

# News & Notes

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DR. SHAROKY HOLLIE  
ON CULTURAL RESPONSIVENESS  
IN OUR SCHOOLS

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## SAANYS Testifies at the 2019 Joint Budget Hearing on Elementary and Secondary Education

After the governor releases his annual budget, the assembly and senate hold joint hearings to provide the public with an opportunity to respond to his proposal. On February 6, 2019, a hearing on the elementary and secondary education portion of the executive budget was held. After approximately 12 hours, the hearing was adjourned, having heard testimony from over 30 organizations and associations, including SAANYS.



The link to the portion of the hearing specific to SAANYS, may be found using the QR code above at section 10:04:16. The following provides a summary of key facets of the day and questions posed by members of the legislature.

### State Aid

By the conclusion of the hearing, it was evident that the major stakeholders providing testimony considered the funding levels proposed in the executive budget to be woefully inadequate. It would also be fair to indicate that many members of the legislature that attended the hearing also believed that funding levels needed to be increased from those included in the governor's fiscal plan.

Several questions directed to the commissioner asked her to explain how the Board of Regents derived a Foundation Aid request of \$1.66 billion as opposed to the governor's proposal of a Foundation Aid increase of only \$338 million. The commissioner indicated that the board's request includes \$1.3 billion of the \$4 billion still owed to districts due to the freeze in Foundation Aid levels. The commissioner also referenced other needs over the course of her testimony that included increased funding to support ELL students, technical assistance centers to support schools in the provision of programs to support improved school climates, and establishing restorative practices and trauma informed schools.

*continued on page 3*

## ESSA and Grad Pathways Focus of Regents Meeting

The scheduled two-day meeting of the Board of Regents became a one-day event due to inclement weather. Two topics became the main focus of the Regents meeting: identification of schools under ESSA and June graduation rates.

### Newly Identified Schools Under ESSA

At last month's meeting, the board began to discuss the process for identifying Targeted Support and Improvement schools (TSI) and Comprehensive Support and Improvement schools (CSI). The board wanted to better understand how schools and districts came to be on the list so as to respond to their constituent districts. The board came back to the issue of identification as a TSI and CSI again at this meeting. The discussion took a deeper dive into the performance indicators and corresponding formulas that lead to a school ranking and ultimately an overall level of performance.

For this first year of identification, of the 4,725 total schools in New York, the number of schools in each accountability status are:

- 106 Target Districts
- 245 Comprehensive Support & Improvement Schools
- 125 Targeted Support & Improvement Schools

As a reminder, 5 percent of all schools must be identified as a CSI per ESSA requirements. A school is identified as a Comprehensive Support and Improvement school if several of its performance indicators are at level one (composite performance, student growth, graduation rate, combined performance and growth/graduation rate, ELL, progress, and chronic absenteeism) or it has a graduation rate of less than 67 percent.

A school is identified as TSI if one or more of its subgroups of students (Hispanic or Latino, multiracial, American Native/Alaskan Native, Asian or Native Hawaiian, ELL, Economically Disadvantaged, Black or African American, White or SWD), perform at level one on multiple performance indicators. If a school is in good standing it must have two years of low performance in order to be identified as TSI.



### Discussion Around the Table

Several questions from board members focused on the actual way calculations work for the identification of TSI and CSI. The commissioner explained that under NCLB, only ELA and math were used as the basis for identification of low performance. In the drafting of NYS's plan under ESSA, members of the Board of Regents frequently discussed how some students and subgroups of students were being missed and therefore not receiving needed services and programs. This led to the inclusion of multiple measures of student performance as part of the NYS ESSA plan. Access to programs and services goes to the heart of equity and therefore, tracking the progress of subgroups is important. The category of TSI schools was added to the NYS ESSA plan to place greater focus on subgroup performance.

*continued on page 3*



### Red Flag Bill is Law

Governor Cuomo has signed the "Extreme Risk Protection Order" (Red Flag Bill) legislation into law. This bill provides a process that permits school administrators (or other chief administrative officers) or their designee to petition the court for the issuance of an extreme risk protection order. The court may then issue an order that would prohibit the respondent from purchasing, possessing, or attempting to purchase a firearm, rifle, or shotgun. The law further stipulates additional processes that are summarized in the bill analysis, which can be found at SAANYS.org

### Bus Driver Shortage



More than eight in 10 school transportation directors in New York consider driver shortage either their "number one" problem/concern (60 percent) or a "major" problem/concern (23 percent), according to a report by the New York State School Boards Association (NYSSBA), New York Association for Pupil Transportation (NYAPT) and National Association for Pupil Transportation (NAPT).

The report found that three-quarters (74 percent) of New York's school transportation directors had unfilled school bus driver positions at some point during the 2017-18 school year. More than one-quarter of school districts (27 percent) had as many as 11 to 20 percent of unfilled school bus driver positions at some point during the school year.

The report highlights a number of other actions that can be taken at the local level to improve school bus driver recruitment and retention, such as providing free training, defraying

*continued on page 3*



## Executive Viewpoint

Kevin S. Casey, Executive Director

### The Real World

This past November, when the democrats won control of the state senate, while maintaining control of the assembly and the executive branch, many thought that one party control would result in increased legislative efficiencies.

Assuming increased efficiencies in the legislative process is not the same as agreeing with the results of that process. For example, the Child Victims Act, which reopens the statute of limitations to assert a claim of sexual abuse that may have occurred many years ago, rapidly became law after foundering in the republican controlled state senate for over a decade. Simi-

larly, additional gun laws (six in total, including the "Red Flag Bill") recently passed the democratic legislature with relative ease. Whether you agree with the policies of those laws or not, the process was fast and the results certain.

This team effort approach has not extended to the budget process. There are multiple considerations in play. I have written many times of how the governor lowballs the budget, the senate (in the recent past largely republican controlled) one-house bill calls for more spending, and the assembly calls for more yet, and then the negotiations begin.

The dynamics feel dif-

ferent this year. It feels as if the senate and the assembly might be more inclined to challenge the governor. Progressive democrats want to spend more in Foundation Aid, but the governor considers that a relic of the past. There is also tension as a result of opposition by certain senators to the proposed Amazon development in Queens, and Amazon's decision to walk away from that development. Both New York City Mayor de Blasio and Governor Cuomo were the primary supporters of the New York City bid to land Amazon (and agreements between those two are rare), and after succeeding, their efforts were scuttled mostly as a result of the opposition of a few democratic senators. The resulting tensions are palpable.

Also in the mix are the competing income projections for this year. The governor, senate, and assembly cannot agree upon a revenue projection for the state. The senate and the assembly believe the

governor is overstating the shortfall, estimated by the governor to be \$2.3 billion. The assembly estimates the shortfall being \$762 million less than the governor, while the senate forecasts the shortfall to be \$599 million less. The next step would be to receive a revenue estimate from the comptroller.

One question that is outstanding is whether the revenue projections would include revenues from legalized marijuana sales. The governor's budget provides for legalized sales, but there is outright opposition to this among republicans and unease about it among many democrats. There are a host of public health and law enforcement issues regarding legalized marijuana, not to mention potential school related issues, despite the proposed legal age of purchase being twenty-one. Some democrats want the issue removed from the budget so that it might be dealt with in a more deliberative fashion later in the legislative session, while

the governor wants it to remain in the budget.

These and other budgetary issues are all taking place with a backdrop of the potential loss of increased legislative and executive branch pay. Receipt of the sharply increased pay to legislators, executive branch commissioners, and the governor beginning this session is conditioned upon completing an on-time budget of April 1. While the enforceability of such a provision is subject to legal challenges, legislators and the governor are very well aware of the potential impact of failing to reach a state budget by April 1.

Sooner or later a budget will be attained, legislative and executive salaries paid, decisions made regarding legalized marijuana sales and other budgetary details. Once the process is complete however, I think any illusions about one party rule being a harmonious process will be replaced by a somewhat less rosy reality. ■

## ASEL: A Key for Climate, Culture, & Performance

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

ASEL – Academic, Social, and Emotional Learning – has found its way into our schools. The path to get there has been long and challenging. It needed a research-base to support it. Today, the research-base is not only there, but also the evidence-base. It is one thing to know something is good, but it is more important to see it in practice and acknowledge the results.

The Aspen Institute National Commission on

Social, Emotional, and Academic Development was created to energize communities to envision learning to encompass social, emotional, and cognitive dimensions so that all students could succeed in school, career, and life. Aspen learned that when districts and schools commit to students' comprehensive development, academic success and well-being rise together. To provide the necessary support

for this new focus, Aspen has developed A Research Agenda, A Practice Agenda, and A Policy Agenda ([www.NationAtHope.org](http://www.NationAtHope.org)). This points clearly to the readiness for districts and schools to change by embracing a comprehensive approach to educating students.

The evidence shows that learning and development are influenced by familial, community, and societal contexts. For this reason, learning settings for comprehensive growth are encouraged to focus on three elements:

1. Teaching and practicing social, emotional, and cognitive skills.

2. Embedding social, emotional, and cognitive skills into academic learning.

3. Safe, relationship-based and equitable learning environments.

Students who experience these learning settings are more likely to achieve success both now and in the future. It must be pointed out that academic success is central.

Educational Vistas, the company I represent, has made a commitment to support ASEL through consulting, workshops, and conferences. Last fall, the first ASEL conference was launched at Lake George to present a vision and planning for the integration of academics with SEL (ASEL). It was made clear that SEL could not be successfully implemented as a new layer of challenge on districts and schools. Its success resided within an integrated framework.

On March 19, SAANYS and Educational Vistas will co-host a conference about ASEL Implementation. The agenda is replete with presenters who are practicing ASEL at the elementary, middle, high school, and district levels. Their experiences in actualizing ASEL in urban, suburban, and rural environments will be invaluable. We encourage district and school teams to attend. To register and/or seek additional conference information contact Educational Vistas at [info@edvistas.com](mailto:info@edvistas.com) or call 888.999.5445. Note: ASEL 2019 Conference location: Marriott, Wolf Road, Albany, NY.

#### References

Mahoney, J.L., Durlak, J.A., & Weissberg, R.P. (2018). *An update on social and emotional learning outcome research*. Phi Delta Kappan, 100 (4), 8-13.

*continued on page 8*

## News & Notes

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## Joint Budget Hearing

continued from page 1

A substantial number of testimonies also addressed the proposed changes to Expense Based Aids. The Executive Budget would collapse the categories into a block grant. It is proposed that the funding going forward be based on expenditures from a set base year and increased by a set inflation rate. Expenses such as transportation and BOCES would not be reimbursed based on actual expenditures, but on a relatively fixed amount. This proposed change was opposed by many stakeholders whose preference would be to keep reimbursement of this aid as is.

Another topic pertaining to state aid was the need to revise the foundation formula. Many of the major education stakeholders also called for an update to the current foundation formula. Additional comments were presented on how a revision to the formula should consider a way to capture poverty in a more sophisticated way that the currently used FERPL. The foundation formula has not been revised since its inception in 2007.

### Funding for Assessments

Some questions and statements from the legislative panel to the commissioner expressed concern over the limited availability of state assessments in languages other than English. Commissioner Elia, Chancellor Carranza, and representatives from the Big 5 Cites all expressed similar concerns. There is an urgent need for funding to ensure that Regents exams can be taken in a student's preferred language. Comments also indicated that in some districts, the translated versions of Regents examinations may not be the same top five languages spoken in their districts. For example the most prevalent languages in the Buffalo City School District are Spanish, Arabic, Korean, and Somali.

### Other Topics

**Building Level Reporting** — Questions regarding the impact of building level reporting were raised several times. There is a concern that there is unnecessary duplication between the two required reports.

**Funding for Libraries** — Several legislators made comments regarding inadequate funding for libraries. Concern was expressed about the preparedness of libraries to be sources of support for the 2020 census, as well as being digitally secure. Other concerns, such as having one librarian in a district, were discussed.

**School Safety** — Some comments focused on inadequate funding for school resource officers and needed funding for building security.

**Charter School Dissolutions** — Some testimony expressed concern about the lack of information or processes when a charter school closes. Districts may or may not receive any notification of such a closing and only know of it when the students re-enroll in their district. The call for a formal process or plan was recommended.

### SAANYS Testimony

The written testimony presented by SAANYS focused on the need for a \$2.2 billion increase in state aid, \$400 million for expense based aid, and \$500 million for funding to strengthen student supports. These recommendations are in keeping with recommendations made by the New York State Educational Conference Board (NYSECB) of which SAANYS is a member. Additionally, SAANYS advocated for \$500,000 for professional learning, specifically for administrators. SAANYS also called for a more immediate rollout of pre-kindergarten programs across the state, increased funding for career and technical education programs, updating the foundation formula, reducing duplication in building level reporting, and increasing flexibility for districts in regard to their Annual Professional Performance Reviews (APPR).

A copy of SAANYS' written testimony can be found at [saanys.org](http://saanys.org) or by scanning the QR code. ■



## ESSA and Grad Pathways Focus of Regents Meeting

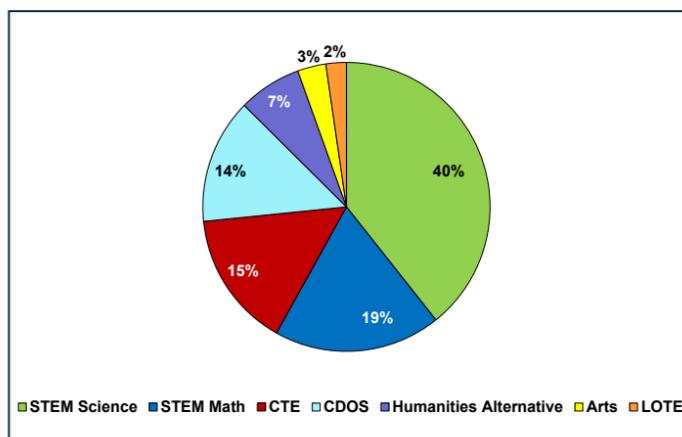
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Regent Mead expressed concern that explaining ESSA to parents was very difficult. She provided an example of a school that had intentionally developed an integration plan which called for increased numbers of students with disabilities being enrolled in the school. However, as a subsequent result of that plan, student performance was lower and the school was identified as TSI. This was very difficult for parents and staff to understand. The commissioner responded by indicating how SED had conducted training across the state with the hope that this would result in turnkey training for staff and parents. She also went on to explain how SED had created parent friendly pamphlets that have been translated.

A conversation followed on how SED works with districts to improve student performance. Regent Johnson stated that the newly identified schools were not a surprise. If we are asking that districts continue to undertake the same processes year after year, she questioned the effectiveness of such an approach. Identified districts are required to undertake a comprehensive needs assessment and develop a plan based on the needs assessment. Concern by various members of the board indicated that often districts are overburdened by this process and it does not result in a truly researched based model for improvement. The discussion then turned to how the board can ensure that funding gets to the neediest schools to expand needed services.

### June Graduation Rates

The commissioner presented the just released information on graduation rates. Graduation rates for the 2014 cohort of students remained relatively flat, at 80.4 percent overall. Achievement gaps between black and Hispanic students narrowed in comparison to a 2011 cohort and there was a 2.4 percent increase in rates for current ELLs and student with disabilities. Information regarding graduation pathways was also presented. The information was based on a relatively small number of students (11,200), but does indicate that the various options for graduation are being used.



### Discussion Around the Table

The conversation among members of the Board of Regents started off with a statement by Regent Collins reminding others at the table that this month was usually when students from charter schools typically returned to their home districts. She questioned how SED captures that data. Other members also expressed the need for this data.

The conversation then turned to graduation pathways and whether the multiple pathways are narrowing or widening graduation gaps. Regent Brown reflected that the multiple options to a diploma started as an equity issue but wondered what happens if various districts cannot offer the options. What is the data behind the use of multiple pathways? Other Regents requested that data

continued on page 8



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](mailto:cgallagher@saanys.org).



continued from page 1

other costs related to obtaining a CDL and/or starting employment, and exploring ways for school transportation and human resources departments to work together in the recruitment, training, and retention of bus drivers. Download the report at [NYSSBA.org](http://NYSSBA.org) or [www.NYAPT.org](http://www.NYAPT.org).

### ECB Paper on RJ



The New York State Educational Conference Board (ECB), a collaboration of six leading educational organizations of which SAANYS is a member, has issued a position paper on the topic of restorative practices/justice. The group firmly believes that when implemented properly, research-based restorative practices can help schools achieve positive outcomes. However, the ECB firmly holds that school districts must have the flexibility to establish student discipline policies at the local level and have the option to choose from a continuum of responses to address student behavioral issues. The paper can be found at [NYSECB.org](http://NYSECB.org). ■

# SAANYS 2019 SUMMER SYMPOSIUMS

SAVE THE DATE

## Putting Students FIRST

- Beyond the ABC's of TRAUMA
- Equity through CULTURAL PROFICIENCY
- From "Yes, but..." to "What if?"  
Developing a Climate for Creativity
- Technology + Pedagogy = Transformational Learning



Visit [saanys.org](http://saanys.org) for more information.

Topics may vary by location. Visit [www.saanys.org/events](http://www.saanys.org/events) for additional details.

JULY 23, 24, 25

ALBANY

SAANYS in conjunction with  
Capital Region BOCES



JULY 30, 31

ROCHESTER

SAANYS in conjunction with  
Monroe II BOCES



AUGUST 6, 7, 8

SYRACUSE

SAANYS in conjunction with  
OCM BOCES



## SAANYS Professional Development Update



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

We are excited to be planning a summer of professional learning filled with opportunities to connect with your colleagues and explore some of the topics so essential to the work we are doing now in our schools.

SAANYS Summer programming has continued to grow over the last several years, and Summer 2019 will be no exception.

Here's a sneak peek at what's in the works ... hope you can mark your calendar!

**July 23, 24, and 25:** SAANYS, in conjunction with Capital Region BOCES, will offer a three day symposium: Putting Students First. Day one will feature Dr. Joseph Fantigrossi, prek-12 intervention coordinator for the Lyons Central School District. Dr. Fantigrossi is well known in the Rochester area for his work around trauma informed instruction and tiered intervention. This practice-based workshop goes beyond a basic understanding of ACES and its impact to specific practices to meet the needs of students impacted by trauma, including resilience training, trauma sensitive classroom strategies, intervention practices, and self-care.

If you are committed to ensuring welcoming and equitable school environments for all students in your school or district, you will want to attend days two and three: Educational Equity Through Cultural Proficiency. Four modules over two days will focus on diverse populations of all kinds and provide tools and strategies for helping all members of your school communities increase their own proficiencies to increase students' academic engagement and achievement in an environment that addresses the many components of culture and differences. Harriet Grosvenor of Generation Ready, a premier learning provider for equity and cultural proficiency, will be our facilitator for an engaging and thought-provoking experience.

**July 30 and 31:** SAANYS is back at Monroe II BOCES this summer with two days focused on building the capacity of our school leaders and teachers to continue to keep pace with the world that our students inhabit outside the schoolhouse doors.

On July 30, Apple instructors will start where we left off last year in the popular workshop that got us actively engaged in ways to transform learning through digital integration. This year's workshop, Technology+Pedagogy = Learning Transformed promises to be another hit.

July 31, From "Yes, But..." to "What If?": Building a Culture Where Creativity Can Thrive will provide us with the tools and skills associated with creative thinking and creative problem solving to bring back and share with our staff and students in the fall. The barriers (and there are many!) to creative thinking will be aired and addressed with the goal of fostering positive beliefs and actions that lead to new and innovative responses and solutions. ■

"Professional development can be a check in the box, or meaningful and purposeful. SAANYS provides an opportunity for colleagues to be collaborative and supportive, while focusing on hot topics in education."

Timothy P. Martin, Ed.D. Principal  
Islip Middle School

SAANYS is ... Your Source for  
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## SAANYS 2019 Retiree Student Scholarships

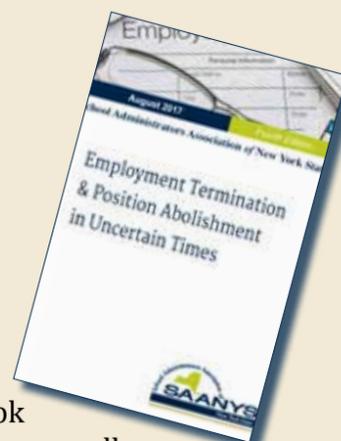
Open to any high school senior graduating in June 2019. Applicants must be sponsored by a current SAANYS active retiree, affiliate retiree, or associate retiree member in good standing. Students must have demonstrated good school and community citizenship, are planning to go on to higher education, and who otherwise satisfy criteria by the SAANYS Retiree Scholarship committee. Students are responsible for seeing that the forms are accurately and completely filled out. The SAANYS Retiree Board reserves the right to not process applications found to be incomplete as of the application deadline.

**Application Deadline: April 1, 2019**

APR  
1

Download the application or submit online at <https://bit.ly/2Eryk34>

## Updated Edition Available for Download!



School districts and BOCES may pursue employee termination for either disciplinary or for budgetary and programmatic reasons. This guidebook is designed to describe generally the legal processes involved in termination and members' related legal rights.

Download a copy of the booklet at <http://bit.ly/2E3H0KJ>

# EDUCATE *for* EQUITY

SAANYS ANNUAL CONFERENCE  
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DR. SHARROKY  
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**EMPOWER** **BELIEVE**  
**LEARN** **MOTIVATE**

## REGIONAL EVENTS

Find out more details  
and register at  
[saanys.org/events](http://saanys.org/events)

### Region 11 Awards Ceremony

April 25, 2019  
5:00pm - 7:00pm  
Middle Country Club,  
Penfield

### Region 9 Awards

May 9, 2019  
5:30pm - 7:30pm  
Pheasant Hill Country  
Club, Owego

### Region 6 Leadership Breakfast

May 22, 2019  
9:00am  
Vista Restaurant at  
Van Patten Golf Club,  
Clifton Park

### Region 4 & 5 Sixth Annual Leadership Institute: Leadership for Student Engagement

July 11, 2019  
8:30am-3:30pm  
Brewster High School,  
Brewster

## Call for Presenters

**Submission Deadline: MARCH 29, 2019**

HOW WILL YOU SUPPORT EACH CHILD, REGARDLESS OF GENDER, ETHNICITY, BACKGROUND, OR LEARNING CHALLENGES, TO SUCCEED IN SCHOOL AND BEYOND?

This year's theme, *Educate for Equity*, focuses on rising to the challenge of meeting the needs of diverse student populations and rapidly changing communities. How does EQUITY become more than a buzz word and result in actions that result in more affirming, inclusive, and culturally responsive schools and classrooms? We are seeking member practitioner workshops that focus on the many aspects of Equity from the perspective of our varied leadership roles. We want to hear what you are doing in your school. What's working and what are you learning along the way? Tell your school's story and share your expertise with colleagues from across New York State at this year's October 20-21 conference at the beautiful Sagamore Resort in Lake George. We hope to receive submissions from SAANYS members at all levels: certified and essential service leaders, as well as all building and district roles. Dr. Sharroky Hollie, executive director of The Center for Culturally Responsive Teaching and Learning (CCRTL) and author of multiple books on Culturally and Linguistically Responsive Schools, will be there with us to set the tone for what will surely be an enlightening and memorable personal and professional experience.

Access the submission form at [saanys.org](http://saanys.org). For more information contact Karen Bronson at [kbronson@saanys.org](mailto:kbronson@saanys.org).

### ACADEMIC, SOCIAL & EMOTIONAL (ASEL): PREPARING FOR IMPLEMENTATION

**CONFERENCE**  
9:00am - 3:30pm  
Join us on Tuesday, March 19, 2019  
Albany Marriott



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REDUCING COSTS.



### Experts and practitioners will discuss the following topics:

- Infusing essential components of ASEL.
- Promoting key approaches to ASEL.
- Integrating practices for systemic ASEL.
- Examining climate/culture surveys.
- Assessing and measuring ASEL competencies
- Building ASEL capacity in urban, suburban, and rural schools.

Participants will take away ASEL materials for implementation.

register online at [saanys.org](http://saanys.org)

## Financial Fridays



A SAANYS lunch & learn series

Webinar

Grab your lunch and join us the first Friday of each month at noon for Financial Fridays with AXA. These short 30 minute online sessions are meant to offer tips and ideas for securing your personal financial success.

#### Is a Roth 403(b) Right for You? April 5

A Roth 403(b) is a retirement account that can provide tax-free growth. This comprehensive Roth 403(b) tutorial is designed to help the audience take maximum advantage of an increasingly important retirement savings strategy.

#### Planning for College May 3

As educators, you all know the value of a quality education. As costs rise faster than inflation with no relief in sight, properly planning for educational expenses while balancing the need for day-to-day budgeting and long-term savings is critical. This seminar will provide a brief overview of the need to plan for a college education and the types of planning vehicles available, including UGMA/UTMA, Coverdell savings accounts and 529 plans.

#### Social Security, Medicare, and Long-Term Care June 7

The Social Security and Medicare system is one of the most important, and often misunderstood, retirement systems out there. Making the right decision is critical to your retirement planning. This seminar provides helpful information about the Social Security and Medicare system and how to maximize your benefits. We will also discuss Long-term Care planning and how to coordinate benefits in the ever-changing retirement environment.

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*"Optimism is the faith that leads to achievement; nothing can be done without hope and confidence."*  
-Hellen Keller

# LEGAL BRIEFS

A Message from the SAANYS Legal Department



Wendy DeForge  
SAANYS Counsel  
wdeforge@saanys.org



## The Clock is Ticking

The attorneys here at SAANYS have found that members will frequently call for assistance on an issue, but the legal department is barred from being able to do anything to help because the statute of limitations for the issue has run out. In other words, there is a timeframe in which each claim must be brought, and if that time lapses, the claim can no longer be adjudicated. For example, many times members will be in continuing good faith talks with the district on different issues, so they feel as though they don't have to take any formal action. However, sometimes the good faith talks do not go anywhere, and by the time a member decides to take formal action, it is too late to do so. The attorneys at SAANYS recommend that while you can continue those good faith talks, you should also call the legal department about the issue so they may advise

you on how to move forward in each situation.

First and foremost, you should call as soon as you think there may have been a violation of any sort. From possible grievances to possible appeals to the commissioner of education, the attorneys need to know as soon as possible so that there are no restrictions on actions that can be taken due to time running out. Below are concrete timelines for each action that you may come across.

If you believe there has been a contract violation and you are considering filing a grievance, you should notify your unit representative immediately so that they can call SAANYS as soon as possible about the issue. For example, if your contract has an established work day, and your superintendent directs you to work beyond that work day, you should notify

your unit president on the day that the superintendent gives that directive. With grievances, the time constraints are set out in your collective bargaining agreements (CBAs), so each unit will have a different timeline to go by. The general rule is that the time starts running from when you knew or should have known that there was a violation of the contract. That is why it is imperative that you act quickly so that if a grievance can be filed on your behalf, it maybe done before time runs out.

If you have gone through the grievance process and it ends in a review by the board of education, then the moment its decision is made, the time starts ticking to file an Article 78. Therefore, if there is a denial (either verbally or in writing) you should call SAANYS immediately. From the denial, you have 90 days to file a Notice of Claim. From the receipt of notice, you must wait 30 days before you can file a petition, but that petition must be filed within four months. Therefore, it is important that SAANYS tries to file a Notice of Claim as soon as possible so that if the petition needs to be amended later

on there is plenty of time to do so. It is a quick turn around, and thus it is imperative that you call the day of the denial.

Similar to the grievance procedure, the timeline for an APPR appeal is specific to each individual CBA.

*There is a timeframe in which each claim must be brought, and if that time lapses, the claim can no longer be adjudicated.*

Therefore, if you get a bad evaluation and you want to challenge your APPR or are being placed on an improvement plan, you must look to your collective bargaining agreement to determine what your timeline is. In any case, you should call the SAANYS Legal Department so that we may assist you moving forward.

If you believe that the district has unilaterally changed a term and condition of employment without first negotiating with the unit, the unit has four months from the time that the decision or act was put into place in order to challenge it via an improper practice charge at PERB. For example, if a bargaining unit member

retires, and the district takes that work and disperses it throughout the district instead of within your unit, that is a transfer of bargaining unit work and the statute of limitations begins running the minute that work is dispersed. Another example of a matter that would go before PERB is if your contract is silent on a work day and the district directs your unit to stay until set times and/or start attending certain events

after school.

Lastly, if you would like to appeal a decision to the commissioner, you have 30 days from the time the decision was made to do so. This is an extremely quick timeline, and thus the moment the adverse decision is made, you must call the attorneys at SAANYS. For example, if you are on a preferred eligibility list (PEL) and a position is created in your tenure area and you do not get it, or your position is abolished and a new position in your tenure area is created, you should call so that SAANYS can further advise you on the situation.

Overall, it is important that you let your unit know of such occurrences and they, in turn, let SAANYS know as soon as possible. Even if you personally do not want to rock the boat, your silence could have a lasting negative impact on your unit for years to come. It is best for you to call as soon as possible so that SAANYS may assess your situation and take the necessary steps in the timeframe that is required by each statute of limitations. That being said, if for some reason you do not call the day of the adverse decision or act that does not mean you should not call at all. It is possible there is still time, but the SAANYS attorneys want their members to be aware of when the clock is ticking. ■

## LEGAL HIGHLIGHTS

The SAANYS Legal Department - Working Tirelessly for Members Statewide

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

### REGION 1

SAANYS reviewed a draft of a collective bargaining agreement and discussed the proposed changes with the district's counsel.

### REGION 2

SAANYS conducted a fact finding hearing for a community college.

### REGION 4

SAANYS prepared an affidavit in regard to a PERB case involving a school district's improper practice by unilaterally reducing the Medicare Part B reimbursement for active and retired members.

### REGION 5

SAANYS finalized a first contract for a new unit after mediation.

### REGION 6

SAANYS gave a presentation to a board of education during executive session regarding a stage 2 grievance filed by the unit.

### REGION 7

SAANYS successfully negotiated a new four-year contract to include no increase in health care premium contributions and a salary increase.

### REGION 8

SAANYS assisted a unit in negotiations by giving them proposed language to be included in their new CBA.

### REGION 9

SAANYS settled a successor contract at fact finding, after almost two years.

### REGION 10

SAANYS worked with a unit regarding a change in health insurance by a health insurance company mid-contract and a possible grievance with the district to make affected members whole.

### REGION 11

SAANYS counseled a member and helped develop a plan to end a PIP plan that had been in effect for nearly a year.

### REGION 12

SAANYS investigated a potential retaliation claim on behalf of a member who believes they have been repeatedly passed up for promotion due to prior filing of a grievance.

## 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.

### Oswego Association of Administrative Personnel, Region 10

The Oswego Association of Administrative Personnel successfully negotiated a new contract. The unit was represented by Mary Volkomer, Linda Doty, co-presidents; and Mary Beth Fierro. They were assisted by SAANYS General Counsel Arthur Scheuermann, SAANYS Negotiators Cynthia Yager, and Nancy Kristl.

**Duration of contract:** July 1, 2017 – June 30, 2021

#### Highlights of the settlement:

For the 2017-18 fiscal year, new base salaries were negotiated, each unit member received the new base plus \$435 for each year of administrative experience. For 2018-19 and 2019-20, each unit member will have \$900 added to their base salaries and a three percent increase. For the 2020-21, each unit member will receive \$1,100 added to base and a 2.5 percent increase.

Other enhancements to the contract were: doctoral degree stipends increased from \$2,500 to \$3,230. Longevities for 20, 25, and 30 years of service increased from \$500 to \$600 for 20 YOS, \$700 for 25 YOS, and \$800 for 30 YOS. Sick leave payout at retirement also was increased from \$85 to \$110 per day.

Leave enhancements included one day added to bereavement leave and the day before Thanksgiving was added if school is not in session.

Givebacks included elimination of a \$400 annual reimbursement for other insurances, and new hires after July 1, 2017 will not receive spousal Medicare Part B reimbursement in retirement. Also, dental insurance contributions were slightly changed. ■

Have questions? Need assistance?

Use the "Ask SAANYS" button at [saanys.org](http://saanys.org).

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S A A N Y S

# Personal Legal PLAN



SAANYS has always been there for members who need advice or assistance from legal counsel on job-related matters. Now, SAANYS has partnered with the law firm of Feldman, Kramer and Monaco to help when you need *personal* legal advice and assistance.

**\$85** annually provides a simple will, power of attorney, health care proxy, living will, and unlimited advice via telephone. Enrollees will also receive certificates good for two free hour-long office consultations with a local referral attorney. For services beyond this package, discounted rates apply.

Contact Feldman, Kramer and Monaco, the law firm that administers the plan for SAANYS members, at

**1-800-832-5182**  
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Rate applies to regular active, retired active, and retired affiliate members. Associate member fee is \$150.

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## SAANYS Board of Directors Forms Diversity Committee

SAANYS is the largest association for school administrators and other supervisory positions in the State of New York. However, we had little data about the demographic composition of our organization. To that end, the Diversity Committee was formed by the SAANYS Board of Directors and chaired by SAANYS President Regina Huffman of the Sewanhaka Central School District.

The committee was primarily charged with assessing the diverse composition of association leadership at both the state and local levels to be sure that association leadership represented the makeup of the membership as a whole. But what are the demographics of the SAANYS membership?

To attain this information, the committee decided to conduct an anonymous survey instrument similarly utilized by other professional organizations, such as the American Bar Association. The results helped us analyze to what extent our membership is diverse in terms of region, ethnicity/race, sexual orientation, gender, and age. The Diversity Committee would like to thank all those who participated in the survey.

Approximately 10 percent of the entire SAANYS membership (796 respondents) answered the Diversity Survey. The response rate according to region was: 1 (9.7%), 2 (10.3%), 4 (5.4%), 5 (8.3%), 6 (13.6%), 7 (5.4%), 8 (5.5%), 9 (5.9%), 10 (8%), 11 (12.4%), and 12 (15.2%). Almost one-third of the respondents were principals (31.6%), followed by directors (15.8%), assistant principals (13.2%), coordinators (6.4%), supervisors (5.7%), and specialists (2.8%). About one-quarter (24.5%) held "other" titles. The vast majority of members are between the ages of 40 and 59: 31.3% between 40 and 49, and 34.2% between 50 and 59. Those newer to school administration (39-years-old and under) represented about 11.9 percent of the respondents. The remainder (22.5%) are above 60-years-old.

Females represented 57.3% of the respondents while 42.6% were male and a very small percentage (0.3%) identified as transgender/variant. Two percent indicated that they had a disability while 98 percent did not. The race/ethnicity distribution was: Caucasian (91.2%), Black/African-American (4.7%), Hispanic/Latino (4.1%), Asian (0.9%), Native American (0.4%), and Pacific Islander (0.1%). The vast majority of the respondents identified as heterosexual (95.5%) followed by gay (2%), lesbian (1.6%), and bisexual (0.8%).

Survey results also indicated that most joined SAANYS after the year 2000: 42.2 percent joined between 2000-2010 and 37.9 percent joined after 2011.

The Diversity Committee will further discuss the survey results and, along with comments provided by members on the survey, will consider how we can better serve our members' interests and concerns. ■

## Congratulations Retiring Members

Dennis Atkinson  
Christopher Bergere  
Robert Loggins, Jr.  
Brenda Pacheco  
Rosemarie Romano

Joanne Russo  
Richard Weber  
Barbara Wheeler  
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## 2019 CALENDAR



- MARCH**
- Women's History Month*
  - Middle Level Education Month*
  - Music in Our Schools Month*
  - National Nutrition Month*
  - Youth Art Month*
  - Mar 10 Anniversary of Harriet Tubman's Death**
  - Mar 10 Daylight Saving Time**
  - Mar 10-16 Girl Scout Week**
  - Mar 11 Johnny Appleseed Day**
  - Mar 14 Albert Einstein's Birthday**
  - Mar 17-23 National Poison Prevention Week**
  - Mar 17 St. Patrick's Day**
  - Mar 20 First Day of Spring**
  - Mar 21 Absolutely Incredible Kid Day**
  - Mar 22 World Water Day**
  - Mar 23 Anniversary of Patrick Henry's Speech**



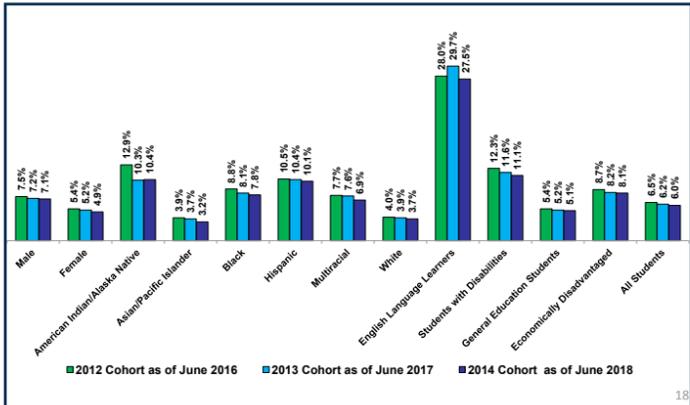
- APRIL**
- National Autism Awareness Month*
  - National Occupational Therapy Month*
  - National Poetry Month*
  - School Library Month*
  - Apr 1 April Fool's Day**
  - Apr 2 International Children's Book Day**
  - Apr 7-13 National Library Week**
  - Apr 7-13 National Volunteer Week**
  - Apr 7 World Health Day**
  - Apr 9 National Library Workers Day**
  - Apr 12 Anniversary of First Man in Space**
  - Apr 13 Thomas Jefferson's Birthday**
  - Apr 15-19 Public School Volunteer Week**
  - Apr 18 Anniversary of Paul Revere's Ride**
  - Apr 15 Patriot's Day**
  - Apr 22 Earth Day**
  - Apr 25 Take Our Daughters and Sons to Work Day**
  - Apr 26 National Arbor Day**

# ESSA and Grad Pathways Focus of Regents Meeting

continued from page 3

be ascertained as to the rate of entrance into college from specific pathways.

Another key area of questioning was in regard to drop out rates.



Regent Mead asked as a point of discussion “What would it take to eliminate the dropout rate?” The data presented by staff demonstrates higher dropout rates for ELLs and students with disabilities and the BOR discussed this difference possibly being a social-emotional issue rather than an accumulation of credits issue.

The thread that ran throughout these discussions was most succinctly stated by Regent Johnson. Her point was that we can’t just acknowledge the equity gap, we must address the policies that help to create such a gap. She questioned “what is available in a high wealth high school that is lacking in a low wealth district? The answer to this requires a comprehensive study of data on what that gap looks like in terms of programs and services.

The full data presented to the BOR can be found by scanning the QR code.



It was evident from the discussions on both items that members of the Board of Regents will continue to dig deeper and ask more probing questions regarding every data point and its relationship to issues of equity. The members continue to press for indicators of equity that are more sophisticated than the usual proxies such as free and reduced lunch or levels of poverty.

Please feel free to contact Cindy Gallagher, director of government relations, with any additional questions at [cgallagher@saanys.org](mailto:cgallagher@saanys.org) or by calling 518- 782-0600. ■

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# ASEL: A Key for Climate, Culture, & Performance

continued from page 2

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Dr. Bruce H. Crowder is a senior researcher for Educational Vistas, Inc. His work is primarily focused on deeper academic learning with ASEL and curriculum refinement. Dr. Crowder may be reached at [bcrowder@edvistas.com](mailto:bcrowder@edvistas.com). ■

*The statements and opinions expressed herein do not necessarily imply or reflect the opinion or philosophy of SAANYS.*

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