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Scenes from #SAANYS17 in **Cooperstown!**



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Getting an update from the Commissioner Passoun 17



The board talks! 1st great session at /SAANYS17 get ready 2





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#SAANYS17 #saanys #saanyspd The torch is passed - and off to a great night at the Baseball Hall of Fame



Elmira CSD Educator Inducted as SAANYS President



With hundreds of administrative colleagues looking on, Joyce Carr, supervisor of special education and student support services in the Elimira City School District was inducted as president of the School Administrators Association of New York State at the SAANYS

2017 Annual Conference held at the Otesaga Resort Hotel

in Cooperstonwn on October 22. Carr succeeds Paul Fanuele, executive principal of Arlington High School in the Arlington Central School District. Carr is a long standing member of SAANYS, having served in multiple capacities at both the state and regional levels, as a member of the board of directors, government relations



committee, and as the region 9 co-chair. Carr is a graduate of SUNY Cortland and Slippery Rock University, where she is also currently enrolled in its Special Education Doctoral program. Carr will serve as SAANYS' president for 2017-18 until next October.

SAANYS Partners with NYS Office of Children and Family Services



SAANYS is honored to have a new professional learning partner. The Office of Children and **Family Services** (OCFS) reached out to SAANYS to develop a professional series

that would address the many and varied needs of their school leaders.

OCFS operates a residential care system consisting of twelve facilities in five regions of New York State, from Long Island to Buffalo, for youth placed in the custody of OCFS by family and criminal courts. The facilities include a reception center, four secure facilities, five limited

continued on page 7

Governor Issues Proclamation

LEGAL BRIEFS The Role of the **Unit President** and the **Responsibilities** Regarding **Disciplinary Matters**

The role of the unit president is a very important position to hold and with the title comes a varying range of responsibilities. The one that causes the biggest concern for unit presidents and their members involves dealing with members whom the district or BOCES may be looking to counsel and/ or discipline. Thankfully some unit presidents serve their term without the need to represent another member at a meeting with human resources or the superintendent. However, for some this situation will crop up and there are some very important things to note while going through this process.

First and foremost, call the SAANYS legal department. We will be able to assist you with any questions and the situation may call for representation by someone not in the unit. SAANYS is always happy to provide representation; however, as much notice as possible is very helpful. The law provides that an employer must give "a reasonable amount of time" to secure representation. This isn't defined, but an email at noon that there's going to be a meeting at three might not be reasonable. Conversely, if you and/or the impacted member is notified on Monday of a meeting first thing on Friday, but they do not notify their unit or SAANYS until Thursday



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Declaring October as Principals Month in New York

View the full proclamation at saanys.org.



continued on page 6

SAANYS Welcomes New Unit: - REGION 5 -**Tri-Valley CSD** Administrators

Association



Executive Viewpoint

Kevin S. Casey, Executive Director

A Culture of Professionalism

One of the great benefits of working among educators is being immersed in a culture of professionalism that cuts across geographic, gender, racial, and income lines. I encounter it again and again, and believe that its existence creates an environment where schools can successfully respond to the changing needs and demands of society in a positive and productive manner.

I am well aware that Shangri-La is a fictional place, and our schools reflect our communities in both positive and negative ways. Too many schools struggle with poverty, drugs, racism,

bullying, and other societal ills, but among educators there is a consistent effort to improve; to confront these challenges head on to make a real difference. When among large groups of educators, there is a positivity that I find to be contagious.

SAANYS just concluded its 2017 state conference. I wish every member could attend and participate first-hand in the professionalism to which I refer. It is not only hearing of the success of Dr. Luvelle Brown and his administrative team in the Ithaca City School District, but listening to educators analyze it in an effort to develop strategies that

can be applied to the particular challenges that they face. It is not only listening to Commissioner Elia describe the multiple programs and projects that SED is pursuing, but also engaging her on high level policy issues as well as on program implementation details. Those programs and projects are frequently in response to very real needs, and advanced with the critical input of practitioners. It is watching essential service leaders (directors, supervisors, and other titles) in charge of functions such as transportation. food service, technology, building and grounds... come together to develop professional programming that addresses their particular challenges.

The manifestation of professionalism is certainly not limited to what occurs at a professional conference the conference provides a venue where that professionalism becomes concentrated - but it is a constant throughout the state and throughout the year. The members of the SAANYS Board of Directors volunteer their time throughout the year to advocate not only for school administrators but also to support public education on a macrolevel. Our Government **Relations Committee** spends most of its time and effort on regulatory change designed to improve the service delivered to students. Any number of SAANYS members voluntarily participate on SED work groups in addition to their regular responsibilities,

and regional SAANYS committees throughout the state work to bring desired professional development to their areas so that they can become better school leaders. To be associated with such professionals is a source of pride.

Educators have a clear pattern of acting collaboratively and professionally. They lead by example and embrace the idea of continuous improvement. They cannot cure societal ills overnight, because they do not possess a magic wand. They can however, slowly and steadily address those ills in a positive manner, because they have the next best thing to a magic wand - they have a consistently applied culture of professionalism, and we all benefit as a result.

Planning for Implementation of NYS Next Generation **Learning Standards**

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

While the debut of Common Core Learning Standards to New York State may be compared to a blitzkrieg, the NYS Next Generation Learning Standards came into existence much like Carl Sandburg's "Fog: The fog comes on little cat feet." Out of the blitz and the learning it provided, the Board of Regents adopted the learning standards it preferred for NYS, based on a long and intense process of venting

Common Core and any other related concerns. The Board deserves credit, along with Commissioner MaryEllen Elia for listening carefully and acting responsibly.

So what's the expected plan for schools to bring the new standards into the delivery of instruction? If I read Commissioner Elia correctly, it is her intent that the next three years are crucial

Region 1

Region 2

Region 4

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Region 6

Region 7

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Region 9

for effective implementation. This makes sense in that at the end of the three-year period, these standards will be the basis for the NYS Next Generation Assessments. A great amount of work will take place as schools transition from Common Core to Next Generation Learning Standards.

Aside from the welfare of students and staff in our schools, the curriculum is the next important system of deep concern. For those of us who have labored in the garden of curriculum, this task will take at least three years to accomplish in its implementation phase, and then go on forever. Curriculum to be effective must be alive. It needs sustenance

from those who developed it to maintain its power to support student and staff growth.

In preparing for any curricular redesign or wholesale development, those responsible would do well to think system, simplicity, student focus, accommodations, material/text support, and performance. In addition, a curricular system should be defined as the integration of teaching, learning, and assessment within an integrated web. Another situation within a curriculum that must be addressed is the need to approach lesson planning from a reality perspective. I see unit planning as the way to go, as I have for many years. A general

description of units and a move to instructional delivery within an instructional framework form the basis for an aligned and articulated curriculum system.

Bruce H. Crowder is a senior researcher for Educational Vistas, Inc. He is a former NYS assistant commissioner for Ouality Assurance and the Education and Accountability Program (EAP). Dr. Crowder may be reached at bcrowder@edvistas. com. 🔳

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.



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Association of New York State

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PIDAINE

October Meeting of the Board of Regents

A Report from Cindy Gallagher, SAANYS Director of **Government Relations**

Many thanks to Chancellor Rosa and Commissioner Elia for starting the two-day October 2017 meeting of the Board of Regents by acknowledging the important work of principals across the state. The commissioner and chancellor expressed gratitude for the leadership and

dedication of all principals. The recognition by the chancellor, commissioner, and members of the Board of Regents confirm how important SAANYS members are to our teachers, students, and communities. To see their remarks please scan the QR code.



Highlights from the Meeting

Data Privacy

• SED has established a Data Privacy Workgroup that convened on October 19 for its first meeting. SED also established a position of chief privacy officer -Tope Akinyemi. As a result of Education Law 2-d, SED has issued several guidance documents regarding privacy issues and the new law. The purpose of this presentation was to provide an update on key issues.

An interesting point of information presented by Chief Privacy Officer Akinyemi was the data point that human error was a factor in 95 percent of data privacy incidences. Scan the QR code to read the Data Privacy Law.

Discussions around the table on this issue:

• Members expressed concern over the increasing number of privacy breeches that districts are faced with

continued



and the sanctions placed on responsible persons.

Members expressed concern that many breeches of privacy occur as the result of actions on the part of parents. Many parents may not be well informed on the data privacy laws and therefore breech privacy, most likely, inadvertently. As a result of this lack of awareness, SED will be providing extensive outreach in multiple languages to provide parents with information. The need for this information may be especially relevant to families or children coming to our schools due to recent natural disasters.

Charter School Report

• The Board also held a discussion regarding their specific roles and responsibilities on the approval of new and renewing charter school applications. Much of the discussion focused on ten indicators used to review whether charter schools were meeting their missions and goals. A key issue was whether these ten criteria were sufficient for the Board to make decisions.

Discussions around the table encompassed many facets of this issue:

- A key concern for members of the committee was the need to collect better cohort information. Specifically, if a charter school has a significant attrition rate, how are graduation rates determined?
- Another key discussion point was the need to collect suspension rates.
- The members expressed a need to disaggregate data on for profit and not-for-profit charter schools.

Regents Item on High School Diploma

This discussion began with a presentation by HFM BOCES on how they have revised their special education program for students with special needs.

In many respects, their program turned the traditional model upside down and inside out. Their success rates are impressive with an 88 percent graduation rate for many of their cohorts. Scan the QR code for more information.

The second segment of the discussion focused on a preliminary look at what a Regents diploma could include to support students in workplaces of the future. For an overview of current diploma options, scan the QR code.

A reflection on this topic included a discussion on the genesis of special education. When federal law constructed the current frame for special education, it was really a system overlaid on top of general education. The

continued



NOTICE: Please send copies of your unit's settlements in the event that SAANYS did not negotiate the contract. This information is important and is helpful to fellow SAANYS members.

Dutchess BOCES Administrative and Supervisory Association, Region 4

The Dutchess BOCES Administrative and Supervisory Association (Region 4) has negotiated a successor contract. The negotiation team included Mitcl Shron, association president; Jeffery Rouse, association vice president; John Jeffrey, association treasurer; Douglas Damiani, retired member; with assistance from SAANYS' negotiator John Knight, and at mediation, SAANYS Counsel Elliot Raimondo and Gerneral Counsel Arthur Scheuermann.



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 Cynthia Gallagher, SAANYS director of government relations, at CGallagher@saanys.org.

question raised was how would this system look if we redesigned it from the top to bottom?

Students Displaced by Hurricanes

This item focused on what SED is doing to support the arrival of students from areas struck by the most recent natural disasters. SED issued

guidance which can be found by scanning the QR code.



In essence, displaced students are covered under the McKinney Vento Act. which addresses and identifies students as "homeless." McKinney Vento protects unaccompanied youth, not in the physical custody of their parents. Students can enroll immediately and are provided food and services upon arrival to the district. SED staff members have been in contact with education officials in Puerto Rico to ensure that NYS is being responsive to students hit by the recent hurricane.

Establishment of a Pathway for High School Equivalence Diploma

The proposed regulations (anticipated for February implementation) would allow credit for Regents exams passed to go toward an HSE diploma, but only after the student has exited school. The intent of this proposal is to incentivize students to stay in school and to persist toward attaining a high school diploma. This proposal will come back to the Board in December for adoption. Scan the OR code to review the proposal.





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After impasse was declared, the parties met with a New York State Public Employment Relations Board (PERB) mediator on three occasions. At the third session, due to the BOCES' continued demand that the association take no pay increase and cuts to health care, the association walked out and expected to prepare for fact finding. However, the next morning the BOCES accepted the terms of the association's last and final offer which included salary increases of 2.25 (retroactive), 2.25, 2.00, and 2.00 percent. Employee health insurance premium contribution rates remained the same at 15 percent for family coverage and 10 percent for individual coverage. The fifteenyear longevity mark also increased by \$1,000.



State Aid Committee

The discussion was an initial look at what the **Regents State Aid propos**al would include. The four tenets on which the Board will build the state aid

continued on page 8

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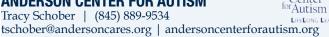
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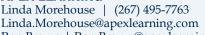
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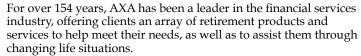
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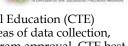
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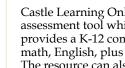
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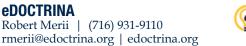
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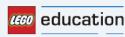
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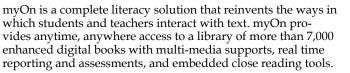
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continued on page 8

LEGAL BRIEFS

A Message from the SAANYS Legal Department



Wendy DeForge SAANYS Counsel wdeforge@saanys.org

The Role of the Unit President and the Responsibilities Regarding Disciplinary Matters continued from page 1

at 5:00 pm, the argument about reasonable notice will be weak.

Next, you will need to determine whether the employee is a civil service employee, a certificated probationary employee, or a certificated tenured employee. Each of these comes with different due process protections and procedures that must be followed according to statute. The member in question may not know what their rights are according to the statute and you may need to explain to them what their rights are. Then you will need to assist them in protecting those rights until the SAANYS legal team steps in. The SAANYS legal team is accessible seven days per week, however, sometimes there is no time to contact us prior to a situation.

If you are contacted by a member or the district/ BOCES, and notified of a mandatory meeting whereby the member may continued nom page 1

have unit representation, there are several initial steps you should take: If you have the time, you should ask the member what they think the meeting is about and gather any details they can give you surrounding the situation. Then, you should counsel them on the importance of not speaking to anyone about this matter. The importance of remaining silent is critical at this point. If you have time, you should contact someone from the SAANYS legal team immediately. If you are called to the meeting and had no prior knowledge or opportunity to meet with the member, ask that the meeting be adjourned briefly so that you may talk to the member. If you are denied the opportunity to do this, then the instruction will vary depending on their employment status, as indicated in this article. If they are in a category that must answer questions, they should keep their answers as vanilla as

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possible.

No employee is required to answer questions in a matter that involves criminal activity. In that situation the employee may plead the Fifth Amendment, and in our opinion, should. You and the member should be doing more listening and note taking during this meeting than talking. The purpose of

this tactic is to get a feel for the direction the district/ BOCES is headed with the issue(s). Will this be a counseling memo or a warning, or will they be placing the employee on leave pending charges? It is also critical to contact the SAANYS legal team as soon as is possible. At this point the legal team will be assisting you throughout the remainder of the process.

With the exception of potential criminal liability, **Civil Service employees** have no rights to refuse to answer questions. Should a Civil Service employee be brought in for a meeting with the employer and he/she refuses to answer, the result may be an insubordination charge. **Civil Service employees** fall under the protection of Article 75 of the Civil Service Law. Pursuant to this statute, employees are entitled to a hearing. An employee may be placed on leave without pay for up to thirty days. If the matter is not resolved in thirty days, then the member must either be put back to work or placed on paid administrative leave. Typically, a school district will place the employee on unpaid leave and conduct the hearing within that thirty day timeframe. While the employee is entitled to a

No employee is required to answer questions in a matter that involves criminal activity. In that situation the employee may plead the Fifth Amendment, and in our opinion, should.

> hearing, the district and/ or BOCES may choose anyone to be the hearing officer. Both sides will have the opportunity to present their case through witnesses and exhibits. Once the hearing is concluded, the opinion is only advisory and the district and/or BOCES may ignore the decision and proceed as they wish. While an employee may appeal via an action in New York State Supreme Court, they will remain unemployed during this appeal time.

Certificated probationary employees fall under the protection of section 3031 of the Education Law. Like Civil Service employees, they must answer questions, except in instances of criminal liability, or else face possible insubordination charges. Pursuant to the statute, if an employee is going to be either terminated or denied tenure during their probationary term, the district and/or BOCES must put them on notice prior. The statute provides for thirty days notice prior to the Board of Education meeting where the superintendent

will be recommending either termination or denial of tenure to the Board of Education. This is commonly referred to as a 3031 letter. The employee then has no

later than twenty one days prior to the meeting to request, in writing, the reasons for denial or termination. The district and/or BOCES then has no later than seven days after the written request is made

to provide those reasons. The employee may then represent their position to the Board of Education no later than seven days prior to the Board of Education meeting where the issue will be decided. If the Board of Education decides to terminate or deny tenure, then the employee will receive notice of the decision and will be given thirty days from the date of decision to remain on the payroll and will continue to receive benefits if applicable. It is important to note that a Board of Education cannot grant tenure if the superintendent does not make a recommendation. However they can vote to deny tenure even if the superintendent does make the recommendation. If you are contacted by a member who receives such a letter or if you are notified by the district and/or BOCES that they will be denying tenure, you may need to explain these rights to the employee. Then contact the SAANYS legal team immediately as there are very tight time limits that must be adhered to.

Tenure certificated employees are provided with due process rights under section 3020-a of the Education Law. In addition, they are provided with the right to remain silent during an interrogation. The district and/or BOCES may not use this silence against them during any future proceedings. If you are approached by a tenured employee, who has been called to the superintendent's office, and told to bring union representation, you should follow the same procedure as that of the civil service employee with one exception. Attend the meeting and listen to everything they have to say. Again, attempt to get a clear picture of what direction the district and/or BOCES will be headed with regard to the issue. However, instruct the member to decline to comment until they have spoken with counsel. Make an appointment to meet again and contact the SAANYS legal team immediately.



Below are just a few highlights of our many current and pending cases.

REGION 2

SAANYS assisted a member with a rebuttal to a counseling memorandum.

REGION 4

SAANYS settled a BOCES administrators unit's protracted contract negotiations at the third mediation session.

SAANYS prepared a grievance and improper practice related to a district that changed how members accounted for



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use of paid personal and sick leave.

SAANYS attended a BOCES investigation regarding special education summer school teacher assignments of non certificated teachers.

REGION 7

SAANYS attended a supreme court hearing regarding issuance of subpoenas for an upcoming PERB hearing.

SAANYS counseled a member regarding indication from the district that tenure will not be granted in December for performance reasons, negotiated a JUUL agreement allowing the member to remain until June 30, with a positive reference from the district.

REGION 9

SAANYS filed an MOA for member taking leave of absence to try a new position.

REGION 10

SAANYS negotiated an Agreeable Separation Agreement in lieu of a member being charged formally under 3020-a of the Education Law.

REGION 1

SAANYS represented a member on a disciplinary matter. **REGION 12**

SAANYS is working with a unit to finalize an Improper Practice Charge and certification issue.

SAANYS Professional Development Update



SAANYS professional

contact Karen Bronson at

KBronson@saanys.org.

development event,

continued from page 1

secure facilities and two nonsecure facilities, with leadership roles ranging from educational supervisors, directors, coordinators, and vocational specialists.

I must say that when Tim Bromirski, director of the Bureau of Education and Transition Services (BETS) first reached out to me about a professional series, it was difficult to envision the content that would be most meaningful to a group with such a different set of challenges and a delivery sys-

tem that would work for small clusters of leaders spread far apart all across the state. The overarching goal of the series was to meet the request of this group of educators for professional learning that worked for them.

Now, we are proud to say that the OCFS ProSeries is well on its way after a successful kick off with the entire group of thirty or so leaders in Rensselaer in late September. Although there is no question that OCFS leaders and teachers face unique challenges (here's one: "How do you motivate a student who is looking at life in prison?") there are also many questions and challenges that face the rest of us who live in more traditional educational settings: "How do we form professional learning networks so we don't feel so isolated from our colleagues?" "How can we differentiate learning for students with widely divergent skills and abilities?" "How can I be an effective and supportive coach to my teachers?"

Working from the feedback and topic interest survey from the kickoff session, Tim and I are now developing next steps that will weave into an ongoing professional series over the coming school year. In addition to face-to-face sessions, which are only possible at certain times during

the year when the group comes together in the Capital District, other hybrid options like book studies, ZOOM groups, and cluster groups in different regions of the state are all being explored. I feel very fortunate to be working with such a dedicated and highly skilled group of school leaders who face challenges every day that many of us can find hard to imagine.



Office of Children and Family Services (OCFS) Leaders meet in Rensselaer Sept 27 to kick off SAANYS OCFS PRO SERIES for professional learning aligned with the unique needs and challenges they face.

In other PD news:

- Professional Growth Circles (Mentoring Groups for School Leaders) can form at any time! We have trained members around the state. Contact me for info!
- If you are a Classified or Essential Service Leader, there is still time to get in on the Lunch and Learn Webinar Series hosted by Jeff Olefson through May.
- Downstate leaders might want to attend the SAANYS/ LegalOneNY workshop entitled "Addressing Transgender Student Rights" to be held in Plainview on November 17.
- Check out Cultivating Excellence and Equity: A Diversity Symposium of Thought Leaders to be held in Saratoga Springs on December 7/8.
- Stay posted for details on an event to be held in the Rochester area in March: Approaches to Growing Student Mental Health Needs.

As always, stay tuned and check saanys.org for details!

Search Your Site the year at saanys.org/events.

Find regional events throughout





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National Native American Heritage Month

Nov 11 Veterans Day

Nov 12 Elizabeth Cady Stanton's Birthday

Nov 13-17 American Education Week

Nov 15 Education Support Professionals Day

Nov 16 National Parental Involvement Day

Nov 17 Substitute Educators Day

Nov 19-25 National Family Week

Nov 19 Gettysburg Address Anniversary

Nov 23 Thanksgiving Day

Nov 30 Mark Twain's Birthday



Dec 1 Beginning of the Montgomery Bus Boycott Dec 1 World AIDS Day Dec 7 Pearl Harbor Day Dec 10 Emily Dickinson's Birthday Dec 10 Human Rights

Day

Dec 12-20 Hanukkab

Dec 15 Bill of Rights Day

Dec 16 Boston Tea Party Anniversary

Dec 17 Anniversary of Wright Brothers' Flight

Dec 21 First Day of Winter

Dec 25 Christmas

Dec 25 Clara Barton's Birthday

Dec 26-Jan 1 Kwanzaa **Dec 29** Wounded Knee

Classified and Essential Service Leaders The PD You've Been Asking For

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Annual Conference Exhibitors

continued from page 6

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Introduction to Student Extraclassroom Activity Funds

October Meeting of the Board of Regents continued from page 3

This presentation provided an overview on what the Next

Generation Assessment may look like now that the new

from the discussion included the importance of teacher

involvement in test question development and the com-

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ELA and math standards have been approved. Points

plexity of the work. The discussion focused

on an overview of how tests are construct-

ed and the process that SED will employ.

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requests are: Equity, Early Education, ESSA, and Efficiency. The initial proposal may be an ask of approximately \$2 billion additional aid for schools. Further information on this item can be found by scanning the QR code.

Standards and Curriculum Workgroup



A message from a SAANYS corporate sponsor RENAISSANCE

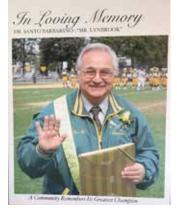
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Dr. Santo Barbarino Posthumously Inducted into County Athletics Hall of Fame



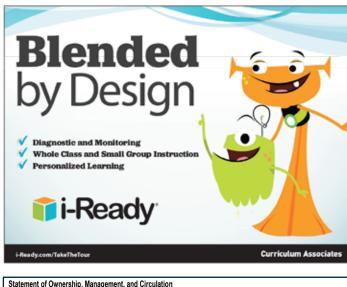
To go along with his legacy of being "Mr. Lynbrook," there is now a new way to describe the late Dr. Santo Barbarino — hall of famer.



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For Extraclassroom Activity Fund Central Treasurers, Faculty Advisors, and school administrators Half-day - 8:45 AM to 12:00 Noon Wednesday, November 29, 2017 Melville (Long Island), NY

Advanced Issues for Student Extraclassroom Activity Funds

Half-day - 12:30 PM to 3:30 PM Wednesday, November 29, 2017 Melville (Long Island), NY

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Barbarino, who once served as the athletic director, principal, and superintendent for Lynbrook CSD, was posthumously inducted into the Nassau County HS Athletics Hall of Fame in a special ceremony on September 27 at the Crest Hollow Country Club in Woodbury.

Barbarino, a longtime SAANYS member, became the superintendent for Lynbrook in 2008 and held the position until his sudden death in 2012 at age 67. ■