

# News & Notes

VOL. XLIV No. 7 • OCTOBER 2015



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## Regents Act on APPR, Receivership, AIS, and More

“This system has too many flaws in it,” stressed Regent Jackson before casting her vote of “no” on the approval of new APPR regulations at the September 16 Board of Regents (BOR) meeting. In the end, the new regulations (Section 3012-d) passed with ten Regents voting yes to approve the new regulations and six dissenters.

The vote was not without considerable debate, and overall most Regents agreed with Jackson’s comments that the principal and teacher evaluation system was indeed very flawed, even with the proposed amendments that will now go out for public comment. A number of Regents who voted in favor of the new regulations did so noting considerable trepidation over the possible loss of state funding for districts. Regent Tilles in particular, while voting yes on the regulations, also called for a vote of no confidence in the evaluation system – a process he termed “civil disobedience.” While the full board did not agree on a vote of no confidence, there was agreement that a statement or resolution will come from Commissioner MaryEllen Elia outlining concerns (“VAM should never have been used for teacher evaluations,” said Regent Collins) and a commitment to carefully review not only the APPR system, but the Common Core Standards and



assessments as well. The developmental appropriateness of both the standards and assessments for the early grade levels was mentioned as a point of particular focus. Chancellor Tisch said that this review process would solicit considerable input from practitioners and parents, with online options for providing feedback.

Before the vote, Executive Deputy Commissioner Berlin outlined a few noteworthy modifications to the new Section 3012-d regulations. As a result of these modifications, the regulations will again go out for public comment and will be brought back to the BOR for permanent adoption in November. Those changes, which Berlin said are in response to public comment, include:

**Independent Evaluator Waiver:** SED may grant an annual hardship waiver to the independent evaluator requirement to rural school districts (as defined by the commissioner in guidance) or single building school districts. Consideration for such a waiver will be based on the size and limited resources of the district and

*continued on page 3*

## There is Still Time to Register!



HYATT REGENCY | ROCHESTER, NEW YORK

### Featuring...



**NYS Education Commissioner MaryEllen Elia**

Commissioner Elia will join attendees Monday morning for an interactive dialogue.



**Jenifer Fox**

**Author of *The Strengths Movement in Schools***

Jenifer’s work with school administrators, parents, and teachers focuses on the need to develop our leadership strengths and the strengths of our students in order to create learning communities where students are inspired academically and ready for the complex world they will enter.



**David Berliner**

**Author of *50 Myths & Lies That Threaten America’s Public Schools***

David will share his controversial but powerful ideas about “the grand myth that America’s public schools do poorly compared to other countries” and other ‘myths’ including the value of standardized testing and increased ‘rigor.’

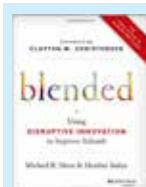
**Register online at:**  
[saanys.org](http://saanys.org)

See page 5 for workshop details...

## October is National Principals Month



Have you started planning your celebrations? Use the template letter at <http://www.principalsmonth.org/shadowing.php>, to invite your members of Congress to shadow you for a day or start posting to social media using #ThankAPrincipal. For details and more ideas to celebrate, visit [www.principalsmonth.org](http://www.principalsmonth.org). ■



## New! Blended Learning Book Study

Online book study presented by SAANYS in collaboration with NYSCATE

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

Join an energetic group of educators in a discussion of blended learning! Whether you are looking for a way to influence change in your school, or just interested in a different and convenient professional learning opportunity, this blended book study is for you.

**Meet and Greet at 6:15pm at the Sunday evening reception during the SAANYS Annual Conference!**

**Kickoff Webinar: Monday, October 26 4:30-5:30pm**  
more information at [saanys.org/events](http://saanys.org/events)

## Is This the End for No Child Left Behind?

*From the National Association of Secondary School Principals*

School leaders have been waiting more than seven years for congress to reauthorize the Elementary and Secondary Education Act (ESEA), currently known as No Child Left Behind, and it looks like the finish line may finally be in sight.

Both the U.S. House of Representatives and the U.S. Senate passed their respective reauthorization bills in July, which means President Obama could sign a new law as early as this fall. Before that can happen, though, education committee leaders from both chambers will meet in a conference committee to work out differences in the two proposals and present a final conference report for approval by congress.

Both proposals aim to provide more flexibility to states and districts and end the punitive provisions in NCLB. They would eliminate adequate yearly progress (AYP) and the requirement for 100 percent proficiency; continue to require disaggregated subgroup data; remove the unworkable school turnaround models under the School Improvement Grants program and Race to the Top; and clarify the term “school leader” as the principal of an elementary, middle level, or high school. Unfortunately, the similarities between the two bills end there as congress has had a boisterous debate about the federal role in education, and the house and senate have taken very different approaches to addressing this issue.

The house first began its debate on the Student Success Act (H.R. 5) in February, but after two days of votes on a slew of amendments it was pulled from the floor due to a

*continued on page 8*





## Executive Viewpoint

Kevin S. Casey, Executive Director

### One Step at a Time

In 2014 certain districts participated in online field tests. This was done as part of New York participating in the Partnership for Assessment of Readiness for College and Careers (PARCC). Both PARCC and SED seemed overly optimistic as to how quickly the state could transition to widespread online testing, and the 2014 field tests provided something of a wakeup call. There were a variety of technical issues encountered that one may reasonably assume would be magnified if the online field testing were more widespread, especially if the implementation of online testing was rushed.

The Common Core Learning Standards and APPR implementation efforts (two different, but related changes) provide painful lessons in the difficulty of significant, sweeping changes to be implemented by all districts in an arbitrarily short timeframe. That was where PARCC and SED were heading in 2014 when SED wisely put the brakes on this particular transition.

SED recently announced it is again seeking district volunteers to conduct online tests this spring, with the goal of districts having the option to offer online tests for actual state exams in 2016-17. Making the transition optional

is critical, as different districts have different capacity issues and different priorities. Students and staff will have to acclimate to this new testing environment, and it would be a mistake, in our touch-screen world, to assume even technically adept third and fourth graders have the requisite keyboarding and navigation skills currently unneeded in a pencil and paper test environment. Based on comments from Commissioner Elia, it appears SED is sensitive to the need for a gradual implementation. I hope I am not being too optimistic.

Assuming a continued sensitivity to district, staff, and student capacity, the move toward online assessments makes sense to me. It not only appears inevitable, it also reflects technological changes, which in many instances have already occurred

around us. It's an increasingly electronic world (online shopping, banking, event ticketing, court filings, license renewals... the list goes on and on) that young people navigate as a matter of course. I suspect it won't be long before online assessments will be the preferred method of test administration, but hope it will be a long while before it is a mandated method of test administration.

This evolution will require a variety of adjustments to practice and attitude, but that too is already underway. SAANYS has partnered with NYSCATE to provide a variety of Google Camps for Administrators around the state (see [www.saanys.org](http://www.saanys.org) for more information) and they have been very popular among our members. We have begun formal Google docs training for SAANYS staff, and I was pleased (and enormously

relieved) to find out how intuitive it can be, and SAANYS is also currently developing a webinar regarding the preparation of students for the assessment tools of the future. Remember, it was only a few years ago when we all had faxes, desktops, and landlines. Many children today consider such things museum worthy.

I believe a variety of education practices continue to evolve to reflect the evolution of society around us. While we might occasionally need a nudge, we should know from other experiences that a shove is likely to be counter-productive. ■

# 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

**NASSP Assistant Principal Deadline:**  
November 20, 2015

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End-of-second-grade results from Neshaunty School District, Langhorne, PA

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## News & Notes

### School Administrators Association of New York State

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# CAPITAL UPDATE

## Board of Regents Meeting...

*continued from page 1*

its inability to find an independent evaluator within a reasonable proximity.

**Appeals Process for Educators:** In light of concerns from the field, SED has also decided to re-examine the state growth model. In the interim, Subparts 30-2 and 30-3 have been amended to prescribe an appeals process for a teacher or principal to challenge their state-provided growth score, in certain limited circumstances.

Details and examples on the appeals process, and other "technical" changes to the regulations were outlined by Berlin in her presentation slides found at: [http://www.regents.nysed.gov/common/regents/files/meetings/APPR\\_0.pdf](http://www.regents.nysed.gov/common/regents/files/meetings/APPR_0.pdf).

### Assessments

Chancellor Tisch addressed issues surrounding the grades 3-8 state assessments. She stressed, as did the commissioner later in the day, that in addition to the change of providers from Pearson to Questar, others changes are underway as well, in addition to the review mentioned previously. The length of both the ELA and math exams will be shortened as of this year so they are "not unduly long"; the new contract with Questar will "double" the number of teachers involved in test development; and next year will see the full release of test questions, rather than the 50 percent released this year.

### Receivership

There was considerable debate over the first year of receivership under the district superintendent. Are the superintendents being given direction, guidance? Are there parameters for the additional aid going to these

schools? Is it wise to give so much decision-making authority to a struggling system? Can communication with the local school boards be increased? Regent Cashin in particular was, "concerned about the looseness of this." Commissioner Elia confirmed that SED is committed to supporting receivership districts by providing effective models and other assistance to receivership schools and their superintendents. The emergency regulations on school receivership must again go out for public comment due to two changes that were implemented based on the last release for public comment:

The definition of a Persistently Struggling School found in section 100.19(a)(2) has been revised to parallel the language of Education Law §211-f(1)(b).

In order to conform to Education Law §211-f(8), section 100.19(5)(iii) has been revised to provide that collective bargaining shall be completed (instead of commenced) no later than 30 days following receipt of a written request from the school receiver.

View the full presentation on receivership here: <http://www.regents.nysed.gov/common/regents/files/meetings/SchoolReceivershipPresentation.pdf>

### AIS

Emergency action extending the flexibility to school districts in the provision of Academic Intervention Services through the 2015-16 school year, as was done in the two previous school years, was approved, with dissenting votes from Regents Rosa, Jackson, and Collins, all of whom expressed concern about cutting AIS services to needy students based on a district's fiscal ability to provide the services. The emergency rule will take effect on September 17, 2015, for a 90-day period. It is anticipated that the proposed amendment will be presented for adoption as a permanent rule at the December Regents meeting, Read the full memo here: <http://www.regents.nysed.gov/common/regents/files/meetings/Sep%202015/915p12a1.pdf>

### Other

Graduation and diploma options for special education students were discussed, with an overall conclusion that further, more meaningful graduation options and credentials need to be explored. The chancellor and commissioner also discussed the exploration of extending school time and year and other extended uses for school buildings, noting that related budgetary factors exist. The BOR also formally adopted regulations requiring

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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](mailto:JViola@saanys.org).



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

### Region 10 Negotiations Workshop

November 12, 4:30-6:00pm  
Cost: FREE  
Sharkey's Restaurant, 7240 Oswego Rd (Rt 57), Liverpool  
Presenter: SAANYS General Counsel Art Scheuermann.  
For more information contact: Tony Cardamone, [tcardamone@bville.org](mailto:tcardamone@bville.org).

### NYS Certified DASA Training

November 19, 4:00-7:00pm  
Cost: \$60  
SAANYS Headquarters,  
8 Airport Park Blvd., Latham

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

ALL ASPECTS OF CYBERBULLYING, SOCIAL NETWORKING, AND SEXTING WILL BE EXPLORED.

### DECEMBER 4, 2015

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

#### After participating in this comprehensive workshop, educators will be able to:

- Identify popular online environments among elementary students, pre-adolescents, and adolescents today and recognize various forms of cyberbullying;
- Understand the potential emotional, psychological, and behavioral consequences of cyberbullying;
- Identify how young people are using social networking websites and teach youth how to use social networking responsibly;
- Know how to respond to cyberbullying incidents and the extent to which school personnel can get involved in cases that involve electronic communication (on or off campus);
- Describe the current legal issues concerning bullying and cyberbullying, with an update on Dignity for All Students Act requirements;
- Know the necessary elements of a comprehensive school cyberbullying policy;
- Recognize warning signs and identify important strategies for preventing cyberbullying; and
- Much, much more!

#### Presenters:



**JUSTIN PATCHIN, PhD**  
Leading Researcher and Expert in Cyberbullying



**KAREN SIRIS, EdD**  
Dignity Act Update for Dignity Act Coordinators



**ANNE DONNELLY**  
Deputy Bureau Chief, Nassau County District Attorney Office



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



## CREATING EFFECTIVE SECTION 504 PLANS IT'S NOT AS EASY AS YOU THINK!

### NOVEMBER 6, 2015

Plainview Holiday Inn, Plainview, New York  
8:30 am - 1:00 pm  
Registration fee – \$150

Section 504 statute and regulations provide much less guidance than IDEA, leading to confusion among practitioners. Due to lack of clarity, mistakes are made, exposing school districts to significant liability, potentially harming children, and putting the careers of educators and school leaders at risk.

#### This workshop will provide practical, easy-to-apply guidance that addresses:

- The different test for determining discipline for students with 504 plans.
- When and how to conduct reviews of 504 plans (annual reviews of 504 plans are not required).
- How to respond when provided with a doctor's note declaring a student eligible for a 504 plan. Medical diagnosis is not required for 504 plan eligibility, and a medical diagnosis in and of itself does not make a student eligible for a 504 plan.
- The due process rights that parents are entitled to under 504 v. IDEA.
- The nuts and bolts of Section 504 litigation.
- Best practices for reducing potential liability.
- Lessons learned from Section 504 case law.
- Practical application of knowledge through video case studies and small group discussion.



**KEYNOTE SPEAKER:**  
**Jacob S. Feldman, Esq.**

**Seats are limited at this very important forum.**

**Building and district teams are encouraged to attend.**



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

## SAANYS Professional Development Update



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

The beginning of a new school year is a good time to review some of the professional learning opportunities SAANYS offers. You may or may not be aware of these opportunities that are available to you individually, or to your school or district. Here's a partial rundown of just some of the options.

#### Did You Know ...

- that SAANYS offers a strong Mentor Coach Service to support, inspire, and invigorate new and mid-career administrators? Our mentors are all certified through the rigorous Ontario Principals Council Roots of Success training, which stresses collegial coaching through creation of a relationship of support and challenge. It is not too late to find out more about this popular (and aid-able) service to provide support for one or more members of your administrative team this year.
- that SAANYS PD Your Way provides a wide range of practitioners with proven expertise and experience to support your professional development needs? We can help you plan everything from an administrative team meeting during the school day, to an after school, full or half day workshop, to an administrative retreat or superintendent's conference day for your administrative team and/or your teachers. Topics that range from ELL regulations, to blended learning and technology to master scheduling assistance are all available to address the specific needs of your school or district. Check out these tailored and individualized options by clicking on "Professional Learning" on our SAANYS website.
- that we are growing our collection of webinars and other online sessions? A recent addition features one of our SAANYS attorneys clarifying many of the questions that arise with regard to harassment in the workplace: what constitutes harassment and what does not? A wealth of other videos from Legal One on topics such as special education and employment law are available at [legaloneny.org](http://legaloneny.org).
- that Google Camps are proving increasingly popular around the state and multiplying at a rapid rate? Watch your regional updates for news of Google Camps happening in your area throughout the fall and winter. It's important to know that these events are for YOU regardless of where you are with your own Google knowledge or experience. Workshops that address the needs of those brand new to Google as well as those more familiar are always part of the serendipitous program that emerges at these 'un-conference' Ed Camp-like events.
- that you can contact us if you are looking to plan a regional event that might include a legal or PD component as well as social get together? If you can guarantee sufficient attendance, we are here to help you plan an event that works for your region. Last year's Idea Swaps proved to be a popular way for colleagues to gather informally after school to share what's working for them – we can easily set one up in your region. Contact your regional reps to start the process! You can find your regional representative at [saanys.org/about-us/regions](http://saanys.org/about-us/regions).

Those are but a few of the PD possibilities that are available to you through SAANYS – as always, our website and regional emails have the most current and comprehensive information. Don't hesitate to contact me if you have any questions about how we can plan an event that will work for you! ■



Have questions? Need assistance?  
Use the "Ask SAANYS" button at [saanys.org](http://saanys.org).



ROCHESTER | OCT 18-19  
**REJUVENATED**  
 SAANYS 2015 CONFERENCE

*Sunday Workshops: Monday Workshops:*

**Session 1**

**Sunday, October 18**

3:30 pm - 4:45 pm

**National Core Art Standards: All Administrators Are Experts**

*Lori Orestano-James and Marc Greene  
 NYSSMA and NYSCAME*

The new National Core Arts Standards (NCAS) and Graduation Pathways are here, and administrators are clamoring for help on how to best support the needs of their teachers and students. This session will provide the resources to help align curriculum, develop integrated approaches, and ensure a smooth transition for a high-quality arts program.

**Making Teacher Evaluations More Efficient**

*Cindy Gallagher, Educational Vistas and  
 Dr. Kathleen Affigne, Millbrook CSD*

Districts are challenged to find efficient ways to manage complex APPR processes and components. This presentation will demonstrate district use of StaffTrac to integrate multiple tasks in one comprehensive system. Using this system, independent and peer observers have a seamless way to follow district negotiated processes and principals can manage observations and SLOs effectively for potential professional and instructional benefit.

**An Innovative Model to Build Teacher Leaders**

*Maureen Patterson and Steven Garraffo,  
 Liverpool CSD*

This presentation will exemplify the work of the Central New York Leadership Development Program (CNYLDP), guiding the participants through the key elements of this innovative program that uses district administrators to lead the professional development of teacher leaders. Coursework, cohort projects, technology, and instructional strategies will be used to demonstrate the CNYLDP framework.

**Cultivating Teachers' Professional Growth with the EdCamp Model**

*Janet Warden and Lizzette Cintron, Wappingers  
 CSD*

The goal of this session is to share how the EdCamp model can become the format where teachers get inspired by their colleagues and share their talents and passions. Learn how to develop norms of collaboration, empower teachers, and use technology to implement an EdCamp in your own district.

**Revitalizing Collaborative Data Teams**

*Karen Kemp and Thomas Job, Measurement, Inc.*

Successful data teams are those that strengthen a school's capacity to improve student learning. This session promises to spark new life into your data team by demonstrating how to infuse inquiry, focused analysis, and reflective dialogue into a collaborative process. Learn how to choose and use protocols to facilitate the review of data at all levels and support instructional decision making.

**Session 2**

**Monday, October 19**

10:00 am - 11:15 am

**Why Should We Care About Adult Ed?**

*Laurie Bargstedt and Joseph Campbell,  
 Adult Literacy and Corrections Education*

What's new in adult education and how does the educational achievement of adults influence the learning outcomes of K-12 students? Two seasoned adult educators will discuss opportunities for Out of School Youth and Adult Learners and how they work with K-12 educators to increase educational outcomes.

**Bringing Collaborative Leadership to Life In Your School**

*Paul Fanuele, Arlington CSD*

Gone are the days of isolation when teachers and administrators only focused on their own office or classroom. Today, leaders and teachers need to partner to multiply learning. This interactive workshop will explore the most current ideas about how to collaboratively lead professional development that multiplies learning for all.

**How Data Driven Instruction Can Rejuvenate Teachers: See it to Believe It!**

*Amy Piper, Fredonia CSD*

See how one school in western NY used data to rejuvenate teachers, prioritize instruction, and improve teacher morale. Fredonia took a look at data to bring teachers together, collaborate on instruction, and bring creativity to the ELA and math modules, with increased trust, improved parent communication, and better student outcomes.

**One District's Story: How Blended Learning is Changing Instruction at Cuba Rushford**

*Jay Morris and Chris Cappelletti, Cuba Rushford  
 CSD*

This workshop will describe the ways students in the Cuba Rushford School District are using blended learning to increase their learning and achievement. Participants will understand how Moodle, iTunes U, and other strategies are working in varied classroom settings.

**How to Work Less, Produce More, and Still Get the Job Done in a Sensible School Week**

*Karl Thielking, Pittsford CSD; Kelly McHugh,  
 Whitehall CSD; and The Break Through Coach*

What if you could work sensible hours each week and have your student results soar? We call that a breakthrough! With the ability to reduce your workload by 20 hours per week and multiply your time in classrooms by 500 percent, this session can provide a way to increase student achievement and have a healthy personal life!

**Session 3**

**Monday, October 19**

11:30 am - 12:45 pm

**What Every NYS Administrator Needs to Know About Financial Planning**

*Greg Ronneburger, AXA*

What will my NYS pension benefit look like? When should I start to collect Social Security? What should I be doing with my 403b? As a NYS school administrator, the answers to these questions are paramount in building a successful plan for yourself. This session will put you on the right path to answers to these important questions.

**Faculty Meetings: From Dissemination to Engagement**

*Jessica Lyons, Rachel Wagner, Mary Beth Scullion,  
 Tonawanda City Schools*

Learn how a secondary principal transformed traditional school faculty meetings into an engaging forum where teachers are able to connect, share, and grow as educational professionals. Create an outline to inject active engagement into your next faculty meeting.

**The Principal/School Counselor Relationship: A Key to Rejuvenation**

*Gloria Jean and Paul Ripchick, Shenendehowa CSD*

With new Part 100.2(j) 'guidance program' regulations, a wave of reform is moving across the state. But new regs are not enough. This workshop will provide critical information on the new regs and help leaders understand how the principal/counselor relationship is key to bringing these student service providers into the heart of your school initiatives.

**Just Breathe: Mindfulness for School Leaders**

*Dr. Joseph Sapienza, Jericho UFSD*

School leaders face a wide array of responsibilities and demands. A mindful approach to leadership increases passion for your work, compassion for stakeholders, and an ability to empower others in your organization. This workshop will equip you with the tools to begin a journey towards mindful leadership.

**Unclog the RTI Process to Meet the Needs of All Students**

*Dan Shornstein and Allison Lauchaire, Arlington  
 CSD*

Learn how Titusville developed results based ELA and math interventions based on power standards. Examples of progress monitoring systems, intervention clinics, and enrichment activities for advanced learners will all be explored. Ways to use community resources to build in a school wide daily I/E block to meet the needs of all students will be shared.



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**October 17, 2015**  
**Rochester Hilton**  
**Garden Inn**  
**8:00am-3:30pm**  
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**What is an Edcamp Format?**  
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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.

visit [saanys.org](http://saanys.org) for additional dates



**Cost: \$375 Members, \$225 Single Day, Rooms: \$159 + tax**  
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# LEGAL BRIEFS

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



## School Districts and Their Ability to Impose “Dress Codes” on Their Employees

The issue of whether a district may impose a dress code on its employees has been a question that has been raised for several districts this past summer. It is important that you understand your rights and are aware of what a district can and cannot impose on you.

If you are in a bargaining unit, a dress code may not be unilaterally imposed on you by your school district. The requirement of a specific dress code

for faculty is a mandatory subject of collective bargaining. However, there are some exceptions to this. According to PERB, a school district may require its staff to wear photo identification cards without first negotiating the issue with the union when the intent of such identification cards relate to the employer’s mission to promote safety and accountability.

Another exception to dress code being a man-

datory subject of bargaining – school boards may, “within reason... regulate the speech of teachers in the classroom for legitimate pedagogical reasons.” In one case, the district banned wearing political campaign buttons and pins while on duty because they claimed its actions were triggered by concerns that “displays of political partisanship in the schools” were inconsistent with its educational mission. The district successfully argued that the ban was necessary to avoid improperly influencing students and impinging on their “rights...to learn in an environment free of partisan political influence.” In order to limit political statements in a dress code, an employer must do so equally – a dress code cannot state that employees are not allowed to wear shirts supporting a specific candidate but

then permit shirts supporting a different political candidate. However, there is a way around that insofar as an employer cannot prohibit employees from wearing union related paraphernalia.

*The requirement of a specific dress code for faculty is a mandatory subject of collective bargaining.*

If employees are not within a bargaining unit, according to New York State Department of Labor, an employer may pose a dress code that prohibits the wearing of certain items of clothing, visible tattoos, or piercings. However, it is illegal for an employer to set different dress codes based on gender. There are also exceptions for religious items of clothing. The

rationale behind allowing the employer to set dress code restrictions is that employers have a right to set a certain professional tone through the appearance of its employees. For example, the U.S. Court of Appeals for the Second Circuit, which rules upon federal cases within New York State, has found that a dress code that requires a teacher to wear a neck tie is not only appropriate, but also does not infringe on first

amendment rights to free expression or the right to privacy.

If your district is attempting to impose a dress code on your unit or you have any questions, please contact SAANYS and we would be happy to assist. ■

## Yorkshire Pioneer CSD Administrator Named 2015 Special Education Administrator of the Year

The New York Council of Administrators of Special Education recently named Michael Lucow 2015 Special Education Administrator of the Year. Federal and state education officials were on hand for the award presentation.

The award recognizes outstanding leadership and accomplishment for the benefit of students with disabilities. Michael Lucow has been director of special education at the Yorkshire Pioneer Central School District since 2002.



Michael Yudin, assistant secretary, Office for Special Education and Rehabilitative Services, US Department of Education, and James DeLorenzo, assistant commissioner of the New York State Education Department Office of Special Education offered congratulations to Lucow.

In the educational community, Michael Lucow is most known for his advocacy work. In 2012, he was a contributing author for a white paper on how changes in state testing impacted the graduation rate for students with disabilities. Lucow recently testified before the State Education Commissioner’s Advisory Panel on Special Education to advocate for regulatory changes to special education services and teacher certification. ■

*“I am not a teacher, but an awakener.”*  
–Robert Frost

Now, just released in its Second Edition –

A must-have desktop reference for school administrators from the Magellan Foundation and the School Administrators Association of New York State



After extensive input from administrators with a variety of experiences and job titles, the Magellan Foundation and SAANYS offer this guidebook to give readers the advice that they really need. This practical and informative text offers answers to those questions that often only experience can answer.

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- ✓ Athletics
- ✓ Supervision and Evaluation
- ✓ Special Education
- ✓ Transportation



To order, go to [www.saanys.org](http://www.saanys.org) or email [mgavin@saanys.org](mailto:mgavin@saanys.org).

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 #.



## THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS

Honoring Youth for Outstanding Volunteer Service

The Prudential Spirit of Community Awards have been given to more than 115,000 middle and high school students across the country. Now in its 21st year, these awards, sponsored by Prudential Financial, Inc. in partnership with the National Association of Secondary School Principals (NAASP), honor outstanding community service by students in grades 5 through 12.

Students can apply at [spirit.prudential.com](http://spirit.prudential.com) or at [www.nassp.org/spirit](http://www.nassp.org/spirit)



before November 3, 2015. Local honorees will be selected in early November and will receive certificates of achievement and the President’s Volunteer Service Award. The top two candidates from each state and the District of Columbia will be named as state honorees on February 10, 2015. Each honoree

will receive \$1,000 awards, silver medallions, and a trip to Washington, D.C. for four days of recognition events from April 30 - May 3, 2016.

Ten of the 102 state honorees will then be named as America’s top youth volunteers and will receive \$5,000, gold medallions, crystal trophies for their nominating schools or organizations, and \$5,000 grants for nonprofit charitable organizations of their choice. ■



## 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.

### Burnt Hills-Ballston Lake Administrators Association, Region 6

The Burnt Hills-Ballston Lake Administrators Association has completed negotiation of a three-year agreement with the Burnt Hills-Ballston Lake Central School District to cover the period from July 1, 2015 through June 30, 2018. Salaries will increase within ranges each year from 1.75 percent to 3 percent, depending on the administrator's salary within the range. The agreement provides for district contribution to a 403b for each administrator each year of the agreement and a health insurance buy-out of \$2,500, \$500 if both participants are district employees. The 403b contribution for unused sick days at retirement will increase by \$15 each day (to \$75) in addition to a flat amount increase of \$1,000 (to \$12,500). The earned doctorate entitlement will increase to \$1,250. Unused vacation days each year will be added to sick day accumulation. Negotiators Tim Brunson, Colleen Wolff, Tim Sinnenberg, Dan LeClaire, and John Antoski were assisted by SAANYS Labor Relations Specialist Jennie Pennington.

### Saranac Lake Administrators Association, Region 7

The Saranac Lake Administrators Association has completed a negotiated agreement with the Saranac Lake Central School District covering the period from July 1, 2015 through June 30, 2018. The agreement provides for salary increases of \$2,500 in 2015-2016, \$2,800 in 2016-2017, and \$2,800 in 2017-2018 for each member. Members will contribute 8 percent toward health insurance in 2015-2016, and 9 percent in 2016-17 and in 2017-18. The member contribution amount will increase to 10 percent on the last day of the agreement. The health insurance buy-out will increase to \$2,500 annually. Members who have accumulated

at least 100 sick days may be compensated for up to 20 unused days each year at \$350 per day not to exceed \$7,000 each year. Funds provided for professional development may be used to pay SAANYS dues. Negotiators Bruce VanWeelden and Trish Kenyon for the Saranac Lake Administrators Association were assisted by SAANYS Labor Relations Specialist Jennie Pennington.

### Canastota Administrators Association, Region 8

This is the first ever agreement negotiated by the Canastota Administrators Association.

- Three-year agreement at 2.5 percent per year. Adjustment for a senior administrator.
- \$1,000 tenure bonus.
- Regular ongoing longevity payments of \$1,000 to \$3,000 annually after five years of service.
- \$2,000 retirement incentive.
- Grievance procedure with binding arbitration.
- Expense reimbursement for mileage, conferences, cell phone.
- APPR references.
- Payment for unused sick days at retirement.
- Option to sell back five vacation days annually at per diem rate.
- Disability insurance at employer's expense.
- Health and dental benefits to continue into retirement with 10 years of district service.
- District to pay for surviving spouse health coverage for 6 months.
- Unit members not required to report on emergency closing days.
- Availability of 457 deferred compensation savings plan.
- Payment of SAANYS dues.

Representing the unit at the table was Fred Kirsch, assisted by SAANYS Deputy General Counsel Jen Carlson. ■

# 2015 CALENDAR



- National Principals Month**
- Oct 4-10 **Fire Prevention Week**
  - Oct 5 **Child Health Day**
  - Oct 7 **National Walk to School Day**
  - Oct 12-16 **National School Lunch Week**
  - Oct 12 **Columbus Day**
  - Oct 19-23 **National Character Counts Week**
  - Oct 19-23 **National School Bus Safety Week**
  - Oct 24 **United Nations Day**
  - Oct 24 **Make a Difference Day**
  - Oct 31 **Halloween**



- National Native American Heritage Month**
- Nov 1 **Standard Time**
  - Nov 3 **Election Day**
  - Nov 7 **Marie Curie's Birthday**
  - Nov 11 **Veterans Day**
  - Nov 12 **Elizabeth Cady Stanton's Birthday**
  - Nov 16-20 **American Education Week**
  - Nov 19 **Gettysburg Address Anniversary**
  - Nov 20 **Anniversary of Mexican Revolution**
  - Nov 22-28 **National Family Week**
  - Nov 26 **Thanksgiving**
  - Nov 30 **Mark Twain's Birthday**

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NEW YORK STATE BAR ASSOCIATION

## Human Rights Challenges: Past and Present

39th Annual Civics & Law-Related Education Conference

Hosted by the Law, Youth and Citizenship Program of the New York State Bar Association

**October 16, 2015**  
7:00 am-3:30 pm Saratoga Springs Holiday Inn

- Breakfast
- Two 90 minute morning sessions
- Luncheon
- Afternoon Plenary Session featuring: **Karen Korematsu**—Discussing the landmark Supreme Court Case *Korematsu v. United States* (1944)

\$50.00 fee includes meals/registration and all materials

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## Congratulations Retiring Members

- Ann Marie Anderson  
Kenneth Brown  
Michael Danis  
Susan DeRocker  
Paul Giessler  
Susan Horton  
Anita James  
Ellen Lynah  
Cameron Morton  
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Maureen Schwarz  
Johanna Siebert ■

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## No Child Left Behind...

continued from page 1

lack of votes.

Fast forward five months later, and with new more controversial and conservative amendments ruled in order, the bill passed in a 218-213 vote on July 8. While there were some good provisions in H.R. 5, NASSP and our colleagues at the American Federation of School Administrators (AFSA) and the National Association of Elementary School Principals (NAESP) opposed the bill because we felt the bad outweighed the good. In our letter to House Education and the Workforce Committee Chairman John Kline (R-MN), we expressed concern about the authorization levels for Title I; a proposal to make Title I portable; the lack of mandatory funding for professional development; and the lack of additional resources for middle and high schools, literacy, and education technology.

Unlike the House bill, which had no democratic support, the senate successfully passed a bipartisan bill, the Every Child Achieves Act (S. 1177), on July 16. The bill includes a lot of great provisions for principals, including a new section on school leader recruitment and support programs based on a bill that NASSP championed with Sen. Al Franken (D-MN) and Rep. Susan Davis (D-CA). Under Title II, states would be allowed to reserve up to 3 percent of funds for principals and other school leaders, and districts could use funds for residency, induction, and mentoring programs designed to improve school leadership. S. 1177 also included the text of the Literacy Education for All, Results for the Nation (LEARN) Act, which NASSP helped write as a member of Advocates for Literacy. The bill also includes a new authorization for the Innovative Technology Expands Children's Horizons (I-TECH) program to support school-wide and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning. S. 1177 also includes some good provisions concerning early education in middle level and high schools, although we would like to see stronger language in these areas.

NASSP, in collaboration with AFSA and NAESP, sent a letter to congressional leaders outlining our priorities for the final conference report and will be conducting joint advocacy activities throughout the month of October. While the finish line is in sight, we have to keep the pressure on Congress and President Obama to finish this work before the end of the 114th Congress. ■

## Dimensions of an Educational Data Assessment and Management System

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

This is the time that districts must look seriously at institutionalizing a comprehensive assessment data management system with the ability to create, print, and administer tests on paper, as well as use them securely online! This system needs to not only link to whatever student management system (SMS) the district has, but also integrate program information on students from any other database that may be required. These points represent a prerequisite or starting point in the eventual selection of a particular product and vendor.

Other vital considerations are that this system be graphical, user-friendly, and "non-threatening" to teachers. Such a solution must easily handle all NYS assessment data along with any and all publisher/locally developed assessment data. The product must be dynamic with the ability to use item-level student responses that are reflected against a "live" answer key – all in real time to calculate scores and levels. It must link items to the Common Core State Standards (CCSS) and display depth of knowledge (DOK) codes for use in reporting. Those reports, charts, graphs, and export files need to be powerful/informative drivers of professional learning/development (PD) throughout the school year. This in-process access to information will also display "proof-of-goodness" of the delivery of your district curriculum. The solution offers you the ability to make decisions on what to keep, what to enhance, what to abandon, and what must be added to the instructional process to guarantee student success.

## Board of Regents Meeting...

continued from page 3

New York's high schools to offer their students lessons in cardiovascular resuscitation. The new regulations, part of legislation approved last year, went into effect October 7 and also call for lessons in the use of automated external defibrillators.

### Appointment of SED Senior Staff

Jhone Ebert appointed senior deputy commissioner; Cheryl Atkinson appointed assistant commissioner for the office of innovation and school reform; Angelica Infante-Green appointed deputy commissioner for the Office of P-12 Instructional Support; Charles Szuberla appointed associate commissioner for the Office of P-12 School Services; and Lissette Colon-Collins has been appointed as assistant commissioner for the Office of Bilingual Education and World Languages.

### Teacher of the Year

The BOR announced that Dana McDonough has been named the 2016 New York State Teacher of the Year. McDonough is a second grade teacher at the Newburgh Enlarged City School District. Read the press release here: <http://www.nysed.gov/news/2015/newburgh-enlarged-school-district-second-grade-teacher-named-2016-new-york-state-teacher>. ■

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**More than 170 graduates have become superintendents.**

An emerging requirement of any such system is the feature of assessment creation across academic areas and at all grade levels. An internal "item bank" is necessary to facilitate the grouping of selected items into assessments that then may be instantly printed and followed by pre-drilled answer sheets that match the courses, sections, and home rooms selected to take this assessment. If taken on paper, the software needs to allow for the scanning of the answer sheets and optically character read (OCR) the sheets and post the data to the system automatically. For online assessments, it must provide an easy process to select who will take that test and when it will be available. Also, it should provide for internal protocol (IP) restrictions for security. ■

*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.*

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