SAANYS Helps Shape Professional Learning in NYS

What is high quality professional learning? Defining a reimagined framework of what professional learning should look like in schools is the task of the NYS Professional Learning Team (PLT), a select group of educators handpicked by the New York State Education Department. Representing SAANYS members on this team is SAANYS Director of Professional Development Karen Bronson, an experienced teacher, principal, and mentor and Dr. Regina Huffman, incoming SAANYS president and chairperson of science in the Sewanhaka School District.

A goal of the PLT focuses on providing resources and tools for school leaders as they go about developing quality professional learning opportunities for their school communities, particularly given the advent of the Next Generation Learning Standards (NGLS) in ELA and math. To that end, a subcommittee on Equitable Access was developed and SAANYS took the lead on the important project of creating an easy to digest resource. The difficulties in linking needed community services to students and their families were highlighted. A decreasing number of programs and structural deficits in the delivery systems contribute to this complex web of problems. Of particular concern was the difficulty in maintaining communication with providers over time. As most mental health interventions span a number of years, the types of system linkages that are needed to support consistent communication and services have not yet been developed.

Other discussions on restorative justice, school safety officers, social media, community circles, repurposing school building space for community-based services,essa, appr, and net neutrality were all part of the morning discussions.

Congressman Tonko Meets with School Leaders

Congressman Paul Tonko met with principals and other administrators on August 3 at SAANYS headquarters to discuss the educational issues and challenges they face on a daily basis.

Much of the discussion focused on the many facets of the increasing mental health needs of students and the corresponding challenges faced by schools. The difficulties in linking needed community services to students and their families were highlighted. A decreasing number of programs and structural deficits in the delivery systems contribute to this complex web of problems. Of particular concern was the difficulty in maintaining communication with providers over time. As most mental health interventions span a number of years, the types of system linkages that are needed to support consistent communication and services have not yet been developed.

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Congressman Tonko discussed legislation that he has co-sponsored that is intended to support the challenges discussed. The Mental Health in Schools Act of 2017 (HR 2913) and HR 5899 would support projects relating to school-based comprehensive mental health programs. School districts in his district are fortunate to have a strong legislative leader who remains committed to mental health and education. SAANYS looks forward to our continued work with Congressman Tonko.
Welcome Back. I know that most of you didn’t actually go away, except for perhaps a week or two vacation, but the return of students and staff creates the feeling of a fresh start. It has been just over six months since the school shootings in Florida, and its profile in public discourse has begun to fade. In my opinion there has been a lack of a meaningful response, which is truly disappointing. There has been some money allocated for improved school safety, but in the larger scheme of things it does not amount to much, and it does not make any change to the basic construction of our current gun laws. Instead, our secret- tary of education is consider- ing a ban on access to Student Support and Academic Enrichment grant money to train and arm school personnel.

Both Chancellors Rosa and Commissioner Elia have (appropriately in my opin- ion) spoken out against this idea. Nevertheless, I expect the United States will continue to lead the world in gun violence by a large margin.

In June the United States Supreme Court (USSC), by a 5-4 vote, overturned 40 years of settled law and ruled agency fees unconstitutional. The USSC overturned a 1977 Supreme Court case that was decided with a 9-0 vote, and now allows “fee-receivers.” The plaintiff in the June case, Mark Janus, had his legal fees paid by conservative anti-union organizations. Starting the very day in the decision in favor of Janus, teachers across the country, including in New York, started to receive emails from the Michigan based Mackinac Center “educating” them on how to opt out of their unions. The Mackinac Center is funded in part by the DeVos Foundation. I often wonder why many of those who have learned the academics. There is no way that education can long learning.

The statements and expressions herein do not necessarily imply or reflect the opinion of the School Administrators Association of New York State.
Government Relations Wrap-Up

continued from page 1

position, a reduced probationary period of three years, in- stead of the currently mandated four years. The proposed bill is specific to administrators who have been granted tenure in a previous school district, the current school district of employment, or a Board of Cooperative Educa- tional Services. The shortened probationary period is not allowable for a person who has not been granted tenure previously. Currently, a shortened probationary period is allowable for teachers under similar situations. The proposed revision to the statute would provide equitable processes to school administrators. This bill passed both houses and is awaiting transmission to the governor's office.

S. 8301/A. 10475

The proposed bill delinks the use of state assessments as part of the APPR teacher and principal evaluation process. Rather, the proposed bill would permit districts to select assessments through collective bargaining. The proposed revisions are a first step to providing school districts with greater flexibility for developing fair and balanced teacher and principal evaluations. This bill was passed by the assembly and referred to the senate, which did not take action on this bill.

S. 6534/A. 7966-C

This legislation would reimburse school districts for the supplemental tuition of students in charter schools in the current year, rather than in the following school year. This provision would apply to school districts outside of New York City. Current practice requires that school districts make advance payments on behalf of the state and wait a certain period for reimbursement. The existing payment schedule is difficult for districts with finite and limited resources. This bill passed both houses and is awaiting transmission to the governor’s office.

Legislation SAANYS Opposed

S. 6141-D/A. 8123-B

The proposed bill would establish a streamlined form that parents/guardians would sign and submit to the school district indicating their desire to exempt their child from required immunizations. The new form would only require that parents/guardians provide their signature indicating that their genuine and serious religious beliefs are con- trary to the immunization requirements under Section 2164 of Public School Health Law. Currently, parents must stipulate in writing the religious beliefs that support such an exemption request. In instances where parents/guard- ians request an exemption from required immunizations, the local school district is charged with the responsibility for granting or denying such requests. SAANYS opposes this bill as it would establish a process for exemption without providing the local school district with information on which to make an informed decision regarding exemption.

Legislation SAANYS is Tracking

Although school safety issues were often discussed, comprehensive legislation was not passed. Some issues related to traffic safety were passed in both houses and are awaiting transmission to the governor’s office (S. 1064-A/A. 7719-A and S. 6212-A/A. 7417-A). These bills would increase penalties for passing a school bus.

S. 3203/A. 2112A

This bill would increase salaries for BOCES district super- intendents. SAANYS, as part of the Educational Confer- ence Board (ECB), supported this bill. The bill stipulates that the total salary amount paid to district superinten- dents for the 2018-2019 school year and thereafter, may not exceed the lesser of 6 percent over the salary cap of the preceding school year, or 98 percent of the commis- sioner’s salary earned in the 2018-2019 school year. This bill has passed both houses and awaits transmission to the governor’s office.

S. 7760/A. 9825

This proposed bill would allow BOCES capital projects to be excluded from component school districts’ tax cap calculations if approved by the votes of the component school districts. Many school districts rely on programs offered at BOCES and this bill may provide increased op- portunities to upgrade and expand BOCES facilities.

S. 7007/A. 1625B

The proposed bill would provide conversion aid over a five-year period for districts with half-day kindergarten programs that wish to move to full-day kindergarten. This bill is consistent with SAANYS’ position to support programs that wish to move to full-day kindergarten. This bill passed both houses and is awaiting transmission to the governor’s office.

S. 2586/A. 2984

This bill would require that school bus drivers be subject to random testing for drug and alcohol use by ex- panding the definition of motor carriers to include all drivers of school bus- es. The bill was passed by both houses of the legisla- ture and is awaiting trans- mission to the governor.

S. 3576-C/A. 3327-C

This bill would increase from $30,000 to $85,000 the allowable salary that a public sector retiree (under age 65) could earn in public employment with- out a decrease in benefits. This bill has only passed in the senate if such student has been awarded a skills and achievement commencement credential or a career development and occupational studies commencement credential, but has not accumulated the twelfth grade class credits needed to graduate with whom the student entered into ninth grade. The law is in effect now.

A Look Ahead

If the summer months are an indicator of things to come, it would indicate that the implementation of ESSA will play a prominent role at SED and in dis- tricts. In July, SAANYS at- tended a two-day training on ESSA for administra- tors on Long Island. It was an intensive two-day train- ing on calculations used to determine accountability status. Districts will have quite a learning curve on the seven measures used to identify student/school/ district performance. An integral part of some of the measures is the 95 percent participation rate on assessments and the

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 direc- tor of government relations, at cgallagher@saanys.org.
We hope you enjoy these pictures from SAANYS Summer Camps that were held in three locations – Capital Region, Long Island, and Rochester – during July and August at Capital Region, Nassau County, and Monroe II BOCES respectively.

Over 240 school leaders from around the state delved into learning related to student mental health, culturally responsive schools, and technology integration. Our lead presenters included:

- Dr. John Kelly, President of the National Association of School Psychologists
- David Rossetti, Chief Officer of Behavioral Health Services, Northern Rivers Family of Services
- Rebecca Carman, Director of Policy and Community Development, Sherburne-Earlville CSD
- Dr. Kristen Wilcox, Nancy Andress and Rebecca Shea of NY Kids
- Dr. Joseph Fantigrossi, PreK-12 Intervention Coordinator for Lyons CSD
- Jay Roscup, Grants Administrator for Wayne County Schools Consortium
- Leah McConaughey and Paul Vassak of Apple
- Karen Bronson, SAANYS Director of Professional Development, facilitated the workshops and engaged the attendees in discussion around TedTalks related to the days’ topics.

Thank you to all of our BOCES hosts and others who made our 2018 SAANYS Summer Camp a success, and a special thank you to the practitioners who shared their expertise and experience to bring the learning to life:

- Dr. Vincent Romano and the Malverne team, Jennifer Politano of Guilderton, and Jaime Maistros of Sherburne Earlville
- Student Mental Health Panelists Kris Jensen, Anders Rasmussen, and Cathy Roy (Ballston Spa); Peggy O’Shea and Clifford Bird (Cohoes); and Cathleen Drago (Sherburne-Earlville)

Scan the QR code to view a slideshow for even more scenes from the 2018 Summer Camps.
SAANYS ANNUAL Conference and LEADING & LEARNING
OCT 14-15 2018 Crowne Plaza Lake Placid

With Special Guest:

MARYELLEN ELIA
MaryEllen Elia
Commissioner
New York State Education Department

LUVELLE BROWN
Ithaca City Schools Superintendent

LAKE PLACID
Meet us in

Schedule
AT A GLANCE
Sunday, October 14
9:00 am - 5:00 pm Registration
10:30 am - 11:30 am Legislative Update
11:45 am - 12:45 pm Vendor Luncheon
1:00 pm - 1:30 pm Overview/Welcome
1:30 pm - 2:15 pm NYSED session on New ELA and Math Learning Standards or Leading Innovation with Apple
2:15 pm - 3:00 pm Commissioner MaryEllen Elia
3:00 pm - 4:15 pm Coffee Break
4:30 pm - 5:45 pm George Couros
5:45 pm - 6:30 pm Presidential Induction
6:30 pm - 7:30 pm Reception with Exhibitors
7:30 pm - 9:00 pm Presidential Dinner

Monday, October 15
7:00 am - 8:05 am Breakfast
8:05 am - 9:15 am Workshop Session 1
9:15 am - 9:30 am Coffee Break
9:30 am - 10:45 am Workshop Session 2
10:45 am - 12:15 pm Workshop Session 3
12:15 pm Pick up Box Lunch (to bring to session 4)
12:30 pm - 1:30 pm Workshop Session 4

Practitioner Workshops
SESSION 1 – 8:00 AM-9:15 AM | SESSION 2 – 9:30 AM-10:45 AM | SESSION 3 – 11:00 AM-12:15 PM

- Leading Innovation
- Successful Inclusive Schools
- Empower Student Voices
- STEAM
- Mindfulness
- Trauma Informed Schools
- Essential and Civil Service Employees
- Discipline
- Stronger Instructional Leaders
- Collaborative Culture
- Respectful Student Activism
- RTI for Behavior
- Instructional Coaching
- Transforming Schools
- TA and Teacher Collaboration
- Social and Professional Capital
- Learning Spaces
- Innovation and Student Achievement
- Schools to Watch
- Hidden Bias
- Growth Mindset

Register now
For workshop descriptions and additional conference details, visit www.saanys.org.

Workshops subject to change.
Legal Responsibilities of Administrators as Mandated Reporters

Part I: How and When to Make the Hotline Call

Unfortunately in today’s society, administrators find themselves in the awkward position of having to make hotline reports to Child Protective Services (CPS) more often than ever before. As mandated reporters under Article 6 Section 413 of the Social Services Law of New York State, it is your legal duty to make these hotline reports. Failure to do so can expose you not only to discipline by your employing district, but also personal liability for failing to do so. As such, knowing when to make the calls and how to make the calls are critical.

Pursuant to Social Services Law Section 420(2), a mandated reporter may be held liable criminally and officially for failure to report suspected child abuse or maltreatment if he or she fails to report suspected child abuse. Pursuant to the statute, anyone who willfully fails to make a report of suspected child abuse or maltreatment shall be guilty of a Class A misdemeanor. The statute goes further to indicate that anyone who willfully and knowingly fails to report suspected child abuse or maltreatment can be held civilly liable by the victim and/or his or her guardians for the damages caused by the failure to report. The courts in New York State have held school officials liable for this in specific situations. For example in the case of Kimberly v. Bradford, 226 AD2d 85 (4th Dept. 1996), the court held a teacher responsible for failing to report the suspect- ed sexual abuse of a child by her uncle while she was on summer vacation with him in another state. The court concluded that a mandated reporter is obligated to report suspected cases of child sexual abuse based upon facts and circumstances within the knowledge of the reporter at the time the abuse is suspected and may be held liable for a breach of that duty, even though it might ultimately be determined that the abuse was not committed or allowed to have been committed by a “person legally responsible” for the child.

Section 413 of the Social Services Law requires that any part-time or full-time employee of a public school district report or cause to report to be made when: (1) they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child; (2) they have rea- sonable cause to suspect that a child is abused or maltreated while the parent, guardian, custodian, or any other person legally responsible for such child comes before them and states from personal knowl- edge facts, conditions or circumstances which, if correct, would render the child an abused or mal- treated child; or (3) they have reasonable cause to suspect that a child is less than eighteen years of age whose parent or other person legally responsible for him in his commits, or allows to be committed, a sex offense against such child, as defined by the ge- neral law. Subdivision (g) of that section provides that a “person legally responsi- ble” includes the child’s custodian, guardian, [or] any other person responsi- ble for the child’s care at the time; or a custodian may include any person continually or at regular intervals found in a hotline call, so long as the report is made in good faith, without malice, and with a reasonable basis.

There are many situations where a hotline call to CPS is warranted. Some examples include if the child is excessively absent and the parents/caregiv- ers are not responding to communications from the school; the child comes to school on a regular and continuous basis dirty and hungry, the child comes to school on a continu- ous basis with bruises or in obvious pain and is withdrawn; or if a child confides to an employee of the district that they are afraid to go home and discloses on more than one occasion. Once a hotline call is received, CPS has 24 hours to lay eyes on the child and then an investigation will be conducted.

This is a very important judgment call that will need to be made very quickly but must have a reasonable basis. If a child comes to your office and you see something concerning, don’t be too quick to make the hotline call. Remember, you must have a reasonable basis for calling the hotline. The courts in New York have held school districts liable for hotlines that were made without any attempt to de- termine the facts and circumstanc- es surrounding the situation. In Riccio v. S. Paules United Methodist Nursery School, New York Law Journal, July 21, 1995 p. 32 col.2, a nursery school teacher noticed a child with a black eye and im- mediately made a hotline call to the State Central Registry in an adjacent town. That district was not allowed to avail itself of the immunity provided in Section 413, as no attempt was made to find out how the child got the black eye. In discus- sing the immunity provided the defendants pursuant to Section 419, the judge acknowledged that for the purposes of any felony, personal or civil proceeding, the good faith of any person or official conclusion was acting in the discharge or their duties and within the scope of their employment, and that such liability did not result from the will- ful misconduct or gross negligence of such person. The court then went on to write that it is at least arguable that the failure to conduct a preliminary inquiry or investigation prior to the rendering of a report may support a find- ing of gross negligence.

So what would constitute a preliminary investi- gation into a matter? The very first thing that should be done is a call to the teacher, guidance counselor, school social worker, and the school nurse. Schedule a meeting post haste with everyone. Ask questions such as who has the child come to school bruised or complained of feeling ill before? If so, how often and were there any documentation in the nurse’s office to back this up? Document every- thing you do, and then make the deter- mination whether a call needs to be made. Whatever you do, do not take photos of the child or question the child extensively regarding the matter. And most importantly do not make a physical examination of the child. These actions are anonymous so the parents or caregiver will not be made aware of who made the call.

Moriah Central Administrators Association, Region 7
Carrie Langeye, association president, led negotiations, accompanied by Valerie Stahl and Alison Burch. Kevin Mulligan, SAANYS labor relations specialist, assisted the Moriah Central Administrator in procuring a three-year contract from July 1, 2018 through June 30, 2021. The new contract included the following:

• Increased personal leave days from three days to four days. Three of those days can be used for the abuse conjugation with vacation and/or holiday, with superintendent approval.
• Unit member’s contribution to health insurance will remain at 12 percent for 2018-19, with an additional 2 percent in 2019-2020, for a total contribution of 14 percent.
• Compensation for unused sick leave increases from $95 per day to $110 per day in 2019-2020.
• Salary increases of 3.5 percent for 2018-19, 3.5 percent for 2019-20, and 3.75 percent for 2020-21.
• Secondary principal received a one-time salary correction of $3,500 to her base salary prior to 2018-19 salary increase.

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.

Monroe 2-Orleans BOCES Administrative Supervisory Association, Region 11
With the assistance of SAANYS negotiator Michael Robinson, the Monroe 2-Orleans BOCES Administrativa Supervisory Association successfully completed a successful collective bargaining agreement for the period July 1, 2018 through June 30, 2022 (four years). The ratified agreement contained the following modifications of terms and conditions:

Four-year duration: July 1, 2018 through June 30, 2022
• Three percent general salary increase for returning unit members each of the four years.
• Right to carry over into the next school year fifteen unused vacation days from the previous school year.
• Option to cash in at the unit member’s per diem salary rate two unused vacation days.
• Cash in at retirement of unused sick days at $100 per day.
• Joint subcommittee to design evaluation plan for non-principal unit members.
• Increase in unit member contribution to the healthcare plan.

Contract Settlements

•  Joint subcommittee to design evaluation plan for

Four-year duration: July 1, 2018 through June 30, 2022

• Salary increases of 3.5 percent for 2018-19, 3.5

• Compensation for unused sick leave increases

• Unit member’s contribution to health insurance

• Three percent general salary increase for returning

• Right to carry over into the next school year fifteen

• Option to cash in at the unit member’s per diem

• Cash in at retirement of unused sick days at $100

• Joint subcommittee to design evaluation plan for non-principal unit members.

• Increase in unit member contribution to the healthcare plan.

continued on page 8
number of continuously enrolled students. These factors are critical for the computation of measures of student achievement. Additionally, SAANYS provided comments to the New York State Education Department on regulations for implementing ESSA. Our major areas of concern pertain to the definitions of chronic absenteeism and continuous enrollment, the use of participatory budgeting, and required principal support reports for schools identified as Comprehensive Support and Improvement schools. It is anticipated that the Board of Regents will act on the regulations in the fall.

Over the summer, many business officials have been dealing with the new building level reporting forms. Chapter 59 of the Laws of 2018 requires that 76 districts complete the New York State School Funding Transparency Form for the 2018-19 school year. The report delineates projected funding by each funding source for each building. The process has been challenging and very time consuming. This reporting is in addition to the ESSA required building level report of actual expenses by funding source due at the end of the school year.

In addition to ESSA, we expect that APPR will begin to re-emerge this fall. According to the commissioner, SED initiatives intersect on this issue.

Another area that will be interesting to follow is the Board of Regents work on defining civic readiness. College, Career, and Civic readiness was included as an accountability performance indicator for high schools. The challenge for the Board will be to define what will be included in the definition of civic readiness and how to measure such readiness. Preliminary discussions at Board of Regents meetings have included thinking on issues such as community involvement, diversity and integration, voting, democracy, and global citizenry. Each of these concepts is very difficult to measure, so the members have explored alternative possibilities such as portfolios or culminating projects.

Whatever the fall brings, it is our goal to examine every issue and advocate for policies and actions to support our members. Your opinions and thoughts are critical. I would welcome emails or calls on any issue, requests for more information, or questions on things you have read or heard about. More information is always a good thing in government relations work, your input matters. Please feel free to contact me at (318) 782-0600 or cgallagher@saanys.org.

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With significant investments in professional development, we will continue to support educators in their efforts to help our students achieve.

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It is always a good idea to notify the superintendent of the need to make the call and the totality of the circumstances of why the call was made. When an angry parent calls the district because they have been paid a visit by CPS, the superintendent will already know the circumstances. Even though your call will be anonymous, parents or may have suspicions as to who made the call. This will be especially obvious if you are making a call due to excessive absences from school.

The appropriate way to make a hotline call is as important as knowing when to make it such a call. All hotline reports must be made to the State Central Registry in Albany. The telephone number is 1-800-342-3720. Do call your local department of social services. All calls must go through the main office in Albany. There may be times that the registry decides the information provided by you does not warrant an investigation. As long as you have made the call and you document this, you cannot be held liable should the matter develop in the future. Always document who you spoke with and the time and date you spoke with them. And always inform the superintendent or their designee of any and all hotline calls made.

The SAANYS Legal Department understands the difficulties of determining if a reasonable basis exists for making reports. The SAANYS Legal Department understands the difficulty of determining if a reasonable basis exists for making reports. Was selected by BOCES as an approved vendor to provide its service to public school districts across New York State. The company’s mobile application is free for students, but approval by the OCM BOCES allows districts to purchase a subscription as a shared service through their BOCES Regional Information Center and to be reimbursed through state aid for using the community engagement software. Learn more at passportforGood.com.

In April 2018, New York State passed school breakfast legislation requiring schools with 70 percent or more of students eligible for free or reduced-price meals to implement Breakfast After the Bell. Hunger Solutions New York is a statewide nonprofit organization dedicated to alleviating hunger. We work alongside other advocates to provide support, technical assistance, and resources to help facilitate the implementation of successful Breakfast After the Bell programs. We can provide one-on-one assistance at no cost to your school district to help implement best practices for increasing breakfast participation. Learn more at www.schoolmealsinny.org.

SED has announced new guidance and resources to implement Social Emotional Learning (SEL) benchmarks, policies and programs. The resources outline benchmarks and frameworks for educators to implement Social Emotional Learning practices in their schools and classrooms. Now available on NYSED’s website are the New York State Social Emotional Learning Benchmarks (https://bit.ly/2M0Xqgy) for voluntary implementation and Social Emotional Learning: Essential for Learning, Essential for Life (https://bit.ly/2BSW4K2), a framework explaining SEL concepts, and the need for and benefit of SEL in NY.

"And of course, the school district to help implement best practices for increasing breakfast participation. Learn more at www.schoolmealsinny.org."

New Social Emotional Learning Guidance & Resources Available for Schools

"And of course, the school district to help implement best practices for increasing breakfast participation. Learn more at www.schoolmealsinny.org."