

# News & Notes

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## NEWS BRIEFS

### Governor Spotlights School Bus Safety

In his fiscal year 2020 executive budget, Governor Cuomo announced new proposals for addressing student safety on school buses. The governor is proposing authorizing school districts to enter into contracts with third-party providers for the installation of stop-arm cameras. Such cameras would document and record illegal passing of a school bus and issue a resulting ticket. The processing of the images would be the responsibility of local law enforcement agencies and as an added deterrent, the proposal would increase the fine for passing a stopped school bus and such fines would be paid to the school district. In addition, the governor has put forth a proposal that would require students to wear seatbelts on school buses.



### APPR Bill Gets Overwhelming Legislative Support

A unified bill to revise educator evaluations was passed on January 23, 2019 with nearly unanimous legislative approval.

The bill decouples the mandatory use of state assessments in teacher and principal evaluations. The bill will require (if signed by the governor) the commissioner of education to develop regulations to determine allowable alternate assessments from which a district would use while negotiating their own APPR plan through collective bargaining. Other aspects of the current evaluation system such as the observation component, use of the rating categories, and required use of an independent observer remain in place.

### Gun Reform Bills Pass Legislature – Schools Play a Part

A comprehensive gun control package passed both the senate and assembly at the end of January. A number of issues were addressed in the bill including enhancing background checks and accessing out-of-state mental

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SAANYS Director of Government Relations Cindy Gallagher with Assembly Speaker Heastie at the welcome reception for the new legislative session.

## SAANYS Input Sought on Statewide Professional Committees

One of the ways SAANYS has distinguished itself in the area of professional learning is through its active presence on NYSED teams, committees, and workgroups, the outcomes of which directly impact you and your school communities. Although the work associated with these groups is challenging and the commitment to meaningful participation is significant, SAANYS feels that it is worth it to have actual involvement in the development of statewide professional learning directions and all matters that impact students as well as educators. SAANYS is consistently invited by NYSED to participate actively on these committees and the SAANYS perspective and involvement is acknowledged and appreciated.

Most recently, SAANYS has participated on the NYSED Professional Learning Team (PLT), the NYSED Assessment Workgroup, and the Partner Evaluation Workgroup. SAANYS members, including SAANYS President Regina Huffman, sit on these committees as well.

The goal of the Professional Learning Team (PLT) is to provide equitable access to all educators – regardless of geographic location or current level of supports – for high quality professional learning that is “relevant, actionable, and ongoing.” In other words, how do we get the word out in a clear and accessible way when it comes to NYS Next Generation Learning Standards? This committee, and its subgroups, have created actual tools: one page summaries, slide decks to share with teachers, and other communications to raise awareness and improve understanding of the ELA and math standards across the state.

At a recent meeting, the focus shifted to the new resource: Social Emotional Learning: A Guide to Systemic Whole School Implementation that was distributed by Renee Rider of NYSED. Social Emotional Learning (SEL) competencies and examples of how they are currently being addressed in schools from Long Island to Lake Placid were shared for review and discussion. The new ESSA NYSED website was previewed and the group consensus was that wide and consistent dissemination must be an ongoing priority.

The purpose of the NYSED Assessment Workgroup is to examine the current assessment system and “make specific, credible, and viable recommendations to school communities and to NYSED about next generation assessments.”

The Assessment Workgroup is facilitated by Dr. Giselle Martin-Kniep, Jennifer Borgioli, and Jay McTighe of Learner Centered Initiatives (LCI). In two webinars and one face-to-face session to date, the group has pondered questions such as what a balanced assessment system would look like (is it a kaleidoscope, a constellation, a forest?), what place performance tasks have in this system, and what the principles of sound assessments are. SAANYS representatives have shared assessment stories and discussed the unintended consequences of both our current system and any potential changes (no shortage of examples there). As assessment stories were shared,

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## LEGAL BRIEFS

### Know Your Tenure Areas

For most administrators, one of the most important aspects of employment is obtaining tenure. Despite the importance of this achievement, the SAANYS Legal Department receives dozens of calls every year from members who cannot answer the question “What is your tenure area?” Perhaps even more surprising are the number of situations where the employing school districts either do not know what the tenure areas are for their administrators or never assigned tenure areas in the first place.

At the outset, tenure areas are the “subdivisions within the organizational structure of a school district in which a professional educator is deemed to serve.” 8 NYCRR §30-1.1(h). At the start of your employment, the controlling school board must appoint you to a probationary period within a tenure area. Upon the completion of your probationary appointment (four years for anyone appointed after July 1, 2015), you must then be granted the status of being tenured within the same tenure area by the board of education upon the superintendent’s recommendation.

Unlike teachers, the state does not regulate administrator tenure areas. This means that tenure area structures are inconsistent from one district to the next. A district could have a single administrative tenure area for all administrators, regardless of title, could be position specific, or could be somewhere in between (ie. principals, assistant principals, directors). There are pros and cons to each variation. For example, a single tenure area would allow for internal promotions as administrators without having to start a new probationary period. However, it also allows for the district to involuntarily transfer employees into other administrative positions, sometimes even resulting in a demotion (although, not a loss in salary). Perhaps more importantly, it would be

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## SAANYS Welcomes New Units:

– REGION 1 –

Mattituck-Cutchogue Administrators Association

– REGION 4 –

Putnam Valley Administrators Association

– REGION 12 –

Letchworth Administrators & Supervisors Association



## Executive Viewpoint

Kevin S. Casey, Executive Director

### Oversight or Overreach?

What is instantly clear is that there is a wide gap between what the Regents and NYSECB say is needed and what the governor is proposing. There usually is a gap, but this one is broader than usual, especially when one looks at the details. For example, of the \$2.1 billion increase the Regents is proposing, \$1.66 billion is Foundation Aid. In the governor's proposal of \$956 million, \$338 million is Foundation Aid, with \$50 million of the \$338 million being reserved for a community school set aside. Other significant differences include the Regents proposing an \$85 million set aside for ELL (governor's budget proposal zero), a Pre-K inclusion funding pilot at \$6 million (governor's budget proposal zero), and \$25 million for CTE (governor's budget zero). Also, the executive budget does not add any money to support improvement plans for schools new to receivership in the 2019-20 school year.

The executive budget proposal also, in my words, continues to run rough-

shod over the responsibilities of the locally elected school boards with respect to school level spending transparency. In 2019-2020 approximately 50 percent (this will eventually be 100 percent) of school districts will be required to submit the State Financial Transparency form that will be used by the State Education Department (SED) and the Division of the Budget (DOB) to ensure (in theory) that the school level funding is equitably distributed. To be fair to SED, this is not something it sought, and it received no additional funding to do the work associated with implementing and administering this mandate.

After review of the transparency forms, as well as additional information from the districts if requested by SED or DOB, the director of DOB (an executive branch agency) produces a list of underfunded high needs schools. A district with an underfunded high needs school then needs to submit an equity plan to be approved by SED and spend a portion of its

foundation aid increase on the schools identified by DOB as underfunded and high needs. If such a district fails to submit an equity plan, SED will do so and require the district to fund the identified school(s) in accordance with the plan drafted by SED.

Regulation by definition is prescriptive, but the school level spending regulatory scheme is more than oversight. It supports the governor's narrative that schools don't need more money to improve results but rather need to distribute it more fairly to those that need it the most. It also provides a mechanism for the executive branch to direct expenditures on a school level basis. It presumes incompetence at the local level where the district spending plan was developed by locally elected representatives and passed by a vote of district residents. This process seems intrusive. This strikes me not as oversight, but rather overreach. ■

Last month I wrote of the NYS Educational Conference Board's (NYSECB) state aid proposal seeking a \$2.2 billion dollar increase. How the ECB, made up of SAANYS, NYSCOSS, NYSSBA, NYSUT, NYSPTA and the Big 5 got to that number is detailed in the January edition of *News & Notes*. The New York State Board of Regents, making an independent proposal, called for an increase of \$2.1 billion. Subsequent to the January *News & Notes* being sent to the printer, the governor released his executive budget, which called for an overall state aid increase of \$956 million.

By now even a casual observer of the budget

process is familiar with the steps of the budget dance. The advocates and the Regents separately put together a proposed budget increase based upon an assessment of needs and goals. The governor's budget is low, the assembly one-house budget is higher, but still lesser than what the advocates propose, and the senate one house bill is between the governor's number and that proposed by the assembly. The real negotiations then begin. This year the familiar dance may be impacted by the fact that the senate is now in the hands of the democrats instead of the republicans. For much of the recent past, the reverse was true, but the budgetary impact of that change has yet to be seen.

## Reopening the Black Box

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

Paul Black and Dylan Wiliam's research on the classroom, which many have alluded to as a "Black Box," is just as timely as the day it was published. All types of inputs from the outside feed into the box from teaching practices to resources. Their research began with a question: What is happening inside the box? A general reaction was that whatever is happening is up to the teacher to make it work.

In responding to the question, they were led to explore the potential of assessment as an integral part of each student's learning. They began with the proposition that teaching and learning had to be interactive. This is the only way for teachers to understand their students' learning progress and challenges. Teachers could do this through observations, discussions, and examinations of a student's work. However, from their research,

another component captured their interest. It was formative assessment which they saw as the heart of effective teaching. In addition, they deemed a student's self-assessment as a critical part of formative assessment.

Assessment involves all activities teachers undertake to acquire information to adjust and adapt teaching and learning activities. By itself, information about student performance from summative testing is insufficient to inform subsequent work. To build a culture of success, student feedback should be about the particular qualities of a student's

current work with advice on what may be done to improve it.

The ultimate beneficiary of assessment information in order to improve is the student. Students are typically honest and reliable in assessing themselves and one another. To do this, students need recognition of desired goals, evidence about current performance, and some understanding about closing the gap between the two. Students should be trained in self-assessment to understand its purpose to become committed and effective learners.

This will require teacher-student dialogue whereby teachers listen carefully to the talk, discuss student work and actions through which students display their state of learning. Here is where teachers need to give students time to respond or have them discuss their thinking in pairs or small groups. The dialogue needs to be thoughtful and reflective for students to be encouraged to participate.

The advent of Next Generation Learning Standards is an important time to move students from passive reception to active participation in their learning.

### References

Black, Paul; Wiliam, Dylan. "Inside the Black Box: Raising Standards through Classroom Assessment." Phi Delta Kappan. 2010; Vol. 92, No. 1.

Black, Paul, and Dylan Wiliam. "Assessment and Classroom Learning." *Assessment in Education* (March 1998).

Dr. Bruce H. Crowder is a senior researcher for Educational Vistas, Inc. His goal is to establish or illuminate the best of instructional practices. Dr. Crowder may be reached at bcrowder@edvistas.com. ■

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

## News & Notes

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# CAPITAL UPDATE

## Highlights of the January Board of Regents Meeting

Rigorous discussions on substitute teaching, identification of schools as Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI), and Culturally Responsive Practices were the order of the day(s) at the January meeting of the Board of Regents. As these rigorous discussions were taking place at SED, simultaneously across the street at the capitol, the legislature was re-introducing APPR legislation. 2019 is going to be a rollercoaster ride.

### Culturally Responsive-Sustaining Education

The first item on the agenda was the introduction of the draft framework for Culturally Responsive-Sustaining (CR-S) education. One of the key challenges to this work was not having a common language base to explore and talk about the issues. In order to establish a framework, SED created various groups (an expert committee, stakeholder groups, and an advisory board) to guide their work on this topic.

The definition developed for the framework states that “Culturally Responsive-Sustaining education is grounded in a cultural view of learning and human development in which multiple expressions of diversity (e.g., race, social class, gender, language, sexual orientation, nationality, religion, ability) are recognized and regarded as assets for teaching and learning.”

The initiative begins with an immediate statewide awareness phase, followed by a building capacity phase in the spring of 2019. The capacity building phase will include professional development that will provide information on building responsive environments, using instructional materials that embrace diversity, and engaging respectfully with families and communities.

### Discussion Around the Table

Regent Finn started the conversation by asking how this initiative would be monitored in order to understand whether the outcomes are tracking with districts. Regent Collins followed by asking Superintendent Harper (a member of the expert panel and the first Native American superintendent in NYS) how staff were provided professional development. He discussed levels of training, creation of opportunities to celebrate ethnicity, and development of culturally responsive environments. This conversation then merged into how NYC was beginning to evaluate staff on their use of key principles of cultural responsiveness in their teaching. Regent Young raised a caution that we should not rely solely on instructional materials to solve the problem and that we need to create

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–Martin Luther King, Jr.

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a different kind of energy to make the needed shifts to culturally responsive school environments.

The materials used in the presentation may be found at by scanning the QR codes below:



### Resolution on the Roll-back of Obama Administration Guidance

The board also passed a resolution to reaffirm the board’s commitment to fostering climates and school cultures that are safe havens for learning where all students feel welcomed. The resolution is in response to federal roll-back of the Obama administration’s guidance on reducing racial discrimination in the use of school suspensions.

### ESSA Update

Senior Deputy Commissioner Jhone Ebert provided the board with an update that focused on the list of schools identified as CSI and TSI. Embargoed data had been sent to districts in order to provide an opportunity to respond to the data and appeal the identification as CSI or TSI. According to Commissioner Elia, New York State is the only state that previews the draft list to impacted districts and she is fully supportive of this approach. This update prompted a serious discussion on how participation in the state assessment program impacts identification as a low performing school. Some members of the board spoke about recent conversations with those who had just been identified as low performing. This generated a review of how the various formulas used in the academic achievement and student growth formulas use participation rate. In large part this is due to federal requirements under ESSA to report academic progress using the state’s approved assessment program. A source of confusion seems to be the use of rate of participation in formulas and the separate issue of districts with high opt-out rates being penalized for reduced student participation. In part, this confusion may have been a holdover misunderstanding from an initial set of regulations that would have penalized districts with high opt-out rates by having title funds reduced. Such regulations were revised so that districts with high opt-out rates will only be required to develop need assessments and plans to increase participation rates in state assessments, not have funding reduced. It still remains true, however, that some districts with high opt-out rates and low scores on academic progress and student growth could be identified as CSI or TSI based on student performance.

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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).

### Proposed Regulations Regarding Substitute Teachers

Proposed regulations that would increase the number of days for which substitute teachers could provide services met with rigorous debate. There is a shortage of substitute teachers across the state which prompted the BOR to examine possible ways to address this issue. The first set of regulatory changes occurred in 2016 that allowed a substitute teacher, without certification, to work up to 90 days in specific situations while schools showed good faith efforts to find certified substitute teachers. However, there was a level of concern with this provision, so the Board of Regents at that time required that the regulation sunset in June 2018. Therefore, the current

Substitute Teachers Current Requirements		
Certification Status	Authorized Teach Time	Educational Qualifications
Individual with a Certificate <sup>1</sup>	<ul style="list-style-type: none"> <li>Unlimited number of days</li> <li>More than itinerant work in certification area</li> </ul>	Has bachelor’s degree
No Certificate <sup>1</sup>	<ul style="list-style-type: none"> <li>Taking 6 or more credits towards certification</li> <li>Unlimited number of days in itinerant placement</li> <li>More than itinerant work employment must be in certification area being pursued</li> </ul>	No bachelor’s degree, but pursuing
No Certificate	<ul style="list-style-type: none"> <li>Limited to 40 days</li> </ul>	No requirement
Substitute Teachers Proposed Requirements		
Certification Status	Authorized Teach Time	Educational Qualifications
Individual with a Certificate <sup>1</sup>	<ul style="list-style-type: none"> <li>Unlimited number of days</li> <li>More than itinerant work in certification area</li> </ul>	Has bachelor’s degree
No Certificate <sup>1</sup>	<ul style="list-style-type: none"> <li>Taking 6 or more credits towards certification</li> <li>Unlimited number of days in itinerant placement</li> <li>More than itinerant work employment must be in certification area being pursued</li> </ul>	No bachelor’s degree, but pursuing
No Certificate	<ul style="list-style-type: none"> <li>Can teach up to 40 days: With Approval from Superintendent can substitute up to 90 days but only on itinerant basis</li> </ul>	High school diploma: Must receive appropriate Professional learning and support which may include online opportunities
No Certificate	<ul style="list-style-type: none"> <li>Can teach up to 90 days With Approval of Superintendent</li> </ul>	Associate degree : Must receive appropriate Professional learning and support which may include online opportunities
Expired Certificate	<ul style="list-style-type: none"> <li>Unlimited number of days in the certificate area held</li> </ul>	Bachelor’s degree

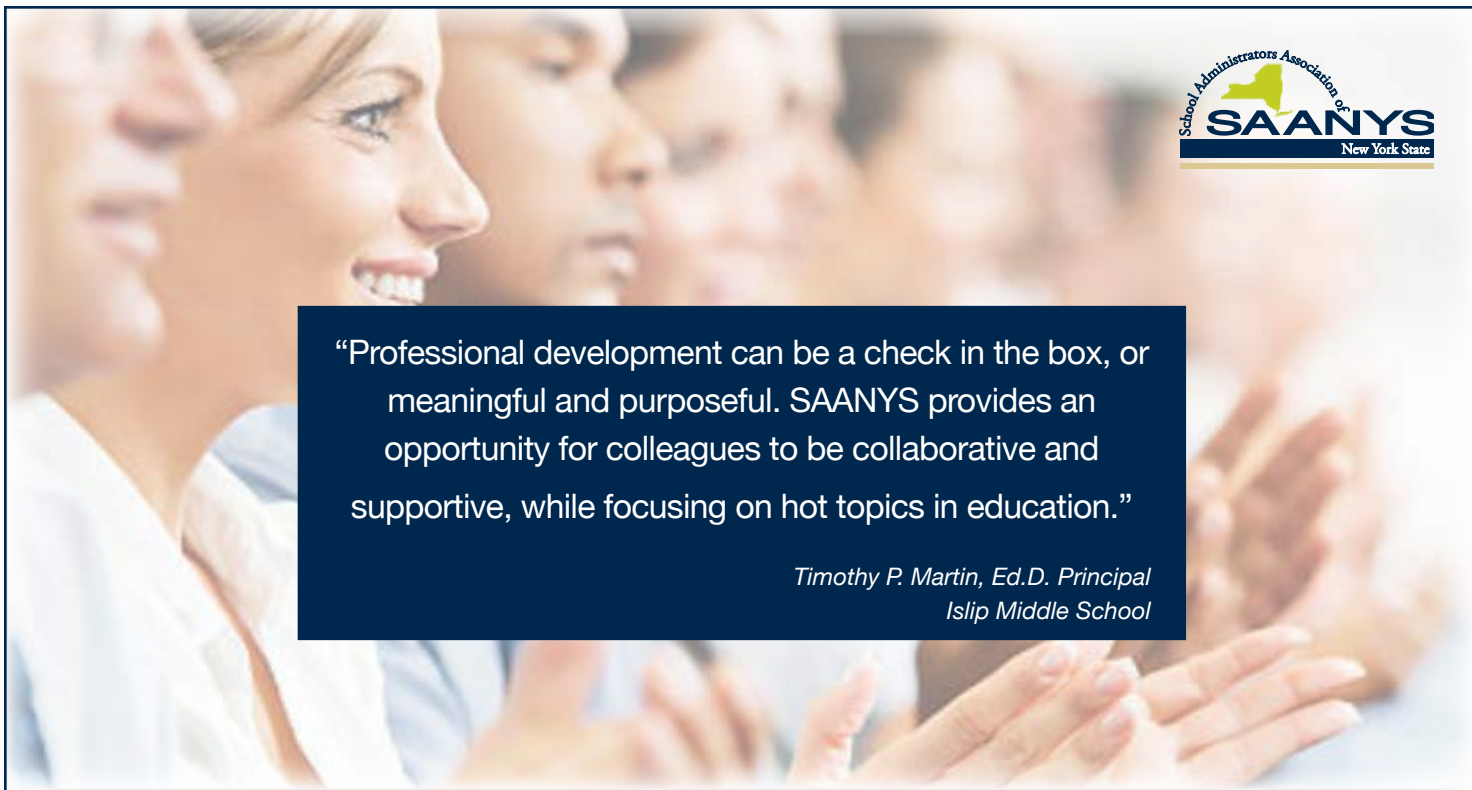
<sup>1</sup> Current requirement that stays in effect

## Executive Budget Aid to School Districts

### 2019-20 School Aid:

- Description of the 2019-20 New York State Executive Budget Recommendations for Elementary and Secondary Education
- School Aid Runs Published by the State Education Department

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

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## SAANYS Input Sought on Statewide Professional Committees

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

it was easy to see the wide variation around the state and the level of concern

and stress that exists around the whole topic. Although the group is reminded that some things need to go in order to clear the way for newer models, those in the group are skeptical that this will actually occur (are teachers ready to let go of antiquated teacher-created tests that exist solely for the purpose of grading?) and are wary that even informal agreement on a new direction could be taken as actual recommendations going forward, since so many questions and varying perspectives remain. This seasoned group is not shy about expressing concern that there is already a plan behind the curtain and regulators are simply looking for a rubber stamp. It will be interesting to see where the process leads.

The important thing is that in NYSED groups like these, SAANYS is at the table and actively engaged as a partner. SAANYS' presence and voice brings members to the table as well, and allows SAANYS to continue to offer the highest quality professional learning around the current issues that impact you and your school communities. SAANYS is grateful to do this work on your behalf. ■

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## 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).



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

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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**

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## Lessons Learned 3.0

Experienced administrators sharing their hard-earned wisdom



February 27, 2019 | 4:30-6:00pm

SAANYS Headquarters

Join some of our seasoned school leaders who will share their hard-won wisdom on the kinds of dicey relationships and situations that we all face: How do you handle negative factions among faculty? What if you and your superintendent/board differ on tenure recommendations? What if you are a new administrator drowning in paperwork and stuck in interminable meetings?

Current and aspiring administrators are invited to attend this panel discussion focused on these kinds of situations that are very common, challenging, and timeless for school leaders. This event is not about the latest technology, it's about the lessons learned regarding leadership, relationships, and navigating challenges that demand reasoned and thoughtful response.

**Please note: Although the format will be similar to the previous events, the scenarios are new. So if you attended previously, we hope to see you again!**

Here's what previous participants had to say:

"Having access to the wealth of knowledge and experience on the panel was awesome! The best part was practical advice and finally feeling like I'm not alone!"

"It was inexpensive and after work hours - otherwise I wouldn't have been able to come. I appreciated the advice about scheduling one's time."

February 27, 2019

SAANYS Headquarters  
8 Airport Park Boulevard  
Latham, NY 12110

4:30 pm-6:00 pm

Light refreshments will be served.

Please note: event will be postponed and attendees notified in case of inclement weather.

Cost:

\$20 SAANYS members  
\$30 for non-members

Who Should Attend:

All current or aspiring administrators eager to learn what only experience can teach.

For additional information, contact Karen Bronson at [kbronson@saanys.org](mailto:kbronson@saanys.org).

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## 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.

**Women and Investing** March 1

While many women are taking control of household finances, they are no more prepared to meet long-term financial goals than they were a decade ago. The objective of this seminar is to provide the knowledge that will help empower your future decisions in good times and bad, so that you are not a bystander in your own financial picture.

**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.

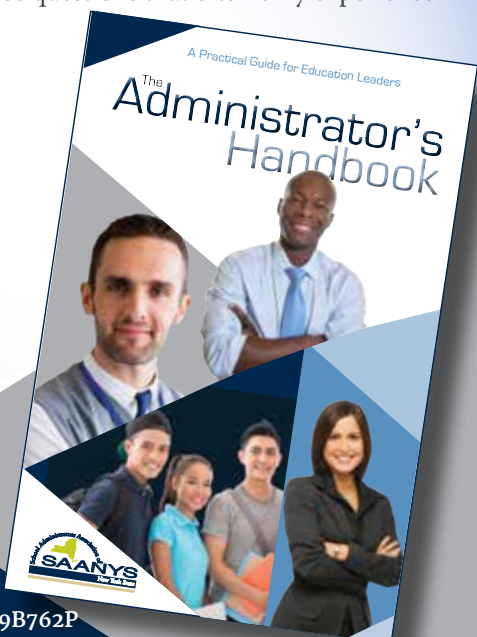
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# LEGAL BRIEFS

A Message from the SAANYS Legal Department



Jennifer Carlson  
SAANYS Deputy General  
Counsel  
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## Know Your Tenure Areas

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the person with the least seniority in the tenure area and not necessarily the person in the position being eliminated who will be let go and placed on the preferred eligibility list. Conversely, in districts with narrower tenure areas, it is entirely possible that when a position is abolished, the most senior administrator in the bargaining unit is then gone.

Tenure areas are not only important for purposes of layoffs, but also for recall. A certificated educator who has been laid off

due to a position abolishment will be placed on a Preferred Eligibility List (PEL) for a period of seven years. Every time there is an opening in the tenure area, the employer must offer it to the most senior individual on the PEL, even if they previously declined recall. In districts where the tenure areas are broader, recall does not have to be for the exact position that was abolished, but can be for any position within the tenure area, so long and the person seeking recall has the appropriate certifications. For example,

an elementary principal who was placed on the PEL within the tenure area of principal is entitled to recall as the high school principal.

As you can see, knowing your appointed tenure area and those used for other administrators is important for your individual rights. It is also important for your bargaining unit as a whole. School districts have the initial ability to set tenure areas. However, any deviation from the previously established tenure areas is a mandatory topic of bargaining and must be negotiated with the unit. This typically occurs either when a new superintendent is looking for greater control or flexibility in assignments or when a district's practice has been so inconsistent that it wants to reset. It is of vital importance that you contact SAANYS should this

topic be broached by the district, as it could have negative consequences on existing unit members or prospective ones. As part of negotiations, it is possible to retroactively change the tenure areas of existing administrators. However, there are due

*School districts have the initial ability to set tenure areas. However, any deviation from the previously established tenure areas is a mandatory topic of bargaining and must be negotiated with the unit.*

process property interests involved and anyone who could possibly be negatively impacted must personally agree to the change. For example, if a district has title specific tenure areas and wishes to change to a single tenure area for all administrators, it will require the signatures of every person because the least senior person within an assis-

tant principal tenure area could possibly have more seniority than the most senior within a principal tenure area, possibly creating inequities should an assistant principal position be cut. Thus, a single person who could be impacted by a change in tenure area refusing to agree will kill the entire potential agreement.

This article only gives the briefest of glances at a complicated and important issue. It is very important that any issues

relating to tenure areas, potentially including promotions, be brought to the attention of the SAANYS Legal Department promptly, as some potential actions have very narrow statutes of limitations. ■

## 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 spoke with a unit's negotiations committee to plan and prep for the upcoming contract negotiations.

### REGION 2

SAANYS reviewed a document that a member has been asked to sign, and counseled the member regarding potential liability concerns.

### REGION 4

SAANYS reviewed a CBA to ensure the most recent MOA was properly included.

### REGION 5

SAANYS reviewed an MOA and advised a unit on a proposal to create a temporary position within the unit.

### REGION 6

SAANYS reviewed health insurance plans and a contract for a unit currently in contract negotiations.

### REGION 7

SAANYS review an MOA regarding a retiree health insurance buyout.

### REGION 8

SAANYS advised a unit on the proposed restructuring of the district.

### REGION 9

SAANYS advised a unit in negotiations regarding personal versus school cell phones.

### REGION 10

SAANYS attended a pre-hearing conference at PERB for an improper practice charge relating to the district self-dealing with individuals.

### REGION 11

SAANYS filed a grievance for a civil service employee requesting arbitration after the employee was discharged pursuant to an alternative disciplinary procedure.

### REGION 12

SAANYS advised a member about a potential civil rights discrimination case related to a hostile work environment.

## 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.

### Monticello Administrators and Supervisors Association, Region 5

The Board of Education of the Monticello Central School District (BOE of the Monticello CSD) and the Monticello Administrators and Supervisors Association (Monticello ASA) negotiated a successor contract that relates to changes in compensation, health insurance, unused sick time, work year, and vacations.

The compensation structure was modified as follows: the MOA provides that the administrators' salaries increase 2.8 percent each year of the four-year contract. Additionally, the contract provides that the 2018-2019 salary increase will be retroactive to July 1, 2018, and is calculated after any longevity increase is added to the base salary of the members. Each longevity increment (there are five increments) was increased by \$300 and the 12-year longevity payment was reduced to 11 years.

In exchange, association members will contribute 1 percent more each year for the duration of the contract, ending on June 30, 2021 at 15 percent employee cost-sharing toward the health insurance premium. However, the MOA also provides a big improvement in health insurance for retirees. The parties agreed to a side letter of agreement that will allow any unit member who retires and has completed 10 consecutive years of service with at least five years as an administrator in the district to receive health insurance in retirement for life of the individual retiring at 72 percent district paid from 50 percent for individual coverage or 35 percent for a family plan.

The new contract also tax shelters the payment of unused sick time upon retirement. Such payments will be made as employer non-elective contribution into a designated I.R.C. 403(b) account for the benefit of retiring employees.

### Tri-Valley Central School District Administrators Association, Region 5

The Tri-Valley Central School District Administrators Association successfully bargained its first collective bargaining agreement with the Tri-Valley Central

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# SAANYS 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**

Be prepared to present your membership ID #.

Rate applies to regular active, retired active, and retired affiliate members. Associate member fee is \$150.

## Have questions? Need assistance?

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

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## Contract Settlements

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School District in Grahamsville, New York. Highlights of their CBA include compensation, health care, and arbitration.

All unit members shall receive a salary increase of 2.65 percent retroactive to July 1, 2018. On July 1, 2019, they will receive an annual salary increase of 3.25 percent, and on July 1, 2020, they will receive a 3 percent annual salary increase. Additionally, in the first year the elementary assistant principal, the high school principal, and the director of PPS will receive the respective equitable adjustments retroactive to July 1, 2018: \$3,000, \$3,000, and \$5,000. Members may also receive longevity payments. The new contract also includes a tenure stipend of \$1,500, plus a three step longevity schedule: after 5 years \$3,000, after 7 years of service \$4,000, and after 10 years \$5,000.

Tri-Valley CSDAA members are enrolled in the Empire Plan and currently contribute 13 percent to either individual or family coverage. On July 1, 2019, the cost sharing will increase for members to 13 percent for individual or 14 percent for family coverage. On July 1, 2020, members with family coverage will pay one percent more (or 15 percent) for the plan. Employees are free to opt out of the district's health insurance program and are entitled to \$3,200 each year. In retirement, members are entitled to insurance coverage based upon their years of service. Those who have served between six and eight years will receive eighty percent paid coverage from the district for life for an individual plan, and fifty percent for a family plan. Those who have served nine years or more will receive one hundred percent coverage for an individual plan or seventy five percent of the difference between the cost of the dependent plan and the individual plan.

Article IV of the CBA provides for binding arbitration of grievances. ■

## Congratulations Retiring Members

Joan M. Arthur  
Vera Gallagher  
Debra Kienke

Sally Ann Shields  
Lind Tillotson  
Dale Turner ■

Contact a  
SAANYS  
Attorney



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## 2019 CALENDAR



FEBRUARY

National African American History Month

National Children's Dental Health Month

Feb 11 Thomas Alva Edison's Birthday

Feb 12 Abraham Lincoln's Birthday

Feb 14 St. Valentine's Day

Feb 15 Susan B. Anthony's Birthday

Feb 17 National PTA Founders Day

Feb 18 Presidents' Day

Feb 20 Frederick Douglass Day

Feb 22 George Washington's Birthday

Feb 23 W.E.B. DuBois's Birthday



MARCH

Women's History Month

Middle Level Education Month

Music in Our Schools Month

National Nutrition Month

Youth Art Month

Mar 1 NEA's Read Across America

Mar 3 Adoption of U.S. National Anthem

Mar 4-8 National School Breakfast Week

Mar 4 First Woman to Serve in Congress (1917)

Mar 5 Mardi Gras

Mar 6-Apr 20 Lent

Mar 8 International Women's Day

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

continued from page 1

health records, but two measures involve schools and school personnel directly.

The Arming of School Personnel

This bill prevents K-12 schools from authorizing anyone other than a security officer, school resource officer, or law enforcement officer to carry a firearm on school grounds.

The bill didn't pass without controversy, some arguing it would unduly harm schools' shooting clubs, while the bill's sponsor, Todd Kaminsky (D-Long Beach), commented, "I understand the point of local control, but we believe in this case it is more dangerous to have a gun within the school."

The Red Flag Bill

The legislative package also includes the "Red Flag Bill," which would allow a court to issue an extreme risk protection order (ERPO), prohibiting a person who has been determined to be a threat to themselves or others from purchasing or possessing a firearm for up to one year.

The bill further defines who can make petitions for such court orders, including school administrators or their designee.

Look for further details and updates about these bills and their status, including the complex Red Flag bill, at saanys.org. ■

Highlights of the January Board of Regents Meeting

continued from page 3

board members needed to revisit this issue, which they did last May. However, the item was tabled as consensus could not be reached on a minimum level of education for substitute teachers. The current board members continue to be uneasy with allowing persons with a high school diploma and without certification to provide services up to 90 days. Therefore they asked SED staff to go back to the drawing board, obtain more data from superintendents and propose an alternative option. The alternative options were presented at this January meeting.

The chart on page 3 summarizes the proposed revisions. There was continued debate on the provision to allow persons with a high school diploma only to provide services up to 90 days and the item was tabled again.

Discussion Around the Table

Despite input from districts that urge the allowable use of persons with a high school diploma as substitute teachers, a number of members of the board remain concerned about the lack of certification for a person to teach for approximately one half of the instructional days. Various scenarios were played out that demonstrated that in some situations a very young person, with just a high school diploma, would be allowed to provide instruction to basically their same aged peer group. Similarly other members of the board indicated that superintendents and district superintendents would most certainly use good faith judgment on this issue. The item was tabled again in hopes that an agreeable solution could be brought forth at a future meeting.

For additional information on this item please scan the QR Code.



Transitional H Pathway for School Business Administrators

The board adopted a proposal to allow persons who have at least three years of experience as a certificate public accountant in a school district, BOCES, or municipality to be eligible for a Transitional H certificate. This proposal will go out for a 60-day public comment period and is anticipated to be adopted in May, 2019.

Should you have any questions on the above information, please contact Cindy Gallagher, director of government relations, at cgallagher@saanys.org or by calling 518-782-0600. ■

A message from a SAANYS corporate sponsor



The year is 1990! Castle Learning was the vision of two New York State teachers and a computer programmer who wanted to leverage technology to help students prepare for end-of-year testing.

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The Castle Learning Team focuses on keeping content current, aligned, and rigorous. The technology is flexible to select from pre-designed sessions or to develop assignments from the ground up. Castle Learning's teacher platform provides easy differentiation and easy-to-read assessment data.

Over 1 million students and thousands of teachers are using Castle Learning regularly as part of their academic assets. The Castle Learning Team is proud to be a top educational resource which helps keep the teacher's toolbox current and relevant! ■

**What Members Are Saying**

*"Just over three years ago, the Garden City Administrators Association cast a unanimous vote to switch our representation to SAANYS. Our affiliation with SAANYS has been the absolute right decision and continues to receive unanimous unit approval. Our association should have made this move long ago."*

- Garden City Administrators Association

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