

# News & Notes

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www.saanys.org

## SAANYS Convenes a Third Constituent Meeting with Congressman Tonko

On August 4, SAANYS convened the third District 20 Constituents Meeting for Congressman Paul Tonko. The meeting was held at SAANYS headquarters. Twelve school district representatives and SAANYS representatives Thomas Sands and James Viola met with the congressman and two members of his office, Diana Bennett and Devin Toussaint.



Congressman Paul Tonko meets with Jim Viola (left) and a delegation of school administrators representing twelve districts.

The school district administrators attending this meeting were:

- Jill Bonacio, Burnt Hills-Ballston Lake School District
- Timothy Brunson, Burnt Hills-Ballston Lake School District
- Jason Chevrier, Schodack Central School District
- Kirsten DeMento, Watervliet City School District
- Hakim Jones, Revena Coymans Selkirk School District
- Marna Meltzer-McMorris, Berne-Knox-Westerlo School District
- Timothy Mundell, Berne-Knox-Westerlo School District
- Patricia Paser, Schenectady City School District

*continued on page 3*



Approximately a dozen educators met with Senator Marc Panepinto on August 26 in Region 12. During the 90 minute meeting, topics discussed included school funding, annual professional performance reviews, common core standards, receivership, common core-aligned assessments, and students opting out. From left to right: Bob O'Connor; James Viola; Senator Panepinto; Region 12 President Time Carter; SAANYS President Elect John McKenna; Gretchen Sukdolak, Cheektowaga Central MS Principal; and SAANYS Board of Directors member Larry Badgley.

## SAANYS Takes the Lead on APPR



Above: SAANYS and Educational Vistas, Inc. presented "The Changing World of APPR - Meeting and Managing the New Requirements" to rave reviews on Long Island and in Albany on August 12 and 13.



Above: SAANYS Deputy Executive Director Don Nickson leads a series of APPR workshops around the state entitled "Navigating and Negotiating the New APPR." Attendees received SAANYS' latest resource documents: the *Sample Principal APPR Agreement* and the *APPR 3012-D Negotiation Resource Packet*.



### 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.'

**Registration is now open!**  
saanys.org

See page 5 for workshop details...

## Blue Ribbon Schools Update

The verdict is in on the status of the New York State schools hanging in Blue Ribbon status limbo – the New York State Education Department (SED) has communicated that these schools will not be recognized this year.

As previously reported, 12 schools were notified by the US Department of Education that their Blue Ribbon applications were successful, and that the only remaining criterion for recognition was certification by SED that AMO/AYP requirements have been met for 2014-15. Unfortunately, due to spikes in student opt-out rates on state exams, these schools did not achieve the required 95 percent participation rate for AMO/AYP. SAANYS pursued the issue with SED and was informed that there was little or no possibility that the 95 percent requirement would be waived or adjusted.

SAANYS pressed further, lobbying the issue with members of congress in Washington, DC and having extensive communications with Aba Kumi, director of the National Blue Ribbon Schools Program. On July 9, Kumi communicated to SAANYS that the US Department of Education would accept SAANYS' recommendation to allow for an anomaly waiver considering the participation rates for previous years, compared to the participation rate for 2015. This was excellent news for these well-deserving schools.

*continued on page 8*

**SAANYS Welcomes New Units:**

– REGION 2 –

**Merrick UFSD Administrative Unit**

– REGION 8 –

**Sauquoit Valley Administrators Group**



## Executive Viewpoint

Kevin S. Casey, Executive Director

### What if There is No Tomorrow?

Another school year. Time to welcome back staff and students, all of whom hopefully are refreshed and ready to go. Time to focus on teaching and learning, and preparing young people to be successful in an increasingly complex world. Time to put the tumult of the recent past behind us and start with a clean slate. Or maybe not.

The educational landscape is again dominated by APPR, testing, and the opt-out movement. It seems to me a bit like the movie Ground Hog Day, where Bill Murray plays a character that finds himself living the same day over and over again. During the last legislative session this past spring

the legislature passed the governor's budget bill that yet again modified the APPR. The modifications yet again require collective bargaining over an evaluation system with limited credibility among those who must implement it, and those it purports to measure. SAANYS staff again issued an APPR resource packet, a sample APPR agreement, and again toured the state with explanatory APPR presentations, to the extent that this system can be explained. And yes, this is again done under the threat of the loss of state aid increases for failure to comply. Sound familiar?

We recently learned the statewide opt-out rate for the 3-8 ELA and math ex-

ams grew from 5 percent to 20 percent, with some districts reaching into the 70-80 percent range. Commissioner Elia recently said opting out was unreasonable, and possibly unethical for educators to support. This toss of gasoline onto the fire was followed by an announcement that SED would develop a "toolkit" to help administrators combat the anticipated opt-out movement this school year, and that the SED lawyers would be consulted in its preparation. To many, myself included, this seemed heavy-handed and impliedly threatening. One legislator referred to the reference of the lawyers as the "goon squad" intended to intimidate teachers and parents. If we have learned anything over the past few years, it's that teachers and parents (as well as administrators) are not easily intimidated by state officials. Indeed, the opt-out movement itself is an assertive act of independent personal authority over determining what conditions one's child

may be subjected to.

In response to the "goon squad" pushback, Commissioner Elia assured the public that she intended no threat, and that the toolkit had been requested by some superintendents to attain clarity over the legal framework surrounding test administration. Regardless of her original intention, the pushback should serve as a lesson about the sensitivity that currently exists among parents, educators, and public officials after three or four years of angry rhetoric, and the ever-evolving test based evaluation system seemingly designed to assure the punishment of some percentage of the educators. It should serve as a lesson that empowered parents are organized, angry, and can hire their own lawyers and lobbyists as well. After all, this type of response has happened before. Remember Commissioner King at Spackenkill and its aftermath?

I truly hope that Commissioner Elia can help calm the waters, and allow the focus of educators to

return to teaching and learning. I hope the commissioner and regents will make SED responsive and supportive to educators in the field. Too many educators now view it as oppositional. The lengthy ongoing policy struggle is a huge distraction that detracts from the energy and effort that should be child focused. We know there will be opt-outs; we know there will be legislative lobbying seeking to mitigate the damage of a suspect test-based evaluation system. We have seen this before. It does not mean proponents of opt-out or legislative change are unreasonable or unethical. What it means is that we are still unable to articulate (or legislate) an education policy that garners widespread acceptance among those that entrust their children to professional educators, or among the professional educators themselves. It means we have not yet gotten to tomorrow. ■

# 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, see enclosed insert or 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:**  
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## News & Notes

### School Administrators Association of New York State

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# CAPITAL UPDATE

## Congressman Tonko...

*continued from page 1*

- Thomas Reardon, Wynantskill School District
- Donald Stevens, Watervliet City School District
- David Wetzell, South Colonie School District
- Kimberly Wilkins, Albany City School District
- Diane Wilkinson, Schenectady City School District

The agenda for the constituent meeting primarily consisted of one item – ESEA reauthorization. This is not the first time this topic was discussed with the congressman, since SAANYS met with members of New York State’s federal delegation in Washington twice during the current calendar year. On February 24, SAANYS President Christine Foglia; SAANYS’ delegate to the National Association of Elementary School Principals, Thomas Payton; SAANYS Regional Representative Thomas Sands; and James Viola were joined by colleagues from New York City, Buffalo, and Yonkers in completing meetings with Senators Charles Schumer and Kristin Gillibrand, and seven house members. On June 24, Foglia, Sands, and Viola again met with both state senators and with nine house members.

Before delving into the topic of the meeting, however, Viola thanked Congressman Tonko for the support he had provided in regard to twelve excellent, high-performing schools that were in jeopardy of not receiving Blue Ribbon designation due to unexpectedly high test opt-out rates in 2015. Maintaining a 95 percent student participation rate in state tests is a requirement for Blue Ribbon designation. More information regarding the Blue Ribbon School candidates is included on page one.

In regard to ESEA reauthorization, school representatives were pleased to learn that Congressman Tonko voted against HR-5, Student Success Act, which was passed by the house as the NCLB successor. This bill would lock-in sequestration funding reductions, supported block grants, and supported the expansion of charter schools. The congressman and school representatives were more supportive of the senate counterpart, S-1177,

Every Child Achieves Act, which also passed. This bill would not permit portability of title funds, and would limit the federal role in setting mandates or providing incentives. On the contrary, it would provide state flexibility for accountability and would not require states to adopt teacher evaluations. The senate bill also includes appropriate program provisions such as support for preschool services, expanded access to quality STEM courses, and an emphasis on literacy.



Congressman Tonko in conversation with SAANYS President Christine Foglia.

The participants at the meeting expressed some disappointment that both bills would continue to require annual student testing. Support was expressed for HR -4172, Student Testing Improvement and Accountability Act, by Congressman Chris Gibson. This bill would require test administration at least once in grades 3 through 5, 6 through 9, and 10 through 12. The provisions would allow states that wish to test every student every year to continue to do so, and alternatively, would allow other states to streamline their testing programs.

Participants also discussed college and career readiness, offering two recommendations:

1. Recognition of a High School Equivalency Diploma as a form of successful school completion; and
2. Basing the high school graduation rate on all students who remain enrolled in school and graduate with a high school diploma, or its equivalent, regardless of the number of years they take to complete their secondary education program.

The two recommendations are supported by the NYS Federation of School Administrators (union of NYC, Yonkers, and Buffalo), Council of New York Special Education Administrators, and NYS Congress of Parents and Teachers, Inc. (NYS PTA).

For more information regarding Congressman Tonko’s constituents meeting, contact James Viola, director of government relations, by e-mailing [JViola@saanys.org](mailto:JViola@saanys.org). ■



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)

### NYS Certified DASA Training

October 1, 4:00-7:00pm  
Cost: \$60  
Saratoga Springs CSD – Central Office, Room C223  
1 Blue Streak Blvd., Saratoga Springs

### Region 10 Workshop - AXA and NYSTRS

October 8, 4:30-6:00pm  
Cost: FREE  
Sharkey’s Restaurant, 7240 Oswego Rd (Rt 57), Liverpool  
For more information contact: Tony Cardamone, [tcadamone@bville.org](mailto:tcadamone@bville.org).


### 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, [tcadamone@bville.org](mailto:tcadamone@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 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.  
2 UMRA, Not-for-Profit Survey, based on total participants for three consecutive years (2012-2014) and contributors for two consecutive years (2013-2014).

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**Tuesdays - Oct 27, Nov 17, & Dec 8, 2015**  
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**Wednesdays - Oct 28, Nov 19, & Dec 9, 2015**  
Orchard Park CSD - Orchard Park (Buffalo area), NY

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**Thursday, September 17, 2015**  
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**Friday, September 18, 2015**  
O-C-M BOCES, Syracuse, NY

**Tuesday, October 6, 2015**  
Bank of America, Western Long Island - Melville, NY

Detailed information and registration on the web at [www.SuperintendentOfSchools.com](http://www.SuperintendentOfSchools.com)

James M. Merrins, Ed.D., Executive Program Administrator  
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Contact a SAANYS Attorney **274**

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

After Hours Pager: **1-800-978-6055**

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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



This summer has been a busy one, to say the least! SAANYS Professional Development has provided a variety of professional learning opportunities around the state over the past few months that have included:

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

LIFT NY Summer Institutes in Rochester, Albany, and Long Island

These two-day workshops, "What We Need NOW!" featured keynotes and workshops designed to meet the needs of educators where they are now. Topics included Connected Learning, Collaboration Strategies that Work, Redefining the Role of the Principal Through Michael Fullan's Lens, Making Sense of New Part 154 Regulations for English Language Learners, and more. Participants got a great deal, with four workshops over two days, delicious lunches from Panera, two books (Fullan's *The Principal* and *The Administrators Handbook*), and online followup for support and implementation for a nominal fee. Here's some feedback from the participants in the three locations. Stay tuned for future LIFT NY events!

*"I enjoyed the interactive formats and opportunities to discuss and learn from colleagues."*

*"Motivating and thought provoking!"*

*"It was awesome! I wish all of the administrators on my team could have come. I'll be using the videos, ELL information, and collaboration ideas with my staff next year!"*

*"Loved the Fullan workshop and can't wait to read the book."*

*"The resources were excellent. I plan to do more research on BYOD and other ideas."*

*"Lots of opportunities to move around and participate – very knowledgeable presenters!"*

*"Valuable and relevant information ... strategies that will be easy to bring home and implement."*

### Google Camps!

August was truly Google Month, with Google Camps happening in Tonawanda, Madrid Waddington, Bethlehem, and Dansville, thanks to our collaboration with our partners at NYSCATE. As these "un-conference" ed camp type events continue to grow in popularity, we will continue to provide them. If you have never been to a Google Camp, there's one coming up on October 17 in Rochester the day before the SAANYS conference – even if you are not yet 'immersed' in the world of Google and just want to learn the basics, it's time to check one out! Look on the SAANYS website for information about all upcoming Google Camps and plan to attend one to see what all the excitement's about!

### APPR

August also was the month for APPR. Full-day conferences developed with our partners at Educational Vistas, Inc. were held in Long Island and Albany on August 12 and 13. "The Changing World of APPR: Meeting and Managing the New Requirements" featured a full program designed to inform attendees about the new 3012d by presentations that included a keynote from Jim Viola, APPR interpretation by SAANYS attorneys, and roundtable conversations as well as presentations by practitioners, exploration of the state of SLOs, and a look at the importance of aligning curriculum with goals. Again, check out the SAANYS website for future APPR workshops planned for other locations around the state.

At SAANYS, we know firsthand how demanding your roles can be at all times of the year. With so many demands competing for your time, here's to enjoying the beauty of early fall! We hope you can make it to Rochester for our annual conference on October 18 and 19 where you can meet and chat with our new state commissioner MaryEllen Elia, enjoy timely keynotes and workshops, and relax with colleagues from around the state. As always, check out the SAANYS website for the most current information on this and all PD news! ■

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 CNYDLP 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 27**

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*

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## School Email and Confidentiality

Email is a wonderful thing. We can quickly and inexpensively communicate with colleagues, friends, and loved ones. In real time as they say. A byproduct of this fast, efficient, and convenient method of communication is that it has made us, most of us I suppose, more productive. Are we less busy? No. History has shown us that a natural consequence of technological advancement is that more is expected of us. Regardless, today the ability to email is ubiquitous. We write email in the grip of quiet convenience, scribed often in the solitude of our offices, homes, cars, and pretty much anywhere with iPhones and smartphones providing email services.

It may be easy in such circumstances to allow ourselves to lose sight of the fact that email is written correspondence to which we must be held accountable.

There are several legal cases that have arisen where the confidentiality of email correspondence between a person and their attorney has been waived because the individual used the email service provided by their employer. New York statutes are clear that communications between a client and an attorney do not lose their privileged character just because they are transmitted by electronic means. The purpose is to recognize the wide spread use of commercial email. The question becomes who owns the electronic means and what is its purpose.

For those readers who use school district email, it is critical that you read and understand your district's acceptable use policy. You are often required to sign one either annually or when you are first employed. Even if your acceptable use policy allows you to send personal emails using the district's address or on the district's server, or even if your district has no policy at all, I recommend you do not use school email to send sensitive personal material. Quite simply, you cannot expect to have confidential communications with your attorney using school email.

The courts have nonetheless set up a four-part test when considering whether attorney client privilege applied in a given dispute over use of employer email. The first was whether the employer maintained a policy banning personal use or other objectionable use. Second, whether the employer reserved the right to monitor computer or email use. Third whether the employees were notified of this right

to monitor and finally whether a third party, such as your technical person, had the right to access your computer or email. It is conceivable then that in a dispute, someone asserting a privilege may convince a

*Quite simply, you cannot expect to have confidential communications with your attorney using school email.*

court that the employer failed to meet such a test.

But as I noted above, even if your employer does not have a policy or has failed to notify you of the policy and the procedures in it, out of an abundance of caution you should not expect to communicate confidentially with your attorney using school email. The reason is that the school district owns the email. The courts have recognized the school district's right to access your email. It is as if the district is looking over your shoulder as you write the email.

Everything noted above applies to private employers. Given that

the school districts are public employers, public policy and transparency are added considerations for the courts in privilege disputes. This should inform users of school email that they should be doubly cautious. An employee should take every precaution to make sure their correspondence with their attorney remains privileged. It includes taking steps that evince the employee's intention that the communication

was confidential such as password protecting documents, using one's own personal device and web-based email addresses. The courts consider attorney client privilege waived when one party's conduct is so careless that it suggests they are unconcerned with privilege or it otherwise increases the likelihood that their opponent will discover the material. The privacy notice at the end of an email is insufficient to protect your communication as privileged. So do not be surprised if your attorney asks you to correspond using web-based email in lieu of work email. ■

## From Common Core to Common Learning

Sponsor Opinion piece by Dr. Bruce H. Crowder, Senior Reseacher, Educational Vistas, Inc.

At this time in New York State education, it appears that Common Core State Standards (CCSS) remain in place while grades 3-8 ELA and math testing has moved to a new vendor. Also, significant changes to APPR are taking form. Exactly what this means for educators has yet to be explained. However, the experience educators have had with Common Core continues, and that is good.

With the related six shifts in ELA and math calling for deeper understanding,

educators are experiencing the challenges of curriculum planning and implementation. Whether using the so-called NYS curriculum modules for ELA and math or developing a local variety, there is the need to address more rigorous content, new tests, and new practices. All of this falls under the label of curriculum. In fact, there is a need for an appropriate definition of curriculum that accurately meets its purpose and function. The one that follows does the job.

*Curriculum is the relationship of teaching, learning, and assessment within an integrated web.*

Common Core is not a curriculum. It serves as the basis for learning expectations. As such, it was developed through a backwards planning approach from end points. Therefore, the learning process spirals down to establish important vertical grade-to-grade articulation. Spiral down; deliver up is the mantra. Therefore, Common Core sets the focus for developing a single district curriculum. Ideally, the curriculum should be computerized in a uniform format from grade to grade and clearly display subject and grade curriculum mapping for easy access by staff and even parents.

With a common curriculum based on CCSS, alignment and articulation en-

sure a systemic approach within the enterprise that supports what to teach, when to teach it, and how to measure the related learning. However, it must be understood that the teacher makes the final decision regarding the need for reteaching, use of unique approaches, and teachable moments. In addition, each teacher is in touch with prior learning, current learning, and subsequent learning. When teachers are asked to identify their internal customer, aside from students and parents, they realize it is the teacher at the next level.

*Dr. Bruce H. Crowder is a senior researcher for Educational Vistas, Inc. He is a former NYS assistant commissioner for Quality Assurance and the Education and Accountability Program (EAP). Dr. Crowder may be reached at [evibruce@aol.com](mailto:evibruce@aol.com). ■*

*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.*

## Congratulations Retiring Members

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*continued on page 8*

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*"I am not a teacher, but an awakener."*

*—Robert Frost*

## 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.

### Valley Stream #30 Council of Supervisory Association, Region 2 (Nassau County)

The Valley Stream #30 Union Free School District and the Valley Stream #30 Council of Supervisory Association, with the assistance of SAANYS Negotiator Peter Valente, have reached a new five-year agreement for the period of July 1, 2014 – June 30, 2019.

Changes in the contract include:

- Salaries: 1.75 percent in each year of the agreement.
- Tenure payment of \$5,000 after appointment to tenure.
- Three school administrators with five or more years receive a \$2,000 adjustment in tenure payment to equal the \$5,000 tenure benefit.
- Longevity: After five years of service to the district an additional \$4,000 longevity payment shall be added to base salary. After ten years of service to the district an additional \$4,000 longevity payment shall be added to base.
- A one-time \$1,000 doctoral stipend shall be paid that will not be added to the base.
- A new IRC457 Plan shall be implemented.
- Language statement related to the health insurance buy-out option shall remain in effect until the pending litigation is resolved.

### Baldwin Association of Administrators, Region 2 (Nassau County)

The Baldwin Union Free School District and the Baldwin Association of Administrators, with the assistance of SAANYS Negotiator Peter Valente, have reached agreement on a new five-year contract for the period of July 1, 2013 – June 30, 2018.

- Salaries: Year one: salary step shall remain frozen with a one-time payment of \$1,500 not added to base

salary. Year two: salary schedule shall remain unchanged with unit members receiving either a step increment or a 1 percent increase in base. Year three, four, and five: salary schedule shall be increased by 1.5 percent per year with step increments frozen during each year.

- New salary schedule for new hires after July 1, 2015 with pre July 1, 2015 members moving to a new position remaining on schedule A. New elementary principals hired after July 1, 2015 shall have a work year of 11 months.
- Doctoral stipend: Shall be increased by \$200 to \$2,200.
- Longevity: A new longevity schedule for \$500 after eight years of service and an additional \$500 after ten years shall be adopted.
- Health Insurance: Hires after Jul 1, 2015 shall contribute 25 percent to the cost of either individual or family plans.
- Retirement Incentive: Effective July 1, 2015, the per diem rate for accumulated sick leave shall increase to \$185 per day up to a maximum of \$37,000.
- Work Year: Amended to reflect that ten and twenty summer work days shall cover the period of July 1- August 31.
- Grievance Procedure: Text of grievance procedure shall be included in the CBA and include the board of education as the final step of appeals.

### Shenendehowa United Supervisors Association, Region 6

The Shenendehowa United Supervisors Association has successfully completed negotiation of a three-year agreement to cover the period from July 1, 2015 through June 30, 2018. The settlement provides for 2 percent plus step salary increases during each year of the agreement. Modest improvement of longevity amounts and indexing of steps are also included. Equity adjustments for some member groups are provided in year three of the contract. The percentage of member health insurance contribution remains the same. The negotiating team of Mike Dougall, Dave West, and Linda Lee was assisted by SAANYS Labor Relations Specialist Jennie Pennington.

*continued on page 8*

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# 2015 CALENDAR



Sept 8 *International Literacy Day*

Sept 11 *Patriot Day*

Sept 13-19 *National Arts in Education Week*

Sept 14 *Rosh Hashbanab*

Sept 15-Oct 15 *National Hispanic Heritage Month*

Sept 16 *Mayflower Day*

Sept 21 *International Day of Peace*

Sept 23 *Yom Kippur*

Sept 23 *First Day of Autumn*

Sept 28 *National Good Neighbor Day*



*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*

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# As the school year begins, take time to review your...



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### Labor Relations Services

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### Professional Growth

SAANYS helps members meet their continuous learning needs and requirements through a year-round, comprehensive professional development program. Certificates for completed hours are available. This includes access to the SAANYS PD Your Way program. In an effort to keep members current and informed, membership also includes two award-winning publications (*News & Notes* newsletter and the *Vanguard & Practices* magazine), and various online communications and services.



### Government Relations

Members can be assured that their voices are heard loud and clear on issues such as education funding, tenure, mandates, retirement issues, education reform initiatives, and federal policy. A member-composed government relations committee establishes the legislative priorities for the association and lobbies those issues on behalf of fellow educators.



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### Career Center at saanys.org

This online database of school leadership positions is free to job seekers. Members receive a monthly email alert highlighting recently advertised vacancies. Members also receive a 20 percent discount on job vacancy postings.

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### Retiring Members...

continued from page 6

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## Blue Ribbon Schools...

continued from page 1

There was still one more roadblock – SED. In the end, SED determined that it would use a two-year averaging procedure for Blue Ribbon determinations, rather than the three-year averaging that most of these schools needed. When asked why a two-year rather than a three-year student participation average was not used, SED responded that because SED uses a two-year average as part of the state's accountability system, a three-year

averaging procedure would not be allowed for Blue Ribbon determinations. Thus, 11 out of the 12 schools in limbo will not be honored as Blue Ribbon schools this year due to their opt-out rates.

SAANYS has done its best to present the unanticipated, anomalous circumstances experienced by these schools during the administration of the 2015 state assessments in the hope that an appropriate adjustment may be approved. We are very disappointed with the above results, but confident that these schools and their communities are undeterred, and will continue to provide outstanding educational services to their students, and that they will all continue to excel. ■

## Contract Settlements...

continued from page 7

### Averill Park Administrators Association, Region 6

The Averill Park Administrators Association has completed negotiation of a three-year agreement with the Averill Park Central School District to cover the period from July 1, 2015 through June 30, 2018. Salaries will increase by 3 percent during 2015-2016, 2.75 percent during 2016-2017, and 2.75 percent during 2017-2018. The agreement also includes an increase in sick days from 13 to 15 each year with accumulation to 300 sick days from 270. Upon separation from the district, unused sick days will be compensated at \$100.00 per day. Negotiators Denis Sibson, Cheryl Clark, and Robert Messia were advised by SAANYS Labor Relations Specialist Jennie Pennington. ■

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