

# News & Notes

VOL. XLV No. 9 • DECEMBER 2016



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## Fond Farewell and Welcome to SAANYS Government Relations Directors



SAANYS colleagues bid a fond farewell to Jim Viola, director of government relations, as he retires from SAANYS and embarks on new adventures in retirement. Jim has been a zealous advocate for New York's school administrators and their students since 2008 when he joined SAANYS as director of government relations. His passion for his work and winning personality have made Jim a well-known

and respected advocate around Albany and the state as he worked closely with members, government officials, and other education associations. Jim leaves big shoes to fill and will be missed by all who have had the sincere pleasure of working with him. SAANYS Government Relations efforts are in good hands however, with the addition of Cynthia Gallagher as the new director of government relations.

Cynthia (Cindy) joins us from Educational Vistas, Inc. where she was the coordinator for early childhood systems and APPR. Prior to joining Educational Vistas, Inc., Cindy was a senior manager for the New York State Education Department. At SED, her areas of responsibility included early childhood programs such as prekindergarten, Even Start, Reading First, Striving Readers, Kindergarten – Grade 4, and preschool special education. She provided a leadership role in creating a vision of early education as part of the P-16 system. She worked with school districts to strengthen early education programs to effectively close achievement gaps and to ensure that young students are prepared for participation in a global community. Most recently, she was asked to be part of an advisory group to the National Governor's Association and Council of Chief State School Officers for the Common Core Standards for birth-age 5. At the state level, she was a co-chair of the Advisory Board to the Governor's Children Cabinet and state representative on the Cabinet. Please join us in welcoming Cindy Gallagher to the SAANYS team. ■



## SAANYS Government Relations Committee Meets For Early Kick-off of 2017 Legislative Session



On November 2, Government Relations Committee (GRC) members from across New York State convened in Albany to meet with legislators, the governor's office, and

the State Education Department (SED) to discuss current matters and anticipated issues for the upcoming legislative session. In addition to GRC members, the SAANYS delegation included the association's recently inducted board of directors president, Paul Fanuele; colleagues representing the Yonkers, Buffalo, and New York City school districts; Thomas Payton, principal of the Roanoke Avenue Elementary School in the Riverhead School District; and Cynthia Gallagher, who will transition to the position of government relations director in January.

The full complement of school administrator representatives met with Governor Cuomo's deputy secretary for education, Jere Hochman, and with high-ranking representatives of the following state legislators [all of whom won reelection on November 8]:

- Senator Carl Marcellino, chairperson of the senate education committee (meeting with Deborah Kelleher, director of the education committee).
- Senator Kenneth LaValle, member of the education committee (meeting with Brian Murphy, counsel to Senator LaValle).
- Assembly Member Catherine Nolan, chairperson of the assembly education committee (meeting with Kathleen Whynot, chief of staff).

In addition to inquiring about expected priority issues of the Executive and legislators for the upcoming legislative session, the school representatives raised four areas for discussion:

### First: School Aid

The Great Recession has not ended for many school districts and it is imperative that full funding of the Foundation Aid Formula – still under-funded by \$3.8 billion – be meaningfully advanced. Coupled with this is the recommendation to revise the Property Tax Cap, which the general public understands to be 2 percent, to

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## GST LIFT NY Leadership Academy Meeting



GST school leaders surface top topics for mini EdCamp using Plickers with the help of Kelley Batrowny at the LIFT NY Leadership Academy on November 16. See more photos on page 6. ■

## LEGAL BRIEFS

### Update on NYSHIP Litigation



SAANYS has been receiving a number of calls about the status of the Department of Civil Service's rule that employers who offer health insurance through the New York State Health Insurance Plan (NYSHIP) are no longer allowed to offer a financial incentive to employees in exchange for not taking employer offered health insurance if the alternate coverage also comes from a NYSHIP plan. Such a financial incentive is commonly referred to as a buyout and is a commonly negotiated benefit in collective bargaining agreements. Both SAANYS and NYSUT were involved in active litigation on the matter on behalf of bargaining units. The SAANYS case was dismissed on a procedural violation, namely the concept that the statute of limitations commences once the rule was issued and not when the employer admittedly first notified the administrators' association of the rule. SAANYS appealed this unfair determination that associations have constructive notice of changes to regulations without having actual knowledge of the changes. The Appellate Division, Third Department, disagreed with SAANYS' interpretation that the commencement of a statute of limitations should be when the association has actual knowledge of the change in regulation. SAANYS then attempted to bring the issue to the state's highest court, the Court of Appeals, which declined to hear the issue.

Procedurally, the issue was not dead, however. NYSUT's cases were heard by a different judge, who ruled that the prohibition on the buyback was impermissible as a matter of law. The state appealed this decision and oral

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**Annual Awards 2017**  
Call for Submissions  
See more information on page 4.



## Executive Viewpoint

Kevin S. Casey, Executive Director

### Let the Games Begin

Regardless of which candidate for the presidency you may have supported, if any, it's hard to argue against the recently concluded campaign as being among the most unusual in recent memory.

I'm confident that you don't need me to provide a listing of the unique aspects of the campaign, or a recitation of the candidates' comments that many found to be crude or insulting. However, I have been asked several times since the result of the election became

known what the impact will be on public education, and the answer is I don't know.

Unfortunately, very little of the campaign focused on a debate of policy issues. It seemed more focused on personal attacks, to the exclusion of substantive policy analysis. There are broad ideas that could be discerned from candidate websites, and the limited remarks provided by the candidates, but they tend to be superficial and too easy when those policy ideas are not

tested by the crucible of public debate.

SAANYS has been participating as a member of the SED ESSA Think Tank, tasked with helping to develop the ESSA state plan, currently due in July. At the November Board of Regents meeting, Commissioner Elia acknowledged that right

now we do not know what changes might be coming or how those changes might impact the ESSA state plan submission. In fact we don't yet know what other aspects of education might also be impacted.

We know that policy changes are coming. Whether you support or oppose them, I hope that you will seek to influence them. Exercising influence

*SAANYS has been participating as a member of the SED ESSA Think Tank, tasked with helping to develop the ESSA state plan, currently due in July.*

at the federal level is difficult because of scale, but it does occur. I urge all educators (and not just principals) to consider joining and becoming active with the National Association of Elementary School Principals (NAESP) and/or the National Association of Secondary School Principals (NASSP). Member-

ship is open to a variety of school titles, and you can join directly on your SAANYS membership form as SAANYS is the New York State affiliate of both national organizations.

Both NAESP and NASSP actively advocate for public school educators at the federal level on a

consistent basis. The staff members of both organizations are well-informed, not only because they stay abreast of policy as it is being developed, but because they are informed by their members. They engage in regular member outreach so that the positions of the national organizations reflect a consensus developed by regular communication with your public school peers around the country. Having input from those with on the ground experience, actually running buildings and programs, is invaluable. Don't defer to those whose motivations may be more ideological than educational. Have a voice in that process, because the election result does not end one's influence of public policy, arguably it marks a new beginning to do so. ■

## NYS ELA Testing: Challenging Texts & Formats

Sponsor Opinion Piece by Dr. Bruce H. Crowder, Educational Vistas, Inc.

A new round of NYS ELA testing is about to take place. As in other years, the increased student performance expectations continue. What is clear is that the shifts reflected in Common Core to focus on deeper reading comprehension are not evident in the testing outcomes. Yet, teachers continue to work very hard to improve their students' results.

Why might this reading challenge be difficult to meet? There are a number of possibilities. However, a good place to begin is content. An examination of current curricula

shows that the content students face on a daily basis is not as rigorous or balanced as that which they will face on State ELA assessments. In grades 3 through 8, testing content reflects quality writing on literary passages, but also science and social studies passages. In addition, the passages typically run from a page and a half to two pages. The inclusion of these types of passages in a curriculum is absolutely necessary. Ideally, they should relate to curricular topics. In fact, such passages should and can strengthen student

content knowledge in an area of study.

How are teachers to obtain such passages? There is little time available for them to do this on their own. Nor should they have to. Access to examples on the web may provide some help. But, this challenge for content demands the assistance of guided support; and, it must begin with the awareness that current curricula will have to be modified through the embedding of additional rich and rigorous content.

Another possibility of immense concern is the nature and format of ELA test items. The new generation of test items, from multiple choice to written responses, demands reading-reasoning skills. Test development has moved to a high level of sophis-

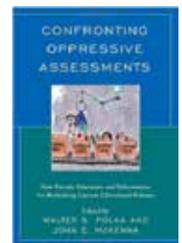
tication. Just note how multiple choice items in grades 3 through 5 focus on paragraph references. In grades 6 through 8, note the shift to individual sentence and lines for reference. Added to this are the skills needed to write short- and extended-responses that demand inferencing and conceptual understanding.

Therefore, new content and assessments would appear at the top of any serious list of critical needs to prepare students for higher achievement. The time is NOW to address these needs.

*Dr. Bruce H. Crowder, former New York State assistant commissioner for school improvement, is a senior researcher at EdVistas and is currently writing a text titled, "Curriculum Theory for New Standards, Assessments, and Practices."* ■

*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.*

## Past President Dr. John McKenna Publishes Book



The book editors, John McKenna and Walter Polka, present

views on what's right for public education in the US in this age of "intensive curriculum convergence, planned instructional standardization, and oppressive accountability procedures." McKenna and Polka include practical experiences of parents, teachers, principals, school superintendents, school board members, and professors. They comprehensively explain their motivations for organizing a rethinking in school reform implementation procedures and their "smarter approach" to school reforms in our country. ■

## News & Notes

School Administrators Association of New York State

Vol. XLV No. 9

SAANYS News & Notes (USPS 025-346) is published monthly with the exception of June, July, and August, by the School Administrators Association of New York State, 8 Airport Park Blvd., Latham, NY 12110.

Phone: 518-782-0600  
Fax: 518-782-9552

SAANYS is chartered as a professional association by the New York State Education Department and is affiliated with NASSP and NAESP.

A copy of each issue of News & Notes shall be sent to each SAANYS member. \$7.15 of each member's annual dues shall be for a year's subscription to this publication.

Periodicals Postage Paid Latham, NY and additional post offices.

POSTMASTER: Send address changes to News & Notes, SAANYS, 8 Airport Park Blvd., Latham, NY 12110

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# CAPITAL UPDATE

## SAANYS GRC Committee Meets For Early Kick-off of 2017 Legislative Session

*continued from page 1*

allow for a consistent 2 percent increase; with a revision of the criterion needed to exceed the tax cap, requiring a majority vote in support, rather than a super majority (60 percent) vote in support. At each meeting, and especially at the meeting with Senator LaValle's office (representing the Port Jefferson area of Long Island), **Thomas Payton emphasized the need for additional fiscal support for the provision of services to English language learners** because of the growing numbers of such students and the unfunded mandates contained in amendments to Part 154 of regulations; and additional funding to meet the needs of recently immigrated students, some of whom speak indigenous languages with no written format and who have limited or no formal education prior to arriving in the United States.



## Second: Struggling and Persistently Struggling Schools

There is no benefit to continuing such accountability designations beyond the point when schools have achieved performance levels that will allow for removal from accountability status. Parents are inclined to withdraw the most academically capable students from such schools, and many skilled teachers and school administrators avoid assignment/employment in such schools. In addition, all the school districts in which such schools are located are under-funded in terms of Foundation Aid. Recognizing the concerns of the governor's office regarding the removal of such schools from the accountability list and the continuing fiscal needs of such schools, the SAANYS group recommended a Contract for Excellence approach for funding. Through this approach, the schools would remain off the accountability list but would provide a plan for the use of continued funding, to be approved by SED and/or the governor's office. The deputy secretary informed the administrators' group that the matter is being

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## At the November Meeting of the State Board of Regents

The New York State Board of Regents convened in Albany on November 14 and 15. Noteworthy discussions and actions of the Board of Regents follow:

### ESSA State Plan

Early in her presentation, in a manner similar to that of the chancellor, Commissioner Elia explained that "... we are going into a time of change ... and that we don't know what those changes might be." However, she also pointed out that the Every Student Succeeds Act passed with bi-partisan support and that the law requires the development of a new state plan.

Based on recommendations of the ESSA Think Tank, of which SAANYS is a member, the department drafted 36 "High Concept Ideas" (HCIs) that were discussed by more than 2,200 individuals who were invited to attend 46 regional meeting hosted by BOCES and the Big Five city school districts. Each host agency prepared a summary of their respective discussions and recommendations; and in addition, 585 surveys were also submitted by participants.

All but four HCIs received majority support from the survey respondents. However, when Regent Young requested disaggregated response information – for example, parent responses vs. teacher responses – the commissioner answered that no field was included in the survey to support such breakouts. She also went on to say that, "We know that we need to get a view from other perspectives" and therefore, the department plans to reach-out to other groups.

Of import to school administrators, HCI 23 centers on whether SED should use the 3 percent set-aside option under Title IIA for programs that provide systemic improvements for principals and other school leaders. Although SAANYS has consistently and strongly championed the adoption of this option, it was categorized by the department as one of the least supported HCIs, garnering the expressed support of 43 percent of respondents. The respondents' rating, however, will not be in and of itself determinative of the contents of New York's plan, and SAANYS will continue to advocate for the implementation of this option.

In regard to the decision to submit New York's state plan in July rather than in March, the commissioner said that the federal submission timeline may change and, in that it is unlikely that states would be provided less time, it is possible that states will be given more time. With this in mind, the department's timeline to develop and submit the new state plan is:

- January / February 2017 – Public engagement through survey and regional meetings.
- March 13-14, 2017 – Draft State Plan presented to Board of Regents.
- March 15 – April 17, 2017 – Draft State Plan released for public comment.
- March 20 – April 7, 2017 – Regional ESSA State Plan Development Meetings – open to the public.
- May 8-9, 2017 – Revised Draft Plan, based on public comment, presented to Board of Regents.
- May 10 – June 8, 2017 – Application submitted to Governor Cuomo.
- June 12-13, 2017 – Final ESSA State Plan presented to Board of Regents for approval.

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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).

## 2016 CALENDAR



DECEMBER

- Dec 7 Pearl Harbor Day
- Dec 10 Emily Dickinson's Birthday
- Dec 10 Human Rights Day
- Dec 15 Bill of Rights Day
- Dec 16 Boston Tea Party Anniversary
- Dec 17 Anniversary of the Wright Brothers' Flight
- Dec 21 First Day of Winter
- Dec 24-Jan 1 Hanukkah (Festival of Lights)
- Dec 25 Christmas
- Dec 25 Clara Barton's Birthday
- Dec 26-Jan 1 Kwanzaa
- Dec 29 Wounded Knee Massacre Anniversary



JANUARY 2017

- Jan 1 New Year's Day
- Jan 1 Emancipation Proclamation Anniversary
- Jan 1-3 Japanese New Year Festivities
- Jan 15 World Religion Day
- Jan 16 Martin Luther King Jr.'s Birthday Observance
- Jan 19 Robert E. Lee's Birthday
- Jan 23 First Native American US Senator (1907)
- Jan 28 Chinese New Year
- Jan 28 Christa McAuliff Day

# SAANYS Professional Development Update



For information on any SAANYS professional development event, contact Karen Bronson at [KBronson@saanys.org](mailto:KBronson@saanys.org).

Wednesday, November 16 marked the fifth of six meetings with the Greater Southern Tier Leadership Academy. This cohort, consisting of over thirty school leaders from the component districts of GST, has been meeting on a monthly basis since July, with online communication between sessions.

Unless you have been part of one of these cohorts, it's hard to explain how the opportunity to form a group with your regional colleagues over six months with time to focus on topics of interest to school leaders everywhere really becomes an experience that models what professional learning for leaders is all about.

Instead of giving you a broad description of how one of these Leadership Academies works, let's peek in on one day, Wednesday, November 16, to understand why cohort members are hoping we can find a way to continue to stay connected long after the actual Academy ends this month:

- 8:15 am: We meet at the Pauline Bush Campus of GST BOCES, greet, enjoy Box o' Joe and everything else the Dunkin Donuts in Elmira (or Painted Post, or Corning other sessions) has to offer.
- 8:30 – 10:00: The leadership team of Bradford Central School, all cohort members led by Principal Steve Kiley, presents a panel discussion on our theme of "Suit Up for Change." They share their story of introducing a 1:1 deployment of Chromebooks in the district. From initial discussions in 2014, to a pilot year, to the present school year, when all grade 2-12 students have a chromebook and policies and processes are firmly in place, Bradford tells the real story of the glitches, challenges, opportunities, and learning along the way. Their story is literally a 'how to' for any districts considering such an initiative. Some big messages: tiered, proactive, and differentiated professional development; teach keyboarding; there is no perfect plan; and at some point you have to jump in and start learning from the doing.
- 10:15 – 12:15: Overview of the big ideas in Cathy Vatterott's *Rethinking Grading*, followed by sharing insights and ideas using a protocol called Surfacing Key Ideas led by Sara Fontana of GST. The feedback in our first meeting requested more time for the book discussions, so we have expanded that part of our day to enable our participants to go more in depth in their conversations with colleagues. We love our book groups!
- 12:15 – 12:45: Scrumptious soup, sandwiches, and cookies prepared and served onsite by GST BOCES students.
- 12:45 – 2:30: We engage our group in our first ever EdCamp within the Leadership Academy. After a "What is EdCamp?" intro we delve in and get one going. We end voting using Plickers technology to determine the top six sessions on the board quickly: Standards Based Report Cards 7-12, Tackling Attendance Issues, RTI/AIS Alignment, Changing the Mindset of Teachers Stuck in the 80s, Using MLP, and Revamping HS Homework. Six subgroups form with participant facilitators. Notes are taken and submitted via Google Doc for all.
- 2:30 – 3:00: We spend the last half hour of the day asking the group for ideas on how to schedule our day with author Cathy Vatterott coming up at our final meeting.

Our goal in these Leadership Academies is to bring leaders like you together to share experiences, learning, and ideas. Our practice of using local and regional expertise of actual cohort members more than outside experts, is central to the experience that is proving to be a terrific model for professional learning. Please do not hesitate to contact me if you would like to explore a similar learning opportunity for your region! ■

## New! Leader in Digital Education Award

This award recognizes a SAANYS member who has demonstrated exceptional, creative leadership in harnessing the potential of technology to further teaching and student achievement. The candidate will have demonstrated excellent organizational and communication skills in supporting and promoting such innovative digital practices for his/her learning community.

## Outstanding Educator Award

This award is given annually to a SAANYS member who has made outstanding contributions in New York State schools. Potential criteria include: outstanding leadership in public education; exemplary service to professional organizations; and/or noteworthy writing and/or research in the field of education. Recognition of SAANYS members of various roles, responsibilities, and titles is encouraged.

## Leadership and Support Award

The SAANYS Leadership and Support Award was established to recognize the outstanding leadership efforts of those members whose responsibilities require leadership through support services to fellow administrators across and between buildings and districts. Such administrators may be employed by BOCES or in other cooperative efforts. These positions include non-instructional and support positions that promote and encourage collaboration among multiple buildings and/or districts.

## Irving Schwartz (Retiree)

Irving Schwartz was one of the founding members of SAANYS. As an NASSP coordinator, he served on the SAANYS Board of Directors through 1994. This award is given to a SAANYS member who, in retirement, has made significant contributions to the welfare of the association, education, and/or the greater community.

## K-12 Building Principal Award

This award is in recognition of the unique characteristics of a K-12 building and the related demands, expectations, and challenges of a principal in this multi-level environment. It is given to a SAANYS member and recognized educational leader who has been a practicing administrator for at least 3 years. Criteria:

- Demonstrated leadership in establishing the pace, character, and mission of the building.
- Demonstrated creativity and resourcefulness in providing comprehensive programs and services for all levels and grades.
- Evidence of positive parental and community involvement in the school and student involvement in the community.
- Evidence of enhancing positive interaction between all levels of students.
- Utilization of outside resources for program enhancement.
- Evidence of collaborative involvement of all staff in decision-making and program implementation.
- Evidence of instructional leadership in support of quality teaching and student achievement.

## Friend of Education Award

This award was established to honor an individual who, or a group or organization that, has contributed to the general support and advancement of outstanding public school education in New York State.

This individual, group, or organization:

- Is not a professional educator or educational organization within the K-12 NYS public school system.
- Has contributed to the support and advancement of outstanding public school education in a way that extends to the broadest number of students in one or more of SAANYS regions.
- Has been a role model for educators by consistently demonstrating a belief in the importance and value of a public school education.
- Has made these contributions over an extended period of time.

## SAANYS is the official state affiliate to the National Association of Elementary School Principals (NAESP) and the National Association of Secondary School Principals (NASSP) and their annual awards programs.

### SAANYS/NAESP Assistant Principal Award

This program promotes educational excellence for pre-kindergarten through eighth grade (PreK-8) schooling and calls attention to the fundamental importance of the assistant principal. The candidate must have demonstrated exceptional leadership in a particular school program and is respected by students, colleagues, parents, and the community at large; and sets high expectations for school staff and students. Criteria include having been an active assistant principal for at least two years, and is an active assistant principal at the time of nomination. NAESP will share their successes and best practices in a practical document for other principals to utilize.

### SAANYS/NASSP Assistant Principal Award

The NASSP National Assistant Principal of the Year program annually recognizes outstanding middle level and high school assistant principals who have succeeded in providing high quality learning opportunities for students. **The deadline for this award is past and any applications will be considered for 2018.**

### SAANYS/NAESP Elementary School Principal Award

This award is given annually to a SAANYS/NAESP member who has distinguished herself/himself as an elementary school principal. Criteria:

- The nominee sets the pace, character, and quality of education for the children in the school.
- The nominee is a practicing principal who is committed to excellence.
- The nominee has made a commitment to parents and community.
- The nominee has shown evidence of outstanding contributions to the community and the educational process.

### SAANYS/NAESP Middle School Principal Award

This award is given annually to a SAANYS and NAESP member who has distinguished herself/himself as a middle school principal. Criteria:

- The nominee sets the pace, character, and quality of education for the children in the school.
- The nominee is a practicing principal who is committed to excellence.
- The nominee has made a commitment to parents and community.
- The nominee has shown evidence of outstanding contributions to the community and the educational process.

### SAANYS/NASSP Principal of the Year Award

The NASSP National Principal of the Year program recognizes outstanding middle level and high school principals who have succeeded in providing high-quality learning opportunities for students as well as demonstrating exemplary contributions to the profession. NASSP honors all State Principals of the Year at the Principal's Institute held each year in Washington, D.C. From these state winners, three finalists are named as contenders for the National Principal of the Year award. Candidates must have served as a principal at one or more middle level or high schools for three or more consecutive school years. Middle level and high schools are defined as those containing some portion of grades 6 through 12.

# SAANYS Annual Awards 2017 Call for Submissions

*Celebrating Excellence in School Leadership*



## Application Deadline: January 31, 2017

SAANYS is proud to honor many exceptional New York State administrators with an annual awards program. Each year SAANYS recognizes nominees with an award and banquet held in their honor.

For additional information contact Susan Jaronski at: [sjaronski@saanys.org](mailto:sjaronski@saanys.org).

To access the online nomination form, visit: <https://saanys.org/about-us/awards/nomination/> or scan the QR code below.



### Awards Nomination Form *(to be completed by nominator)*

**Nominators** are asked to complete this form and return to Susan Jaronski at SAANYS via fax at (518) 782-9552 or mail to: 8 Airport Park Blvd., Latham, NY 12110

**INSTRUCTIONS:** Please include a narrative, not to exceed one page, which demonstrates qualifications based on the criteria for the awards. You may include newspaper articles, published works, letters of support, or other evidence of support.

#### NOMINEE (✓ if self-nomination )

Name \_\_\_\_\_ Title \_\_\_\_\_

School / Business / BOCES \_\_\_\_\_

Address \_\_\_\_\_  ES  MS  HS  BOCES  OTHER

Work Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Email \_\_\_\_\_

#### NOMINATOR (If self-nomination, complete only Nominee section)

Name \_\_\_\_\_ Title \_\_\_\_\_

School / Business \_\_\_\_\_

Address \_\_\_\_\_

Work Phone \_\_\_\_\_ Home Phone \_\_\_\_\_

Email \_\_\_\_\_

Relationship to nominee \_\_\_\_\_

Years you have worked with nominee \_\_\_\_\_

Please provide a brief quote (1-2 sentences only), from you, regarding this nominee. **All information may be used for publicity purposes if this nominee is selected as an award recipient. Return of this form is an indication of permission to use same.**

The SAANYS Awards Committee will review nomination forms and consider candidates for ALL awards for which they qualify. If, as a nominator, you wish to recommend an award you feel is appropriate, please do so here.

#### SAANYS Awards

- New!** Leader in Digital Education
- Outstanding Educator
- Leadership and Support
- Irving Schwartz Distinguished Retiree
- K-12 Building Principal
- Friend of Education

#### National Awards (SAANYS and NAESP/NASSP)

- Elementary Principal (NAESP)
- Principal of the Year (NASSP)
- Middle School Principal (NAESP)
- Assistant Principal (NASSP)
- Assistant Principal (NAESP)

# LEGAL BRIEFS

A Message From  
Jennifer Carlson  
SAANYS Deputy General Counsel  
JCarlson@saanys.org



## Update on NYSHIP Litigation

*continued from page 1*

arguments were heard in October 2015. The Appellate Division, Third Department, overturned this decision and the prohibition was once again legal in the spring of 2016. In an interesting turn of fate, NYSUT requested reconsideration of the matter from the Third Department, which overturned itself and buyouts were once again legal as of June 2016.

Complicating an already convoluted scenario, the state then requested that the Third Department re-

view the matter yet again and allow the matter to head to the state's highest court, the Court of Appeals. The Third Department denied this attempt at a subsequent appeal this past September. Unfortunately, the state has the ability to plead its case directly to the Court of Appeals. Should the Court of Appeals deny the appeal, the prohibition on buyouts will be officially illegal and people may be reimbursed for the buyout payments denied for the past few years, depending

on their collective bargaining agreements. If the Court of Appeals decides to hear the case, papers will be submitted and it will be approximately another year before the issue is finalized. Throughout this matter, SAANYS has been working closely with NYSUT, providing insight and support. Should this matter proceed to the Court of Appeals, the SAANYS Legal Department will submit its own brief in opposition to the buyout.

In the meantime, buyouts are legal as a matter of law. Many districts have decided to pay out the money held in escrow while these cases are pending. Other districts are telling their employees that the money will not be paid out until the Court of Appeals has made a determination and the case is finally concluded without possible

reversal. Both stances are technically legal and SAANYS cannot determine the reason why certain districts are paying, while others are waiting. A word of caution needs to be

*Any employer who claims that this issue is impacting finances is either attempting a trick or did not do a proper budgeting job. In either event, it is strongly recommended that proof of the budgeting be provided if this is claimed.*

expressed to bargaining units that SAANYS has received reports that some districts are claiming an inability to give fair salary increases during negotiations because they have paid out years' worth of buyouts at once. This is clearly an excuse that needs to be challenged. Districts should have been budgeting for this event and holding the money in escrow. Any employer who claims that this issue

is impacting finances is either attempting a trick or did not do a proper budgeting job. In either event, it is strongly recommended that proof of the budgeting be provided if this is claimed.

Also on the horizon is legislation pending the governor's signature that will prevent the Department of Civil Service from interfering with collective bargaining through shady rulemaking like this in the future. When this legislation becomes law, it will only address the issue going forward and not the years of lost buyback payments. Thus, both the legislation and the pending litigation are of the utmost importance to our members. SAANYS is closely monitoring this issue and will continue to provide updates as it progresses. ■

Contact a SAANYS Attorney Evening & Weekend Pager  
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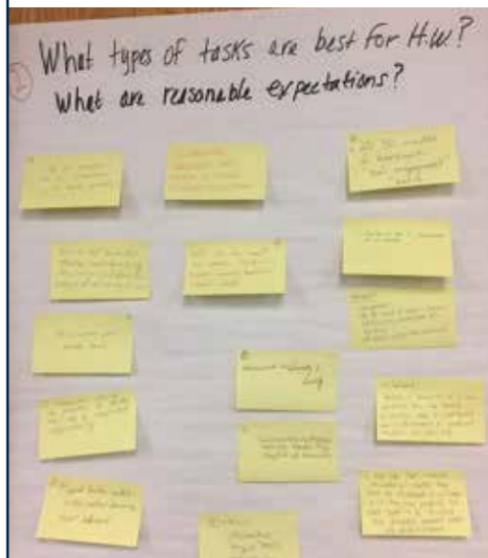
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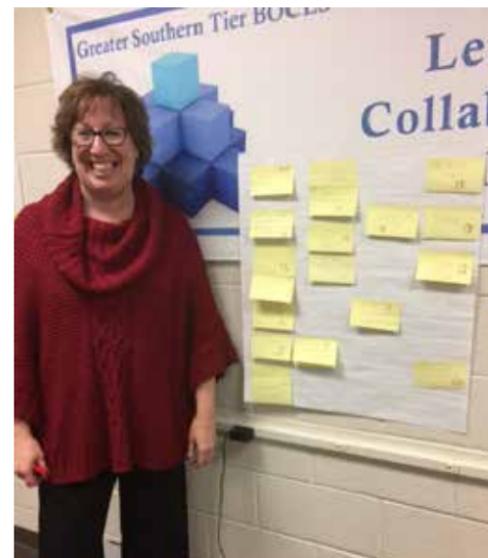
## Scenes from the GST LIFT NY Leadership Academy November Meeting



Fun with Plickers...



GST Leadership Academy members share thoughts on rethinking homework.



Sara Fontana of GST BOCES gets top picks up on the EdCamp board.



The Bradford CSD leadership team shares its 1:1 implementation journey at the GST LIFT NY Leadership Academy on November 16.

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- Delve into deeper understanding of rubric priorities with teachers: What does 'student centered learning' really look and sound like? How can we improve questioning strategies? What are some metacognitive strategies we can use routinely? What needs to be in evidence for an Effective or Highly Effective rating in a certain component? What happens when innovation doesn't go as planned during a formal observation? This training, when attended by both school leaders and teachers, builds shared and common understanding of the approved rubric in a way that segregated training cannot.
- Rethinking grading and homework: How can we take some realistic steps to start rethinking traditional approaches to grading and homework to put the focus on learning rather than scoring?

Other topics include:

- Extended book study with an administrative team.
- Leadership simulations using video and discussion.
- Transgender issues and answers.
- Maintaining positive building morale through the use of classroom walkthroughs, peer observation, and teacher reflection.
- What works for students from poverty.
- Transitioning to standards based grading.
- Implementing consistent grading practices at the secondary level.
- Striving to thrive using instructional rounds.

# SAANYS GRC Meets For Early Kick-off of 2017 Legislative Session

*continued from page 3*

litigated and that such compromise positions will not be considered.

## Third: Every Student Succeeds Act (ESSA) State Plan

Recognizing that the ESSA State Plan to be submitted to the US Department of Education in July 2017 will first have to be approved by Governor Cuomo, the GRC discussed several “High Concept Ideas” that must be addressed in New York State’s plan, including:

- For High Concept Idea 1, regarding the 95 percent state test student participation requirement, the GRC recommended that New York State NOT adopt any of the three punitive “rigorous actions” put forth by the USDOE. It is our position that a rigorous action need not be punitive. Therefore, it was recommended that schools that do not meet with the 95 percent participation requirement should submit a plan to the State Education Department describing the reasonable actions that will be taken to promote increased student participation in state tests.
- For High Concept Ideas 5, 24, 25, and 26, regarding English language learners, support was expressed for the SED proposals to avoid over testing such students (i.e., to not require the administration of both the state ELA test and the NYSESLAT in a single year); and to allow ELL students three to six years (or longer if appropriate) to become English proficient.
- For High Concept Idea 23, regarding the Title IIA program, it was recommended that New York State adopt the ESSA provision allowing state education agencies to set aside 3 percent of professional development funds for principals and other school leaders.

## Fourth: Early Childhood Education

Currently there are seven preschool programs in New York State, with differing program requirements and differing degrees of funding stability. The availability of prekindergarten services is far from “universal” for children four years of age; with a 63 percent statewide participation rate, and regional participation rates ranging from 87 percent in New York City to 32 percent on

*continued on page 8*

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# Board of Regents Meeting

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- July 5, 2017 – Federal deadline to submit New York State’s ESSA Plan.

## State Standards and Assessments in Grades 3-8

According to the timeline presented at the February and April meetings of the Board of Regents, the revised English language arts and mathematics learning standards (no longer referred to as Common Core Learning Standards) were to be presented to the Board of Regents by December 2016 for adoption, with concomitant local level curricula revisions scheduled from January through the summer of 2017, and implementation of the revised standards/curricula in September 2017. During the Commissioner’s presentation at the SAANYS conference on October 24, the timeline by which the revised standards would be adopted by the Board of Regents was extended to “January or February” of 2017, and at the November Regents meeting Commissioner Elia said that the revised standards will be “in place by the spring” of 2017; but there has been no extension of the date set for local implementation – September 2017.

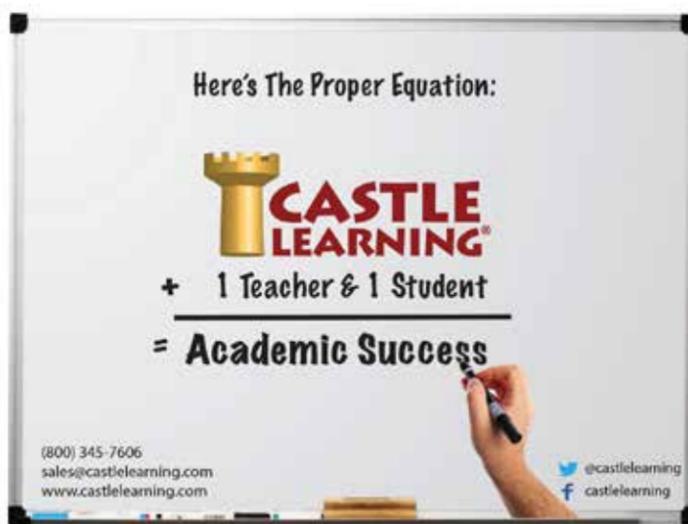
Commissioner Elia and the Board of Regents also stated that new 3-8 assessments, developed by Questar Assessment, will be administered in the spring of 2019, the same timeframe set by the Board of Regents in February 2016. The intent is that the assessment results of 2016 will serve as baseline data, and the assessments to be administered in 2017 and 2018 will reflect the extent to which student performance improves. However, in regard to the federal requirement that at least 95 percent of students in grades three through eight participate in the state English language arts and mathematics tests, Regent Tilles expressed strong concern. He said that maintaining the current testing may have an unintended impact on the extent to which students opt-out of such testing saying, “I don’t think that we’ll have a handful of schools that will make the 95 percent, unless there are significant changes to the test.”

## Regents Examination Workgroup

Jack Bierwirth, recently retired superintendent of the Herricks Union Free School District, presented information on the behalf of the 15-member Regents Examinations Workgroup. The workgroup was composed of classroom teachers, building administrators, district-level personnel, and senior level administrators from CUNY/SUNY. SAANYS was represented by Paul Gasparini, principal of the Jamesville-DeWitt High School.

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# SAANYS GRC Meets For Early Kick-off of 2017 Legislative Session

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Long Island. School administrators recommended that the seven programs be amalgamated into a single program in a manner that does not disadvantage current programs or currently enrolled students, with enhanced funding for more equitable availability statewide.

At the State Education Department, the GRC met with Senior Deputy Commissioner Jhone Ebert, Deputy Commissioner John D'Agati, Assistant Commissioner Ira Schwartz, and Assistant Commissioner Renee Rider. The meeting provided the opportunity to further discuss several of the items described above, such as High Concept Ideas and Early Childhood Education. This meeting at SED also provided the opportunity to discuss other program issues, such as the administration of state assessments to students in grades 3 to 8.

The 3 to 8 assessments scheduled for administration in 2017 will employ all the same procedures that were used in 2016, including a review of each test item by 22 or more educators. The senior deputy commissioner informed the group that guidance will be developed in regard to the procedure permitting students to continue testing so long as they remain productive – and school administrators requested to review such guidance prior to it being finalized. **The GRC also recommended guidance in regard to students who opt-out of one part or two parts of the three-part ELA and mathematics state assessments.** In 2016, school administrators received inconsistent information from SED representatives: in some cases being told that administration of one part or two parts constitutes a complete administration for scoring and accountability purposes; in other cases, administrators were informed that such students may be reported as “absent”; and in other cases, school administrators were told that such students may be reported as “misadministrations.” It was recommended to SED that any student who opts-out after one or two parts of the state tests should be reported as an opt-out for the entire test since opting-out would clearly be the intent of student’s family and because a score based on one or two parts of a three-part assessment would be invalid and unreliable.

For additional information regarding the November meeting of the Government Relations Committee, or issues discussed at meetings with the governor’s office, with state legislators or with the State Education Department contact James Viola, director of government relations, at [JViola@saanys.org](mailto:JViola@saanys.org). ■

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# Board of Regents Meeting

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Five recommendations were advanced:

- 1. Graduation Requirements** – It was recommended that one diploma be used in New York State, though endorsements (e.g., career and technical education) should be available to note areas of strength and levels of proficiency. The workgroup determined that much of the information that complex sets of graduation requirements were intended to convey under the current system is not being used by those outside the K-12 system – including private sector employers. It was also recommended that alternatives to Regents examinations should also be expanded.
- 2. College Readiness** – A brief summary was provided in regard to what “65” means, and that currently it conveys nothing more than “pass.” The best indicator of college readiness is the rigor of each student’s high school program; and multiple measures rather than a single test score more accurately predict success in college. Furthermore, it was posited that defining college readiness on the basis of specific grades is often detrimental to efforts to enroll students in more four-year courses of study.
- 3. Reporting Regents Exam Scores** – It was recommended that the current 0 – 65 scale score be discontinued. Instead, a much more extensive scale should be adopted with five explicit and well-defined cut points: with level 3 meaning passing, level 4 meaning mastery, and level 5 meaning distinction. It was further recommended that simple, clear rubrics should be established for each of the five cut points.
- 4. Appeals of Regents Examination Results** – Under the new system, students should have to score at least level 2 to appeal. It is felt that the availability of an appeals procedure – to be locally heard and determined – is important for students who struggle to meet the level 3 benchmark on the Regents examination, but who have otherwise demonstrated proficiency in their coursework.
- 5. Multiple Curriculum Pathways in Mathematics** – In order to encourage four years of mathematics and provide students with a strong foundation for college level coursework across a wide variety of majors, the workgroup recommended the development of a Regents examination-level course in statistics.

## School Counselor Update

A discussion item presented to the Board of Regents indicated that in October of 2013, the Board of Regents established a 20-member School Counselor Advisory Council. The State Education Department discussed information and recommendations of the Advisory Council with a stakeholder group composed of the United Federation of Teachers, NYSUT, NYS School Social Workers’ Association, the New York Association of School Psychologists, and the NYS School Counselor Association. Accordingly, the revisions below are now posted by the department for comment, in contemplation of implementation on July 1, 2017.

- SED will issue guidance to encourage (not require) school districts to meet the student-to-counselor ratios specified in American School Counselor Association standards. The ASCA recommends 1:100 with a maximum of 1:250.
- SED will issue guidance to encourage (not require) that school counseling programs address multiple student competencies in accordance with the ASCA Model, including career/college readiness standards, and academic and social/emotional developmental standards.
- Each school shall be required by regulation to have a comprehensive developmental school counseling/guidance program for all students in kindergarten through grade 12.
- School districts will be required by regulation to provide Individual Progress Review Plans for students in grades 6-12. (Current regulations require Individual Progress Review Plans for students in grades 7-12.) ■

A message from a SAANYS corporate sponsor

## Superintendent of Schools

The Educational Leadership Institute is a statewide provider of high-quality professional development programs to serve the preK-12 academic community in New York. The efforts of the ELI focus on contemporary issues affecting the policies and practices of preK-12 educational institutions, including their implications for strategic planning, organizational development, and leadership decision making. The ELI is a primary responder to the evolving educational development needs of school district leaders and the school community. The ELI offers conferences, programs, and workshops designed to train and support school district administrators and officials. Several programs are operational including the 3-day workshop Fiscal Navigation for Superintendents and The School District Negotiator. The ELI hosts and administers the School District Internal Auditing Alliance (SDIAA), and its statewide Claims Auditor Training workshops, Claims Auditors Conference, and annual Internal Auditors Conference. Most programs are offered at several statewide locations.

The four-day, summer Transition to Superintendency Program remains the benchmark training for experienced school and district administrators preparing for the New York State superintendency. Participants include administrators first thinking about a move to the superintendency and those who do not have the time or resources to attend one of the two year-long programs.

The Educational Leadership Institute is hosted by the NYS Association for Women in Administration. James M. Merrins, Ed.D. (Indiana University, '79) is the executive program administrator of the Educational Leadership Institute.

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