

# News & Notes

VOL. XLVI No. 2 • FEBRUARY 2017



www.saanys.org

## At the January Meeting of the State Board of Regents

A two-day meeting of the Board of Regents was held in Albany on January 9 and 10, 2017, and focused on issues related to ESSA, teacher certification requirements, career and technical education, and opioid and heroin addiction. The following provides a summary of the two day meeting:

### ESSA Discussion

Every month since November, the board has focused on one aspect of ESSA. The focus this month was Supports for Improving Schools. The discussion provided an overview of ESSA requirements and recommendations from the Think Tank.

The primary goal of an accountability system is to be able to differentiate school performance to direct support to low performing schools in order to improve student outcomes. Under ESSA, states must specify how districts will be identified and which indicators will be used for the identification process.

Which Low Performing Schools Will be Identified:	
	Lowest 5% of schools
	HS with less than 87% graduation rate
	Low performing subgroups

The Think Tank used High Concept Ideas 33-36 to frame the following recommendations for the design of the New York ESSA state plan.

- Low performing schools will be required to complete a diagnostic needs assessment that examines whole school practices.
- Low performing schools will receive an annual review and develop corresponding annual plans.
- Low performing schools will tailor their school reform models using various models that are based on the results of the diagnostic needs assessment.
- New York State should not use the optional 3 percent of Title I allocation as a direct service set aside.

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## SAANYS Board of Directors January Meeting



Your SAANYS Board of Directors held its winter meetings in Albany on January 20-21. The SAANYS Board of Directors is composed of 2 members from each SAANYS Region (plus Syracuse and Rochester), and representatives to the national associations and the SAANYS Retire Committee.

## SAANYS Submits Opposition Letter Regarding DeVos Confirmation to Senators Schumer and Gillibrand

Pursuant to direction by our Board of Directors, SAANYS has submitted letters to Senators Schumer and Gillibrand in opposition of the confirmation of Betsy DeVos as secretary of education. In the letters, Executive Director Kevin Casey speaks on behalf of the association: "Ms. DeVos' responses to questions on special and higher education, school finance, regulatory structures, and current educational laws and regulations fell well below acceptable levels of proficiency for consideration as a viable candidate for the position of secretary of education." Scan the QR code to view the full letters and read additional comments from SAANYS' executive director on page 2. ■



## 2017-18 Executive Budget and School Aid Runs

### Governor's Proposed Budget

On January 17, Governor Cuomo released his FY2018 proposed budget. Overall, SAANYS is pleased to see that the education component of the proposed budget continues or increases key education initiatives. We also acknowledge that while the proposal is headed in the right direction, school districts across the state do not have sufficient resources to implement all mandated yet unfunded or under-funded initiatives.

### Proposed Budget at a Glance

Funding Category	Proposed Budget: Funding
School Aid	\$1 billion dollar increase -\$961 million increase for school aid -\$428 million increase for Foundation Aid
Community Schools	\$150 million
After-School programs	\$100 million
Prekindergarten programs	\$100 million
Charter School Transitional Aid	-New tier -Support for charter schools in privately leased space
Early College High School programs	\$5.3 million increase
Reimbursement to Non-public schools	\$181 million
Comprehensive Attendance Policy program for Non-public schools	\$60 million (continuation of a 2 year appropriation)
Capital funding for non-public to enhance classroom technology	\$25 million
AP exam costs for low income	\$2 million
Master Teacher program	\$2 million
Empire State Excellence in Teaching awards	\$400,000
Cyberbullying prevention	\$300,000

The \$1 billion dollar increase to education aid includes a \$961 million increase to School Aid, which is a 3.9 percent increase over FY2017. Within the \$1 billion proposed allocation, there is a \$428 million increase in Foundation Aid and \$150 million is a targeted set-aside for community schools. Approximately 70 percent of funding is allocated to High Need districts. Tee NYS Educational Conference Board, of which SAANYS is a member, recommended an overall state aid increase of \$2 billion for 2017-18 and the Board of Regents proposed a \$2.1 billion increase.

### The proposed budget also includes:

- \$100 million (\$35 million of new funding) for after-school programs. It is anticipated that this funding will support an additional 22,000 placements of students in programs, which would result in approximately 80,000 students receiving after-school care in the 2017-18 school year.
- \$100 million for pre-kindergarten programs to expand both half and full day pre-k programs in high need school districts. It is anticipated that there will be a graduated streamlining of the current seven funding streams to provide greater program stability.

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## LEGAL BRIEFS

### You and the Duty of Fair Representation

This month's article is related to the bargaining unit specific topic of the Duty of Fair Representation (DFR). There are many benefits to being a member of a SAANYS bargaining unit, including the ability to negotiate a contract with the employer and control the terms and conditions of employment for all employees in the unit. This is meant to ensure that the employer cannot play favorites with basic terms of employment including pay and leave.

However, with the power to negotiate a contract for all employees in the unit comes certain responsibility. The responsibility is on the unit to represent all of its members fairly in all manners of unit representation including, disciplinary matters, grievances/improper labor practice claims, and contract negotiation. If the unit fails to do this then it may be subject to violations of the DFR law. Most frequently these issues arise when the relationship between the unit and an individual member deteriorate.

The DFR law is enforceable by the State Public Employment Relations Board ("PERB") and through that the state court system. Simply put, the DFR is a requirement on the part of units to treat all members of the unit fairly and equally in decisions relating to the unit as a whole. To prove a

*continued on page 6*

**SAANYS**  
*Welcomes New Unit:*

**– REGION 8 –**  
**DCMO BOCES**  
**Administrators**  
**Association**



## Executive Viewpoint

Kevin S. Casey, Executive Director

# A Test of Government Design

Democracy, by design, is a messy affair. The purposeful diffusion of power through a series of checks and balances and varying centers of authority slows decision-making, and provides many opportunities for many to be heard. As the old saying goes, a dictator can make the trains run on time. In our system of government however, institutional brakes on individual decision-making authority has always been valued over vesting one with the authority to make the trains run on time. Thank goodness.

As of this writing (the afternoon of January 31) Betsy DeVos is the nominee for secretary of education. Her nomination has just passed in the Senate Health, Education, Labor, and Pensions Committee (ironically, the “HELP” committee), clearing the way for a full Senate vote for final approval. It is most likely the full Senate vote will have occurred by the time you read this, and you will be aware of the result. The result of the votes however does not change the facts.

The facts are that Ms. DeVos has never attended a

public school, nor worked in one in any capacity. She did not send her children to public schools. She has not run a large bureaucracy like the United States Department of Education. Her answers to questions regarding IDEA, accountability, and guns in school ranged from uninformed to ludicrous. I don’t know Ms. DeVos, who may be a genuinely pleasant person, but she clearly lacks a basic understanding of fundamental educational issues. Her lack of knowledge alone makes her unqualified to assume the office to which she has been nominated.

In addition to qualifications, there is the more difficult matter of philosophy. Ms. DeVos has dedicated much time and vast sums of money to create an environment where charter schools are largely unregulated compared to public schools, and vouchers funded by public monies may be

used at religious schools and at charter schools run by for-profit entities. There are those with whom you may disagree, while at the same time recognizing the logic, experience, and intellect of the person advancing the theory with which you disagree. That is not the case when I think of Ms. DeVos’ hostility toward public schools and hostility towards rational regulation governing schools. Use of the very broad brush of “failing public schools” is intellectually dishonest, and the idea of schools being the vehicle to “advance God’s Kingdom” is likely unconstitutional.

According to the New York State Council of School Superintendents, approximately 85 percent of school children in the United States attend traditional public schools. Many of these schools will be hurt if Title I funds are redirected to fund a voucher program. If the

experience of Ms. DeVos in Michigan is any guide, many of those voters will be directed toward for-profit charter schools with an inherent conflict; is their duty of loyalty directed toward school children or to shareholders?

It’s entirely possible that by the time you read this, Ms. DeVos will have been confirmed as our secretary of education. That would not be good news in my opinion. However, if our system of government works as designed, her impact will be mitigated by competing power centers (think Senate and House opponents, courts, state government officials, unions, school boards...). It is my sincere hope Title I monies will not be redirected to create a voucher program. It is my sincere hope that the trains will not run on time. ■

## The Assessment Transition from Paper to CBT 2020

Sponsor Opinion Piece by Scott B. Crowder, CEO, Educational Vistas, Inc.

The advantages of computer-based testing are numerous and the savings are substantial. They break down into three major categories: time, money, and personnel. By delivering these high-stakes assessments online and eliminating the paper production, shipping & handling, distribution, packaging, scanning, and data validation costs, you create an efficient process where administration and scoring are your only significant investments.

In 2016 over 800 schools voluntarily participated in the state-wide field testing of CBT and 60,000+ students actually took the tests on computer in ELA and math in grades 3 through 8. For the 2017 spring NYS assessment period, many schools are taking a wait-and-see approach to this new testing platform. The facts are that by 2020 the assessments will be delivered through Questar Assessment, Inc.’s Nextera secure-session program to almost

all of New York State’s 1.2+ million students in grades 3 through 8! Their process is proven and the policies, procedures, and technical requirements are all in place to assure assessment integrity, accuracy, and stability. After the testing period, authentic items are also efficiently scored in one of two ways. Either through their ScorePoint online assessment item scoring product or by vendors accessing the items through an API process and scoring



them within their own products. District still have the right to contract with any approved scoring company so long as they meet all NYSED requirements. Please scan the QR code or visit <https://cbtsupport.nysed.gov/hc/en-us/categories/201173603-Grades-3-8-ELA-and-Math-Computer-Based-Testing> to review all CBT and NYSED released resource materials, videos, and PowerPoint presentations.

So how do we adequately prepare our students for the unique challenges of computer-based testing before 2020? One way is to give students multiple opportunities to experience similar assessments, delivered in a manner consistent with the NYSED model, and containing items that also mirror NYS (or using released items from prior years). This will provide a roadmap to future student success and give teachers and proctors the necessary experience they need to facilitate

uneventful assessment administration periods. These NYS “practice” tests will provide valuable data to inform instructional decision making to overcome identified student challenges that may be addressed through the use of interventions and strategies before the next high-stakes NYS assessment administration. In a perfect world, curriculum, instruction, and dynamic assessments form a seamless web within the educational enterprise to guide students to higher achievement. ■

*The statements and opinions expressed herein do not necessarily imply or reflect the opinion or philosophy of the School Administrators Association of New York State.*

## News & Notes

School Administrators Association of New York State

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

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Your membership and trust are of the utmost importance to us, your staff. Please be assured that SAANYS does not now, and has never, sold its mailing list or email list. Informational material from our corporate sponsors is mailed to you directly by SAANYS to protect your privacy.

If you have questions or concerns regarding the information you receive, please contact Debbie Taylor, director of corporate services, at [DTaylor@saanys.org](mailto:DTaylor@saanys.org) or (518) 782-0600.

# CAPITAL UPDATE

## At the January Meeting of the State Board of Regents

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Discussions focused on the responsibility of districts to ensure that a targeted and differentiated approach is taken for each school identified as low performing by using a diagnostic needs assessment. A fuller discussion, led by Linda Darling-Hammond, focused on student success and school quality indicators. At this point in time, approximately 35 indicators have been identified as important for identifying low performing schools. The discussion examined options of other states, such as developing an index of several key indicators.

### Why This May be Important for Members

The indicators, ultimately selected for inclusion in the state plan, will become the framework (in addition to results from state testing) for identifying low performing schools. Subsequently, the indicators will become the priority data points that need to be collected accurately and consistently. Once the indicators are selected, it will be important to analyze whether the data collected at district/school level meets the new requirements, keeping in mind that data will be needed at the district, school, and cohort levels. Scan the QR code to view the presentation.



NYSED will post an online survey to ascertain which indicators stakeholders designate as important for inclusion in the NYS ESSA plan. SAANYS will notify its members via an email blast as to when this survey comes online. We strongly encourage administrators to provide input on this survey as the indicators will have direct impact on principal scope of responsibilities.

### Opioid and Heroin Abuse Discussion

The purpose of this presentation was to update members of the Board of Regents on the current opioid and heroin epidemic in New York State. Between 2003 and 2014, deaths from opioid related abuses have risen from 421 reported deaths to 1,319. In an effort to address the epidemic, NYSED has entered into collaborative agreements with several state and regional agencies. In 2015, Chapter 57 was enacted that permitted eligible educational entities to provide and maintain on site opioid interventions based on participation in DOH and NYSED developed training programs. Additionally, registered nurses were authorized to administer opioid related overdose treatment. Current challenges discussed focused on the need to have increased numbers of school districts register as opioid overdose prevention programs and promote the delivery of earlier prevention education programs to students. Scan the QR code to view the presentation.



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## 2017-18 Executive Budget and School Aid Runs

*continued from page 1*

- A new tier of Charter School Transitional Aid. The charter school cap is maintained at its current level. Increased support for new and expanding charter schools, located in privately leased space, is proposed.
- \$5.3 million increase to expand early college high school programs that provide students the opportunity to earn college credit while attending high school. The funding will be targeted to schools that focus on computer science.
- \$181 million (3.9 percent increase) to reimburse non-public school costs for state mandated initiatives.
- \$60 million (continuation of a two-year appropriation) to non-public schools to accelerate the Comprehensive Attendance Policy program.
- \$25 million in capital funding for non-public schools to enhance classroom technology for students attending non-public schools.
- \$2 million to fund AP exam costs for approximately 68,000 low income students to relieve the costs of participating in the test program, promoting educational equity to advanced coursework.
- \$2 million to fund an additional 115 master teachers, specifically in computer science. Currently, this program has awarded funding to 800 teachers to provide peer mentoring, professional development, and support for the next generation of STEM teachers.
- \$400,000 to fund a second round of Empire State Excellence in Teaching awards. It is anticipated that at least 60 teachers will be awarded funding on a regional basis. The funding may be used for professional development activities.
- \$300,000 for cyberbullying prevention that may include prevention strategies, professional development, and public awareness campaigns.

### School Aid Runs

Scan the QR code to view the recently released school aid runs, which includes funding for fiscal year 2016-17 and the proposed funding for fiscal year 2017-18. ■



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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).

## SAANYS Benefits

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### Benefit of the Month

DDC-NY Online provides the flexibility for you to work at your own pace, on your own schedule.

**For more information or to register, go to [saanys.org](http://saanys.org).**

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# SAANYS Professional Development Update



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

The Greater Southern Tier Leadership Academy wrapped up in December after six months of coming together in person and online to engage in learning and collaboration with colleagues from surrounding districts. The feedback we have received says a lot about the value of experiences like this that bring leaders together over time to tap into their own expertise and engage in thoughtful exploration and discussion of books and topics that are highly relevant and engaging. Ninety one percent of respondents said that they would be 'very likely' to recommend a future academy to a

colleague.

Here are some of their comments:

- "These trainings were without a doubt the most beneficial ones I have ever attended."
- "Grateful for the time to grow as a professional with my regional colleagues!"
- "The academy provided me with a much needed connection with colleagues from my region. I cannot imagine a better way to bring school leaders from a region together over time and give them a learning opportunity that will truly help them with their practice."
- "Loved the book studies and time to collaborate with others."
- "Group participation was high throughout, making this a productive and valuable experience."
- "The topics and activities were varied and relevant, and the book groups, ed camp, and panels kept me engaged."

SAANYS is very gratified to have developed these leadership academies in conjunction with both GST BOCES and HFM BOCES previously. If you would like to discuss the possibility of building an academy within your own district, do not hesitate to give me a call. We can tailor this format to groups of all sizes, both in-house and regionally.

In other news, the new Group Mentor Coaching option is up and running in the form of two pilot Professional Growth Circles that start this month and run through August. Bonnie Tryon and Mark Turner, two of our most seasoned and successful mentor coaches, are leading these two pilot groups: one here at SAANYS headquarters, and one in Rochester. Each group has a maximum of six participants, so check out the website and register quickly if you think you would enjoy sharing successes and challenges of practice with colleagues from other districts and a seasoned mentor coach in upcoming groups!

It's the time of year when regions give us a call to set up events that feature a professional learning component. Here are some that have happened recently or are coming up:

- Region 5 - Jan 19: "Legal Implications of DASA for Administrators"
- Region 10 - March 2: "Managing Difficult Employees"
- Region 12 - March 6: "Implications of Social Media on Your Career"

These events feature a social get together in addition to the one-hour presentation that is requested by the region and presented by SAANYS staff. Check out the website for details, and speak with your regional rep if you are interested in a similar event for your area. Regional reps can then contact me to get the planning underway!

There are also nine AXA Estate Planning Workshops happening this month in nine locations around the state, valuable for members at any stage of their careers. So, lots goin' on! Check out our website and our regional emails for the most up-to-date information about events around the state! ■

## Announcing

Two Pilot Groups of the New SAANYS Group Coaching Model

### SAANYS Professional Growth Circle Group Mentor Coaching

A NEW PILOT PROGRAM FOR BEGINNING OR MID-CAREER ADMINISTRATORS.



**Districts could choose to use this to satisfy first year mentoring requirements for administrators holding an initial SBL certificate.**

#### Why group coaching?

Unlike individual mentoring, a Professional Growth Circle (PGC) has the benefit of the experience and support of colleagues in addition to that of the facilitator mentor coach. Sharing successes and problems of practice with colleagues from other districts and experiences provides both the guidance of the facilitator and the benefit of the group members who act as success partners to provide feedback, support, and encouragement to one another. The Circle goal is for each member to build his or her leadership capacity by identifying strengths and delving into concrete, day-to-day challenges that arise in the work setting. Skillful group mentor coaching taps into the combined talent and expertise of each individual for the benefit of all.

#### Bonnie Tryon and Mark Turner, two of our most seasoned and successful Mentor Coaches, will be leading two pilot groups:

- One in the Capital District held at SAANYS Headquarters, 8 Airport Boulevard, Latham, NY 12110
- One in Rochester, tentative location Monroe 1 BOCES, 25 O'Connor Road, Fairport, NY 14450

#### The PGC will consist of seven meetings to occur February through August 2017:

- One 75 minute individual startup meeting with the facilitator to set goals
- Five 90 minute group meetings
- One 75 minute individual wrap-up meeting with the facilitator

Specific dates and times will be set by the mentor coach with the group members. The mentor coach will be available to each attendee via phone and email between sessions.

SAANYS is a NYSED approved CTLE provider.



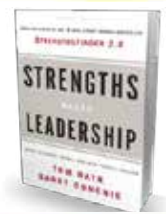
Cost: \$750\*

\*special introductory pilot rate

February–August, 2017

- Rochester & Capital District
- Minimum of 4, maximum of 6 participants
- Supportive and practice-based
- Earn up to 10 hours of CTLE credit
- Book included in registration fee: *Strengths Based Leadership* by Tom Rath and Barry Conchie

**Groups are filled - waiting list for future groups available!**



Contact Susan Jaronski for Waitlist: [sjaronski@saanys.org](mailto:sjaronski@saanys.org)

For more information, contact Karen Bronson at 518-782-0600 [kbronson@saanys.org](mailto:kbronson@saanys.org) • [www.saanys.org](http://www.saanys.org)

## Coming to Long Island



SAANYS **LEGAL ONE NY**  
the leader in school law training

Portraits of Collaboration: Building a Model Program for ELL Students under CR Part 154

### MARCH 6, 2017

Plainview Holiday Inn, Plainview, New York  
8 am - 1 pm | Registration fee – \$150

This workshop will provide participants with a framework for the collaborative development of a model program for ELL Students, and provide tools to assess your district's current program delivery model and make improvements. Participants will gain an understanding of key aspects of CR Part 154, and the role that all stakeholders must play in fulfilling key legal requirements and promoting best practices. Participants will hear from a renowned educator and author, the key state official on ELL policy and practitioners with expertise in implementing model programs.

#### AGENDA:

- 8:00 am - 8:30 am Registration/Coffee
- 8:30 am - 10 am Keynote Speaker: **Andrea Honigsfeld**  
*Portraits of Collaboration: Best Practices for Serving ELL Students*
- 10:00 am - 10:45 am Mid-morning breakfast break
- 10:45 am - 11:45 am Keynote Speaker: **Angelica Infante-Green**  
Understanding CR Part 154
- 11:45 am - 12:00 noon Break
- 12:00 noon - 1:00 pm Panel of Practitioners  
*Best Practices in Action*



#### Presenters:

**ANDREA HONIGSFELD, Ed.D.**  
Educator, Author, and Consultant



**ANGELICA INFANTE-GREEN**  
Deputy Commissioner,  
New York State Department of Education

REGISTER ONLINE

<https://saanys.org/event/portraits-of-collaboration-building-a-model-program-for-ell-students-under-cr-part-154/>



Register at [www.legaloney.org](http://www.legaloney.org)

*"Think left and think right, and think low and think high. Oh, the thinks you can think up if only you try."*  
-Dr. Seuss



# Estate Planning Seminar

Join your colleagues for this comprehensive estate planning seminar presented by AXA.

4:30 PM - 6:00 PM

# Lunch & Learn Webinar Series

Practical Strategies for Educational Leaders



Online Assessments, Rethinking Homework, Parent Engagement

Online

## Preparing Students for Online Assessments: Five Steps to Ensure You're Ready!

March 2, 2017



The K-12 student is more technology savvy than ever before. However, their comfort level with taking online assessments is far from adequate. Most school districts have invested heavily in technology, but many need a

better readiness plan for online testing. Most students do not possess the skills required for online testing, which are very different from the social media and other skills they do possess. The mental stress of preparing and taking academic tests online can be overwhelming for a lot of students, teachers, and administrators. The 30-minute webinar is designed to discuss the five primary steps to ensuring you and your students are ready for the next online assessment. [Click here to register for this session.](#)

## Rethinking Homework

March 16, 2017



Does homework really have a positive impact on learning? If so, what should homework look like, and how much should there be? How can we avoid the tension homework can bring to households on a nightly basis? The debate continues ... This

webinar will discuss how educators might rethink homework and how to use it to improve academic achievement. The 30-minute webinar discussion will include concepts, homework amount, and delivery. [Click here to register for this session.](#)

## Five Steps to Productive Parent Engagement

March 30, 2017



In some schools, there is a huge piece missing in the academic puzzle. The piece is PARENTS! If your school or district is struggling with parent participation, this discussion may provide some insight and concepts to increase involvement. The 30-minute

webinar will discuss five strategies for getting parents/guardians involved in productive and appropriate ways in their child's education. [Click here to register for this session.](#)

All webinars are 30 minute lunch and learn sessions from 12:00 - 12:30 pm.

These webinars are free of charge, thanks to our sponsor, [Castle Learning](#)



SAANYS and the Magellan Foundation are NYSED approved CTLE providers.



## FREE WORKSHOP! Estate Planning

Estate planning is an extremely important piece of a well-crafted financial plan. Unfortunately, it can be a very difficult and confusing process. The financial professionals at AXA can help you navigate through the myriad issues and concerns that people face and help you to create a plan that works for you. Additionally, we can explain how to best centralize financial, legal and personal information so you can be comfortable knowing everything is in one place. Please join us for a thought-provoking workshop centered on helping you get started on creating this much-needed plan. An estate planning attorney has been invited to participate in the workshop.

TO REGISTER:  
[saanys.org/events](http://saanys.org/events)

### FEBRUARY 13 - Watertown

AXA Office  
169 Polk Street, Marcy Bld  
Watertown, NY 13601

### FEBRUARY 13 - Poughkeepsie

AXA Office  
85 Civic Center, Suite 202  
Poughkeepsie, NY 12601

### FEBRUARY 15 - Albany

AXA Office  
5 Maxwell Drive, Suite 100  
Clifton Park, NY 12065

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### FEBRUARY 15 - Binghamton

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4100 Old Vestal Rd, Ste 105  
Vestal, NY 13850

### FEBRUARY 16 - Rochester

AXA Office  
175 Corp. Woods, Ste 250  
Rochester, NY 14623

### FEBRUARY 16 - Syracuse

AXA Office  
120 Madison St, Ste. 1900  
Syracuse, NY 13202

### FEBRUARY 16 - Westchester

AXA Office, Suite 210  
707 Westchester Ave  
White Plains, NY 10604



*"Treat people as if they were what they ought to be, and you help them become what they are capable of becoming."*

*-Johann Wolfgang von Goethe*

# REGIONAL NEWS

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

## LIVERPOOL - REGION 10 - MANAGING DIFFICULT EMPLOYEES WORKSHOP

March 2, 2017 | 4:30-7:00pm | Cost: \$5 | Nick & Angelo's, Liverpool

One of the most challenging parts of being a school leader is addressing the behaviors of difficult and resistant staff. This interactive workshop will take a look at some common types of challenging behaviors and strategies to both prevent and address them. Basic documentation steps will also be explored. Region 10 members who have been nominated for a statewide award will be honored at this event.

## HAMBURG - REGION 12 - THE DANGERS OF SOCIAL MEDIA

March 6, 2017 | 5:00-7:00pm | Cost: \$15 | JP Fitzgerald's Pub, Hamburg

Please join region 12 for a detailed presentation on the dangers, ramifications, and possible outcomes of your use of the many social media websites. SAANYS legal counsel, Wendy De Forge will explain your rights if you are the victim of unwanted posts on social media, as well as ways to avoid being accused of misusing social media.

## PENFIELD - REGION 11 - REGION 11 AWARDS CEREMONY

April 27, 2017 | Midvale Country Club, Penfield

Save the date! Celebrate the excellence in your district. We honor administrators at the elementary, middle, and high school level (not just for principals, ALL school administrators!) District Level Administrator, Civil Service Administrator (new this year), Friend of Education, and Retiree award.

## Nominate a Colleague for a Region 2 Award



### Celebrate the Excellence in Your District

This award recognizes any SAANYS member in Region 2 (Nassau County) who has rendered exceptional service on behalf of education. Nominees may be any individual SAANYS member in within Region 2 affiliated with a district or BOCES.

The successful candidate is expected to attend the awards ceremony at the SAANYS Region 2 Annual Unit President's Dinner on May 10th.

## Nominations due no later than March 30

To download a nomination form visit:  
<https://saanys.org/about-us/regions/region-2/>

# LEGAL BRIEFS

A Message From  
Elliott Raimondo  
SAANYS Counsel  
ERaimondo@saanys.org



## You and the Duty of Fair Representation

*continued from page 1*

DFR, the aggrieved individual must show that the claimed offensive activity, or lack thereof, which forms the basis of the charge is deliberately unfair, arbitrary, or made in bad faith. This definition is intentionally left vague to enable PERB to judge cases based on the individual circumstances associated with each case. However, PERB has ruled that incompetence, even if per-

vasive, is not enough to justify a DFR claim if not motivated by bad faith. Therefore, this has limited successful DFR claims to situations where the unit has not acted neutrally toward the effected member, but actively against them. Note, there are no grounds for a DFR if you testify truthfully against another unit member in a court of law or disciplinary matter.

As a unit the safest way

to avoid a DFR is to treat every member of the unit with respect and fairness when it comes to the contract. Threats of DFRs typically occur when an individual disagrees with the unit as to whether action should be taken against the employing district. It is important to check your unit's constitution and bylaws to ascertain what review processes need to take place before deciding if a matter should proceed, either through the grievance procedure or some other manner. Some units have special committees to determine whether cases should be brought, whereas others require the vote of the entire unit. If your unit's constitution and bylaws are silent on

how to decide whether to go through with potential legal claims, it is best to err on the side of caution and have more than one person make the determination, as opposed to just

*It is important to note that the DFR only applies to individuals in their capacities as a unit leader or the unit as a whole, not to individuals in their personal or professional capacities.*

the unit president. As long as it can be demonstrated that there was a rational reason why the decision was made that was not motivated by bad faith, then there is no violation of the duty, even if people may disagree with the decision.

It is important to note that the DFR only applies to

individuals in their capacities as a unit leader or the unit as a whole, not to individuals in their personal or professional capacities. Therefore, issues unrelated to the unit are not subject to the DFR law. For example, if you perform a criminal or civil act upon another unit member you are liable in criminal and civil court.

If this issue even begins to arise it is best to immediately call the SAANYS Legal Department and have either a SAANYS attorney or negotiator step in to head off any potential issues. As always, if you have any concerns or questions about this article please email or call the SAANYS Legal Department. ■

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.*

*This program may now be covered under BOCES CoSer!*

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**274**

During normal business hours, call 518-782-0600 to speak with a SAANYS attorney.

After Hours Pager:  
**1-800-978-6055**  
*Be sure to include your area code when leaving your number.*

**JOBS**

Visit SAANYS' Career Center at [www.saanys.org](http://www.saanys.org). Simply click on the "Career Center" button on the homepage to search jobs for free.

Does your district need to post a job opening? Call 866-376-0949 and use member code MEMDIS001 to receive a 20 percent discount.

**SAANYS and Magellan are now Approved CTLE Providers!**

Please add us to your list of approved PD providers for 2016-17!

SAANYS Provider Number – 3084  
Magellan Foundation Provider Number – 3085

# At the January Meeting of the State Board of Regents

continued from page 3

## Health Screenings

The BOR discussed revisions to regulations pertaining to health services that will move to final adoption in April pending a public comment period.

### Why This May be Important for Members

Modifies the grades for which scoliosis, vision, and hearing screenings must be provided. Changes were made to be consistent with recommendations made by NYSDOH and professional associations or boards. Proposed regulations are as follow.

Screening Required	Grade level
Health examination for attendance	Prek or k, and grades 1,3,5,7 and 9
Scoliosis	Girls- grades 5 and 7 Boys -grade 9
Vision(distance and near vision)	Within 6 months of admission, Prek or k, and grades 1,3,5,7, and 10
Hearing (pure tone)	Within 6 months of admission and Prek or k, 1,3,and 5

Scan the QR code to view the presentation.



## Expired Certifications and Supplementary Certificate

To provide increased flexibility to the field the BOR propose to allow a candidate applying for a reissuance to complete required professional development with one year prior or one year after application to NYSED. Also proposed, is the flexibility to allow a supplementary certificate to be valid for five years as opposed to the current three years. Scan the QR code to view the presentation.



## Presentation by Linda Darling-Hammond

The BOR and Linda Darling-Hammond discussed ESSA and accountability systems. Scan the QR code to view the presentation. ■



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**79%** - vs - **59%**

79% of those using an advisor were more confident they'll reach retirement goals vs. 59% of those **not** using an advisor

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**75%** - vs - **56%**

75% of those using an advisor were extremely or very satisfied with plan performance vs. 56% for those **not** using an advisor

**Want to know more about the benefits of working with a financial professional? Call (866) 401-3030 and select Option 5 to request a copy of AXA's Value of Advisor whitepaper today, or visit us at [axa.com/advisorvalue](http://axa.com/advisorvalue).**

AXA commissioned this study to quantify the value a financial advisor brings to 403(b) plan participants' retirement goals. The study was conducted by deKadt Market Research. Respondents to the survey were drawn from 19 providers, including Fidelity, MetLife, AXA, Prudential, Voya, Nationwide, Lincoln, VALIC and TIAA-CREF. Fewer than 9% of the more than 1,000 respondents were AXA clients. (01/2015)

\*AXA\* is the brand name of AXA Equitable Financial Services, LLC and its family of companies, including AXA Equitable Life Insurance Company (AXA Equitable) NY, NY, issuer of annuity and life insurance products, and AXA Advisors, LLC (member FINRA/SIPC), distributor of variable products. AXA Equitable and AXA Advisors do not provide tax or legal advice.

Securities offered through AXA Advisors, LLC (NY, NY 212-314-4600), member FINRA, SIPC. Annuity and insurance products offered through AXA Network, LLC. AXA Network conducts business in CA as AXA Network Insurance Agency of California, LLC, in UT as AXA Network Insurance Agency of Utah, LLC.

GE-112420B (3/16) (Exp. 3/18)  
G37287

## 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.

### Herkimer BOCES Administrators Association, Region 8

- No change in health insurance.
- 3 percent per year for four years, through June 30, 2020.
- \$1,000 stipend for tenure.
- Retirement incentive from \$55 to \$60 per day.
- Can sell back five instead of four days of vacation each year.
- New bereavement leave for extended family.
- Language that their personnel file can't be reviewed unless they are made aware. ■

*"Play is often talked about as if it were a relief from serious learning. But for children, play is serious learning. Play is really the work of childhood."*  
—Fred Rogers

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Pittsford Mendon High School, Pittsford, NY

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# 2017 CALENDAR



- FEBRUARY**
- National African American History Month*
  - National Children's Dental Health Month*
  - Feb 11** *Thomas Alva Edison's Birthday*
  - Feb 12** *Abram Lincoln's Birthday*
  - Feb 13-17** *Take Your Family to School Week*
  - Feb 14** *St. Valentine's Day*
  - Feb 15** *Susan B. Anthony's Birthday*
  - Feb 17** *National PTA Founders' Day*
  - Feb 20** *Frederick Douglass' Day*
  - Feb 20** *Presidents' Day*
  - Feb 22** *George Washington's Birthday*
  - Feb 23** *W.E.B. DuBois's Birthday*

- MARCH**
- Women's History Month*
  - Music in Our Schools Month*
  - Youth Art Month*
  - National Middle Level Education Month*
  - Mar 1** *Peace Corps Anniversary*
  - Mar 2** *NEA's Read Across America Day*
  - Mar 3** *Adoption of U.S. National Anthem*
  - Mar 4** *First Woman to Serve in Congress*
  - Mar 6-12** *National Foreign Language Week*
  - Mar 6-12** *National School Breakfast Week*
  - Mar 8** *International Women's Day*
  - Mar 10** *Anniversary of Harriet Tubman's Death*
  - Mar 11** *Johnny Appleseed Day*
  - Mar 12** *Daylight Savings Time*
  - Mar 16** *First Black Newspaper in U.S. Published*
  - Mar 17** *St. Patrick's Day*
  - Mar 20** *First Day of Spring*
  - Mar 21** *International Day for the Elimination of Racial Discrimination*
  - Mar 22** *World Water Day*
  - Mar 23** *Anniversary of Patrick Henry's Speech*



## Champion Creatively Alive Children

Together with Crayola, NAESP offers a special opportunity to apply for a Champion Creatively Alive Children Grant.



Your school could receive a \$3,500 grant (a \$2,500 check and \$1,000 worth of Crayola products) to establish a creative leadership team and build the creative capacity of your professional learning community.

**Deadline:** Friday, June 23. (The Early Bird deadline is Monday, June 5.) Early Bird applications will receive a Crayola product Classpack®.

### More information:

<http://www.crayola.com/for-educators/ccac-landing/grant-program.aspx>

## Green Education Programs

The Alternative Fuel Foundation is offering grants for programs that promote the concept of sustainability. Projects that encourage parent involvement and build stronger community spirit will be favored. Typical grants range from \$250-\$500, but larger grants are considered on a case-by-case basis. Schools or parent groups are required to submit their grant applications online.



**Deadline:** Ongoing

### More information:

<http://www.alternativefuelfoundation.org/education.html>



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EDUCATION DEPARTMENT  
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## New York State Education Department Announces Summer Food Service Program

The New York State Education Department is accepting applications for the 2017 Summer Food Service Program from public or nonpublic, nonprofit school food authorities; all local, county, municipal, or state governmental entities; Indian tribal territories, migrant programs; nonprofit agencies; and camps interested and eligible in sponsoring a Summer Food Service Program.

### More information:

<http://www.nysed.gov/news/2017/new-york-state-education-department-announces-summer-food-service-program>

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**The Superkids Reading Program**

Ready for Third Grade!

To learn more about Superkids or Zaner-Bloser's other reading and language arts programs, contact:

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**DIBELS Oral Reading Fluency Assessment**

Year	Meets/Exceeds Benchmark 600 second-grade level
2009	63%
2012	78%

2009 Second graders had NO Superkids  
2012 Second graders had Superkids in K, 1, and 2

End of second grade results from Newbury School District, Langhorne, PA

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**New! First-ever joint conference for all school leaders.**

NASSP and NAESP are teaming to present a new kind of annual conference. This joint conference for Pre-K through grade 12 school leaders will be an unprecedented opportunity to engage in collaborative conversations across the school continuum as you work together to shape the trajectory for school success.

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**naesp** National Association of Elementary School Principals  
**NASSP** National Association of Secondary School Principals

A message from a SAANYS corporate sponsor



Twenty-six years ago, two New York State teachers and a computer programmer wanted to leverage technology to help students prepare for end-of-year testing. Fast forward to today! Web-based technology and Castle Learning is leading the way in supporting daily classroom instruction.

The educational demands on teachers and students require resources which can help students grow academically and increase teacher effectiveness throughout the school year. This is the mission of Castle Learning!

Castle Learning's team of former and current educators focusses on content design, application, and data analysis, to help drive and differentiate instruction. The technology platform provides instant feedback to assist all users including students, teachers, parents, and administrators.

Castle Learning's new student portal makes 24/7 access easy from any internet connected device. The student can receive teacher assigned activities or conduct a session in self-study mode. The self-assessment allows the student to analyze their own achievement levels.

The Castle Learning team is focused on keeping content current and rigorous. The technology is flexible to select from pre-design sessions or develop assignments from the ground up. Castle Learning's teacher platform provides easy differentiation and assessment data at all levels.

Over 1 million students and thousands of teachers are using Castle Learning regularly as part of their academic assets. Over 70 percent of the New York State public school districts make Castle Learning a resource tool for their students and teachers. The Castle Learning team is proud to be a Top 100 DA Educational Product which helps keep the teacher's toolbox current and relevant! ■