Broadalbin-Perth CSD Administrator Inducted as SAANYS President

Christine Foglia, director of special programs at Broadalbin-Perth Central School District was inducted as the 42nd president of the School Administrators Association of New York State at the SAANYS 2014 Annual Conference held at the Sagamore Resort in Bolton Landing on October 27. Foglia succeeds Frank Sutilli, principal of West Canada Valley Junior/Senior High School. Foglia is a long standing member of SAANYS, having served as board member at both the regional and state levels, and serves on the editorial board for Vanguard/Practices magazine.

In keeping with this year’s conference theme of “Leading with Heart and Mind,” Foglia’s well-received acceptance speech centered around the many diverse and varied qualities of leadership she has observed in family and colleagues throughout her life. Discussing in particular, “what are the traits that make a good leader?”. Below is an excerpt of that address: “…effective leaders possess many, many exceptional qualities and it doesn’t take positional power to be a continued on page 7

Awards Program

SAANYS is proud to honor many exceptional New York State administrators with an annual Awards Program. This program was established to recognize educators who demonstrate outstanding leadership skills and have made exceptional contributions to the educational process.

For a complete list of the awards and criteria, as well as nomination forms, see enclosed insert or go to www.saanys.org/newsroom/criteria.asp

For additional information, contact Susan Jaronski at SJaronski@saanys.org

Application Deadline: January 31, 2015

NASSP Assistant Principal Deadline: November 20, 2014

Board Of Regents Approves New Graduation Options

New Pathways Aims to Better Prepare Students for College and Careers

The New York State Board of Regents recently approved new options for students to meet the state’s high school graduation requirements. The new regulations establish multiple, comparably rigorous pathways to graduation, including pathways in career and technical education (CTE), science, technology, engineering, and mathematics (STEM); the arts; biliteracy (languages other than English); and the humanities. The new regulations also establish a two-year global history and geography course requirement and modify the design of the global history and geography regents exams. Regents Chancellor Merryl H. Tisch said the goals of the new options are to improve the state’s 74.9 percent graduation rate, increase the percentage of students who graduate prepared for college and careers (currently 37.2 percent), and help prepare more students for success in the 21st century economy.

Experts say CTE, the arts, and other comparable programs motivate students to stay in school and help provide the skills necessary to succeed in postsecondary education and a variety of demanding, high-skill career paths. According to the U.S. Bureau of Labor Statistics, by 2018 nearly half of all jobs created will require an Associate Degree or an occupational certificate. However, if current trends continue, New York will face a shortage of 350,000 employees for these skilled jobs by 2020, according to a report from America’s Edge.

“These new pathways to graduation will give students confidence, competence, and a real choice,” Chancellor Tisch said. “All students deserve an education that prepares them for success in college, careers, and life. Today’s action by the Board of Regents will encourage students to pursue CTE programs that can give them the skills and knowledge they need in our changing economy. They will also encourage school districts to expand and invest in high-quality programs in career and technical education, the arts, STEM, humanities, and languages other than English (LOTE), while ensuring that students are still continued on page 3

Quotes of Note from SAANYS14!

“I can’t come down off the high from the weekend. You’ll all know what I’m talking about. I really was jam packed with great information and I came back invigorated and motivated.”

“What a great experience it was attending my first SAANYS Annual Conference this weekend at Sagamore. The venue was perfect and the sessions were informative. I was truly impressed and inspired by the caliber of keynote speakers we had.”

“You guys are great. Hen Hud is so glad we switched from RAASA. Great conference and THANK YOU!”

SAANYS recently represented a bargaining unit in a dispute that contained many of the varied elements of litigation that SAANYS handles. It also interest a wide spectrum of bargaining units and individual members. The affected bargaining unit was a small unit of less than ten members. They have a collective bargaining agreement (CBA) with a grievance procedure that ends with a review by the board of education. SAANYS recommends that a grievance procedure always end with binding arbitration. The premise is that a final independent trier of fact will provide a fairer, if not more just, award. But in this case, the fact that the grievance procedure ended with the board, opened the door to a tangle of litigation that needed to be carefully thought through.

The initial issue started as a “pension-ability” question that was raised when a unit member discovered that her base salary had been reduced by a corresponding amount that was carved out and put into a separate line item on her pay stub. Pension-ability is a term often used in this industry meaning money that can be calculated into your final average salary for purposes of determining your pension benefit. Those near retirement would have their interest piqued by this because such a change in base salary could result in a reduction in the calculation of a final average salary and

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LEGAL BRIEFS

A Grievance, Improper Practice, and Court Action for Breach of Contract All in One
Executive Viewpoint
Kevin S. Casey, Executive Director

Moving in the Right Direction

It seems like in the not too distant past there was a distinct segregation of the K-12 and postsecondary communities. Indicative of an evolving way of thinking, references to “K-12” became “K-16,” which has now morphed into “P-20.” It’s an entirely logical evolution. Why it took so long eludes me.

Different levels of education are not unrelated. The skills and knowledge one acquires in a lower grade will impact the likelihood of success in subsequent grades. It seems like an obvious concept, yet for some reason logical sequencing stopped at the conclusion of grade 12. When the student continued his or her education seemingly encountered a coordinat-ed curriculum disconnect. Post-secondary didn’t talk to K-12 and vice-versa. On the other end of the pipeline, employers didn’t talk to post-secondary graduates and vice-versa. And then everything changed.

Technological advances moved us toward an information economy that eliminated many jobs, while creating others that require a higher degree of technical skill, many of which could be performed anywhere. Competitors for jobs could be found all over the globe. Welcome to Thomas Friedman’s flat world. Employers now talk higher ed, asking for more STEM graduates. Higher ed complains to K-12 about an unexpectedly high rate of remediation and the dearth of high school graduates prepared to enter STEM fields at the post-secondary level.

In my opinion the initial reactions to this changing environment were punitive in nature. NCLB punished schools and educators. Race to the top incentivized states to develop test-based personnel accountability systems designed to remove a segment of educators from the left side of the bell curve from the profession, even without the validity of the student and educator accountabil-ity systems being established. Higher ed appeared to be a little late to the accountability party, but they too are now in attendance. Student results are back tracked to teachers and principals, which in turn will be back tracked to higher ed teacher prep programs. This will produce data to be added to graduation rates and levels of student debt as means of measuring higher ed performance. Similar to the K-12 test-based accountability system, the validity of those mea-sures will be determined at a later date, if at all.

The positive is that communication and coordination among educators at different levels is increasing. Educators thinking in terms of P-20 is a good thing, and recently SUNY Chancellor Zimpher actively engaged various K-12 stakeholders, including SAANYS, in a careful and ongoing examination of how teacher and leader preparation programs should evolve. I’m not sure that could have happened in the past, but I think working together in a collaborative fashion is much more likely to yield positive results than the mere production of accu-satory instruments.

NYS 2014 Released Test Items: informing Common Core Implementation

Opinion piece by Dr. Bruce H. Crowder, Senior Researcher for Educational Vistas, Inc.

With the August release of about half the 2014 NYS test items for grades 3-8 English language arts and mathematics, teachers and administrators have finally acquired the tool to support the field that has requested since the inception of Common Core-based testing. The item-specific information with related scores and annotations provides the basis for understanding the nature of the new, aligned assessments. In addition, SED has provided invaluable insight into the standards being tested with what students need to know and do to be successful in addressing such items.

Having spoken loudly and publically for such information and data, I am compelled to thank those who made this possible. This is a moment when schools need to take the time to review the released items for each subject at each grade level and to develop their students’ performance on each item. Relating school district results to the released test items opens the opportunity to see for the first time why students may have had difficulty in successfully completing these items. The insights gleaned from this endeavor will support the specific curricular adjustments that are needed to be made for effective instruction and assessment.

Aside from gaining insight into multiple-choice and response items, teachers and administrators will better understand the testing of text-bound reading and responding. This is where student results from the released items may serve as a professional development opportunity for the scoring of both two-point constructive response and four-point extended response items with NYS scoring rubrics. Finally, students would acquire immense insight by reviewing NYS scoring rubrics for application and personal use, along with anchor papers from the released items. Therefore, the released test items make for great instructional recourses when used in situations in which students experience scoring events. Further testing of Common Core will continue to yield disappointing results without taking the opportunity to use these released items to analyze item-specific responses of their students.

Dr. Bruce H. Crowder is a researcher/facilitator for Educational Vistas, Inc. He may be reached at evbrace@aol.com.
Board Of Regents Approves New Graduation Options... continued from page 1

held to challenging, rigorous standards.”

“It’s no secret that the US lags behind some of our international competitors when it comes to preparing our students for the jobs of today and the jobs of tomorrow,” said State Education Commissioner John B. King, Jr. “But New York must lead the way; we can and we will educate our way to the top. And the Regents’ action will help make that possible – by providing challenging new options that will give our students the skills and the knowledge they need to excel in college and in the workplace.

“These new regulations preserve the rigor of New York’s graduation requirements while at the same time offering students comparably rigorous options that keep them engaged in school and learning. More options today mean more career opportunities later. That’s how you prepare students to compete in the new global economy. Going forward, we must work to ensure that all students – regardless of the region of the state or the wealth of the district – have access to a rich array of course opportunities in the humanities, the STEM fields, the arts, career and technical education, and languages other than English.”

A video highlighting several multiple pathways programs can be found at: http://www.p12.nysed.gov/cte/

Pathways to Graduation

Currently, students are required to pass five Regents exams in high school in order to graduate – one each in English, science, math, as well as the U.S history and the global studies and geography exams. The new regulations advanced include a “4+1” option that permits a student to take four Regents exams and a comparably rigorous technical, arts, or other assessment for the fifth examination required for graduation. The 4-1 option would apply beginning with students who first entered ninth grade in or after September 2011 and thereafter, or who are otherwise eligible to receive a high school diploma in June 2015 and thereafter and have passed four required Regents exams (or SED-approved alternative assessments) in English, mathematics, science, and social studies.

The regulations create graduation pathways in the humanities, STEM, biliteracy, CTE, and the arts; students pursuing any of these pathways must pass one of the following assessments in place of the fifth assessment currently required for graduation:

• One additional social studies Regents exam or SED-approved alternative (humanities pathway); or
• One additional Regents exam in a different course in mathematics or science or a SED-approved alternative (STEM pathway); or
• A pathway assessment in a language other than English (LOTE) approved by the commissioner (which could include a biliteracy pathway); or
• A career and technical education pathway assessment approved by the commissioner, following successful completion of an approved CTE program (CTE pathway); or
• An arts pathway assessment approved by the commissioner (arts pathway)

To ensure that pathway assessments are of sufficient rigor, validity and reliability, the regulations establish the conditions and criteria by which these assessments may be approved by the commissioner. A CTE assessment that meets the approved alternative requirements for science can be substituted for the required science Regents exam.

Social Studies

Current regulations require high school students to pass the Regents exam in global history and geography; the regulations do not, however, require students to take the course of study that precedes that examination. The new regulations will require all students first entering ninth grade in or after September 2016 to earn four units (years) of credit in social studies, including two units of credit in global history and geography, in addition to the current requirements of one unit of credit in U.S. history, one half unit of credit in participation in government, and one half unit of credit in economics (or their equivalent).

It is anticipated that the regulations will be presented for permanent adoption by the Board of Regents at their meeting in January 2015. The Regents item, including the draft regulations, is available at: http://www.regents.nysed.gov/meetings/2014/October2014/1014bra4.pdf

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therefore negatively affect a pension payment. As a pension-ability dispute, the affected members could have sought relief in court. But since it was also a general change in salary that was negotiated into the CBA, the grievance procedure in the CBA was implicated. The unit prepared a grievance for all similarly affected unit members. Only two members were affected. While the union was preparing that grievance, the district was preparing a grievance for all similarly affected unit members. There’s more. This unit stood with three statutes of limitation which could have substantially shortened the statute of limitations in four months. The reason was that the pension-ability question was subsumed by the reduction in salary. Temporarily taking the question out of a court proceeding and putting it squarely back into the grievance procedure.

Temporarily because, as noted above, the grievance procedure ended with the board of education. So that meant that the same entity that was being pursued in the grievance had the final say under the contracted grievance procedure. But fear not, there was still hope. The law provides what is called an Article 78 proceeding where the actions of a political subdivision of the state, like a town, county or, as here, a board of education, can be challenged in the supreme court as arbitrary, capricious, irrational, or contrary to law. In this case, the board’s decision on the grievance could raise that action. Therefore, if the board decided the grievance in its own favor, the unit could bring an action under Article 78 with a the grievings employees’ the remedy they sought. But during the course of the “back and forth” of the wording of the settlement, the question lingered as to the four-month statute of limitations on the potential hybrid Article 78/Breach of Contract proceeding. The answer is that the board had not yet acted on ratifying the settlement agreement. Had the board rejected the negotiated settlement agreement, a new four-month statute of limitations would have commenced from the date of its formal refusal to ratify. Fortunately, the board did ratify the agreement – bringing the drama to a conclusion. This situation reminds us of the comical image of the frog who is being eaten by a bird, but reaches out of the bird’s mouth and chokes the bird so that he cannot be swallowed. Never give up – often SAANYS can help members find options that are not readily apparent at the time.

SAANYS recommends that a grievance procedure always end with binding arbitration. The premise is that a final independent trier of fact will provide a fairer, if not more just, award.

A Grievance, Improper Practice, and Court Action for Breach of Contract...
I'm fortunate to have the opportunity to meet and work with teams of school leaders from all kinds of school districts around the state. It is so impressive to see not only the level of commitment to students and learning, but the many good new things that are happening despite (or perhaps because of) the challenges we have all experienced over the past few years. Recently, I had the pleasure to work with a team of school leaders who are developing a practice of collaborative observation similar to instructional rounds, to hone their skills and bring more consistency of collaborative observation similar to instructional rounds, to hone their skills and bring more consistency of the IEP process.

Since one of the best parts of any workshop can be the opportunity to have conversations with our colleagues, SAANYS will be sponsoring a series of monthly get togethers here at Albany headquarters starting in January, where the focus will be on just that: no workshop, no powerpoint, no formal presentation, just the chance to join in a gently facilitated conversation around our collective current experience. These mini-edicamps, held from 4-6 pm will give you a chance to share, listen, and learn from one another in a relaxed and social atmosphere – check out the details on the SAANYS website and register at saanys.org/events. All the best as the days grow shorter – hopefully the polar vortex will pass us by this year!

Developing Bullet Proof IEPs

January 30, 2015 Half Day Conference

8:00am - 1:00pm
Plainview Holiday Inn
Plainview, NY

Keynote Speaker: Jacob S. Feldman, Esq.

Agenda:

8:30 - 8:45 Case Study/Preview Panel Discussion: Various Practitioners in IEPs – Jacob Feldman, Esq. 8:45 - 9:00 Panel Discussion: Various Presentations – Jacob Feldman, Esq. 9:00 - 9:45 Welcome/Overview Keynote Speaker: Jacob S. Feldman, Esq. 9:45 - 10:30 Welcome/Overview Keynote Speaker: Jacob S. Feldman, Esq. 10:30 - 11:30 Panel Discussion: Various Presentations – Jacob Feldman, Esq. 11:30 - 12:30 Case Study/Overview Keynote Speaker: Jacob S. Feldman, Esq.

All Together Discussions

8:45 - 10:00

Cost:

$150 SAANYS Members
$110 Non-Members

REGISTER ONLINE: www.saanys.org/events

Participants will hear from one of the leading special education attorneys in the state and receive information on key legal elements related to the development and implementation of IEPs based on federal and state statutes, regulations and case law. This will include a review of the most common legal misunderstands made by districts and proactive steps to minimize potential liability. The program will include a panel discussion with knowledgeable practitioners who will outline best practices in all aspects of the IEP process.

Annual Conference

October 18-19, 2015
Hyatt Regency Rochester

SAVE THE DATE!

NoVember 2014

Broadalbin-Perth CSD Administrator Inducted as SAANYS President... continued from page 1

leader. So true is the quote, leadership is a concept that is current, yet timeless. Leaders have been studied by researchers, scientists, and philosophers for centuries.

As we have discussed and reflected upon over the past 2 days, at this outstanding conference, there is not just one trait that makes someone an effective leader.

In order for our children, our students and schools to be successful, we need to use our collective strengths, collective talents, collective knowedge, collective experiences and expertise, and only by working together through personal connections that our SAANYS association offers, will we overcome the challenges that we are presented with. Sandra Day O’Connor reminded us that we don’t accomplish anything in this world alone and whatever happens is a result of the whole tapestry of one’s life and all the weavings of individual threads from one to another that creates something. I hope you have made personal connections at this conference and that you have reflected on the leadership traits that live within each and every one of you. I hope that you are rejuvenated to go back to your district to work collaboratively with your students, parents and colleagues, and that you continue to access SAANYS services, that you have a rewarding and successful school year, and that you love the kids more than the adults [from keynote Bill Daggett].”

Foglia will serve as SAANYS president until October 2015, when current president-elect John McKenna from Tonawanda City School District will be inducted as the 2015-16 president.

November 2014
The award winning Think Stretch summer learning program is a CCSS based academic skill review program for elementary students. Think Stretch engages students and families with a grade specific student activity book, parent guide to summer, and appreciation medals for every student completed activity book.