

# News & Notes

VOL. XLV No. 1 • JANUARY 2016



www.saanys.org

## The House, the Senate, and President Obama Act to Sunset NCLB and State Waivers

On December 2, the House of Representatives passed the Every Student Succeeds Act (ESSA), 359 to 64. The following week, on December 9, the Senate acted similarly in passing the legislation, 85 to 12. President Obama signed the legislation into law on December 10, saying, “It creates a real partnership between the states, which will have new flexibility to tailor their improvement plans and the federal government, which will have the oversight to make sure the plans are sound.” Though reauthorized seven years late, the new law is strongly supported by most educational organizations – including SAANYS.



The new federal law will be authorized for four years, rather than for the more typical five-year period. This means the law will be partially implemented under the current administration, and will be up for reauthorization before the completion of the first term of the next administration. It will be phased-in as follows:

- July 1, 2016 for noncompetitive (formula) programs (e.g., Title I)
- August 1, 2016 for sun-setting state waivers
- October 1, 2016 for competitive programs
- School year 2017-18 for accountability requirements

The new law will change the federal-state relationship by returning more decision-making to the states.

With respect to the state accountability system, the secretary may not add requirements or criteria that are inconsistent or outside of the scope of Title I-A or in excess of statutory authority granted to the secretary. Also, as a condition of the state plan, the secretary may not:

- Require a state to add new requirements
- Require a state to add or delete specific elements to the standards
- Prescribe goals of progress or measurements of interim progress that are set by states under the accountability system

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**SAANYS Welcomes New Unit:**  
– REGION 8 –  
**Chittenango Administrators Association**

## Clarkstown Admin Named an Assistant Principal of the Year



Matthew Younghans, assistant principal at Clarkstown High School South in the Clarkstown Central School District, has been selected as the 2016 New York State Secondary Assistant Principal of the Year by the School Administrators Association of New York State (SAANYS). This award is

given annually by SAANYS and the National Association of Secondary School Principals (NASSP) to an assistant principal who has set the pace, character, and quality of education for the students in his or her school. Nominees are administrators who are committed to students, parents, and the community and have shown exceptional contributions to the educational process.

Hired as assistant principal of the high school from within the district, Younghans has strived to continue his approachable and consistent leadership style, while maintaining and expanding relationships first developed at the middle school with the students now at the high school. Often visible in the hallways and at extra curricular activities, he has fostered a climate of openness at the school. As noted by Debra Tarantino, principal of Clarkstown HS South, “Mr. Younghans is an approachable, talented, intelligent, and well-rounded assistant principal

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## Regents Discuss Task Force and APPR Moratorium

The State Board of Regents convened in Albany on December 14 and 15 – it was a busy meeting. A summary of important discussions and actions follows:

**1. Governor Cuomo’s Common Core Task Force** – On December 10, Governor Andrew Cuomo’s Common Core Task Force issued its final report and recommendations. In announcing the release of the report, Governor Cuomo said “...the task force has made important recommendations that include overhauling the Common Core, adopting new locally-designed high quality New York standards, and greatly reducing testing and testing anxiety for students.” The governor also said, “The Common Core was supposed to ensure all of our children had the education they needed to be college and career ready – but it actually caused confusion and anxiety. That ends now.”

Richard Parsons, who was the chairperson of the 15-member task force, reported that information was received from more than 2,100 students, parents, teachers, administrators, and other education stakeholders. On behalf of the task force he said, “While adoption of the Common Core was extremely well intentioned, its implementation has caused confusion and upheaval in classrooms across New York State. We believe that these recommendations, once acted on, provide a means to put things back on the right track and ensure high quality standards to meet the needs of New York’s kids.”

At the Regents meeting, Commissioner Elia reviewed each of the 21 recommendations issued by the task force, along with a description of the actions already taken or planned by the State Education Department (SED). Recommendations 1-20, along with the commissioner’s comments, can be found on the homepage at saanys.org. Given space limitations, this printed version will focus on recommendation 21 and the Regents-approved moratorium to exclude state tests from professional evaluations.

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Scan the QR code to the left or visit saanys.org to read the full article with all 21 of the task force recommendations, including Commissioner Elia’s comments.

### LEGAL BRIEFS

## What to Do When You’re Under Investigation

As supervisors and leaders, SAANYS members are oftentimes forced to make hard decisions and/or call people to task for not doing their jobs. Acting in this responsible manner sometimes results in administrators being blindsided by false accusations that could lead to a school district investigation. Many find it understandably frustrating that districts investigate complaints that seemingly lack merit and/or come from people who are known to be chronic problems. It is important to understand that districts have an obligation to investigate complaints in order to prevent future liability should the person making the complaint decide to sue. If you find that you are the subject of an investigation, remember the best thing to do in these situations is to contact the SAANYS Legal Department at the earliest possible time. The following is a brief guide to help you understand what actions may be needed.

Initially, you need to be aware that if you are the target of an investigation, you are entitled to representation of your choosing. Districts often respect this fact, but occasionally we will hear of situations where members are told that they can only bring their unit president. This is simply not the case. If you are ever the subject of an investigation, you may bring someone from your local bargaining unit if you are comfortable, or SAANYS can arrange to send a labor relations specialist or attorney. If you receive pressure from the district to proceed with representation that is less than what you are comfortable with, contact the SAANYS Legal Department and we will intervene. Should you choose to go to an investigatory interview with just someone from your unit, you always

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## Executive Viewpoint

Kevin S. Casey, Executive Director

### Never a Dull Moment

By now, just about everyone with an interest in public education is aware of significant changes, yet again, in the applicable legal and regulatory framework governing education. The recent changes have occurred in both Washington and Albany, and are largely welcome despite some resulting uncertainties.

The Elementary and Secondary Education Act (ESEA) was finally reauthorized by the Ev-

ery Student Succeeds Act (ESSA), and the No Child Left Behind Act (NCLB) was finally and thankfully put to rest. For those interested in the many details of ESSA, I invite your attention to [saanys.org](http://saanys.org) for a thorough summary of ESSA, completed in conjunction with our national affiliates, NAESP and NASSP. It includes the variety of express limitations on the authority of the secretary of education. Suffice it to say, ESSA is far less prescriptive

than NCLB, and returns significant authority back to the states.

At the state level, the governor's Common Core Task Force issued its report after a rapid statewide "listening" tour. At the outset of the work of the task force, it was emphasized that the task force was focused on standards and that evaluations were not being considered, but by Albany standards that was a lifetime ago and things change.

The task force made twenty-one recommendations (see page 1 for story), the last of which was not to allow the results from assessments aligned to the current Common Core standards to be used in the evaluation of teach-

ers and students until an updated system is in place (standards established, assessments and curricula aligned...) or until the start of the 2019-2020 school year. Principals were not mentioned by the task force, but Commissioner Elia clarified in both a direct communication to SAANYS and in the subsequent emergency regulations adopted by the Board of Regents that the recommendation applied to principals as well.

A little over a year ago, the governor introduced a bill designed to give some protections to teachers and principals from evaluations tied to test scores. He later vetoed his own bill. Less than a year ago, the governor instead

used the budget-making process to increase the value of the state exams on evaluations to fifty percent. He is now supportive of essentially a four-year moratorium on their use. Watch the pendulum swing.

I'm not complaining. The pause has been widely acknowledged as a good thing. We now await SED regulations and guidelines on how this will exactly work. We wait to see if the opt-out movement is appeased, or if it will continue to thrive. Most of all, we wait for the governor's state of the state address in January to see how this might change yet again. ■

## APPR – Take Two

Sponsor Opinion piece by Cynthia E. Gallagher, Educational Vistas, Inc.

As the APPR Advisory Committee continues its deliberations on teacher and principals evaluations, it is important to take this opportunity to think about what types of evaluation systems can meet evolving accountability and professional development requirements. In 2011, our policymakers rushed to implement an APPR plan to secure funding through Race to the Top. Other states, under the same federal initiative, designed very different evaluation models that may have achieved a more balanced approach.

So what could a balanced

approach for New York State look like? We know from experience that with 689 school districts a one-size-fits-all model probably won't work. That means that policy makers will need to broaden evaluation components to incorporate a wide range of district experiences and contexts. Education has become a complex enterprise and teacher duties and responsibilities well exceed the boundaries of the classroom. Their roles have expanded to include leadership positions in school-wide initiatives, community outreach, and curriculum development, which are only some examples and vary from

district to district.

Other states, such as Minnesota, have implemented evaluation cycles that cover multiple years in order to provide a differentiated approach for new and veteran professionals. Massachusetts and Delaware require a five-step process that involves goal setting, planning, and feedback. Such models focus on the process of evaluation necessary to support professional growth. Another tact taken in some states is an increased flexibility for selecting assessments used for growth score calculations. This provides districts with the ability to match the appropriate tests to the district curriculum and delivered instruction. Connecticut's process incorporates the recognition of the role of every teacher in relation

to the school and uses a required whole school performance measurement. Additionally, still other states include options such as action research projects, student and parent surveys, and portfolios as an integral and valid part of teacher ratings.

In order for teacher evaluations to provide reliable and differentiated

ratings of effectiveness, they must be designed to contain components and processes that meet the dual purpose of accountability and professional development. The alignment of both of these elements is critical in order for teacher and principal evaluations to serve as valid measures of performance. ■

*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.*

## Clarkstown Admin Named an Assistant Principal of the Year

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whose empathy towards all stakeholders allows him to be able to handle even the most delicate and difficult situations with professionalism and respect."

Known as a lifelong learner, Youngmans has offered many professional development opportunities to teachers including "Viking Institutes," which offer workshops on Common Core, Google Classroom, the teacher evaluation process, and adapting modules to meet the needs of instruction. Several teachers have now become Google certified and are able to offer ongoing support for building teachers to incorporate Google within their classrooms. Additionally, he is recognized as a mentor to the new teachers at the school. Special education teacher, Jacqueline Hurley noted, "Matt has not only taught me to grow as a teacher, but how to be an effective building leader. Matthew Youngmans truly fits the description of an outstanding leader."

When students approached Youngmans to be the staff advisor of the Youth United Way Club, he immediately jumped in to raise awareness of local poverty and to meet the needs of less fortunate students within the community. Of obtaining and distributing formal dresses and suits for underprivileged students to use at school events, one of the students in the club stated, "Mr. Youngmans is up for anything including dresses. This selfless act taught me to never underestimate people's willingness to give." ■

**2016 Awards Program**

For a complete list of the 2016 awards and criteria, as well as nomination forms, go to: [www.saanys.org/about-us/awards](http://www.saanys.org/about-us/awards)

**Application Deadline: January 31, 2016**

## News & Notes

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# CAPITAL UPDATE

## Regents Discuss Task Force and APPR Moratorium

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Recommendation 21 states that until the new system is fully phased in (or until the start of the 2019-2020 school year), the results from assessments aligned to the current Common Core Standards, as well as the updated standards, shall only be advisory and not be used to evaluate the performance of individual teachers and students. The commissioner presented proposed emergency regulations related to “Transition Ratings for Teachers and Principals” at the December 2015 Board of Regents meeting. This item is described below.

### 2. Regents Emergency Action Relate to Governor’s Common Core Task Force Recommendation 21 –

Consistent with recommendation 21 of the Governor’s Common Core Task Force, the State Education Department presented an Emergency Action Item to amend regulations by adding two new sections: §30-2.14 and §30-3.17. The new regulations relate to the annual professional performance reviews (APPRs) of teachers and principals and are effective this year, 2015-16.

It should be noted that the regulations require SED to develop guidance in connection with the new requirements. SAANYS will continue to confer with the State Education Department to further clarify transition procedures to be included in forthcoming guidance from SED and from SAANYS, and to identify necessary revisions to the regulations, which are now posted for public comment. The item will be presented to the Board of Regents again in March for adoption or revision. The following information is based on SAANYS’ initial review of the regulations in their current form.

The presentation and discussion at the Regents meeting gave many the misimpression that the new regulations pertain only to student performance on the grade 3-8 English language arts and mathematics tests. This is NOT the case. The transition provisions pertain to teachers and principals at the elementary, middle and high school levels whose APPRs are based in whole or in part on student performance on the grade 3 to 8 English language arts and mathematics assessments AND/OR on state-provided growth scores on Regents exams – regardless of whether their school district or BOCES is operating pursuant to §3012-c or §3012-d. The transition will result in two sets of APPR scores, one subcomponent/category scores that will continue to incorporate state-provided growth scores “for advisory purposes” (and therefore will entail no “consequences”) and composite scores; and a second, with subcomponent/category scores and composite scores and ratings that are adjusted to exclude restricted state assessment components.

The transition procedures, however, are somewhat different for school districts and BOCES operating under §3012-c than for those operating under §3012-d.

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## The House, the Senate, and President Obama Act to Sunset NCLB and State Waivers

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- Prescribe specific assessments or items to be used in assessments
- Prescribe accountability indicators that states must use;
- Prescribe the weight of measures or indicators
- Prescribe the specific methodology states must use to differentiate or identify schools
- Prescribe school improvement strategies or exit criteria for English language learners
- Prescribe minimum N-sizes for student participation in state testing
- Prescribe any teacher or principal evaluation system
- Prescribe any measures of teacher or principal effectiveness
- Prescribe the way in which the state factors the 95 percent requirement into their accountability system

For accountability, states must continue to identify and intervene in the lowest performing five percent of schools (a.k.a., priority schools), high schools where the graduation rate is 67 percent or lower (note the current cut-point is 60 percent), and schools where student subgroups are low performing (a.k.a., focus schools). Although there remains a requirement that 95 percent of students participate in state assessments, states are given discretion as to how lower participation will be addressed in the state accountability system – and there is no longer a requirement that a participation rate under 95 percent automatically results in a determination of performance failure. Finally, states will have to determine indicators of success including academic indicators (such as proficiency on tests, English-language proficiency, and graduation rates) and an additional indicator (such as student engagement, teacher engagement, and access to advanced coursework) – with the academic indicators counting “much more” in the state accountability system.

For student assessment, the bill maintains NCLB requirements to annually assess all grade 3 to 8 students in English language arts and mathematics. It should be noted, however, that SAANYS strongly supported H.R. 4172, the Student Testing Improvement and Accountability Act, introduced by Congressman Chris Gibson. The house bill would have discontinued the requirement for

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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 James Viola, SAANYS director of government relations, at JViola@saanys.org.

## 2015 CALENDAR



- Jan 17 World Religion Day
- Jan 18 Martin Luther King Jr.'s Birthday Observance
- Jan 19 Robert E. Lee's Birthday
- Jan 23 First Native American U.S. Senator
- Jan 28 Christa McAuliffe Day



- National African American History Month
- Feb 1 National Freedom Day
- Feb 2 Groundhog Day
- Feb 8 Chinese New Year
- Feb 8-12 National School Counseling Week
- Feb 9 Mardi Gras
- Feb 10 Ash Wednesday
- Feb 11 Thomas Edison's Birthday
- Feb 12 Abraham Lincoln's Birthday
- Feb 14 St. Valentine's Day
- Feb 15-19 Take Your Family to School Week
- Feb 15 Presidents' Day
- Feb 15 Susan B. Anthony's Birthday
- Feb 20 Frederick Douglas Day
- Feb 22 George Washington's Birthday
- Feb 23 W.E.B. DuBois's Birthday

# SAANYS Professional Development Update



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

Even though it has felt downright “springy” for this time of year, we are sure to get some winter before we’re done ... but in the meantime the seeds for a spring series have been planted!

The name of the series is Locally Grown PD and the goal is to allow our member practitioners to develop topics to share with colleagues in their regions around the state. Some but not all of the topics grew out of the breakout workshops presented at our annual conference in Rochester last October. The first part of the workshop will be presented in locations around the state, many in settings within the presenters’ home districts, at the convenient time of 4:30 - 6:30pm. The second part, which consists of online follow up and support with implementation, will be presented online soon after the face-to-face workshops. Teachers and administrators can attend for a minimal cost. Attendees can call in and participate live, or view and listen to the archived version on our website.

Here are the topics that are emerging. All of the workshops will take place in March, and the goal is to hold at least one in each of the twelve SAANYS regions around the state. Additional topics will be added to the program as it continues to take root! Complete information and workshop descriptions will be appearing on the SAANYS website shortly, but see the ad on this page for details.

- Making Teacher Evaluations More Efficient
- An Innovative Model to Build Teacher Leaders
- How to “Storify” Your School to Get the Good Word Out
- Revitalize Collaborative Data Teams
- Unclog the RTI Process to Meet the Needs of ALL Students
- Use DDI to Rejuvenate Teaching
- Cultivating Teachers’ Professional Growth with the Ed Camp Model
- Jump Start Blended Learning
- Disruptive Innovation How Tos
- Faculty Meetings for Professional Learning
- Meeting the Needs of ELLs in Innovative Ways
- Mindfulness for Leaders
- From Administrator to Lead Learner

As director of professional development at SAANYS, I have learned how big this great state of New York really is! Locally Grown PD will be sprouting up like farmers’ markets in every part of the state in early spring. Ideas and details are germinating now, so stay tuned! ■



Please add [info@saanys.org](mailto:info@saanys.org) to your address book to be sure you receive e-mails. If you have difficulty, please ask your tech support person for assistance as blocking software may prevent receipt. Don’t miss another critical announcement.



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# PLANNING FOR THE EARLY-MID CAREER ADMINISTRATOR

Join your colleagues for this comprehensive retirement planning workshop presented by AXA

4:30 PM - 6:00 PM

LIGHT REFRESHMENTS



## Start Saving Early... Start Now

Retirement planning isn’t something that should wait until you are ready to retire. By taking steps now, you can work to maximize your benefit opportunities and secure your future without having to “play catch up” later on. Whether you are just starting your administrative career or are in the middle of it, you should be aware of the opportunities that are available to you and craft a plan that will lead to success. Topics for discussion will include pension forecasting, savings strategies, and balancing short term income needs versus long term planning.

AXA Advisors specializes in working with New York State employees, helping them to get the most out of their NYS benefits. AXA will provide specific information on understanding the true value of your NYS Pension, protecting your pension during your working years, how to maximize your 403(b) retirement investments, and making the most of your contract benefits.



**COST: FREE**

Register online: [saanys.org](http://saanys.org)

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*Making Teacher Evaluations More Efficient*  
**MARCH 2 | MILLBROOK**  
Cindy Gallagher, Educational Vistas and Dr. Kathleen Affigne, Millbrook CSD

*An Innovative Model to Build Teacher Leaders*  
**MARCH 3 | LIVERPOOL CSD**  
Maureen Patterson and Steven Garraffo, Liverpool CS

*Storify*  
**MARCH 3 | JERICO CSD**  
Don Gately

*Revitalizing Collaborative Data Teams*  
**MARCH 3 | HERKIMER/ONEIDA**  
Karen Kemp and Thomas Job, Measurement, Inc.

*Unclog the RTI Process to Meet the Needs of All Students*  
**MARCH 8 | ARLINGTON**  
Dan Shornstein and Allison Lauchaire, Arlington CSD

*Bringing Collaborative Leadership to Life In Your School*  
**MARCH 9 | ARLINGTON**  
Paul Fanuele, Arlington CSD

*How Data Driven Instruction Can Rejuvenate Teachers: See It to Believe It!*  
**MARCH 9 | TBD**  
Amy Piper, Fredonia CSD

*Cultivating Teachers’ Professional Growth with the EdCamp Model*  
**MARCH 10 | CARMEL CSD**  
Janet Warden and Lizzette Cintron, Wappingers CSD

*One District’s Story: How Blended Learning is Changing Instruction at Cuba Rushford*  
**MARCH 10 | TBD**  
Jay Morris and Chris Cappelletti, Cuba Rushford CSD

*Disruptive Innovation*  
**MARCH 15 | HOWITT MIDDLE SCHOOL**  
Dr. Bill Brennan


*Faculty Meetings: From Dissemination to Engagement*  
**MARCH 15 | TONAWANDA HS LIBRARY**  
Jessica Lyons, Rachel Wagner, Mary Beth Scullion, Tonawanda City Schools

*ELL*  
**MARCH 30 | SAANYS HEADQUARTERS**  
Rachel Stead

*Just Breathe: Mindfulness for School Leaders*  
**MARCH 31 | SUFFOLK**  
Joseph Sapienza, Jericho CSD

*From Administrator to Connected Lead Learner*  
**MARCH 31 | BOCES**  
Lisa Meade and Victoria Day





**blended**  
Online Book Study

Starts February 3! 3 Evening Sessions

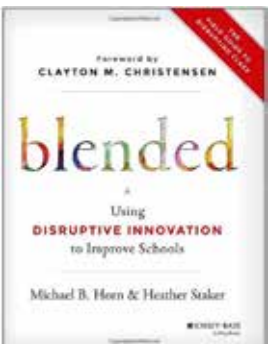
**Kickoff Webinar:**  
February 3  
8:00 pm

**Midpoint Webinar:**  
February 24  
8:00 pm

**Closing Webinar:**  
March 9  
8:00 pm


**Cost: \$30**  
Includes a copy of the book which will be mailed to you.

**Blended: Using Disruptive Innovation to Improve Schools**  
by Michael B. Horn and Heather Stakes

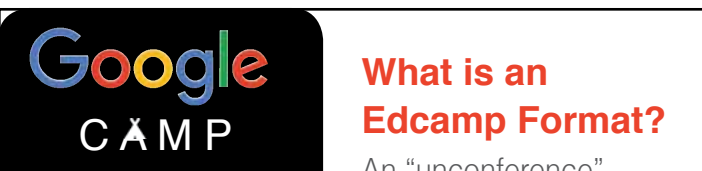


**What is blended learning?**  
Blended learning is the integration of face to face learning and online learning that research has shown to be the most engaging and effective model for student engagement and success.

*Please note: This book study is independent and flexible for each participant. All webinars are asynchronous and will be recorded. In addition, all discussions will be due each week but at the pace of each attendee.*



**REGISTER NOW**



**What is an Edcamp Format?**  
An "unconference" without keynoters; a beginner strand is preset, with advanced topics to be determined by the attendees themselves on the morning of the event. Four exciting, interactive, practical sessions will result, with a focus on all things Google.

**Schedule for the Day**

8:00 am - 8:30 am	Registration
8:30 am - 8:45 am	Opening
8:45 am - 9:00 am	Session Presentation
9:05 am - 9:50 am	Session 1
10:00 am - 10:45 am	Session 2
10:45 am - 11:00 am	Coffee break
11:10 am - 11:45 am	Session 3
12:00 Noon - 12:45 pm	Lunch
1:00 pm - 1:45 pm	Session 4
1:50 pm - 2:35 pm	Session 5
2:45 pm - 3:30 pm	App Smackdown I Closing Remarks


**Topics include but are not limited to:**

1. Chromebooks in the Classroom
2. Google Apps Management
3. Google + Hangouts
4. Understanding Google Classroom
5. Going Google
6. Customizing Chrome to make your life awesome!
7. Google Scripts
8. Google Apps for Mobile Devices
9. Deep Dive with Drive
10. Google App Smackdown


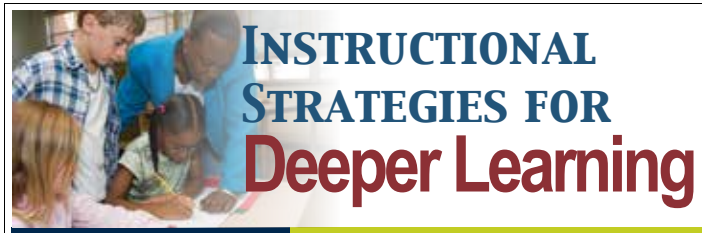
**Register early to reserve your spot!**

**Cost: \$99/\$125**  
includes Google Chromecast

All attendees are eligible for door prize drawings, to be held during the closing remarks.



**Register at nyscate.org**





**INSTRUCTIONAL STRATEGIES FOR Deeper Learning**

5:00pm - 7:00pm January 25, 2016

**SAANYS REGION 12**

**Instructional Strategies for Deeper Learning**



**Presenter: Karen Bronson, SAANYS Director of Professional Development**

The goal of this workshop is to simplify and demystify the hallmarks of instructional strategies for deeper learning by identifying practices that are essential to new modes of learning. Through the use of video examples of real classrooms at the elementary, middle, and high school levels, participants will be able to identify instructional strategies using the NYSED Instructional Evidence Guides and then connect the practices to domains and components in their own district evaluation rubrics. Participants will be able to use this format as an ongoing professional development activity with faculty over the course of the next school year.

**RSVP: Bob O'Connor, robertloconnor@verizon.net**  
Checks payable to SAANYS Region 12 and mail to Dr. Robert Anderson, Principal, Gowanda High School, 10674 Prospect Street, Gowanda, NY 14070.


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**The Leader in Me**

**COST: \$10**  
light refreshments will be served

**5:00pm-5:30pm**  
Networking and socializing



**5:30pm-6:30pm**  
Presentation

**6:30pm-7:00pm**  
Networking and socializing



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**LIFT NY Virtual Learning Series**  
LEADERSHIP FOR RIGOROUS LEARNING.  
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**Did you miss Eric's kick off webinar on December 10?**

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# LEGAL BRIEFS

A Message From  
Jennifer Carlson,  
SAANYS Deputy General Counsel  
JCarlson@saanys.org

## What to Do When You're Under Investigation

continued from page 1

have the right to stop the interview and request that it be resumed at a date and time when someone from SAANYS can accompany you.

The second part of being able to have the representation of your choosing is that the district must provide you with reasonable notice on any interview with you. All too often, SAANYS will receive panicked calls from members who are being directed to report to an interview in a very short period of time. If you would like someone

from SAANYS present, we will make every effort to accommodate the requested time, however if we cannot get someone for the appointment, the district is under an obligation to reschedule the meeting for a mutually convenient date and time.

Once in the interview, it is important to know your rights. Members will often ask whether they are entitled to a copy of the allegations. The answer to that will depend on what your district's harassment policy states, but we

always recommend that you press to at least hear the allegations before the interview in order to prepare any supporting documentation you may have. It is extremely important to note that tenured certificated administrators have the right not to answer any questions and the district may not use such refusal against the administrator. Probationary certificated administrators and Civil Service administrators do not enjoy this protection and may be found insubordinate if they refuse to answer questions. There is one extremely important exception to this fact, if the allegations could have criminal implications, you do not need to (and should not without the guidance of a criminal attorney) answer the questions.

Typically, you will know that you are the target of an investigation and the

general subject matter (teacher complaint, specific incident with a parent, etc.) before the interview. When that occurs, the first thing to do is to take a deep breath and calm

*If you are ever the subject of an investigation, you may bring someone from your local bargaining unit if you are comfortable, or SAANYS can arrange to send a labor relations specialist or attorney.*

down, being frantic has never helped anyone. The next is to begin to collect documentation on the issue: emails, notes from meetings, and any other evidence are all helpful. Not only might this information help the district to exonerate you, but it may also assist you in writing a rebuttal should anything come of the investigation.

In the event that the person making the complaint decides to sue you and/or the district, you

are entitled to a defense and indemnification. This means that the district must provide you with an attorney, who often is the same attorney who will represent the district, and pay any potential settlements or verdicts, with limited exceptions. If you ever are served papers in a lawsuit, you must specifically request a defense and indemnification. Call the SAANYS Legal Department and we will happily walk you through the process.

Being the subject of a complaint and investigation is a stressful thing. Always call the SAANYS Legal Department at the earliest possible point so we may ease some of the stress and provide you with specific advice and representation. ■

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1 AXA's online survey, *Measuring K-12 Teachers and Staff to Make the Most of their 403(b) Plan*, was conducted in August 2014 with 735 clients.  
2 LHMRA, Not-for-Profit Survey, based on total participants for three consecutive years (2012-2014) and contributions for two consecutive years (2013-2014).

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# The House, the Senate, and President Obama Act to Sunset NCLB and State Waivers

*continued from page 3*

annual testing, and instead would have required ELA and mathematics testing at least once in grades 3 to 5, 6 to 9, and 10 to 12.

In terms of opt-outs, ESSA allows states to establish testing opt-out laws. Districts and schools will be required to know the relevant policies in regard to opting out, and parents must be informed about the tests and notified of opt-out policies and procedures. Finally, states are authorized to determine the student “N size” necessary for statistically sound assessment results.

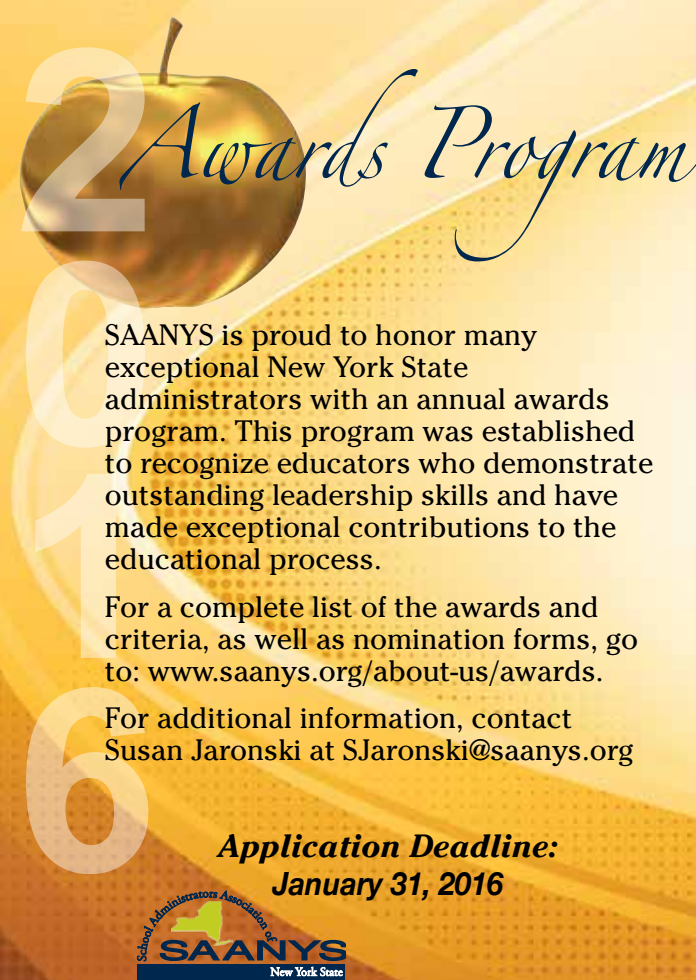
The new law also extends flexibility to states to assess students in new ways, including portfolios, projects, and performance tasks. States are also authorized to use computer-adaptive tests that measure performance above and below grade level.

For professional development, Title II part A will provide grants to states and school districts to increase student achievement; improve teacher, principal, and other school leader effectiveness; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. During visits with members of New York State’s federal delegation, SAANYS advocated for a Title II ten percent set-aside for school administrator professional development. **Partial success was achieved in that the new law allows states to reserve up to an additional 3 percent of Title II funds to provide targeted supports to principals and other school leaders.**

Programmatically, the law requires that SED work with school districts for successful middle school-to-high school student transitions, decreasing the risk of students dropping out. Title II Subpart 2, consistent with SAANYS recommendations, supports high-need under-performing schools with prekindergarten to grade 12 support to improve student achievement in reading and writing through the SAANYS-supported Literacy Education for All, Results for the Nation (LEARN) program.

The act also includes support for expanded learning time (e.g., there is a separate line item for the 21st Century Community Learning Center Program) and a definition of “expanded learning time” focused on students and educators:

The term “expanded learning time” means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for (A) activities and instruction for enrichment as part of a well-rounded education; and (B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.




**2 Awards Program**

SAANYS is proud to honor many exceptional New York State administrators with an annual awards program. This program was established to recognize educators who demonstrate outstanding leadership skills and have made exceptional contributions to the educational process.

For a complete list of the awards and criteria, as well as nomination forms, go to: [www.saanys.org/about-us/awards](http://www.saanys.org/about-us/awards).

For additional information, contact Susan Jaronski at [SJaronski@saanys.org](mailto:SJaronski@saanys.org)

**Application Deadline:  
January 31, 2016**



Separate line items are also set for:

- Full-service community schools
- Parent engagement
- Gifted education
- Arts education
- Preschool development

In Title III, funding is allocated to help English language learners achieve English proficiency. Some (though not enough) state flexibility is provided for the inclusion of ELL students in state assessments; and a requirement is established for the state education department to provide technical assistance to districts serving large numbers of English learners.

For more information regarding SAANYS legislative positions and meetings with house and senate representatives, contact James Viola, director of government relations, by e-mailing [JViola@saanys.org](mailto:JViola@saanys.org). To access a summary of the ESSA provisions, visit the SAANYS website. ■

## Regents Discuss Task Force and APPR Moratorium

*continued from page 3*

**§30-2.14 – for school districts and BOCES operating under §3012-c**, is in effect for the current school year only. The following transition procedures are applicable:

- For subcomponent 1 (Student Growth), omit the state-provided growth score that is based on 4-8 assessments or on Regents exams.
- For subcomponent 1 (Student Growth), if back-up Student Learning Objectives (SLOs) have been developed, omit any SLO that includes 3-8 assessments. However, a back-up SLO that does include Regents exams must be used for the subcomponent and composite calculations. There is no requirement for schools districts or BOCES to repeat SLO-development procedures in order to develop back-up SLOs that do not include the restricted SED assessments and measures. In fact, based on information subsequently received from the State Education Department, “... different assessments cannot be used as an alternative for §3012-c since districts must still implement their §3012-c APPR plan as it has been approved by the department and the deadline for submitting a material change was March 1, 2015.”
- It is possible that the transition procedure will result in no subcomponent 1 score. In such case, the composite score will be based on subcomponents 2 and 3 only, consistent with forthcoming SED guidance.
- For subcomponent 2 (Locally Selected Measures of Student Achievement), omit any measure that includes 3-8 assessments or is based on the Regents exam state-provided growth score. If two measures are included in subcomponent 2, one that includes a 3-8 assessment or measure based on the Regents exam state-provided growth score and one that does not include such a measure, the former measure should be omitted from the subcomponent calculation and the latter should receive full weighting for the subcomponent calculation, consistent with forthcoming SED guidance.
- It is possible that the transition procedure will result in no subcomponent 2 score. In such case, the composite score will be based on subcomponent 1 (if there is a usable SLO) and subcomponent 3. Therefore, it is possible that the APPR composite score and rating will be based completely on subcomponent 3 (Observation and Other Measures for Teachers and Principals), consistent with forthcoming SED guidance.

**§30-3.17, for school districts and BOCES operating under §3012-d**, is in effect for a four-year period, from 2015-16 through 2018-19. The following transition procedures are applicable:

- For category 1 (Student Performance), omit the state-provided growth score that is based on 4-8 assessments or on Regents exams.
- For category 1 (Student Performance), if an optional second subcomponent has been collectively bargained that is not a 3-8 state assessment or does not use a state-provided growth score based on Regents examinations, such assessment must be used in determining the category HEDI rating.
- For category 1 (Student Performance), omit any Student

*continued on page 8*




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# Regents Discuss Task Force and APPR Moratorium

continued from page 7

Learning Objective that includes 3-8 assessments or includes a state-provided growth score based on Regents exams. However, in instances where no scores/ratings can be generated, a back-up SLO must be developed using assessments that are approved by the department that are not state assessments.

- A category 1 (Student Performance) rating must be generated for all teachers and principals and be used for the determination of the final composite rating.

For all school districts and BOCES, a teacher's or principal's transition composite results (not the original composite score/rating) must be reflected in the teacher's/principal's employment records and must be used for tenure and other employment decisions, for teacher or principal improvement plans, and for proceedings pursuant to §3020-a/§3020-b. For purposes of public reporting of aggregate data and disclosure to parents, the original (unadjusted) composite score and rating must be reported with the transition scores and ratings and an explanation of the transition composite score and rating.

The Regents item was unanimously supported by all board members, except for Chancellor Merryl Tisch, who expressed concern that the regulatory amendments would result in less "differentiation" across the HEDI ratings.

Though SAANYS supports the above regulatory amendments, we take issue with the contention that statutory revisions are unnecessary. **It is our position that statutory revisions are necessary** not only in regard to the above new regulations, but to revise other provisions of §3012-d, such as the weighting of the Student Performance Category in the determination of the overall composite rating. It is our intention to vigorously engage the governor's office, legislators, and the State Education Department for appropriate statutory amendments of the state APPR system.

**3. Annual Professional Performance Evaluation for 2014-2015** – The following statistical information was presented regarding annual professional performance reviews completed during the last school year, based on §3012-c.

## Teachers' and Principals' State-Provided Growth Score HEDI Ratings

	Teachers		Principals	
	2013-2014	2014-2015	2013-2014	2014-2015
Highly Effective	8%	7%	5%	5%
Effective	77%	77%	79%	80%
Developing	10%	11%	10%	10%
Ineffective	6%	5%	5%	4%

## Teachers' and Principals' Composite HEDI Results

	Teachers		Principals	
	2013-2014	2014-2015	2013-2014	2014-2015
Highly Effective	41.9%	44.0%	27.9%	29.0%
Effective	53.7%	52.2%	65.6%	64.8%
Developing	3.7%	3.2%	5.3%	5.2%
Ineffective	0.7%	0.6%	1.2%	1.0%

## 4. State Education Department Common Core Standards Survey

Commissioner Elia presented information regarding SED's AIMHighNY Common Core Standards survey that was open from October 21 to November 30. The survey site was visited by 64,142 people, with 45,654 entering demographic information and 10,532 submitting at least one piece of feedback on the standards. The major takeaway from survey feedback is that approximately 71 percent of responses are supportive of the standards. Of the 29 percent of responses that did not indicate support of the Common Core Standards, most were focused on ELA and mathematics at the early grade levels. In a corresponding manner, the top five grades receiving feedback in mathematics were kindergarten, and grades 1, 2, 3, and 4; and in English language arts the top five grades were pre-kindergarten, kindergarten, and grades 1, 2, and 3. Most who participated in the survey were teachers (48.9 percent), followed by parents (32.8 percent), administrators (5.1 percent), and others (13.2 percent). The commissioner explained that in the coming weeks, SED will share the survey results with the English Language Arts and Math Content Advisory Panels, which are made up of educators from across the state.

The report of Governor Cuomo's Common Core Task Force, SAANYS Testimony to the Governor's Common Core Task Force, and the Regents item containing the proposed APPR transition regulations are posted on the SAANYS website. For additional information regarding the December meeting of the State Board of Regents, contact James Viola, director of government relations at JViola@saanys.org. ■

# Recycle Your Resources...



Do you know of a website, a book, a grant, or other resource that your colleagues should know about? Share it in this column by emailing MHebert@saanys.org.

## "UNThink My School" Grant

The Wahl Foundation with NAESP has launched a school grant program called "UNThink My School" that will award a total of \$40,000 to schools that champion themes of innovation and creativity. The Wahl Foundation will award one \$20,000 grant and 10 \$2,000 "UNthink My School" grants to schools that use artistic concepts and creative expression to solve school problems and spur innovation.

**Deadline: February 15, 2016**

## Information Technology Pathfinder Award

The Information Technology Pathfinder Award "recognizes and honors school librarians demonstrating vision and leadership through the use of information technology to build lifelong learners." The annual award, administered by the American Association of School Librarians, offers \$1,000 to awardees, and \$500 to the school's library program. Librarians are assessed based on utilization of technology to address the needs of the school community, the integration of technology into curriculum, and the impact on student learning.

**Deadline: February 1, 2016**

## 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.

**Deadline: Ongoing**

More details at: <https://www.naesp.org/communicator-december-2015/grants-opportunities-free-resources>

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