
INFORMATION BULLETIN

The Role of the Union in Educational Programs

NYSUT has fought for and achieved a variety of opportunities for the union to have a professional voice in local, statewide and federal educational policymaking. Participation by teachers, through their local unions, increases union involvement in planning and implementing programs aimed at improving education in their schools. In recent years, numerous and frequent modifications to federal and state law and regulations have left their mark on public policy regarding teaching and learning in New York State.

- In 1996, the New York State Board of Regents enacted standards-based teaching, testing and reporting.
- In 2001, the Congress of the United States amended the federal Elementary and Secondary Education Act (ESEA), Section 1112, by adopting the school accountability provisions of what is now known as the No Child Left Behind Act (NCLB).
- In 2004, the Congress of the United States reauthorized the Individuals with Disabilities Education Act (IDEA).
- In April 2005, the Board of Regents adopted new Regulations as the stimulus for “reform” of middle level education.
- Chapter 57 of the Laws of 2007 and 2008 amended New York State Education Law establishing minimum standards and procedures for tenure determination of teachers and increased support and interventions in schools identified as in need of improvement through the State Accountability system.

These actions have brought about significant challenges to NYSUT local union leaders and members. Many of these modifications to public policy identify different degrees of participation for local unions. There are many roles and responsibilities for local unions and members such as planning, conferring, consulting, participating, bargaining collectively and “signing-off.”

NYSUT offers a number of resources to assist local leaders as they work with their colleagues on regulatory and program changes regarding professional development, mentoring, annual professional performance review, tenure determinations and teacher certification.

The following matrix is one such useful resource. The matrix identifies the purpose and the scope of specific programs, outlines the program authority and resources, delineates the union role and responsibility and identifies dates relevant to local leaders. In addition, this document provides references to NYSUT Briefing Bulletins (BB) and Information Bulletins (IB), NYSUT Education and Learning Trust Programs, applicable federal and state information and other education resources that can be found on the NYSUT website, www.nysut.org. Excerpts from law and regulations cited in the column in the matrix titled “Program Authority and Resources” are included at the end of this bulletin.

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New York State Professional Development Plans

Purposes and Scope	Program Authority & Resources - <i>use ctrl + click to link to evidence/regulatory language on page16</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<p>Section 100.2 (dd) of the Commissioner's Regulations require a district plan for professional development that includes:</p> <ul style="list-style-type: none"> ▪substantial professional development for all teachers; ▪a district-based mentoring program for all teachers holding Initial and Transitional Certificates; ▪175 hours of professional development in any five-year period for all teachers holding Professional Certificates and 75 hours of professional development in any five-year period for Level III Teacher Assistants and; <p><i>Please note: an individual holding a professional certificate effective as of September 1, 2004 would count professional development hours completed in the period beginning July 1, 2005 and ending June 30, 2010. (The professional development period means the five year period commencing on July 1st after the effective date of certification.)</i></p> <ul style="list-style-type: none"> ▪professional development to all professional staff and supplementary personnel who work with students with disabilities. ▪Local collective bargaining agreements may call for professional development in addition to the state requirements. ▪The Regents approved ten state standards and quality indicators to guide the design and delivery of professional development for PDP committees and other providers. 	<p>Commissioners Regulations 100.2 (dd) Amendments for professional development and district-based mentoring</p> <p>Section 80.3.4 of the Commissioner's Regulations regarding teacher certification requirements</p> <p>Funding</p> <ul style="list-style-type: none"> ▪No targeted state funding ▪Local district funds ▪Teacher Center ▪Title I, II, IV ▪Mentor Intern grant ▪Other grants <p>Resources</p> <ul style="list-style-type: none"> ▪NYSUT IB No.200908 <i>New York State Professional Development Standards</i> ▪NYSUT IB No. 200806 <i>Professional Development Plans</i> ▪NYSUT IB No. 200708 <i>The Professional Development Requirement for Certification</i> ▪NYSUT IB No.200804 <i>Teacher Centers</i> ▪NYSUT BB No. 08-03 <i>Professional Development Plans (CR 100.2.dd) Checklist for Review of PDP</i> ▪NYSUT BB No. 08-09 <i>Update Your APPR: February 2008 Professional Portfolios Required for Evaluation of Newly Certified Teachers</i> ▪NYSUT BB No. 08-04 <i>Special Education Requirement Professional Development Plans</i> ▪NYSUT BB No.08-13 <i>Changes in Tenure Determination</i> ▪NYSUT Education & Learning Trust (ELT) can provide on-site facilitation for Professional Development Planning teams ▪NYS Teacher Centers, providing resources in designing needs assessments programs, and evaluation plans 	<ul style="list-style-type: none"> ▪Union president appoints teacher-members to the district Professional Development Planning committee who represent a majority and are accountable to the union. ▪A Professional Development Plan can be part of the Comprehensive District Education Plan (CDEP) if PDP requirements are met. 	<ul style="list-style-type: none"> ▪By October 1, Board of Education, convenes the PDP team ▪Board of Education establishes date for PDP submission ▪Board of Education accepts or rejects recommendation of the PDP team in whole or part and returns components of the plan not approved for further consideration ▪By June 1, the PDP team submits modifications to the plan to the Board of Education with Board action by June 30 ▪Must be adopted by the Board of Education annually by September 1 	<p>Meet with LRS to:</p> <ul style="list-style-type: none"> ▪plan a strategy for developing the PDP to include critical elements on how the district will provide: <ul style="list-style-type: none"> - all teachers with "substantial" professional development specifically addresses which activities will count towards the 175 hours of professional development at no cost to members during school hours. - all mentoring for teachers; ▪ensure that the PDP committee members understand their accountability to the union; ▪fill vacancies on this important committee; ▪use the New York State Professional Development Standards as a tool to evaluate the quality of the professional development being delivered in the district; ▪be prepared to modify the PDP to meet emerging needs such as possible changes to a district's middle-level education program, grades 3-8 testing required by NCLB and initiatives focusing on learning and teaching; ▪address the needs of level III teaching assistants and long-term substitutes; ▪address the needs of probationary teacher who must demonstrate analysis and use of student performance data when providing instruction as one component of new tenure determination law; and ▪address components of peer review process, if bargained.

New York State District-Based Mentoring Programs

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to: link to evidence/ regulatory language on page 17</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<p>Districts are required by Section 80-3.4 of Commissioner's Regulations to provide mentoring to teachers holding the initial certificate in their first year of service.</p>	<p>Commissioner's Regulations 100.2 (dd)</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ Local districts seek and provide funding ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT Web site www.nysut.org ▪ NYSUT IB No.200807 District-Based Teacher Mentoring Program Models ▪ NYSUT IB No.200803 Comparison of Mentoring Program Models ▪ NYSUT IB No. 200801 The Role of the Mentor in District-Based Mentoring Programs ▪ NYSUT Education & Learning Trust (ELT) can provide workshops on mentor training and developing the mentor program 	<ul style="list-style-type: none"> ▪ Program or plan shall be developed and implemented consistent with any collective bargaining obligation required by Article 14 of Civil Service Law (Taylor Law). ▪ The PDP shall describe the required elements of the mentoring program. ▪ The PD must describe how mentoring will be provided to allow initial certificate holders during their first year of employment. 	<ul style="list-style-type: none"> ▪ Implement mentoring program beginning September 1, 2005 ▪ SED "urged" districts to develop and/or revise the mentoring program, include it in the Professional Development Plan and submit it to the Board of Education for approval by June 1, 2004. 	<ul style="list-style-type: none"> ▪ Meet with LRS to discuss mentoring program. ▪ Meet with teacher-members on Professional Development Plan committee to discuss mentoring objectives. Include mentoring activities that help beginning teachers work effectively with students with disabilities. ▪ Review NYSUT Bulletins ▪ Seek help from NYSUT Education & Learning Trust(ELT) (i.e. mentor training, developing the mentor program).

New York State Annual Professional Performance Review (APPR)

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to: link to evidence/regulatory language on page17</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<p>Section 100.2 (o) of Commissioner's Regulations requires a district plan for annual evaluation of teachers providing instructional or pupil personnel services.</p> <ul style="list-style-type: none"> ▪ Teachers holding the Initial or Transitional Certificate must be evaluated using portfolios. ▪ A Teacher Improvement Plan (TIP) is required for any teacher whose practice is identified as in need of improvement. 	<p>Commissioner's Regulation 100.2 (o) (2) (a) - Annual Professional Performance Review</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted state funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT IB No. 200805 Annual Professional Performance Review (APPR) ▪ NYSUT IB No. 200819 New Tenure Determination Law Use of Peer Review ▪ NYSUT BB No. 08-08 Teacher Improvement Plan ▪ NYSUT BB No.08-09 Update Your APPR: Professional Portfolios Required for Evaluation of Newly Certified Teachers ▪ NYSUT BB No. 08-13 Changes in Tenure Determination ▪ NYSUT Education & Learning Trust (ELT) can assist and advise district teams in writing or revising their APPR plan in conjunction with their Professional Development Plan ▪ NYSUT Education & Learning Trust (ELT) offers courses for evaluating professional portfolios 	<ul style="list-style-type: none"> ▪ While the superintendent has the regulatory authority to develop the APPR plan, the "procedure" for evaluating teachers is a mandatory subject of collective bargaining, therefore, there must be union involvement. ▪ The local union should insist on participation in development of the district's APPR plan and the TIP procedure. ▪ Information derived from mentoring relationships is confidential and does not play a role in APPR unless otherwise negotiated. ▪ Some locals have used the absence of a TIP as a reason to obtain an additional year for non-tenured teachers. ▪ Ensure that the mentoring process remains confidential and non evaluative unless collectively bargained. If a peer review process is negotiated as part of the process for making tenure decisions for probationary teachers, then expert teachers should not work with probationary teachers they have previously mentored. 	<ul style="list-style-type: none"> ▪ APPR must be available for review in the district office before September 10 ▪ APPR plan must be approved annually by Board of Education no later than September 10 	<p>Meet with LRS to:</p> <ul style="list-style-type: none"> ▪ review contract language pertaining to teacher evaluation; ▪ develop linkages between APPR plans and PDPs; ▪ meet with superintendent to plan collaboration on the development of APPR and TIP; ▪ maintain records of individual teachers' Teacher Improvement Plans; and ▪ monitor and review-teacher evaluation to ensure consistency and quality. ▪ The TIP is intended to help teachers improve practice. It is not intended to take the place of counseling letters or to serve as a formal warning regarding retention ▪ New in 2008: Amend the language of the content section of the APPR to address the new tenure determination law, including the use of analysis of student data when providing instruction, and peer review, if bargained.

New York State Mentor Teacher-Internship Program

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to link to evidence/regulatory language on page18</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ A competitive state grant program that awards partial funding for mentoring programs. ▪ Eighty-seven districts and BOCES received state grants in 2007-08 	<p>Part 85 of Commissioner's Regulations and Section 3033 of NYS Education Law</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ Funding is contingent upon appropriation in the NYS budget ▪ Under NCLB, any school receiving Title I funds found to be in need of improvement, may use funds from Title I and Title II to support a teacher mentor program <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT IB No. 200802 The New York State Mentor Teacher-Internship Program ▪ NYSUT IB No. 200801 The Role of the Mentor in District-Based Mentoring Programs ▪ NYSUT Education & Learning Trust (ELT) can provide workshops on mentor training and developing the mentor program. 	<ul style="list-style-type: none"> ▪ Mentoring program must be developed consistent with Article 14 of Civil Service Law" (Taylor Law), i.e.; it must be negotiated between the teachers' union and the district ▪ A local committee, the majority whom are chosen by the local teachers' union, must select eligible mentors ▪ Collaboration between district and union from start to finish 	<ul style="list-style-type: none"> ▪ SED issues application in March or April ▪ If funded, application submissions due June/July 	<ul style="list-style-type: none"> ▪ Meet with LRS to review district's mentor intern program. ▪ Encourage districts to apply for grant. ▪ Review appropriate NYSUT Bulletins. ▪ Seek assistance from Teacher Centers. ▪ Seek assistance from NYSUT Education & Learning Trust/ Effective Teaching Program.

New York State Teacher Centers

Purposes and Scope	Program Authority and Resources <i>use ctrl + click to - link to evidence/regulatory language on page18</i>	Union Role and Responsibility	Relevant Date	Next Steps
<ul style="list-style-type: none"> ▪ Teacher Centers are expected to provide high-quality professional development in either single district or consortium configurations. ▪ Teacher Centers are governed by policy boards; the membership of which is defined in Education Law and includes a majority of teachers. ▪ Teacher Centers are administered by teachers for teachers and other staff. 	<p>Part 81 of Commissioner's Regulations and Section 316 of NYS Education Law</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ NYS Legislative grant for \$40 million currently funds 132 centers <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT IB No.200304 <i>Teacher Centers</i> 	<ul style="list-style-type: none"> ▪ Policy boards must have a majority composed of teachers appointed by the local union president. ▪ Teacher members of policy board represent and are accountable to the local union. 	<ul style="list-style-type: none"> ▪ SED issues application in March or April ▪ If funded, application submissions are due based on state Budget approval 	<ul style="list-style-type: none"> ▪ Ensure that teacher appointees to the policy board are accountable to the union. ▪ Work to strengthen links between the local unions' governing bodies and the teacher center policy boards. ▪ Work to strengthen the linkages between the teacher center and your union's efforts in district professional development planning. ▪ Discuss the local's emerging professional development needs with the teacher center director. ▪ If the district does not participate in a teacher center, consider a plan for applying. ▪ Amend PDP to include professional development for all staff who work with students with disabilities.

New York State School-Based Planning and Shared Decision-Making

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to:- link to evidence/regulatory language on page 20</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ To involve the broader school community in making decisions that will improve the educational performance of all students in the school. 	<p>Section 100.11 of the Commissioner's Regulation</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT Web site www.nysut.org ▪ NYSUT IB No. 959609 <i>CR 100.11 Biennial Review Alert</i> ▪ NYSED Shared Decision-Making homepage http://www.emsc.nysed.gov/ppd/SchoolSupportServices/SharedDecisionMaking/home.html 	<ul style="list-style-type: none"> ▪ Union identifies and supports teachers for the district Shared Decision-Making team. ▪ The district's plan shall be adopted by the Board of Education or BOCES at a public meeting after consultation with and full participation by the designated representatives of the administrators, teachers and parents, and after seeking endorsement of the plan by such designated 	<ul style="list-style-type: none"> ▪ Each district must conduct a review of the plan and submit any changes to SED every two years. The next Biennial Review of a district or BOCES Shared Decision-Making plan – Section 100.11 of the Commissioner's Regulation will be due in February 2010. ▪ Some components of the Review and plan are submitted electronically to SED and some paper documents, including required signatures, are retained by the district's superintendent or the BOCES district superintendent. Such documentation must be available for public review. 	<ul style="list-style-type: none"> ▪ Meet superintendent to review composition and purpose of the Shared Decision-Making team. ▪ Obtain copy of most recent plan and provide comment prior to the Board of Education adoption. ▪ Monitor implementation. ▪ Be sure the union has appointed teachers to the district Shared Decision-Making team. ▪ Take steps to ensure that the teacher-members are accountable to the union. ▪ Be aware that SED's Middle-Level Implementation Strategies require applications for Models B and C. A district's application on behalf of a school must include a report by the district Shared Decision-Making team to show that appropriate consultation has taken place in the development of the application. (See Middle-Level Education section)

New York State Middle-Level Education

Purposes and Scope	Program Authority & Resources	Union Role and Responsibility	Relevant Dates	Next Steps
<p>The Board of Regents have approved three Middle-Level Policy options to implement middle-level programs:</p> <ul style="list-style-type: none"> ▪ Model A (existing regulation) - School district can use existing flexibility. ▪ Model B (strengthen academic core) - program will strengthen academic core and provide effective AIS. Provide explorations that address the standards, are of high interest and reinforce the core. ▪ Model C (build on success) <ul style="list-style-type: none"> - C-1 restructures full education program - C-2 provides specific program refinements. ▪ The Shared Decision-Making team will serve as the oversight group for proper development of a district application. ▪ Part 100.11 is intended to establish school-based planning and Shared Decision-Making (SDM) as a means to improve "the education performance of all students in the school, regardless of such factors as socioeconomic status, race, sex, language background, or disability." (See NYS School-Based Planning and Shared Decision-Making section). 	<ul style="list-style-type: none"> ▪ Section 100.4 of the Commissioner's Regulation - Program Requirements 7-8 ▪ Section 100.11 of the Commissioner's Regulation - Participation of Parents and Teachers in School-Based Planning and Shared Decision-Making ▪ SED Strategy to Implement the Regents Policy on Middle-Level Education <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT IB No. 200504 <i>Incidental Teaching</i> ▪ NYSUT IB No. 200517 <i>Experimental Middle or Intermediate Schools</i> ▪ NYSUT BB No. 05-16 <i>Submission of a Model B, C-1 or C-2 Application for Middle-Level Regulatory Relief</i> ▪ <i>Caught in the Middle: Helping Students Avoid the Middle School Trap</i> www.nysut.org/ ▪ NYSED Middle Level Education home page www.emsc.nysed.gov/ciaj/mle/middle.html 	<ul style="list-style-type: none"> ▪ Model A: Maintains the status quo of Section 100.4 of the Commissioner's Regulation in terms of units of study and existing flexibility. ▪ Models B and C: Applications to SED for the new middle-level Models B and C configurations options require the involvement of the Shared Decision-Making team. ▪ Sections 100.11 -(b) and (d) (1) of the Commissioner's Regulation spells out the composition and authority of the Shared Decision-Making team. Teacher representatives are "selected by the teachers' collective bargaining organization(s)." ▪ If disagreements arise, Section 100.11 (e)(2) of the Commissioner's Regulation provides a dispute resolution procedure at the local level. In addition, "An aggrieved party who participated in the development of the district plan may also appeal to the commissioner pursuant to section 310 of the Education Law." ▪ A school district that has a plan for participation of teachers in school-based shared decision-making as a result of bargaining shall incorporate the negotiated plan as part of the district Shared Decision-Making plan. 	<ul style="list-style-type: none"> ▪ The process takes about one year. Applications for Model B, Model C1 and Model C2 are released in the fall. The due date for complete applications to SED is early January. Notifications are made in the spring. SED has stated, however, that no changes to middle-level programs can occur until an application has been completed by the district and approved by SED. ▪ The district and building planning requirements of Section 100.11 of the Regulations remain in full force and effect. 	<p>Model A:</p> <ul style="list-style-type: none"> ▪ Ensure that exploratory courses that are offered are taught by teachers certified in those content areas. Monitor the "reduce but not eliminate" flexibility option for delivery of AIS. <p>Models B and C:</p> <ul style="list-style-type: none"> ▪ Make sure your district's Shared Decision-Making team is in place and working. ▪ Make sure the union members of the Shared Decision-Making team are accountable to the union. ▪ Monitor how your district will deliver the course content for exploratory subjects and ensure that these courses are taught by teachers certified in those content areas.

New York State Experimental Middle School Application

Purposes and Scope	Program Authority & Resources	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ Section 80-5.12 of the Commissioner's Regulations regarding Experiment in Organizational Change provides flexibility to school districts which are granted State Education Department approval to staff "non-traditional" elementary, junior high or senior high school programs by means of certification waivers. As an example, teachers certified in common branch subjects (K - grade 6) could, with SED approval, teach those common branch subjects (in grades 7-9. In addition, academic subject teachers certified to teach in grades 7-12 could, with SED approval, teach their academic subjects in grades 5 and 6. ▪ Under new Commissioner's Regulations regarding middle-level education, the Experimental Middle School opportunity would still exist under the Model A option (see Middle-Level Education). ▪ The Shared Decision-Making (SDM) team provides a report with the middle-level application, indicating that consultation took place. ▪ 	<ul style="list-style-type: none"> ▪ Section 80-4.3 of the Commissioner's Regulations - Requirements for the Extension of a certificate ▪ Section 80-5.3 of the Commissioner's Regulations - Incidental Teaching ▪ Section 80-5.12 of Commissioner's Regulations - Experiment in Organizational Change ▪ Section 100.11 of Commissioner's Regulations - Participation of Parents and teachers in School-Based Planning and Shared Decision-Making <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT IB No. 200517 <i>Experimental Middle or Intermediate Schools</i> ▪ NYSUT BB No. 08-08 <i>Teacher Improvement Plan</i> ▪ NYSUT IB No. 200504 <i>Incidental Teaching</i> ▪ NYSUT BB No. 05-16 <i>Submission of a Model B, C-1 or C-2 Application for Middle-Level Regulatory Relief</i> ▪ NYSUT Education & Learning Trust (ELT) can assist and advise district teams in writing or revising their Annual Professional Performance Review (APPR) in conjunction with their Professional Development Plan ▪ Caught in the Middle: Helping Students Avoid the Middle School Trap www.nysut.org/ 	<ul style="list-style-type: none"> ▪ Applications to the New York State Education Department by school districts to participate in this program must include affirmation that "the proposed experiment is approved by the Board of Education upon the recommendation of the professional staff of the district." ▪ Waivers apply only to an affected teacher's certification. Tenure and seniority rights are not subject to such waivers of certification. ▪ Applications to SED for the new middle level education Models B and C require the involvement of the Shared Decision-Making team. ▪ Sections 100.11(b) and (d) of the Commissioner's Regulations spell out the composition and authority of the Shared Decision-Making team. Teacher representatives are "selected by the teachers' collective bargaining organization(s)." ▪ If disagreements arise, Section 100.11 (e)(2) of the Commissioner's Regulations provides a dispute resolution procedure at the local level. In addition, "an aggrieved party who participated in the development of the district plan may also appeal to the Commissioner pursuant to Section 310 of the Education Law." 	<ul style="list-style-type: none"> ▪ The Board of Regents extended the life of the Experimental Middle School regulation in May 2005. ▪ The Regulations include a provision to provide statements of continuing eligibility for secondary (grades 7-12) subject area teachers participating in an experimental middle school that will extend their certification to grades 5 and 6. Secondary teachers with three years of experience in grades 5-6 (occurring on or after July 1, 1993) in an experimental middle school (approved by SED on or before Feb. 1, 2004) would be able to apply for this statement of continuing eligibility. ▪ Although the Board of Regents and SED have recently adopted important changes in middle-level education policy, the district and building planning requirements of CR 100.11 approved in 1995 remain in full force and effect. 	<ul style="list-style-type: none"> ▪ Monitor school district and Board of Education activity) to determine if the district is considering applications Experimental Middle School waivers under Model A of the revised middle-level education regulations. ▪ Monitor school district and Board of Education activity to determine if district is considering application for Model B or C designation under the revised middle level education regulations. ▪ Contact school district officials to inform them that the local union is prepared to carry out its responsibilities under statute and regulation to participate in district planning for organizational change. ▪ Confer with the local's NYSUT Labor Relations Specialist for additional guidance.

No Child Left Behind (NCLB) Act - Consolidated Application

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to: - link to evidence/regulatory language on page20</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<p>School districts can apply in a single application for up to five federal funding sources available under specific Titles of the No Child Left Behind Act:</p> <ul style="list-style-type: none"> ▪ Title 1 Part A – Basic Program Tide 1 Part D - Neglected, Delinquent or At- Risk Students ▪ Title II, Part A Teacher and Principal Training and Recruiting ▪ Title II, Part D - Enhancing Education through Technology ▪ Title III, Part A- Language Instruction for Limited English Proficient and Immigrant Students ▪ Title IV Part A – Safe and Drug Free Schools and Communities ▪ Tide V Part A Innovative Programs ▪ Title VI, Part B-Rural Education Initiative, Rural and Low Income School Program, if eligible ▪ Application must be developed in consultation with teachers, principals, administrators and other appropriate school personnel and with parents of children in Title 1 schools. (Section 1112(d)(1) of NCLB) 	<p>Commissioner's Regulations 100.2 (o) (2) (a) Annual Professional Performance Review Section 1112 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act (NCLB) of 2001</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT Web site www.nysut.org ▪ State Education Web site at www.emsc.nysecL.gov/deputy/nclb/honK.html ▪ 2008-2009 Consolidated Application Package, which includes general information, forms and consultation requirements at www.emsc.nysed.gov/deputy/nclb/0809conapptext.html 	<p>The union shall:</p> <ul style="list-style-type: none"> ▪ Ensure school district follows consultation/ collaboration requirements set by SED are met for each of the NCLB grant programs: Title 1A, Title IIA, Title IID, Title IIIA, Title IVA and Title VA specifically require consultation with teachers designated by the union. Union "signs-of" that this occurred; ▪ review application before submitted to SED; and ▪ monitor implementation. 	<p>The application is:</p> <ul style="list-style-type: none"> ▪ sent to school districts in Spring; ▪ completed by district during ensuring months; and ▪ submitted to SED no later than August 31. 	<ul style="list-style-type: none"> ▪ Local leaders should contact the school district's superintendent to exercise their right to appoint teachers to consult with the school district throughout all phases of the design and development of the consolidated application. ▪ Local leaders should exercise their right to have teachers participating in the conduct of the required assessment of professional development needs and in developing professional development plans.

No Child Left Behind (NCLB) Act- School Improvement and Teacher Mentor

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to: -link to evidence/regulatory language on page23</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ NCLB Title I requires that schools designated by the State Education Department as a "school in need of improvement" as part of the requirements for school improvement, must incorporate a teacher mentor program into the school improvement plan. ▪ Mentoring can include both new and veteran teachers. 	<p>NCLB Title 1, Section 1116(b) (3) (x) Section 9101 (42)</p> <p>Funding</p> <ul style="list-style-type: none"> ▪ NCLB Federal Funding Title I and II ▪ More than 500 schools are affected ▪ Competitive state grant through the NY State Mentor Teacher-Internship Program contingent upon appropriation in NYS budget. <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT Website www.nysut.org ▪ NYSUT IB No. 200807 <i>District-Based Teacher Mentoring Programs</i> ▪ NYSUT IB No. 200806 <i>Professional Development Plan</i> ▪ NYSUT IB No. 200803 <i>Comparison of Mentoring Program Models</i> ▪ NYSUT IB No. 200802 – <i>The New York State Mentor Teacher-Internship Program</i> ▪ NYSUT IB No. 200801 <i>The Role of the Mentor in District-Based Mentoring Programs</i> ▪ NYSUT Education & Learning Trust (ELT) can provide workshops on mentor training and developing the mentor program. 	<ul style="list-style-type: none"> ▪ Under Title I, each school district must ensure that consultation/ collaboration with teachers has taken place. ▪ Union sign-off is required on Consolidated Application. ▪ Ensure that the mentoring process remains confidential and non-evaluative unless collectively bargained. If a peer review process is negotiated as part of process for making tenure decisions for probationary teachers, then expert teachers should not work with probationary teachers they have previously mentored. 	<ul style="list-style-type: none"> ▪ The NCLB School Improvement Plan should include professional development activities consistent with the district's professional development plan (PDP) and is due by September 1. 	<ul style="list-style-type: none"> ▪ Discuss mentoring needs of teacher SINI schools with district. ▪ Link this mentoring program to the district based mentor program. Urge the district to have a mentoring initiatives governed by the same plan this developed pursuant to Article 14 of the Civil Service Law. (Taylor Law)

No Child Left Behind (NCLB) Act- High Objective Uniform State Standard of Evaluation (HOUSSE)

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to:- link to evidence/regulatory language on page 23</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ Under NCLB, every teacher must be "highly qualified." HOUSSE is a state evaluation procedure by which some teachers can demonstrate competence for teaching core academic subjects. ▪ While many New York State teachers are automatically qualified based on their certificate requirements, some teachers must complete the HOUSSE as part of their Annual Professional Performance Review (See NYSUT IB #200319 High Objective Uniform State Standard of Evaluation) ▪ New definitions as of October 2006: Supplemental instruction: teachers who enrich are supplement instruction provided by another teacher with primary responsibility are not subject to NCLB. ▪ Special education teachers of multiple core academic subjects have IDEA flexibility for use of the HOUSSE. ▪ Science teachers who teach middle/secondary science classes for which they are certified and "highly qualified" are "highly qualified" in all science subjects which they are certified in and to do approved incidental teaching in another science subject. 	<ul style="list-style-type: none"> ▪ NCLB-Section 9101 (23) (c) (ii) <p>Funding</p> <ul style="list-style-type: none"> ▪ No targeted funding <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT Web site www.nysut.org ▪ NYSUT IB No. 200808 <i>High Objective Uniform State Standard of Evaluation</i> ▪ NYSUT BB No. 06-27 <i>The HOUSSE Option Remains Available</i> ▪ NYSUT IB No. 200602 <i>Get Your HOUSSE in Order</i> ▪ NCLB NYS Field Memo #03-2008 www.highered.nysed.gov/d/b032008.htm 	<ul style="list-style-type: none"> ▪ HOUSSE should be completed within the context of the district APPR since the process of teacher evaluation is a mandatory subject of collective bargaining. ▪ Work with the district to assist members to become "highly qualified" in a core academic subject, to which they are assigned currently or may be assigned in the future. If a teacher is not qualified, it does not mean that they may be terminated. ▪ Advise individual teachers to keep their own records, which may be transferable to other employers if they change districts. 	<ul style="list-style-type: none"> ▪ All public school teachers of core academic subjects were required to be "highly qualified" by the end of the 2005-06 school year. There are extended deadlines for selected teachers. 	<ul style="list-style-type: none"> ▪ Meet with LRS to determine how the HOUSSE will be implemented. ▪ Review the HOUSSE checklist in the NYSUT IB No. 200319. ▪ Identify members who need to use HOUSSE in their APPR to become "highly qualified."

**No Child Left Behind (NCLB) Act
Comprehensive Educational Plan (CEP)**

Purposes and Scope	Program Authority & Resources	Union Role and Responsibility	Relevant Dates	Next Steps
<ul style="list-style-type: none"> ▪ A Comprehensive Educational Plan (CEP) is developed and implemented to improve student performance to meet or exceed annual accountability measures. The CEP is developed by the School Leadership Team. All schools that are identified as School In Need of Improvement (SINI) Year 1, 2), Corrective Action, Planning for Restructuring, Restructuring, School Requiring Academic Progress (SCRAP) (Year 1, 2, 3 or 4) or school under registration review (SURR) must complete this plan. Once the CEP is approved, it serves as a focus for implementing instructional strategies, professional development opportunities and parent involvement activities for the school year. 	<ul style="list-style-type: none"> ▪ NCLB – Section 1116 ▪ Section 100.11 of the Commissioner’s Regulations Participation of Parents and Teachers in School-Based Planning and Shared Decision-Making - <i>link to evidence/regulatory language on page 20</i> Funding ▪ Final allocations for 2008-09 should be available by January 2009 (Title I school improvement funding) Resources ▪ NYSUT IB No. 959609 CR100.11 Biennial Review Alert ▪ NYSED - No Child Left Behind Homepage http://www.emsc.nysed.gov/deputy/nclb/nclbhome.htm 	<ul style="list-style-type: none"> ▪ The School Leadership Team (SLT) should represent all constituencies in the school community. The union should identify a representative or designee, consistent with Section 100.11 of the Commissioner’s Regulations. ▪ Other teachers on the team should represent the content areas of identification and the population of students identified. ▪ The SLT should share findings of causal analysis with the school faculty and receive feed back on proposed improvement strategies. ▪ All school staff should have input into the development of the CEP. 	<ul style="list-style-type: none"> ▪ All SINI, Corrective Action and Restructuring Schools must complete a two year CEP and submit it to the New York State Education Department (NYSED) Regional School Services within 90 days of designation. ▪ Schools must revise the CEP annually, based upon most recent data, and submit the revised plan to NYSED by August 31. 	<ul style="list-style-type: none"> ▪ Be sure the union has appointed a teacher to the School Leadership Team ▪ Monitor the development and implementation of the CEP and take steps to ensure that teachers have input into the plan.

New York State Teacher Certification

Purposes and Scope	Program Authority & Resources <i>use ctrl + click to:- link to evidence/regulatory language on page 24</i>	Union Role and Responsibility	Relevant Dates	Next Steps
<p>All teachers employed in the public school in new York State must hold a valid certificate. State certification is also required for teachers employed in state-operated and state-supported schools, Special Act school districts, approved private schools for the education of students with disabilities and approved preschool special education programs.</p> <p>New certification regulations took effect February 2, 2004. Local leaders will have members working under as many as six different sets of regulations.</p>	<p>Education Law Sections 3001 & 3009; Part 80 of Commissioner's Regulation</p> <p>Funding No targeted funding</p> <p>Resources</p> <ul style="list-style-type: none"> ▪ NYSUT website www.nysut.org ▪ NYSUT IB No. 200823 <i>Teacher Certification in NYS</i> ▪ NYSUT IB No. 200610 <i>New Certification Requirements for Teaching Assistants</i> ▪ NYSUT BB No. 08-11 <i>Which Certification Requirements Affect You?</i> ▪ NYSUT BB No. 08-12 <i>Certificate Types for Teachers and Teaching Assistants</i> ▪ NYSUT BB No. 05-04 <i>Teacher Certification Titles</i> ▪ NYSUT IB No. 200708 <i>The Professional Requirement for Certification</i> ▪ NYSUT BB 08-01 <i>Certification Application Process for Teachers, Pupil Personnel Service Professional and Teaching Assistants</i> ▪ NYSUT IB No. 200824 <i>Social Work Licensure and School Social Worker Certification</i> 	<ul style="list-style-type: none"> ▪ While certification is the responsibility of the individual teacher, the union should provide advice and support to teachers requiring permanent, initial or professional certification. ▪ New certification regulations require a mentor program for all first year public school teachers. Local leaders should seek to negotiate language regarding the mentor program. 	<ul style="list-style-type: none"> ▪ Individuals may be requested to meet different requirements based upon their dates of certification ▪ Issues will arise throughout the school year 	<ul style="list-style-type: none"> ▪ Advise members to develop a personal certification file. ▪ Advise members to establish their password protected TEACH online account with NYSED's Office of Teaching Initiatives. ▪ Arrange for certification workshops by NYSUT ▪ Contact NYSUT's Education and Learning Trust



Excerpts of citations from the column titled:
Program Authority and Resources

NYS Professional Development Plans (PDP)

Evidence/Regulatory Language: *Professional Development Plan (PDP) Commissioner's Regulation 100.2 (dd)*

The plan shall be developed through collaboration with a professional development team. The team members shall be designated for appointment in the manner prescribed in this clause, except as prescribed in clause (b) of this subparagraph. The board of education or BOCES shall appoint the members of the team, a majority of which shall be teachers, which shall include the superintendent of schools or his or her designee in the case of school districts or the district superintendent or his or her designee in the case of BOCES; school administrators upon designation by the administrators' collective bargaining organization; teachers upon designation by the teachers' collective bargaining organization; at least one parent upon designation by the established parent groups in the district or in their absence, by the superintendent in the case of a school district or district superintendent in the case of a BOCES; and one or more curriculum specialists, meaning a teacher or administrator whose primary job responsibility involves the development or evaluation of curricula, upon designation by the district or teachers' collective bargaining organization or both.

A new Subpart 30-2 of the Rules of the Board of Education and Amendment to Section 100.2(o) of the Regulations of the Commissioner of Education

§30-2.1 Definitions.

As used in this Subpart:

- (a) Teacher means a teacher in the classroom teaching service, as that term is defined in section 80-1.1 of the Regulations of the Commissioner.
 - (a) §30-2.2 Applicability.
 - (b) The provisions of this Subpart shall apply to tenure determinations for teachers of all school districts and boards of cooperative educational services whose probationary periods commence on or after July 1, 2008.
 - (c) Nothing herein shall be construed to make the requirements of this Subpart applicable to teaching assistants, administrative or supervisory staff or pupil personnel service providers.
 - (d) Each school district and board of cooperative educational services shall in accordance with section 3012-b of the Education Law make tenure determinations for teachers whose probationary periods commence on or after July 1, 2008 in accordance with the provisions of this Subpart.

2.3 Minimum Standards for Tenure Determinations for Teachers.

(a) A superintendent of schools or district superintendent of schools, prior to recommending tenure for a teacher, shall evaluate all relevant factors, including the teacher's effectiveness over the applicable probationary period, or over three years in the case of a regular substitute with a one-year probationary period, in contributing to the successful academic performance of his or her students. When evaluating a teacher for tenure, each school district and board of cooperative educational services shall utilize a process that complies with subdivision (b) of this section.

(b) The process for evaluation of a teacher for tenure shall be consistent with Article 14 of the Civil Service Law and shall include a combination of the following minimum standards:

(1) evaluation of the extent to which the teacher successfully utilized analysis of available student performance data (for example: State test results, student work, school-developed assessments, teacher-developed assessments, etc.) and other relevant information (for example: documented health or nutrition concerns, or other student characteristics affecting learning) when providing instruction but the teacher shall not be granted or denied tenure based on student performance data:

(2) peer review by other teachers, as far as practicable: and

(3) an assessment of the teacher's performance by the teacher's building principal or other building administrator in charge of the school or program, which shall consider all the annual professional performance review criteria set forth in section 100.2(o)(2)(iii)(b)(1) of the Regulations of the Commissioner.

(c) Nothing herein shall be construed to impose a mandatory collective bargaining obligation, over any locally developed standards that are not required by Article 14 of the Civil Service Law.

(d) The trustees and board of education of every school district and every board of cooperative educational services, and the chancellor of a city school district of a city with a population of one million or more shall, consistent with existing contractual provisions, make any changes in local rules, regulations and policies that are necessary to ensure that tenure determinations for teachers whose probationary periods commence on or after July 1, 2008 shall be made in compliance with section 3012-b of the Education Law and this section.

11. Item (vi) of subclause (1) of clause (b) of subparagraph (iii) of paragraph (2) of subdivision (o) of section 100.2 of the Regulations of the Commissioner of Education is amended, effective July 1, 2008, as follows:

(vi) student assessment, the teacher shall demonstrate that he or she implements assessment techniques based on appropriate learning standards designed to measure students' progress in learning and that he or she successfully utilizes analysis of available student performance data (for example: State test results, student work, school-developed assessments, teacher-developed assessments, etc.) and other relevant information (for example: documented health or nutrition needs, or other student characteristics affecting learning) when providing instruction.

NYS District Based Mentoring Programs

Evidence/Regulatory Language: *District Based Mentoring Program – Commissioner's Regulations Part 100.2 (dd)(2)*

(c) "The mentoring program shall be developed and implemented consistent with any collective bargaining obligation required by Article 14 of the Civil Service Law, provided that nothing herein shall be construed to impose a collective bargaining obligation that is not required by Article 14 of the Civil Service Law."

NYS Annual Professional Performance Review (APPR)

Evidence/Regulatory Language: *Commissioner's Regulation 100.2 (o)(2)(a)*

Each superintendent and in the case of the City School District of the City of New York, the Chancellor, in collaboration with teachers, pupil personnel professionals, administrators and parents selected by the superintendent or in the case of the City School District of New York, the Chancellor, with the advice of their respective peers, shall develop the professional performance review plan, which shall be approved by the governing body of each school district or BOCES, filed in the district or BOCES office, as applicable, and available for review by any individual no later than September 10th of each year. The governing body of each school district and BOCES shall provide organizations representing parents and the recognized representative of the teachers' bargaining unit with an opportunity to comment on such plan prior to its adoption.

NYS Mentor-Teacher Internship Program

Evidence/Regulatory Language:

NYS Teacher Mentor Intern Program – Commissioner's Regulations Part 85

(b) "District internship plan. The plan shall provide evidence of its development in accordance with the provisions of Article 14 of the Civil Service Law."

NYS Teacher Centers

Evidence/Regulatory Language: *Education Law 316*

§ 316 Teacher Resource and Computer Training Centers

6. Each teacher resource and computer training center shall be operated by a board, the majority of which shall be composed of elementary and secondary school teachers representative of teachers served by the teacher resource and computer training center. Teacher members shall be designated by the collective bargaining agent of the teachers served by the teacher resource and computer training center. Such board shall also include individuals designated by the school board or board of cooperative educational services served by such center and at least one representative designated by the institutions of higher education located in the area served by such center. Such board shall also include at least one parent of an elementary or secondary school pupil and at least one representative of a business or industry that uses, produces or is involved with computer equipment and software.

Commissioners Regulation 81.2

Each application shall reflect the following criteria:

- (a) Compliance with the requirements set forth in Education Law section 316.

**TEACHER CENTERS APPLICATION
SIGN OFF PAGE**

DECLARATION OF PARTICIPATION

This agreement must be signed by each participating Public School District and/or BOCES

Teacher Center
Name _____

Single District/Single BOCES CENTER Consortium Center

Name of participating District or BOCES:

Check here if this District or BOCES is acting as the LEA for this Teacher Center

On behalf on my constituency, I hereby indicate our intention to be a member of the above-named Teacher Center, to support its operation in accordance with Education Law 316, and to designate teacher representatives to the policy board as stipulated in the Center's by-laws.

Teacher Bargaining Agent | |
President's Name | _____ | Date | _____

**President's
Signature** _____ |

NYS School-Based Planning and Shared Decision Making (SDM)

Evidence/Regulatory Language:

Commissioner's Regulation 100.11 Participation of parents and teachers in school-base planning and shared decision making

The following language requires that teachers participate in the design of the shared decision making plan and that the union sign off on the plan.

(a) Such district plan shall be developed in collaboration with a committee composed of the superintendent of schools, administrators selected by the district's administrative bargaining organization(s), teachers selected by the teachers' collective bargaining organization(s), and parents (not employed by the district or a collective bargaining organization representing teachers or administrators in the district) selected by school-related parent organizations, provided that those portions of the district plan that provide for participation of teachers or administrators in school-based planning and shared decision making may be developed through collective negotiations between the board of education, or BOCES and local collective bargaining organizations representing administrators and teachers.

(d) (1) The district's plan shall be adopted by the board of education or BOCES at a public meeting after consultation with and full participation by the designated representatives of the administrators, teachers, and parents, and after seeking endorsement of the plan by such designated representatives.

NCLB Consolidated Application

Evidence/Regulatory Language:

Section 1112(d)(l) "Consultation" – Each LEA plan shall be developed in consultation with teachers, principals, administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part.

CONSOLIDATED APPLICATION

NCLB contains several provisions requiring school districts to consult and/or collaborate with various groups in the development of the school district's application/program with respect to each Title. The State Education Department has taken the position that teachers consulted in the development of the consolidated application must be designated by the collective bargaining unit. The following are excerpts from SED's Consolidated Application materials that require the collective bargaining unit to designate teacher representatives:

Title I Part A – Basic Program and Neglected, Delinquent or at Risk - The local education agency (LEA) plan shall be developed in consultation with teachers, principals, administrators, (including administrators of programs described in other parts of this title) and other appropriate school personnel, including representatives designated by the appropriate collective bargaining units, and with parents of children in school settings under this part. [Based on Section 1112(d)(1)]

Title II, Part A- Teacher and Principal Training and Recruiting - The LEA's teachers, paraprofessionals, principals, other relevant school personnel, including representatives designated by the appropriate collective bargaining units, and parents must collaborate in the planning of Title II activities and in the preparation of the application. The needs assessment required under Title II, Part A must include the involvement of teachers, including teachers in schools receiving funds under Title I, Part A. [Based on Section 2122(b)(5) and (7)]

Title IV, Part A-Safe and Drug Free Schools and Communities - The LEA shall develop its application through timely and meaningful consultation with State and local government representatives, representatives of schools to be served (including private schools), teachers and other staff, including representatives designated by the appropriate collective bargaining units, parents, students, community-based organizations, and others with relevant and demonstrated expertise in drug and violence prevention activities (such as medical, mental health, and law enforcement professionals). Consultation must take place during the initial stages of design and development of a program or activity and must include efforts to meet the principles of effectiveness. [Based on Section 4114 (c), (1) and (2)]

Title V, Part A-Innovative Programs - In the design, planning and implementation of Title V programs, a LEA must provide for systematic consultation with parents of children attending elementary and secondary schools in the area served by the LEA, with teachers and administrative personnel in such schools, including representatives designated by the appropriate collective bargaining units, and with other groups involved in implementation of this part (such as librarians, school counselors, and other pupil services personnel) as may be considered appropriate by the LEA. [Based on Section 5133 (b)(7)]

Each school district should keep documentation on file of the consultation that has occurred in the development of the consolidated application. The attached Consultation/ Collaborative Documentation Form (to be submitted to SED as part of the Consolidated Application Addendum) provides school districts three options to document that appropriate consultation has occurred.

CONSULTATION/COLLABORATION DOCUMENTATION FORM 2008-2009

Must be Completed by All LEAs

SUBMIT THIS FORM TO SED

LEA Name: _____
 BEDS Code: _____ **Copy and use additional pages as necessary**

The “No Child Left Behind Act” (NCLB) contains several provisions requiring LEAs to consult and/or collaborate with various groups in the development of the LEA’s application/program with respect to each Title. For the specific requirements related to each Title listed below, refer to the State Education Department’s NCLB website at www.emsc.nysed.gov/deputy/nclb/nclbhome.htm (“Legal and Regulatory Requirements” and the “Consultation/Collaboration Requirements in Consolidated Application/DCEP Addendum Development”). The required constituency groups the LEA must consult and/or collaborate with pursuant to NCLB are summarized at the bottom of this page. NCLB, however, is not restrictive in this regard, and LEAs are encouraged to consult and/or collaborate with other groups as well. LEAs **MUST** include representatives of collective bargaining units and recognized parent groups in the consultation/collaboration for applicable Title programs. Methods of consultation include face to face meetings, e-mail, fax, telephone calls, letters and video conferencing. (Note: Private School consultation must be documented on the Private School Participation Form)

This form must be completed and submitted to SED by each LEA applying for funds under NCLB in order to document that appropriate consultation/collaboration has occurred or was attempted with required constituency groups as follows:

1. Representatives of required constituency groups who sign the form under their name in column 1 are effectively affirming that appropriate consultation has occurred. (The signature does not indicate agreement.) Supporting documentation (e.g., meeting agendas, minutes and rosters) must be maintained by the LEA, and information must be entered in columns 1–8 (check (X) in columns 3-8).
2. For representatives of required constituency groups who have consulted with the LEA but whose signatures are unobtainable, information must be entered in columns 1 – 9 (check (X) in columns 3-8); supporting documentation (e.g., meeting agendas, minutes and rosters) must be maintained by the LEA and a summary of such documentation must be submitted to SED with the Consolidated Application.
3. For representatives of required constituency groups with whom the LEA attempted to consult/collaborate, but refused or were unavailable to do so, such information must be entered in columns 1 – 9 (check (X) in columns 3-8), and a check (X) must be entered in column 10 to indicate that the consultation did not occur. Appropriate documentation/explanation must be submitted to SED with the Consolidated Application.

1	2 (Print or Type)	3	4	5	6	7	8	9 (Required if no signature)	10
Individual’s Name (Print/Type)	Individual’s Title and Constituency Group Represented	Title I, Part A	Title II, Part A	Title II, Part D	Title III, Part A	Title IV, Part A	Title V, Part A ⁷	Dates/Types of Consultation/Collaboration	Attempted Consultation
Signature									

Before proceeding, check to ensure that the following constituent groups are included, if applicable: (Note: Each constituent group indicates the Title(s) where consultation is required.)

Title I A	Title II A	Title II D	Title III A	Title IV A	Title V A ⁷
Teachers Other School Staff Principals and/or Administrators Private Schools (use Private School Participation Form) 4 Parents 5	Teachers 1 Other School Staff Principals and/or Administrators Private Schools (use Private School Participation Form) 3,4 Parents Paraprofessional	Private Schools (use Private School Participation Form) 4	Teachers Principals and/or Administrators Private Schools (use Private School Participation Form) 4 Parents Community-Based Organizations ² Researchers Institutions of Higher Education ² Non Profit Organizations ²	Teachers Other School Staff Principals and/or Administrators Private Schools (use Private School Participation Form) 4 Parents Other 6 Community-Based Organizations Students State & Local Gov. Reps.	Teachers Other School Staff Principals and/or Administrators Private Schools (use Private School Participation Form) 4 Parents

¹ For Title IIA, must include teachers from Title I Schools.

² If Appropriate.

³ Only to the extent that funds are used for professional development.

⁴ Private School Consultation/Collaboration is not required by Charter School LEAs.

⁵ For Title I A, must include parents of children in Title I schools.

⁶ Others with relevant and demonstrated expertise in drug and violence prevention activities (such as medical, mental health, and law enforcement professionals).

⁷ Only if applying for Title VA carryover funds, or transferring funds from eligible Titles for the use of Title V A.

For Title II Applicants: Include a completed copy of this form in the Title III section of the Consolidated Application Update submitted to the Department.

NYS/NCLB – School Improvement and Teacher Mentoring

Evidence/Regulatory Language:

NCLB School Improvement Plan/Teacher Mentoring Requirement – Section 1116 (b)(3)(A)

“Each school district identified under paragraph (1) for school improvement shall, not later than 3 months after being so identified, develop or revise a school plan, in consultation with parents, school staff, the local educational agency serving the school, and outside experts, for approval by such local educational agency.”

Section 1116 (b)(3)(A)(x)

[Shall] incorporate a teacher mentoring program.

NYS/NCLB – High Objective Uniform State Standard of Evaluation (HOUSSE)

Evidence/Regulatory Language:

The High Objective Uniform State Standard of Evaluation is an option available to teachers in New York State who must demonstrate mastery of core academic subjects they teach. This is a state implementation of a federal mandate under NCLB. In New York State this assessment of subject mastery may be conducted as part of a pre employment interview or as part of an Annual Professional Performance Review. (Attachment 5 - Field Memo NCLB NYS #05-2003 Revised)

The formal connection of the teacher union president is through the implementation of the APPR which, since it involves evaluation of teacher performance, is a mandatory subject of collective bargaining.

Regulatory language regarding HOUSSE:

Public Law 107-110-January 8, 2002

Title IX-General Provisions, Part A-Definitions, Sec. 9101. Definitions, Sec. 23 Highly qualified

C. " (ii) demonstrates competence in all the academic subjects in which the teacher teaches based on a High Objective State Standard of Evaluation.

Reference about HOUSSE implementation in NYS in APPR

Field Memo: NCLB NYS #05-2003 Revised, P.7, section C2. *New York State's definition of the High Objective Uniform State Standard of Evaluation*

"The "High Objective Uniform State Standard of Evaluation (HOUSSE) is an evaluation conducted locally as part of either (1) a pre-employment review or (2) an Annual Professional Performance review, as required in section 100.2 (o) of the Commissioner's regulations, that enables a teacher who is beyond the first year of the effective date of the teacher's first teaching certificate to demonstrate subject matter competency in all core academic subjects the teacher teaches based on objective, coherent information acceptable to the Commissioner."

NYS Teacher Certification

Evidence/Regulatory Language: Part 80 of Commissioner's Regulations reflects both old and new certification requirements.

- Local leaders should note that they may have members teaching under both old and new certification requirements (see NYSUT Briefing Bulletin No. 08-11, *Which Certification Requirements Affect You?*).
- After 2/2/04, individuals seeking their first certificate in a title area will apply for an initial certificate. A provisional certificate is no longer available. An individual holding an initial certificate will eventually obtain a professional certificate not a permanent certificate.
- School districts will be required to provide a mentored teaching experience during the first year of employment for teachers holding an initial certificate.
- Members holding a professional certificate will have to complete 175 hours of professional development every five years. Both the school district and the teacher are responsible to keep professional development records as well as report information on completed professional development to the State Education Department (see NYSUT Information Bulletin No. 200708, *The Professional Development Requirement for Certification*).
- Certification and tenure are different topics of discussion. They are not interchangeable.
- Members should be encouraged to look for assistance in certification matters through their local union leadership. NYSUT is available as a resource as well.

Evidence/Regulatory Language:

New Teacher Certification Regulations – Commissioners' Regulations Part 80-3.4

(2) "Teaching experience. The candidate shall successfully complete three school years of teaching experience, or its equivalent. The candidate who completes this requirement in total or part through teaching in New York public schools shall be required to participate in a mentored program in the first year of employment unless the candidate has successfully completed two years of teaching experience prior to such teaching in the public schools."

