

## March Board of Regents Information

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Brief highlights are noted below:

For the complete commissioner's March report to the Board, go to  
<http://oms32.nysed.gov/comm/2008/0308commrep.htm>

Discussion included:

(1) Interwoven in each aspect of the Board of Regents discussion is the topic of **data**, its' importance and how it is key to the P-16 initiatives. As related to data, the Board proposed that a scheduled annual release occur each year. A proposed schedule will be brought before the Board in April. There have been performance problems with nySTART, which is the portal where districts confirm their data. State Ed personnel is working to resolve these issues.

(2) **Teacher Tenure** – preliminary draft regulatory language was discussed. The language will include the use of performance data. Chapter 57 of the Laws of 2007 requires that evaluation of a candidate for tenure shall include “an evaluation of the extent to which the teacher successfully utilized analysis of available student performance data and other relevant information when providing instruction.”

(3) The **Special Education Teacher shortage** is being discussed by the Board of Regents and they are pursuing a viable solution. One such solution is to combine/consolidate the current 45 titles of special education certification into 3: Birth to Grade 3, Grades 1-6 and a single interdisciplinary credential for grades 7-12.

(4) **Review of ELA standards:** The Board of Regents recently announced that it will review New York's Learning Standards and will begin with the standards for English Language Arts (ELA) and English as a Second Language (ESL). For more information and to view the review committee members, go to <http://www.oms.nysed.gov/press/StandardsReleasefinal.htm>

(5) **SLATE is the** Student Lending, Accountability, Transparency and Enforcement Act. Preliminary draft regulations were discussed to implement SLATE. These regulations would establish procedures of enforcement, due process and hearing procedures for violations. New resources need to be explored to find and fund this new responsibility.

(6) **Amending section** 100.2(x)(1)(vi) of the Commissioner's Regulations to clarify the definition of "**unaccompanied youth**" to comply with State and Federal law. This would assist concerns and issues among school districts as to when a student should be considered a “homeless unaccompanied youth”. There have been conflicts with the definition under the requirements of the McKinney-Vento Act.

(7) A 7<sup>th</sup> **emergency adoption** to the regulations relating to **Contract for Excellence** was recommended to be adopted. These relate to Sections 100.13 and 170.12

Meetings have been held with educational advocates and representatives from school boards and school administrators. Concerns and questions raised by districts during these meetings and conversations include:

- flexibility in funding C4E programs,
- the importance of allowing districts to stop being C4E districts if their performance is in good standing, and
- what will happen if districts don't spend all of their C4E money by the end of the fiscal year.

Examples were discussed to illustrate the **challenges** some C4E districts have in continuing to **provide new or expanded programs** each year **while facing high tax rates and limited local resources**.

The Department is also **recommending some possible statutory changes** including which districts should be designated as Contract for Excellence districts, elimination of the charter school deduction, **clarifying that C4E funds can be used to pay for the increased costs of programs implemented** in prior years, and **defining the full term for being a C4E district to be three years rather than one**. A three-year time frame will also allow proper evaluation of C4E programs after students have had sufficient time to benefit from them.

**(8) Proposed amendments to the regulations relating to expenses** (reasonable and necessary) of **school quality review teams, joint intervention teams and distinguished educators**. (Proposed new section 100.15 to establish criteria)

These teams and individuals are appointed by the Commissioner. This enhanced accountability system (SQRT, JIT and DE) was set up to assist with identified school districts (SINI, SURR etc.); however as it stands, Chapter 57 requires that these expenses were charged to the school district or the charter school.

For this current school year a plan was made that did not require districts to incur any costs for the activities of these teams. Beginning in 2008-09, if the law is not amended, the Department anticipates that districts will incur costs. The Regents proposed in their 2008-09 State Aid budget, that the costs to districts, instead be substantially lessened due to a \$10 million appropriation to State Ed department, in order to pay for the operation of these teams.

### **(9) Charter School Report**

Chapter 57 of the Laws of 2007 doubled the cap on the number of charter schools authorized in New York State, from 100 to 200. Applications, renewals and revisions come before the Regents on a monthly basis. For monthly information on what the Board of Regents reviewed in March, please go to: <http://www.regents.nysed.gov/2008Meetings/March2008/0308monthbor.html>