2020 Government Relations
Top Ten List

I bet you didn’t know that a “Top Ten List” for Government Relations was a thing, right? Well, it’s 2020, what else is there to say? It seems fitting to look back on this year, if only as an attempt to gain perspective. In so many ways, it feels as if the lens for looking back remains a bit cloudy and a clear perspective is difficult. We seem to be ending the year in much the same way as it began. So be that as it may, the following is a look back with 2020 hindsight.

#1: Leadership Role of Building Leaders and Program Directors

The work of building administrators and program directors has been nothing short of profound. We watched the endless hours that you work; your support of students, staff, and community; and placing their needs before your own. Every day, you found solutions for complex issues that didn’t exist the day before. Schools could not have maneuvered 2020 without you all, and for that we owe all of you much gratitude and thanks.

#2: Seventy-Eighty Executive Orders Directed at Education

Education policy and procedures were directed by the governor’s executive orders. This was a monumental educational shift, the impact of which without a doubt will be studied and researched in the future. Historically, education in New York has been the purview of the Board of Regents, which promulgates regulations, proposes budget priorities, and directs massive federal funding. Certainly, their work was in collaboration with the executive office, but by and large, the NYS Education Department enjoyed a great deal of autonomy. There has always been tension between the governor and NYSED in that it is not a state agency directly under the governor’s authority. This dynamic was upended as education policy was largely sidelined due to the pandemic and directed by the issuance of executive orders.

#3: Three Major Changes in Key Leadership Roles at NYSED

Top leadership at the New York State Education Department changed three times this year. Interim Commissioner Beth Berlin resigned at the end of December 2019 and the next interim commissioner, Shannon Tahoe, left in August 2020. The third interim commissioner, Betty Rosa, was appointed that same month. This rate of turnover was impactful in and of itself, but perhaps even more impactful may be the precedent set by appointing Dr. Rosa as interim commissioner. Recall that Dr. Rosa held the position of chancellor of the Board of Regents just prior to being appointed as interim commissioner. In the world of local school districts, this would be analogous to hiring the president of the board of education as superintendent. Although this appointment may add a dimension of stability due to the numerous turnovers, the operational and policy making distinctions have become blurred. The impact of this relationship most likely will be studied and examined over time.

SAANYS is excited to announce that as of January 2021, your News & Notes newsletter will go online! This move to digital will allow SAANYS to delivery more timely news and updates weekly to your inbox.
With Thanksgiving just behind us, and Hanukkah, Christmas, and the New Year coming up shortly, there is widespread concern among public health officials that we will see a surge of COVID-19 cases. The number of positive cases has been rising both nationally and locally through the fall, and additional post offices. We have just completed a 3 percent positive test rate, but not 4 percent? The infection rates that are being reported across all socioeconomic cohorts. Student engagement is seriously challenged with providing consistent speech, academic and counseling support. Students in many schools are fully engaged with this data will help inform changes to existing reopening plans. Surveys will allow school leaders to gather important information related to communication between administrators and teachers about expectations and support, student engagement, how well collaboration is working for student learning, resource alignment, and professional development. Everybody’s work/life balance has been skewed by this pandemic and recognizing those unique challenges matters. Many teachers are feeling stressed and not effective and school leaders will need to fully support an open and transparent approach with realistic expectations to support their teachers, students, and families in the months ahead.

Kenneth A. Facin, solutions facilitator & Educational Vistas. Ken worked for 32 years in public schools. He is a high-quality education. The evolving, changing, moving target requirements test our ability to keep up and respond effectively while trying to provide students with a high-quality education. This can be a source of frustration, but upon reflection, I think we must consider that none of us has experience with a pandemic of this magnitude. During a recent session of the SAANYS Connect professional learning series, a presenter was speaking about support of staffing during these difficult times. He suggested current circumstances warrant being forgiving to staff who may make mistakes or express frustrations, as long as they are trying. I thought that was sound, humane advice. I also think that mindset should be extended to public policy makers, regardless of their office. It should include politicians, SED, district, building, and program leaders.

I have been told that a good leader must be comfortable with ambiguity. A good leader must be willing to make decisions sometimes in an absence of clarity. According to John Kenneth Galt, “All great leaders have had one characteristic in common; it was the willingness to confront unequivocally the major anxiety of their people in their time.” I think it’s fair to say that COVID-19 is the major anxiety of our time. It must be confronted, even when acknowledging any decisions may be second-guessed. Making decisions that are likely to be criticized is often far better than making no decisions at all.

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

Have a Forgiving Mindset

Kevin S. Casey, Executive Director

There was a question as to the accuracy of the number, as well as the impact. Any bright-line invites questioning. Why 3 percent and not 4 percent? Are the children safe at 2.9 percent, not but 3 percent...? Though presented as an objective standard, the bright-lines are often a result of some authority’s best-informed guess. Shortly after closing, New York City announced the reopening of elementary schools and for students with special needs. It also stated that its decisions will no longer be driven by the 3 percent benchmark, despite the increased increase in COVID-19 cases. In a vacuum, the New York City decision to partially reopen might seem inconsistent with the environment, but the messy reality is that steps that will help mitigate the spread of COVID-19 have their own cost, requiring an ongoing balancing act.

The evolving governmental response is not limited to New York City. The state has moved to a micro-cluster response strategy which seeks to stamp out flareups of positive cases where they reach a certain threshold. This is further broken down into color-coded zones, each of which has differing response criteria. The infection rates that drive these designations are akin to New York City’s 3 percent, objective thresholds based upon expert input, but at the end of the day, a best

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Use the “Ask SAANYS” button at saanys.org.
2020 Government Relations Top Ten List
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#4: March Madness of a Different Kind

Closing schools and pivoting to remote learning was huge and unprecedented. Resources needed to be realigned and redistributed. What started as a health crisis, turned into an educational crisis as well. Schools operated under extraordinary conditions: dwindling finances, staff reductions, inequitable access to resources such as the internet, and acute concerns for students and staff were some of the issues facing building administrators and program directors daily. March saw a scanning of instructional methods trying to fill the educational needs of students. Schools and families were more connected out of necessity than ever before. Upended routines, upended reliance of communications, disrupted and inconsistent instructional plans, uneven education for students with special needs, and new crises on a seemingly hour-by-hour basis were the new norm.

#5: Approximately 111 Daily Governor Cuomo Press Conferences Through July, Almost Daily Conference Calls, and an Emmy

Thinking back to the communication strategy employed by the governor, it was a good fit for New York at the time. As the governor indicated over and over, our collective behavior shaped the virus. It was imperative to develop a NY state “mindset,” but it did seem strange that so much educational news and information stemmed from the NY state “mindset,” but it did seem strange that so much educational news and information stemmed from the governor’s webcasts and webpage. It was crucial to have the most recent data on the virus and the most recent information on new directives. Traditional avenues for finding such information lagged behind his newscasts and were not effective for keeping up. So, the governor’s daily communications became the primary source of information, and then there was always Twitter.

#6: Legislative Dormancy

The legislative buildings and State Capitol were shuttered and interactions with a legislature not in session was challenging. It was difficult to find a balance between Zoom meetings and advocacy, and much of that work was dramatically decreased. With the pandemic front and center, any legislation was centered on health issues and the support of essential workers. There was no budget to work with as New York’s finances were dramatically impacted. The health crisis had now morphed into an educational and financial crisis. Added to this mix was the fact that it was an election year and much of the focus was on state and local elections, campaigns, and the presidential election. It will be interesting to see how the legislature works through the upcoming legislative session.

#7: NYS Assessments Cancellation

Cancelling New York’s Regents exams and 3:8 testing was the correct and seemingly only logical call. It is monumental and historical though. A key pillar of our state’s educational program for years has been the much esteemed Regents exams. It was very interesting that this monumental decision was made on the heels of a major initiative undertaken by the Board of Regents after they conducted numerous statewide regional meetings to discuss innovative and appropriated measures for students to graduate in New York. After the exams were cancelled, the seemingly radical conversations that were discussed at the regional meetings, seemed less radical. Discussions at the regional meetings that raised questions about the viability of Regents exams, the need for more inclusive measures, and forward-looking evaluations seemed almost mild once the exams were actually cancelled this year. Now that we have seen what instruction, minus summative assessments looks like, what will be retained if we choose to come back differently from the pandemic?

#8: Remote Learning

A dissertation or two will examine the impact of remote learning. Let it suffice for the purpose of this Top Ten List, that remote learning was the educational story of 2020. Will we perhaps look back on this first entrée into full remote instruction at the K-12-level incredulously? What did we do, how did we do it, was it a positive thing, or just a necessary thing? The question of what we will keep as a vital part of education in the future will rest on the quality of remote learning. One of the governor’s advisory groups formed last spring was named the Reimagine Education Advisory Council. Their charge was to consider how to come back from the pandemic even stronger. It would be beneficial to complete this charge at a point in time when we can do so with greater objectivity.

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.

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An article in last month’s Smart Brie on EdTech entitled “The Time is Now to Prioritize PD” by Adam Geller stated, “It’s unrealistic to expect teachers to be successful this year if they aren’t provided with ongoing professional learning, training, and support. All teachers, even the most experienced ones, have to learn new instructional strategies, new technologies, new ways to facilitate online discussion and how to engage students remotely. It takes time and coaching.”

I think you would agree that the same is true for school leaders, who are being asked to lead, connect, and communicate in new ways to school communities engaged in multiple types of teaching and learning, both in person and remote, and on a constantly moving and shifting carpet. In addition, you as school leaders are being called upon to provide social and emotional support as your teachers, staff, students, and families struggle to handle stresses brought to their classrooms, students, and own lives by the pandemic. Some may say that long time leaders who have been in their districts and positions hold an advantage since they have had the time and opportunity to build the trust that means so much now to their school communities. Others would say that newer leaders, who are unfiltered by traditional leadership mindsets, are more capable of adapting to the new landscape. At the end of the day, it is an interesting conversation, but not one that matters much. Everyone is new at this. Everyone is learning by doing, and no one is doing it perfectly.

SAANYS continues to strive to bring you the kind of professional learning these times call for. In some ways, the silver linings are hard to miss. Because of virtual formats, our mentoring options are more nimble and flexible than ever before. We no longer have to provide mentors within the closest proximity to our mentees, but have more flexibility to match the mentors with the particular background or experience that is the best fit, regardless of location. In addition to our 1:1 and Group Mentor Coaching options, we have also been able to add a third option: training for in-district mentors. Be sure to check saanys.org for information on all three. Mentoring has never been more vital to professional growth.

In addition to mentoring, SAANYS hopes that opportunities to learn and connect like the ones below are giving you what you need to be the kind of leader you need to be now. Please do not hesitate to contact me at kbronson@saanys.org with any ideas for topics or formats that you would like to see us offer in the future.

In the meantime, be sure to check your emails and our website for information on these upcoming events:

- First Update: Where Are We NOW on current and rapidly evolving topics.
- Did you miss any of the SAANYS CONNECT sessions? View them and find even more resources at https://saanys.org/saanys-connect/.

The Missing Children in Our School Communities
1. Reopening Series: First Things First Update: Where Are We NOW With Health and Safety Protocols?
2. Supporting and Working With Our School Communities
3. Grading and Graduation Requirements
4. Provision of Special Education Services
5. Implementing Health and Safety Protocols
6. Assessing Learning and Instructional Strategies
7. Supporting Student Mental Health and Well-Being
8. Opening the Conversation: Acknowledging the Impact of Racial Inequity in Our School Communities
9. Lessons Learned: Connecting with International School Leaders
10. Employment Issues and Job Elimination – With SAANYS Attorneys and Equitable Advisors
11. Improving Remote Learning
12. Stress and Anxiety Part One: Reducing Your Own So You Can Stay Healthy and Support Others
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“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

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Nominate your Colleague!

SAANYS is the official state affiliate to the National Association of Elementary School Principals (NAESP) and the National Association of Secondary School Principals (NASSP) and their annual awards programs.

Learn more and access the online nomination form at saanys.org/about-us/awards.

Leader in Digital Education Award
Outstanding Educator Award
Leadership and Support Award
Irving Schwartz (Retiree) Award
K-12 Building Principal Award
Friend of Education Award
SAANYS/NAESP Assistant Principal Award
SAANYS/NAESP Elementary School Principal Award
SAANYS/NAESP Middle School Principal Award
SAANYS/NASSP Principal of the Year Award (Middle or High School)

For additional information, contact Holly Bell at HBell@saanys.org.

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ANNUAL Awards PROGRAM

JAN 5 Application Deadline

Application Deadline

CALL FOR Submissions
ANNUAL Awards PROGRAM

JAN 5 Application Deadline
Legals

Legal Briefs
A Message from the SAANYS Legal Department

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

Legal Highlights
December 2020

Contact a SAANYS Attorney

Magnum Trainings
Fiscal Navigation for Superintendents
Tuesday, January 26, 2021

Fiscal Navigation for Superintendents
Thursday, January 28, 2021

SAANYS advised a unit as to their rights and responsibilities under the Family and Medical Leave Act (FMLA).

SAANYS advised a member who was offered a Juul Agreement.

SAANYS advised a unit as to rights and responsibilities under the Family and Medical Leave Act (FMLA).

SAANYS advised a unit as to the terms and timeframe for the furlough.

A furlough could be beneficial to a school district because when the individual is returned to work, it is simply a status change. At that time, the individual is returned to their position, any pay and benefits that had been suspended would resume. As they were always considered an employee, it is only a status change. Using furlough as an option for reducing a workforce may be a benefit in working with a union representing employees because the position(s) are not lost, and employment is not severed. For example, employees may only be furloughed for one day every two weeks, which means that the employee pay be discontinued, but payment for benefits would typically stop, as the individuals are no longer considered as active employees. However, this, again, may be altered by a MOA or the CBA. A furlough would reduce the amount paid through salaries, but would maintain a cost of the benefits, such as health care. So, while there is a smaller cost saving, the school could also benefit from not having to go through the hiring process and simply recall the individual(s) without any goodwill with the union or association being affected.

As has been shown, a furlough and a layoff can both accomplish a cost savings, but they are not the same. Each district, and especially school districts, need to understand the differences between the two. They also need to weigh the pros and cons of both before they act. Similarly, should your district be considering either of these actions, it is important that you contact the SAANYS Legal Department promptly for analysis of the proposals and strategies for minimizing the impact upon the unit and its members.
Factsheet: The State of School Aid in Extraordinary Times

A 20% State Aid Cut in Any Form Would Devastate Schools, Students

The 20% reduction in state aid that schools have been warned about for months as a state budget gap closing measure for the current year (2020-21) would have enormous consequences for students, communities, and the economy. Given the stakes, Educational Conference Board (ECB) members have come together to produce this informational sheet. Our goal is to provide greater context for the decisions at hand and a common set of facts for elected officials, policymakers, and education stakeholders to work from as our state continues to navigate this extraordinary time.

While New York’s system of school funding is not perfect, it does provide the greatest amount of aid to districts with the least local resources who often have the greatest student need factors. It’s also true that schools statewide are working to meet growing student needs and taking on greater costs to educate students during the COVID-19 pandemic. All school districts rely on state funding to sustain student programs. This is especially true in light of the property tax cap, which limits schools’ ability to raise funds locally to support education in good times and bad—and these are not good times. Based on the facts outlined below, ECB members feel it is critical to emphasize that if there is a state aid reduction at any time, it must be significantly lower than 20%. Further, in any scenario, schools need federal aid.

FACT: The enacted state budget reduced state support for schools by $1.1 billion through the Pandemic Adjustment. While overall support for schools in the enacted 2020-21 state budget was flat, this was only because a $1.1 billion state aid reduction,

State Aid Facts

- The enacted state budget already reduced state aid for schools for 2020-21 by $1.1 billion through the Pandemic Adjustment.
- A 20% state aid cut represents a $5.2 billion loss of funding. No matter how such a reduction is distributed, it would be devastating for schools.
- A 20% reduction in state aid is more than double the size of any other state aid cut in history.
- Mid-year cuts are especially disruptive to students and districts’ fiscal stability.
- A reduction of 20% of state aid would bring the state’s share of school funding to a historic low.

The Pandemic Adjustment, was entirely covered by federal CARES Act funding. But these federal funds are required to be shared with nonpublic schools and thus did not fully restore the reduction in state aid. The federal money was intended to help schools cover costs associated with COVID-19. The Pandemic Adjustment represents a share of existing education funding that is no longer covered by the state. Further, because the federal funding is one-time revenue, there is now a $1.1 billion hole in state education funding to be filled in the coming state budget. The Pandemic Adjustment alone is enough to fuel concerns about the ability of schools to meet student needs and keep pace with costs for the near- and long-term.

No matter how it’s distributed, a 20% state aid loss is untenable.

Adjusting for Wealth is Also Problematic

If some districts are to receive less than a 20% reduction based on need, then other districts, including those with average wealth would have to see a reduction far greater than 20%. Consider, for illustrative purposes, that to save $5.2 billion, it would require cutting all aid to districts with fewer than 44% of their students in poverty — 45% of districts would not receive a single dollar of state aid.

New York State Education Conference Board

John Yagielski, Chair – chair@nysecb.org

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and these lessons will be critical during the vaccination networks and ways to collaborate. Much has been learned progress, both systems are finding better communication consistency of guidance has been problematic and the scarcity of resources has compounded existing challenges. As we progress, both systems are finding better communication networks and ways to collaborate. Much has been learned and these lessons will be critical during the vaccination phase.

#10: Context of School-based Provision of Child Care and Meal Distribution

One of the more interesting initial occurrences was establishing schools as quasi-essential, based on their role as a primary provider of child care for essential workers, and as food and meal distributors. This may be a nod that a critical role of schools is indeed a hub for student/child care during the majority of the day for families. Those words are not profound, but the educational implications could be. How will this translate to acknowledging that child care, prekindergarten, and K-12 can no longer be artificially segmented due to funding sources?

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