



Strengthening the Capacity of 21st Century Leaders and Learners
<http://scdn.wsboces.org/index.htm>

- Q: What is your vision for school reform in NYS schools? How can S/CDN help in moving that vision forward?**
- Q: How will the State's participation/adoption of National Standards contribute to statewide increased graduation rates and rigorous core curriculum? What will the anticipated process and timeline be for implementing these at the State level? Will we be adopting the Standards for Science and other curricular areas as well? When might we anticipate these other curricular adoptions as some of the field are asking about curricular work but do not want to begin the work if it will have to be changed in the near future?**

A: The Common Core Standards Initiative in the areas of English language arts and mathematics is a significant and historic opportunity for States to collectively accelerate and drive education reform toward the ultimate goal of all children graduating from high school ready for college, work and success in our global economy. These common standards will be a critical first step to bringing about a real and meaningful transformation of our education system to benefit all students.

New York State's Standards Review Initiative, which began in 2008 under the leadership of Regent Cohen, led to the development of ELA/ESL draft learning standards. We anticipate that an initial draft will be presented to the Board of Regents at their December meeting. A series of events will unfold in the months ahead as New York reviews and comments on the common core standards and the revised draft ELA/ESL Learning Standards and performance indicators. An expected result is a combined set of Common Core Standards and State Standards in English language arts and mathematics.

We anticipate future efforts where a similar process will take place to develop revised learning standards at the national and state level for other subjects including science. Due to current fiscal limitations, we can not project the schedule for the other areas as of yet.

- Q: How can the S/CDN best support the State's effort to increase the graduation rate and ensure all students receive a quality education?**
- A:** SCDN can continue to support the State's effort to increase the graduation rate and ensure all students receive a quality education by implementing the following actions/steps:
- Review all pertinent Regents' items (Teacher Preparation, Common Core Standards, Virtual High School, Professional Development Standards, College/Career Readiness etc.) that are applicable to SCDN's responsibilities and that articulate with student achievement results, teacher quality initiatives and professional development (PD) implications;

- Collaborate with the Regents, Commissioner, Senior Deputy Commissioner (as needed) and other SED staff to design training models/modules such as awareness; implementation; evaluation and management (process/systems and for sustainability of SED priorities/building local level capacity) for the proposed USNY/P-12 initiatives;
- Create professional development products/tools, including designing “strategic PD delivery systems” to increase student performance levels; resulting in improved graduation rates. The enhanced strategies are similar to prior SCDN PD actions/tasks-*Examples: NYS learning standards rollout(s) and Grades 4 and 8 assessments implementation/Regional Scoring Models, School Improvement/SED Regional Network Professional Development Initiative, AIS Evaluation/Work Group etc. and*
- Provide on-going input and feedback to SED; let us know what roadblocks, (regulations, policies or other) hinder student achievement and impact graduation results statewide;
- Assess the fiscal implications for district/schools and professional development providers as it articulates with student achievement/graduation results;
- Determine resources and capacity implications for all districts/leas/others and share that information with SED;
- Continue to provide strategic PD delivery systems to NYS districts/LEAs regarding the NYS Board of Regents (USNY/SED) priorities, and evaluate the effectiveness of what works, as well identify areas for improvement linked to successful teacher training needs and student performance levels (resulting in higher graduation rates);

We need to collectively ensure that students and teachers are engaged in their learning and teaching. When students want to be in school, when they see a purpose and direction for their learning, they will want to stay in school. We need to ensure that school is both meeting students' current needs, and adequately preparing them for college and careers.

S/CDN has been a long time collaborator with the Department in communicating important information to the field and presenting timely professional development to local educators. We look forward to continuing this strong partnership where you facilitate the roll-out of timely information regarding New York State's reform efforts, and provide related professional development services.

Q: You have a wealth of knowledge and experience in the field of teacher preparation. How can S/CDN work with you and the department to support the best pre and provide the best post service development experiences for our teachers?

A: We will look to SCDN to partner with us to:

- a) to continue developing a toolkit of resources - including implementation rubrics, facilitation guides, and web examples (and **thank you** for agreeing to do so) that can be used by professional development providers across the State - to increasingly align all professional development activities with teaching and student learning needs;
- b) to fully integrate the NYS Professional Development Standards in your work in districts and schools, and in the professional development provider networks associated with your BOCES or districts;
- c) to take the lead in fostering ongoing conversations with all stakeholders that focus on the importance of good teaching in improving outcomes for students;
- d) to help us develop strategies and models for more relevant and rigorous pre-service classroom placement experiences;
- e) to ensure that pre-service experiences are increasingly informed by the needs and knowledge of practitioners;
- f) to be involved in the development and, once adopted, the implementation of NYS Professional Teaching Standards

Q: As the new Commissioner, you know the various curricula advocating for inclusion from the arts, languages, technology, sciences, literacy, etc. How do you propose we best serve our students in the inclusion of these whole child skill needs within the current educational day and structures? How do we provide equal access and balanced benefits in a culture that is bound by accountability and assessment to survive?

A: We need to leverage the resources we use for learning and teaching in new and creative ways. Our upcoming statewide learning technology plan, for example, is a vision of learning environments unbound by physical space and time. We can embrace the whole child principles when we also embrace that learning is more than just the responsibility of a school building, but is the focus of our cultural institutions, community partners and organizations, and so on. All partners in a learner's development should be interconnected.

To prepare all students for college, 21st century citizenship, and lifelong learning, our P-20 educational system must undertake systemic change beginning with an updated set of student learning standards, curriculum frameworks, formative assessments, and professional development. In addition to the work currently undertaken on common core standards English language arts and mathematics and State ELA/ESL learning standards, we have targeted additional areas to be developed and revised with content-rich curriculum frameworks based on New York State Learning Standards. These will include science, social studies, technology and the arts.

New York State's current fiscal climate provides challenges us with limited fiscal resources to handle this change all at once. In the months ahead, this work will occur through a series of phases.

Q: Do you see any possibility of dialogue on alternative ways of assessing students' knowledge and skills? Can other programs be considered as part of the accountability system (i.e., BOCES High School Equivalency programs)?

A: The Board of Regents and I are open to dialogue regarding alternative ways of assessing students' knowledge and skills. We are committed to closing the achievement gap and increasing the graduation rate in the State. We need to examine concepts such as research projects, competency based learning, and project based assessments to determine if any of these approaches will meet our expectations of a rigorous assessment with high standards of excellence that validates knowledge and skill attainment of students.

Currently, all High School Equivalency programs are part of the System of Accountability for Student Success system (SASS). Each program submits annual data to the Department regarding their performance. Programs that are furthest removed from meeting standards are placed on high school equivalency review status and are provided two years to turn around performance. Managers of all programs are notified if the annual performance for any student cohort is not within 20 percentage points of desired performance expectations. The expectation is that upon this notification the managers will take corrective action.

Q: Given the dialogue that is occurring between districts and collective bargaining units (e.g. Washington, D.C., New Haven, CT), do you see these relationships having any direct impact in N.Y.S.? What do you see for NYS's future as we move forward?

A: Yes. We have seen several signs that teacher bargaining units are open to tying teacher performance and student performance. A single indicator system (i.e., relying only on end-of-year student assessments) should not be the only measure of teacher effectiveness. There has been movement over the past several years in teacher contracts (including New York City's) to allow district placement of teachers where they are most needed, rather than sole reliance on the seniority model. NYSUT has taken a lead in agreeing to work with Rhode Island, through an AFT Innovation grant, to develop additional models of assessing teacher effectiveness. We hope that SCDN will weigh in on this conversation, and help us consider additional measures for using the APPR (Commissioners Regulation 100.2(o) for Annual Professional Performance Review, see <http://emsc.nysed.gov/part100/pages/1002.html#o>) or similar models to assess teacher effectiveness - and to use such information both to inform professional development needs and to ensure that the students with the greatest needs have access to the best teachers.

Q: What is your vision of Charter Schools? Do you see the Charter Schools movement as restructured public school systems? Are there any studies on the effectiveness of Charter Schools that SCDN should be paying attention to?

Q: How can the NYSED ensure that all students have a school culture that promotes a safe learning environment, and has appropriate materials and technology tools to equip them to participate effectively in today's society?

A: School culture and climate is influenced by a number of factors, first and foremost is a commitment to establishing a learning environment that is culturally sensitive and treats all students and staff with respect and dignity. As you know the Department, in concert with the Office of Mental Health has developed "*Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in NYS*". These guidelines should assist schools achieve a climate and culture conducive to student growth and development.

In addition, the Department's Safe Schools and Alternative Education Team and our partners such as the NYS Center for School Safety, NYS Student Support Services Center, and the Regional Student Support Service Centers continue to work with school districts, upon request in helping them to analyze their student data such as VADIR, for the purpose of developing Incident Reduction Plans which include the types of interventions and program responses the school should implement to achieve a safer learning environment.

The Regents' vision for technology to transform learning and teaching includes a plan that will take specific actions regarding safe and responsible use of technology and resources for learning, and well as a commitment to strengthening the equity and access to resources for all learners. It will take our collective strength and continued partnerships to realize this vision and ensure that students have adequate and sustainable resources for learning and preparing to become 21st century citizens.

Q: Can NYSED revisit laws and regulations that limit our school system (i.e., definition of seat time) in today's highly technological society?

A: When we talk about multiple pathways to learning, and multiple means of earning credit and demonstrating proficiency in a content area, we also acknowledge that seat time alone is not the only measure of student achievement. Given our Regents' vision for technology, and our own commitment to ensuring that all learners are prepared for college, the workforce, and citizenship, seat time will be an important issue to discuss.

The Department is already visiting the issue of how we can provide students with alternate opportunities to graduate from high school. One such initiative is the development of a virtual high school, which the Board of Regents has given approval to pursue at their meeting last month.

In September, the Board of Regents approved a policy on making up course credit, which includes digital on-line learning as one make-up option. We are in the process of drafting policies and regulations to benefit students' acquisition of course credit and the completion of graduation requirements.

Q: Can NYSED revisit laws and regulations that limit individuals from taking leadership positions due to retirement benefits (i.e., districts have a requirement of individuals to be part of a system anywhere from 5 to 15 years to gain health benefits at retirement)?

A: The decision to offer health care benefits after retirement is a local decision. We would advise districts to look at the total cost of offering a retirement health care part of the total compensation package.

New statutory restrictions related to compensation for administrators were just recently adopted and were very publicly pursued by the Attorney General's Office. It is very important that compensation for administrators is transparent to the public.

Q: Can NYSED revisit laws and regulations limiting the hiring of highly qualified individuals in shortage areas such as mathematics and science (i.e., retired teachers who can become staff developers)?

A: §80-5.5 of Commissioner's Regulations is modeled on Article 7, Sections 211-212 of Retirement and Social Security Law (RSSL). Statute and regulation place restrictions on the employment of retirees. These include prohibiting the return of a retiree to public employment in the same or similar position for one year after retirement, and limiting employment of an administrator to two years in a district in the same position. These particular restrictions were enacted in 2008 because of perceived misuse of employment of retired administrators by certain districts over several consecutive years.

These new statutory restrictions were just recently adopted and were very publicly pursued by the Attorney General's Office. It would be very difficult to reopen this issue with the Legislature and Governor at this time. However, within the parameters of existing law and regulation, where a district requests approval to employ a retiree in a position such as a teacher or staff developer in subject shortage areas like mathematics and science, and has documented an unsuccessful search for an active qualified person to serve, the Department looks favorably on the request. It should also be noted that retirees also have the option of working under Section 212 (limiting their earnings to the amount permitted by statute, \$30,000/year in 2009) in situations where a school district only needs a limited duration or part-time employment of a retiree.

There is extensive information on employment of a retiree at <http://www.highered.nysed.gov/tcert/resteachers/sdretiree.html>. Further questions about these issues may be addressed to Ms. Linda Delfs of the Office of Teaching Initiatives at (518) 474-4661, or by email at 211requests@mail.nysed.gov

Q: Is the NYSED considering a partnership with the Partnership for 21st Century Skills? www.21stcenturyskills.org

A: The Department has worked collaboratively with the Partnership for 21st Century Skills during the Standards Review Initiative. The Partnership for 21st Century Skills reviewed and made comments that were considered in the development of the newly drafted ELA/ESL Learning Standards.

Q: Is there any critical research that SCDN should be looking at in terms of curriculum and instruction?

Q: Do you have any information about how the SED, and in particular its school improvement networks, might be reorganized in light of the external organizational studies that were done several months ago?

A: The new Regional Special Education Technical Assistance Support Centers (RSE-TASC) include an extensive combination of statewide, regional and local resources that have been put into place in conformance with the Regents support for district focused regional networks that concentrate on influencing teaching and learning and improving student outcomes in the areas of greatest need. Currently, P-12 is evaluating the most effective way to build on these resources to influence research based instruction and provide guidance to districts given limitations in available resources.

Q: Because of the growing number of LEP/ELLs in our schools and the current legislation and regulation around their assessments, what are your plans to lead our State forward in the discussions and changes that must take place to assist this growing population of students as well as to assist schools who are welcoming and educating these children but at the expense of being put on yet another accountability list for not meeting the sub-group requirements on assessments? What immediate strides are we taking within our assessment system to address LEP/ELL needs?

A: The following are accomplishments, current and future projects and initiatives that address the most critical educational and programmatic concerns regarding LEP/ELLs.

Successes Last 12 Months

- Incorporated ESL as part of the ELA Standards
- Developed the LEP/ELL Program Evaluation Toolkit – Pilot during 09-10
- Developed a new procedure for evaluating NYC schools' LEP/ELL programs (PART 154 Review Process – Language Allocation Policy for each school in addition to NYC s Title III application and PART 154 district reports)
- Established a NYC Charter School Consortium (Around 20 charter schools)
- Reviewed, updated and posted bilingual glossaries
- Collaborated with Title I office to allocate Title I funds for the educational needs of LEP/ELLs – RFP to go out in December. Additional funds to be allocated in August 2010
- Collaborated with the Statewide Leadership Centers - training for administrators regarding LEP/ELLs issues.
- Reviewed and updated the Home Language Questionnaire and Identification procedures for LEP/ELLs to make sure students are not identified incorrectly. Added some Special Education questions in the document. New HLQ will be ready early 2010.
- Completion of three new grants: BETLA II (Westchester and Long Island), over 50 Small Secondary Grants and 5 Two-Way Grants.

Current Projects

- Make sure that all SED initiatives include LEP/ELLs
- Looking at how best identify exact amount used by districts in the education of LEP/ELLs: Foundation Aid and Contract for Excellence (C4E)
- Working closely with the 38 districts that did not meet the NCLB-Title III Annual Measurable Achievement Objectives (AMAO) accountability system for LEP/ELLs - Providing technical assistant with the help of our BETAC network to help change accountability status

Goals for the next 12 months

- Continue working on the Part 154 and Title III guideline for the education of LEP/ELLs
- Continue collaboration with the Assessment Office regarding the Academic Language Program for LEP/ELLs - Pilot Project from George Washington University
- Create a yearly data report about NYS LEP/ELL (Similar to the NYC Report)
- Complete the NCLB Title III Reauthorization Survey
- Intensive Teacher Institute – Review of syllabus for the 15 credits in Bilingual Extension and ESL certification to make sure it addresses the current educational challenges of our teachers.
- Continue collaboration with the development of the High School On-Line and Credit recovery initiative.
- Make sure that the subgroups of LEP/ELLs information is collected by the NYSED Student ID system (Long-term LEP (LTL); Bilingual Special Education (BSE); New Immigrants), but not for Students with Interrupted Formal Education (SIFE); Gifted and Talented (GAT), LEP/ELLs in GED programs, and Overage High School LEP/ELLs.
- Work with teacher certification to update regulations to have bilingual teachers teach ESL requirements and foreign languages in the elementary grades.
- Update PART 154 Regulations –regarding special education, years of services, ESL periods in HS – ESL in content area, funding, etc.
- Continue working on the RTI for LEP/ELL guidelines and provide supporting documents for the NYS RTI Center

Q: S/CDN obviously supports State leadership and the notion of professional development. What are your views on leading legislation to consider lengthening the school year, school day and requiring professional development hours per year for all NYS teaching staff?

A: Office of Teaching Initiatives comment only addresses the issue of requiring professional development of all teachers.

The introduction of required professional development planning in districts in 2000 and the assistance to districts of such networks as S/CDN , have gone a long way towards encouraging all stakeholders at the local level to have a voice in designing substantial, effective professional development for the districts' teachers, based on identified needs through data analysis and resources available to support professional development. Anecdotally, and through a sampling of professional development monitoring under ESEA Title II, we know that many, many districts in the state, prior to and since the inception of

mandated professional development planning, require as a condition of employment, a set number of hours of professional development annually for all teachers in the districts. So, the overall New York State educational system is moving in the right direction with respect to ensuring that our teachers are current in content and pedagogical knowledge to raise the level of student learning.

To attempt to mandate a specific number of professional development hours for each of the 220,000 teachers in New York's public schools could be expensive to all school districts, and SED at this time would not have the staff to support and oversee such a large undertaking.

Q: Can the Teacher on Special Assignment (TOSA) determination be revisited? It creates huge issues in terms of seniority and tenure in BOCES settings especially.

A: Background Information

Research in school improvement and instructional leadership tells us that improvement in educational outcomes occurs when teachers learn and grow. Much of this learning is accomplished through professional development activities provided by instructional support staff. Typically, individuals serving in this capacity are experienced teachers, employed to provide training workshops, study groups, demonstration lessons, modeling of instruction, coaching, and similar services. They provide technical assistance on the development, delivery, and assessment of programs in specific content areas; provide information on best practices and current research; make curriculum resources available; support a culture of reflective practice; assist teachers in analyzing student performance data; provide technical assistance on technology tools to extend and support student learning, and provide a host of other services. Instructional support providers are typically drawn from among the best and most experienced teachers in a school district. Sometimes, especially at BOCES, teachers with particular expertise in working with other educators are hired specifically to provide instructional support services. Job titles vary widely: teacher trainer, curriculum development specialist, subject coach, professional development specialist, CSE chair, technology coordinator, intervention specialist, etc.

Despite the fact that instructional support service positions have grown in number and variety, these positions were never certified to the State Civil Service Commission pursuant to the provisions of 35-g of the Civil Service Law as educational in nature and therefore individuals appointed to such positions were not required to have a teaching certificate and teachers in such positions were not able to acquire tenure and/or seniority rights for the performance of such duties.

Regent's action in April 2009

In April of this year the Regents took emergency action to establish Rules for placing individuals providing Instructional Support Services in an appropriate Tenure area. Shortly thereafter the Commissioner Certified to the Department of Civil Service that these positions should be considered as part of a school district's or BOCES' teaching staff and therefore were required to be teachers.

There were primarily two options on how these Instructional Support positions would be assigned to tenure areas:

1. The teacher could remain in his/her existing tenure area, or
2. New tenure areas could be created tailored to the duties of Instructional Support work.

School Districts, about two thirds of the BOCES, and the Unions favored approach #1 above. The School Boards Assn. and about one third of the BOCES favored #2 above. SED staff also explored a possible hybrid solution with BOCES being treated differently than school districts. In the end the Regents adopted approach #1 deciding that NYS should have one system for all teachers.

BOCES District Superintendents are still split on their approach to this issue. SED staff (Joe Frey and Bob Bentley) met with the District Supt.'s at their October meeting to discuss possibly revisiting the tenure area issue as it relates to BOCES only, and after a discussion, the DS's concluded that they did not all agree on the best course of action. They decided it was best to leave the situation as it is.

Recommended Commissioner's position at this time

Our recommendation to the Commissioner would be to take the position that: "The Regents have established new Emergency Rules on this in the spring of 2009, which were just made final in August of this year. Therefore it would be difficult to propose substantial changes to them without compelling justification.

It is our understanding that not all BOCES agree on changes to the current rules. However if the BOCES could all agree on specific revisions pertaining to positions in the BOCES only, the Commissioner could have these suggestions vetted by Counsel's Office to see if such changes would be legally sound. Any such changes would need to be prospective (for teachers hired after a certain date in the future).