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...

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

Governor Issues Proclamation Declaring October as Principals Month in New York

View the full proclamation at saanys.org.

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 Elmira 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 Cooperstown 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.

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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 Brink 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 face them. 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 condition 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 macro-level. 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.

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

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 blitkrieg, 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? I’ll read Commissioner Elia correctly, it is her intent that the next three years are crucial 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 curriculum 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 task 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 accomplished curriculum system.

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

* A copy of each issue of News & Notes is affiliated with NASSP and NAESP. NYS Next Generation Planning for Implementation NYS Next Generation Learning Standards
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. 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.

Contract Settlements

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 Mitchell Shron, association president; Jeffery Rouse, association vice president; John Jeffrey, association treasurer; Douglas Damiani, retired member; with assistance from SAANYS’ negotiator John Knight, and General Counsel Arthur Scheuermann.

After impasse was declared, the parties met with a 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 BOES accepted the terms of the association’s last and final offer which included salary increases of 2.25 percent (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 fifteen-year longevity mark also increased by $1,000.

For more information regarding the SAANYS legislative agenda, the New York State Board of Regents, the Educational Conference Board, or other government relations, contact Cynthia Gallagher, SAANYS director of government relations, at CGallagher@saanys.org.
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The Role of the Unit President and the Responsibilities Regarding Disciplinary Matters

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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 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 anything 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 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 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 not speaking 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 investigation. 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 have the opportunity to answer, the result may be an insubordination charge. Civil Service employees fall under the protection of Section 135 of the Civil Service Law. Pursuant to this statute, Civil Service employees may answer questions, except in instances of criminal liability, or else face possible insubordination charges. Pursuant to the statute, an employee is given the right 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 made to provide those reasons. The employee may then request the assistance of 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, the employee will receive notice of the decision and will be given thirty days from the date of decision to request to the payroll and will continue to receive benefits if applicable. It is important to note that a Board of Education cannot grant tenure to the superintendent without making a recommendation. However they can vote to deny tenure even if the superintendent does not make the recommendation. If you are contacted by a member who receives a letter or if you are notified by the district and/or BOCES that they will be denying tenure, you may explain these rights to the employee. Then contact the SAANYS legal team immediately as they 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 privilege against them during any future proceedings. If you are approached by a tenured employee, who has been called to the superintendents 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. If the employee attempts to get a clear picture of where the situation 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 their counsel. Make an appointment to meet again and contact the SAANYS legal team immediately.

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.
secure facilities and two non-secure 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 system that would work for small clusters of leaders spread far apart 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.

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 Oleson 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: Approaching to Growing Student Mental Health Needs.

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

Learning from and sharing with one another is the best possible way to grow professionally.

SAANYS is fortunate to have a wide range of practitioners with proven expertise and experience to support your professional development needs. Let SAANYS help you plan everything from an administrative team meeting during the school day, to an after-school or full-day workshop, to an administrative retreat or superintendent’s conference day for you or your teachers. These are all options that can take shape with SAANYS PD Your Way.

Visit https://saanys.org/professional-learning/ pd-on-demand/ for more information.

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| Creating a Positive Image of your Department or District | February 9, 2018  
| Running More Effective Meetings | March 9, 2018  
| Technology Tips for the Essential Service Leader | April 10, 2018  
| Time Management and Effective Delegation Strategies | May 8, 2018 |

These programs are for you, designed to give you practical strategies to deal with the unique challenges and situations you face every day in your roles as directors, supervisors, managers, and other management positions.

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

SAANYS Professional Development Update
continued from page 1

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.
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Workshops of interest to school administrators

Two Fiscal Focus Workshops

For school administrators seeking to understand district level fiscal administration and strategies

Full day - 9:00 AM to 2:00 PM - Three locations

Tuesdays - Nov 14 and Dec 5, 2017
Fees: $100 per person; $75 per person for SAANYS members

Wednesdays - Nov 15 and Dec 6, 2017
O-C-M BOCES, Syracuse, NY

Thursdays - Nov 16 and Dec 7, 2017
Capital Region BOCES – Latham (Albany area), NY

Introduction to Student Extracurricular Activity Funds

For Extracurricular 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 Extracurricular Activity Funds

Half-day - 12:30 PM to 3:30 PM

Wednesday, November 29, 2017
Melville (Long Island), NY

The Transition to Superintendency Program

4 full days — One location — Summer 2018
July 18 & 19 and August 8 & 9, 2018
Syracuse, New York

Detailed information and on-line registration at
www.SuperintendentOfSchools.com
716-672-5473
jessiesinc@comcast.net

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