft-repeated request to have a neutral third party engage in an objective review of the effectiveness of recent education reforms. What I have heard is the assignment of developing yet another teacher/principal evaluation system to SED, along with deadlines sure to detract from substance (new SED plan by June; new local negotiations by November), along with the now recurring threat of loss of state aid for non-compliance. Am I alone in tiring of threats from elected officials?

I remain hopeful that someday we will take a step back and analyze the effectiveness and cost of recent reforms. That we at least make the effort to remove this subject from emotional and ideological responses. It is apparent that will not occur this legislative session. ■

## The New York State Budget...

*continued from page 1*

optional student tests and of teacher observations. Student performance will be based on the current "state-created or administered tests" and SLOs. There will also be an optional state-designed/approved supplemental assessment (i.e., state tests or assessment developed or designed by SED or that is purchased by SED). If collectively bargained, the optional second subcomponent must be applied across the district.

Teacher observations will be based on a state-approved rubric and will include up to three sub-

components:

1. Classroom observations carried out by a principal or administrator.
2. A second observation by an "impartial independent trained evaluator" (who may be employed within the same school district, but not the same school building as the teacher being evaluated) or by evaluators selected by the district.
3. A subcomponent "may" be included for classroom observations conducted by a trained peer teacher rated

effective or highly effective from the same school or from another school within the district.

The overall rating for a teacher or principal shall be determined according to 19 rules, and the commissioner is charged with revising the principal evaluation system to be consistent with the teacher evaluation system. However, the following elements will be prohibited for consideration in APPR evaluations: evidence of student development/performance derived from lesson plans, artifacts of teacher practice, student portfolios (except for portfolios measured by a state-approved rubric),

use of an instrument for parent or student feedback, use of professional goal setting as evidence of principal or teacher effectiveness, and any district or regionally-developed assessment that is not approved by SED.

A student may not be instructed for two consecutive years by any two teachers in the same district, each of whom received an APPR rating of ineffective. A district may apply for a waiver from this requirement if compliance is deemed "impractical."

Upon a teacher or principal receiving two consecutive Ineffective APPR ratings a school district "may" bring charges of incompetence. If a hearing is brought, the Ineffective ratings shall constitute prima facie evidence of incompetence that can only be overcome by clear and convincing evidence that the employee is not

incompetent in light of all surrounding circumstances; and if not successfully overcome, absent extraordinary circumstances, shall be just cause for dismissal. Further, upon a teacher or principal receiving three consecutive Ineffective APPR ratings, the district must bring charges of incompetence. At the hearing such evaluations shall constitute prima facie evidence of incompetence that can only be overcome by clear and convincing evidence that the calculation of one or more of the principal's underlying components on the APPR was fraudulent (including mistaken identity); and if not successfully overcome, absent extraordinary circumstances, shall be just cause for removal. The charges at such a hearing shall allege that the board developed and "substantially implemented" a teacher or principal improvement plan. The hearing officer's

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## News & Notes

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# CAPITAL UPDATE

## Sharing the Perspectives and Recommendations of School Administrators...

*continued from page 1*

not signal any change in position, the GRC members were successful in effectively presenting their experiences, perspectives, and recommendations.

Five teams lead by GRC members met with legislators and legislative staff including:

- Senator Tony Avella – Queens
- Senator Neil Breslin – Albany
- Senator Andrea Stewart-Cousins – Yonkers
- Senator John DeFrancisco – Syracuse
- Senator John Flanagan – Suffolk
- Senator Joseph Robach – Rochester
- Senator Dean Skelos – Long Island
- Senator David Valesky – Rochester
- Assemblymember Brian Kolb – Long Island
- Assemblymember William Magnarelli – Syracuse
- Assemblymember Joe Morelli – Rochester
- Assemblymember Catherine Nolan – Queens
- Assemblymember Edward Ra – Nassau
- Assemblymember Joseph Saladino – Long Island

With only a short time available for each meeting, the members of each team structured their messages to be succinct and clear. Some of the points made at legislative meetings follow:

### Budget

It was communicated that an increase of \$1.2 billion is needed to maintain the status quo, an increase of \$1.9 billion was recommended by SAANYS. Members made it

clear that the governor's proposed increase on \$1.1 billion was not sufficient, and a \$377 million increase would be destructive – and ludicrous. Recommendations were also advanced to revise the Property Tax Cap, and to provide funding for undocumented minors and English language learners.

### Annual Professional Performance Reviews

The current APPR system was imposed by the governor, the State Education Department, and by NYSUT. Rather than making the same mistake by imposing the APPR revisions proposed by the governor, SAANYS recommended an independent review or a commission to receive testimony and information from those who do the work. The governor's proposals would have amplified the most troublesome aspect of the APPR system – State Growth Scores – by more than doubling



SAANYS  
Government  
Relations  
Director Jim  
Viola (left)  
speaking  
with Senator  
Michael  
Venditto  
of Nassau  
County (right).

its weighting and further emphasizing state testing – the same state testing from which 55,000 students “opted out” last year. The governor also wanted to “break” the best aspect of the APPR system – other measures – by eviscerating the importance of the principal as a building leader, by creating an unfunded mandate, and by adding to administrative burden. The governor also wanted and received a stipulation to prohibit the assignment of a student for two consecutive years to teachers with ineffective composite score ratings. In some school districts, this provision will be impossible to implement.

### Probation and Tenure

SAANYS argued that there is no reason to extend teachers' and principals' probationary period. Principals and superintendents know well within three years who should or should not be recommended for tenure. In unusual

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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](mailto:JViola@saanys.org).

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*“Educating the mind without educating the heart is no education at all.”*  
— Aristotle



doodle



Magellan Foundation

**April 20, 2015**Sheraton Syracuse Hotel & Conference Center  
801 University Avenue, Syracuse, NY**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

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- Institutional Doodle Representative

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- \$125 per person – includes full program, Google Chromecast, lunch, and breaks
  - \$99 per person – includes full program, lunch, and breaks.
  - Institutional Doodle Representative
- Registration cost covered by Doodle.



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.

**6 Instructional Hours:**

**Saratoga City School District**  
July 17 • 9:00 am - 12:00 pm  
Saratoga District Office  
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.  
Stillwater

**COST: \$60**  
Register online at:  
[www.saanys.org/events](http://www.saanys.org/events)

**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.

**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.

Register at [www.saanys.org/events](http://www.saanys.org/events)**April 27  
8:00am-3:00pm****Marriott Hotel  
Wolf Road, Albany****Register online: [nyscate.org](http://nyscate.org)**

This highly-anticipated summit, presented by NYSCATE, is designed for the K-20 education community to discuss, learn and share best practices in regards to Blended Learning and how, in a very short time it is changing the face of education. There will be collegial and expert-led panel presentations, best-practice presentations & demonstrations, sponsor displays, and plenty of time for “networking.” Setting the tone for the day will be a keynote address by Dr. Bill Brennan.

**Regional Events****REGION 11  
2015 AWARDS  
CEREMONY**

April 21  
5:00 pm  
*Reception and Appetizers*  
5:45 pm  
*Awards Program*

Midvale Country Club  
2387 Baird Road  
Penfield

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**REGION 12  
2015 AWARDS DINNER**

May 14  
5:00 pm

Creekside Banquet &  
Picnic Grove  
2669 Union Road  
Cheektowaga

*Sponsored by:  
L & M Financial Services*

**REGION 4  
RETIREE LUNCHEON AT  
THE CULINARY INSTITUTE  
OF AMERICA**

May 13  
10:00 am

Culinary Institute of America  
Roth Hall  
1946 Campus Drive  
Hyde Park

*Sponsored by: AXA*

**REGION 6  
2015 ANNUAL AWARDS  
AND RECOGNITION DINNER**

May 14  
5:00 pm

The Waters Edge Lighthouse  
Restaurant  
2 Freeman's Bridge Road,  
Glenville

*Sponsored by:  
Curriculum Associates*

**REGION 7  
AXA RETIREMENT PLAN-  
NING FOR LIFE**

May 20  
4:00 pm - 6:00pm

Pete's Trattoria  
Restaurant  
111 Breen Avenue  
Watertown

*Sponsored by: AXA*

**REGION 12  
RETIREMENT MEETING  
WITH AXA ADVISORS, LLC  
- CHAUTAUQUA**

May 21  
12:00 pm

Friendly's Restaurant  
10 S Main St  
Jamestown

*Sponsored by: AXA*

**REGION 12  
RETIREMENT MEETING  
WITH AXA ADVISORS,  
LLC - CATTARAUGUS AND  
ALLEGANY**

May 21  
4:00 pm

Moonwink's Restaurant  
9302 Jackson Hill Road  
Cuba

*Sponsored by: AXA*

**REGION 8  
SPRING DINNER MEETING**

May 21  
5:00 pm

Vernon Downs  
14 Ruth Street  
Vernon

*Sponsored by:  
Waterford Institute*

**REGION 4  
AWARDS AND  
RECOGNITION CEREMONY  
LUNCHEON**

June 30  
12:00 pm

Shadows on the Hudson  
176 Rinaldi Boulevard  
Poughkeepsie

**Find out more  
details at  
[saanys.org/  
events](http://saanys.org/events)**



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.nyses.gov/tcert/faqpdb.htm](http://www.highered.nyses.gov/tcert/faqpdb.htm) for complete information on requirements.*



# SAVE THE DATE!



HYATT REGENCY | ROCHESTER, NEW YORK



Planning the program for the 44th Annual SAANYS Conference is well underway. This conference, to be held at the Hyatt Regency in Rochester on October 18 and 19, 2015, promises to be another outstanding experience for our members, both personally and professionally. So mark your calendar and visit our new SAANYS website for lots of great information about this event!

The theme of this year's conference, REJUVENATED puts the emphasis squarely on fresh and emerging strategies and tools to invigorate leadership

and learning. What's new and working? What can we bring to our school communities to energize, motivate, and inspire students, teachers, and families? How do we rejuvenate ourselves as leaders during demanding and stressful times? What do we need to know NOW to suit up for the rapid changes brought on by the challenges and opportunities of technology?

Ideas around ways of thinking or looking at problems differently, topics like deeper learning, teacher leadership, maker spaces, effective approaches to student management and discipline, scheduling, time management, use of data to make a difference, home to school communication, all may find a way to our practitioner workshops. School climates and cultures that reflect today's realities and the need to truly collaborate – moving from directive to empowering leadership by building capacity in others ... so much happening out there and so many ideas to build upon for this year's conference.

A new feature of this year's conference program will be a facilitated conversation with colleagues around breakfast Monday morning, October 19. In addition to listening to two keynoters and participating in the practitioner workshops, this time is carved out specifically so that your perspectives can be shared and your voices heard. You'll have the opportunity to meet and connect with members from other regions around the state and learn from one another. We are looking forward to a meaningful

and enjoyable way to start this second day of the conference in a different way than in the past.

As always, the conference will also feature the valuable and well received insights and information sessions from our government relations and legal departments. All told, a well-rounded program with the variety and spark that you have come to expect from a SAANYS conference! We hope you will plan to be part of this year's conference experience! ■

## The Challenges (and Opportunities!) of Mobile Devices in Schools



**May 13**  
**4:30pm - 6:00pm**  
**SAANYS Headquarters**  
**8 Airport Park Blvd., Latham**  
**Light refreshments**  
**FREE for SAANYS Members**  
**\$10 for Non-Members**  
**(teachers welcome)**

Our first Idea Swap was a hit! Join us for a second informal get together with colleagues for a facilitated conversation on the challenges and opportunities that come with students and mobile devices in our schools. Michele Kelley, communications specialist at Broadalbin Perth Central Schools, will facilitate.

Register online at [saanys.org/events](http://saanys.org/events)



Edcamp style

relaxed "unworkshop"

## PD in Action



Above: Participants swap cookies and ideas at the first SAANYS Idea Swap held at SAANYS on February 25, 2015. L to R: Christine Foglia, Mariah Kramer, Matthew Finn, Kelly Post, and Matthew Brisk. A second Idea Swap on the topic of Mobile Devices in Schools is planned for May 13 from 4:30-6pm at SAANYS.



Above: Sarah Vakkas and Michelle Robinette facilitate a workshop on Data Driven Instruction at the February 26, 2015 HFM/SAANYS Leadership Academy in Johnstown. SAANYS developed the Leadership Academy to provide professional development and collaborative opportunities for school administrators in the Hamilton Fulton Montgomery component districts.



The Broadalbin-Perth CSD administrative team is hard at work at the HFM/SAANYS Leadership Academy. L to R: Christine Foglia, Dr. Stephen Tomlinson, Wayne Bell, Terry LaFountain, Dan Casey, Margaret Blowers, Brad Strait.

Have questions?  
 Need assistance?  
 Use the "Ask SAANYS" button at [saanys.org](http://saanys.org).

# LEGAL BRIEFS

A Message From  
Rebekah Staats,  
SAANYS Counsel  
[RStaats@saanys.org](mailto:RStaats@saanys.org)



## Friendly Reminder Concerning Deadlines Relating to APPR...

*continued from page 1*

debate. In the past year, we have seen the failure to meet this deadline result in 3020-a charges and have also seen an audit report calling the same failure by a district a "ministerial error." Since the significance of this statutory deadline seems to vary between districts, make sure to provide scores to teachers by September 1 to avoid any potential disciplinary

issues. If you don't get your composite score by this statutory deadline, it may be used in a grievance or an appeal.

The second important deadline to keep in mind this fall is for PIPs and TIPs, that must be in place within ten school days from the opening of classes, which in most cases is mid-September. During the 2013-2014 school year, the governor negotiated what

was commonly referred to as the "Safety Net" legislation, which would have protected teachers and administrators from harm stemming from new Common Core testing. A number of districts assumed that this would be signed into law, and calculated and submitted composite scores to SED using the Safety Net calculations. However, after he was reelected, the governor declared that he would not sign the legislation, leaving a number of school districts in a situation where they were forced to resubmit composite scores without the safety net calculation. As of February 2015, there were a number of districts who failed to meet the statutory PIP or TIP deadlines for the 2013-2014 school year due to this mistaken

reliance on unadopted legislation. SAANYS has been proactive in addressing the untimely issuance of PIPs, either avoiding PIPs being issued at all or promptly filing appeals for failure to comply with the statute and the individ-

*SAANYS has several arbitrations pending across the state seeking to hold districts accountable to the integrity of process.*

department promptly. If a negotiated deadline to challenge something APPR related is missed, an individual may be stuck with an inappropriate rating or PIP. SAANYS is here to help you with any issues you may have relating to APPR. If you would like to discuss questions or concerns relating to your APPR feel free to reach out to the SAANYS legal department and we would be happy to assist you. ■

Contact a  
SAANYS  
Attorney

274

*During normal business hours, call 518-782-0600 to speak with a SAANYS attorney.*

**After Hours Pager:  
1-800-978-6055**  
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## APPR: What Can be Learned From Other States?

Sponsor Opinion piece by Cynthia E. Gallagher, APPR Coordinator, Educational Vistas, Inc.

It is not difficult to understand the political rationale that precipitates the latest proposed changes to APPR; it is far more difficult to find an educational benefit. At last month's NYSCOSS Conference, keynote speaker Michael Petrilli mentioned Massachusetts as a state that was having some success in raising student achievement scores. During his time at the podium, he referred to that state's teacher evaluation system. Curious as to Massachusetts' evaluation structure, an examination of the regulations provided all the necessary details. The first section clearly states its purpose: "to promote student learning... by providing educators with feedback for improvement..." and then secondly, "provide a record of facts and assessments for personnel decisions." Contrast those words with the NYS regulations "...a significant factor for employment decisions, including but not limited to promotion, retention, tenure determinations, termination, and supplemental compensation." Nowhere in the regulations are the words "teacher improvement" to be found.

From this perspective, it is clear that APPR is solely a tool for accountability

in NYS, designed for the purposes of differentiating teacher performance in order to provide a uniform ranking system. When the intention of APPR is this clear cut, there seems to be little room for adapting the evaluations for improvement or development. School districts were required to design their APPR plans through collective bargaining. The APPR planning teams most likely tried to offset the regulations by attempting to include some provisions that made sense for their local environment and circumstances. The problem was that there was insufficient time or regulatory flexibility to create teacher evaluations that could serve both accountability and improvement purposes.

There are states that have found a way to balance these important goals in regard to APPR. Examples include the blending of both summative and formative measures and/or the use of parent and student surveys, portfolio options, along with the inclusion of a more goal oriented planning process for improvement and success. New York's APPR system could benefit from this work, but only if the stated purpose is redefined. ■



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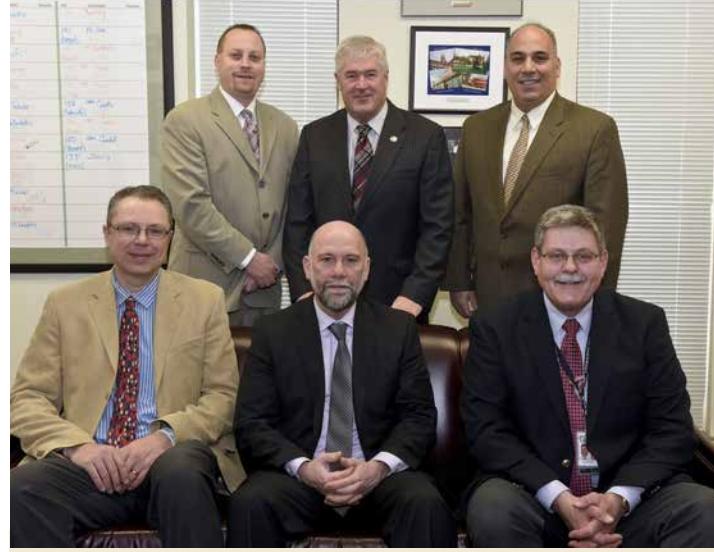
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*The statements and opinions expressed herein do not necessarily imply or reflect the opinion or philosophy of the School Administrators Association of New York State.*

# GRC Members Meet with Assembly Minority Leader Brian M. Kolb to Push for Fair State Budget

Kolb released the following statement:

New York State Assembly Minority Leader Brian M. Kolb (R,C-Canandaigua) recently met with members of the School Administrators Association of New York State to discuss state education policy and hardships faced as a result of Governor Andrew Cuomo's unfair education budget and policy tactics.



New York State Assembly Minority Leader Brian M. Kolb meets with SAANYS members on Tuesday, March 10.

## The New York State Budget...

*continued from page 2*

decision may be appealed to the New York State Supreme Court.

**Probation and Tenure:** Effective July 1, 2015, the probationary period before a school administrator or teacher is granted tenure will be increased from three years to four years. In order to be granted tenure, teachers and principals must receive effective or highly effective composite ratings for at least three of the four years. Also, barring a successful appeal, tenure may not be granted if a teacher or principal receives an ineffective rating in year four – though the probationary period may be extended to a fifth year.

**Takeover and Restructuring Failing Schools:** Schools in the lowest performing five percent for two or more consecutive years will be designated "failing schools" and schools performing at such a level for 10 consecutive years will be designated "persistently failing schools." Failing schools will continue to be operated by the local district for two additional school years and persistently failing schools will continue to operate only one year under a department-approved intervention model or comprehensive education plan. In both cases, the superintendent shall be vested with all the powers of a receiver, and after the one or two year period, SED will conduct a performance review and will determine whether the failing school designation should be removed, whether to continue school district operation with the superintendent vested with the powers of a receiver, and whether the school district should be placed in receivership.

Upon the commissioner's determination to appoint a receiver, the school district shall appoint an independent receiver, subject to approval by the commissioner. The receiver may be a non-profit entity, another school district, or an individual. The receiver will be vested with the power to supersede any decision, policy, or regulation of the superintendent and board of education, but may not supersede decisions that are not directly linked to the school intervention plan and must be limited in scope and effect to the failing/persistently failing school. Among other things, the receiver is also authorized to:

- Require that the collective bargaining unit(s) representing teachers and administrators and the receiver negotiate a Receivership Agreement that modifies current CBAs in regard to the schools in Receivership.
- Abolish the positions of all teachers and pedagogical support staff, administrators, and pupil personnel providers assigned to the school in receivership, and require such staff members to reapply for new positions.

For a more detailed summary of the educational issues included in the NYS Budget for 2015-2016, see the SAANYS website: [saanys.org](http://saanys.org).

## Overview of the March Board of Regents Meeting

The State Board of Regents convened in Albany on March 16 and 17. The first item presented by Senior Deputy Commissioner Ken Wagner to the full board for discussion was Graduation Requirements and the Class of 2022.

Readers will recall from the February edition of *News & Notes* that in the late fall of 2014 Executive Deputy Commissioner Wagner requested SAANYS recommendations in regard to the approach that 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?

- A. Should it be done incrementally, year-by-year beginning in 2015-16?
- B. 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 SAANYS Government Relations Committee and Board of Directors. Members overwhelmingly recommended approach B. However, the schedule and manner for transitioning from current level 3 to aspirational performance levels of English and mathematics Regents exams was not discussed at all at the Regents meeting.

The discussion item was prefaced by pointing out that the class of 2022 is the first class that will have completed kindergarten during the year in which the standards were adopted in 2010, and will enter high school in the fall of 2018. The Regents item indicates, "We already hear stories of the amazing things students can do after only two or three years of instruction with the new standards, so it is hard to imagine what the 9th graders in the class of 2022 will be able to do after benefitting from eight years of great teaching and high expectations."

The main focus of the Regents discussion item was: should additional flexibility be included in the definition of college and career readiness? In addition to aspirational performance on Regents English and math exams and graduation with a Regents High School Diploma with Advanced Designation, should the following student-centered alternatives be approved as indicators of readiness:

- Pass the ELA Regents exam with a score of 75 or higher OR complete a four-year course of study in math that includes recognized advanced course work such as AP, IB, and courses for college credit.
- Pass the Algebra Regents exam with a score of 79 or higher OR complete a four-year course of study in math that includes recognized advanced course work such as Regents Algebra II, AP, IB, and courses for college credit.
- Establish an additional pathway for all students, including those who have difficulty passing a single ELA or math test at the higher cut score.

Board members also discussed the following program-centered possibilities:

- Increase incentives for districts to make advanced coursework in ELA and math available to all students.
- Increase incentives for districts and BOCES to collaborate and provide access to advanced coursework, including virtual and distance learning opportunities.
- Provide public recognition to school districts that achieve an additional aspirational performance measure – the percent of students in the graduation cohort who completed early college experiences like AP, IB, dual credit programs, early college high school, and P-TECH.

In connection with the above contemplated revisions, SAANYS strongly encouraged SED leadership to reach-out to principals to identify program and building level implementation issues before final decisions are made.

### Other Notable Board of Regents Actions and Discussions Include the Following:

**Supplementary Certificates for English to Speakers of Other Languages (ESOL)** – There are currently 230,000 English language learners in New York State, comprising 8.9 percent of the total public student population. Students in the state speak over 140 languages, with 61.5 percent of ELL students having Spanish as their home language. At the September 2014 meeting of the

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**2015 CALENDAR**



**APRIL**

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



**MAY**

National Physical Fitness and Sports Month

May 3-9 Teacher Appreciation Week

May 3-10 National Music Week

May 4-8 School Nutrition Employee Week

May 4 Horace Mann's Birthday

May 5 National Teacher Day

May 6 National School Nurse Day

May 8 VE Day

May 10-16 Food Allergy Awareness Week

May 10 Mother's Day

May 17-23 National Educational Bosses Week

May 23-25 Shavuot (Festival of Weeks)

May 25 Memorial Day



**JUNE**

Great Outdoors Month

June 5 World Environment Day

June 12 Anne Frank's Birthday

June 14 Flag Day

June 15 Magna Carta Day

June 21 Father's Day

June 21 First Day of Summer

# Sharing the Perspectives and Recommendations of School Administrators...

*continued from page 3*

instances of inconsistent performance, on a case-by-case basis, the probationary period may now be extended for a fourth or fifth year. Now the concern is on the effect that the extension will have on students choosing a career in education. Will excellent teachers choose to complete additional coursework and embark upon a new probationary period as school principals?

## Failing Schools

SAANYS argued that the governor's proposal for appointment of a receiver to failing schools and failing school districts is an example of overreaching and overreaction. Overreaching in terms of the questionable legality of the governor's proposal to not only assign to the receiver all the powers of the board of education and superintendent, but to also extend such authority to revising or setting-aside any contracts and collective bargaining agreements. An overreaction in light of what SAANYS' proposed for such schools/districts:

1. Provide failing school districts their full allocation under the Foundation Aid formula.
2. Prioritize and support such schools and districts for the establishment of community schools.
3. Assign a vetted, mutually agreed to education expert to the school/district to work with (not on) the school principal and superintendent on a multi-year basis to develop and implement an improvement plan.

The GRC ended its day by meeting with Acting Education Commissioner Elizabeth Berlin and members of her leadership team including Deputy Commissioner Cosimo Tangorra, Assistant Commissioner Charles Szuberla, and Assistant Commissioner Renee Rider. This meeting provided the opportunity to discuss regional and NYSED plans for professional development when Race to the Top funding ends in June 2015. (For example, the March 2015 Network Team Institute is the last NTI planned by SED.) Discussion also focused on issues related to APPRs, the development of procedures for the release of funds under the Smart Schools program, and the State Education Department's ESEA Flexibility Waiver application.

The messages of the GRC was echoed on March 12 at the legislative breakfast and Lobby Day of the NYS School Administrators Consortium (NYSSAC) – an organization comprised of SAANYS, the New York City Council of School Supervisors and Administrators, and the NYS Federation of School Administrators (Yonkers and Buffalo) – and at follow-up meetings with members of the state legislature. ■

# March Board of Regents Meeting...

*continued from page 7*

Board of Regents a number of changes to Part 154 of the commissioner's regulations were adopted, and will be effective beginning with the 2015-16 school year. In order to meet the requirements of the revised regulation, some school districts have expressed concern regarding their ability to recruit and hire needed teachers with ESOL certification. For this reason, SED has recommended that for a three-year period, from July 1, 2015 to June 30, 2018, that requirements be revised for a supplementary bilingual education extension and the ESOL supplementary certificate in order to allow more teachers to be eligible for these certificates.

With respect to the supplementary bilingual education extension, the department proposed two additional pathways in lieu of matriculation in a registered program.

- Pathway I allows a candidate who has completed, or is currently enrolled in, a course leading to three semester hours in bilingual education, including study in theories of bilingual education and multicultural perspectives, to submit evidence of having achieved a satisfactory level of performance on a bilingual extension assessment in lieu of the current requirement to be matriculated in a registered preparation program.
- Pathway II allows a candidate to submit evidence of having two years of satisfactory bilingual teaching experience and evidence of a satisfactory level of performance on the bilingual extension assessment in lieu of the current requirement to be matriculated in a registered preparation program.

With respect to the ESOL supplementary certificate, the department proposed two additional pathways.

- Pathway I allows a candidate who has achieved a satisfactory level of performance on the ESOL CST, and who has completed, or is currently enrolled in, a course leading to three semester hours in methods of second language teaching in the elementary and secondary grades, to be eligible for the ESOL supplementary certificate. The candidate would have three years to complete the balance of the currently required coursework.
- Pathway II allows a candidate who has achieved a satisfactory level of performance on the ESOL CST to submit evidence of having two years of satisfactory experience teaching English to speakers of other languages in lieu of the coursework requirements in methods of second language teaching in the elementary and secondary grades, and in teaching literacy skills. The candidate would have three years to complete the balance of the currently required coursework.

This Board of Regents item was posted in the State Register on April 8 for a 45 day public comment period.

## Strategic Plan for the Arts

A New York State Statewide Strategic Plan for the Arts will be developed to guide the planning, implementation and in-depth analysis of the standards in each Arts discipline. The strategic plan will include mission and vision statements and incorporate critical components that would need to be addressed if new standards are adopted and/or existing standards are updated. The New York Statewide Strategic Plan for the Arts is scheduled to be drafted in the spring of 2015, to be presented to the Board of Regents for approval and public comment in the summer of 2015, and to be presented to the Board of Regents in final form in fall of 2015.

For more information regarding the March meeting of the State Board of Regents, contact James Viola, director of government relations, at [JViola@saanys.org](mailto:JViola@saanys.org). ■

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