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# ON BOARD

The Voice of Public School Leadership

March 14, 2022

NEW YORK STATE SCHOOL BOARDS ASSOCIATION • www.nyssba.org

Vol. 23, No. 4

## Standing with Ukraine



Julia Svyrydyuk (left) and Leah Lukomsky, eighth graders in the Hilton Central School District, joined other students in tying blue and yellow ribbons on trees in front of Merton Williams Middle School as a symbol of support and empathy for local Ukrainian students and their families. Both students are of Ukrainian descent. ➔ Photo courtesy of the Hilton Central School District

## NYS Health Dept. lifts mask mandate

By Paul Heiser  
SENIOR RESEARCH ANALYST

Lifting of the statewide requirement for universal masking in schools went into effect on March 2 for all districts across the state.

“The elimination of the state-wide universal mask mandate in schools will be met with relief by some, and concern and apprehension by others,” Health Commissioner Mary Bassett and Education Commissioner Betty Rosa said in a joint letter to school officials. “This step is an opportunity for school leaders to reflect in leading conversations and interactions among individuals who have different beliefs and opinions.”

The elimination of the statewide mandate came after the U.S. Centers for Disease Control and Prevention (CDC) changed the way it calculates risk of virus transmission. Previously, case counts were considered the most important measure. Under the new

guidelines, the focus was shifted to levels of severe disease as measured by the number of hospital admissions and percentage of hospital beds occupied by COVID-19 patients.

The directive applies to all pre-K through 12 elementary and secondary public, charter, private and state-operated schools, including residential schools and programs serving students with disabilities. It covers not only school buildings, but school transportation, extracurricular activities and child care provided before or after school hours, as well.

According to guidance issued by the state Department of Health (DOH), local health departments may implement masking requirements that are more restrictive than the state if rates of transmission remain high. School districts and BOCES have no independent authority to require masks.

In the Buffalo City School District, the mask mandate was extended beyond

See MASKS, page 4

## Why are people making FOIL requests about school districts’ surety bonds?

By Robert Lulley, Jr.  
EXECUTIVE DIRECTOR, NEW YORK SCHOOLS INSURANCE RECIPROCAL

Some school districts and school boards in New York State have received unusual Freedom of Information Law (FOIL) requests this year. The requests ask for copies of surety bonds – agreements in which an insurer promises to cover a school district in the event of theft or other crimes by individuals in certain positions, such as members of the school board.

The FOIL requests often have contained confusing verbiage including, in most cases, inapplicable legal terms. Some allege that superintendents or board members have been breaking the law by following state Department of Health policies related to mask requirements.

Some requests demand production of the bonds within three days – a time frame not supported under FOIL.

“The requests we’ve seen may be more about seeking to intimidate school boards and superintendents than making a valid informational inquiry,” said Hermes Fernandez, NYSIR’s legal counsel.

Also, people making FOIL requests seem to be assuming that they have an opportunity to file a third-party money claim against the bond, according to Fernandez. “In fact, coverage afforded by most surety bonds is solely for the benefit of the insured party, which is the school district,” he said. Therefore, no legitimate third-party claim is possible, he said.

“Whoever has put this information out on the internet [encouraging such requests has] erroneously interpreted the legal requirements surrounding bonds and the requirement to bond,” according to a *LegalGram* recently issued by the Binghamton law firm of Hogan, Sarzynski, Lynch, DeWind & Gregory. “Many of the FOIL requests make legal claims regarding the superintendent

violating the terms of the bond and threatening litigation or criminal charges. These claims are baseless, as the superintendent is not required to be bonded.”

The lifting of the statewide mask mandate last month may remove the impetus for these demands going forward. But if they continue, they have the potential to spread confusion and generate unwanted commotion. The school board in Loudoun County, Virginia, briefly shut down its Feb. 8 meeting when a group of parents and children tried to serve paperwork on board members, according to NBCNews.com.

So, what’s a school board or school district to do if it receives FOIL-related bond inquiries? Here are five suggestions:

1. **Relax.** Understand that, regardless of anyone’s assertions to the contrary,

See FOIL, page 4

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# On curriculum and standards



**Peggy Zugibe**  
NYSSBA President

One of the words I hear most often in discussions of academic programs may also be one of the most misunderstood. Curriculum.

One source you can turn to is NYSSBA's new curriculum guide that was prepared for our February webinar, The School Board's Role in Curriculum Adoption. It defines curriculum as "the sequence of learning experiences

taught in a course or grade level that provides students the opportunity to achieve corresponding learning standards."

You may have heard "curriculum" used almost interchangeably with "standards." But standards are not curriculum. New York State sets learning standards for grades and subjects, and school districts should align their curricula with those standards. Curriculum is a partner that helps students meet standards.

Two superintendents who spoke at the webinar, Kaweeda Adams of Albany and Martha Group of Vernon-Verona-Sherrill, offered a more functional understanding of curriculum with their discussions of the curriculum development process in their districts.

Supt. Adams described the process that led to a new high school music course, stemming from a desire to diversify the district's music offerings and draw

new students to the program. Supt. Group talked about the importance of transparency as new courses are considered and the value of open houses and curriculum nights that give parents a chance to see, firsthand, what and how their children learn.

As David Albert, NYSSBA's chief communications and marketing officer, reminded us, there is a tried-and-true tool for communicating more effectively about almost anything: Show, don't tell.

That's critical with an issue like curriculum. If our communities don't have a chance to see and hear examples of our curriculum, it will remain an abstract idea vulnerable to definition by others.

Think of how much our parents and communities can learn by seeing our curricula in action – through art exhibits, musical performances, essay contests, science fairs, award nights, dramatic performances, lectures and presentations.

And what if we help members of our community see our curriculum through the dual lenses of our values and our hopes and dreams for our students?

We can explain that, through our curriculum, we can teach students to think analytically, understand multiple perspectives and draw their own conclusions about important issues. That aim says we value diversity of opinions, perspectives and thoughts; we practice open-mindedness.

We also can remind our community of our common overarching goal. We all want our children to do well in school and be ready for the world after high school.

You won't find those points expressed in a formal definition of curriculum, but isn't that really what good curriculum is about – preparing our students to thrive into adulthood?

Here's another point that helped deepen my understanding. Curriculum is not, as NYSSBA General Counsel Jay Worona reminded us, a tool for "indoctrination" into any political ideology.

In fact, a few teachers have told me that if they were capable of indoctrination, they'd work on indoctrinating their students to regularly complete homework assignments!

All kidding aside, I do believe that the indoctrination charge is among the most harmful and misleading accusations school board members can face right now.

Consider the subject of slavery in America. Lesson plans might call for students to examine what economic and historical circumstances existed in the years preceding the Civil War. Students might learn about social and religious movements that fueled abolitionist activism. They might study poetry, literature, oratory, visual art and music produced before, during and after the Civil War.

None of these hypothetical lessons tells students what to think. But with exposure to such information, ideas and questions, students can gain practice in critical thinking and develop an understanding of how slavery came to be in the United States and how it came to an end.

Indoctrination has no place in our concept of curriculum. But to paint a true and accurate picture for our communities, we need to arm ourselves with a clear understanding of what curriculum does, what it does not do and how it can help our students succeed.

Then, curriculum can take its rightful place as a point of pride in our schools, not a distracting excuse for argument.



## Creative book reviews

Lisette Carcamo, a fifth grader in the Westbury Union Free School District, did a "creative book review" by making her book report into a cake. Other students made reports shaped like pizzas. ❖ Photo courtesy of the Westbury Union Free School District

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# With Regents exams cancelled in last two years, HS graduation rates increased for most subgroups

By **Cathy Woodruff**  
SENIOR WRITER

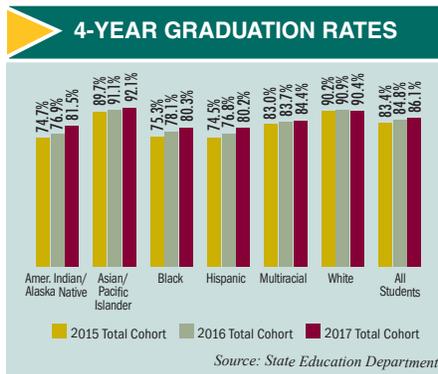
The four-year graduation rate for New York students in 2021 continued a decade-long trend of gradual improvement, Education Commissioner Betty Rosa recently reported.

She acknowledged that the cancelation of Regents exams in 2020 and 2021 probably played a role in the uptick. The suspension of requirements that students pass at least four Regents exams in order to graduate “were likely a factor” in the results, Rosa said, but “to what extent cannot be determined.”

The graduation rate for New York students who entered high school in 2017 was 86.1% through August. That was up 1.3 percentage points from last year’s rate and up 9.4 points from a decade earlier, when the four-year graduation rate for 2008 freshmen was 76.7%

According to data from the State Education Department, 82% of last year’s graduates received exemptions from one or more Regents exams; Regents exams were cancelled in June and August of 2020, January 2021 and January 2022. Most June 2021 Regents exams were canceled, except for a handful of federally required tests.

As a result, accountability shifted to local school districts. They used local criteria, such as assessments and coursework requirements. Many of the local exams and assignments were likely well-aligned with New York state learning standards, said Senior Deputy Commissioner Jim Baldwin. Students had other ways to demonstrate that they were meeting state standards, he noted.



Graduation rates rose last year for all subgroups except white students.

Rosa described the consistent growth in overall graduation rates as encouraging. She noted that the 2021 rate was 9.4 percentage points higher than the rate a decade earlier.

“This is steady growth,” Rosa said. “We are not zig-zagging all over the place.”

As in the past, the 2021 graduation rates for students in various need/resource groups, categories that reflect differences in economic circumstances, were highest among “low-need” students at 95.6% and “average-need” students at 90.4%.

But for “high-need” students in large city and urban-suburban communities where incomes are generally lower, rates were 79.5% and 79.7%, respectively.

The only need/resource category for which graduation rates actually declined was “rural high-need” school districts. Graduation rates for students in those districts dropped one percentage point to 85.0%.

State education officials pointed to the lower graduation rate for students in rural schools as a sign of the need to prioritize diversity, equity and inclusion in all of New York’s schools.

“This is an example of where ‘all means all,’” Baldwin said. “There are some looming challenges around rural education in New York,” he said, citing sparse populations, declining enrollments, economic disadvantages, and scarce access to broadband.

“We want to provide the kinds of opportunities and resources that all students need to be successful,” said Regents Chancellor Lester Young Jr.

For English language learners, the graduation rate was up 14.5 percentage points to 60.5%. And for students who entered school as English language learners but are not currently in that category (“ever ELLs”), graduation rates improved by 0.1 percentage point to 90.1%.

Rosa suggested some of that improvement could be attributed to the accumulated effects of new supports added for English language learners in recent years.

Rosa and Young noted that the Board of Regents and the State Education Department also are continuing an examination of New York graduation requirements and considering potential alternatives to Regents exams. The effort paused during the height of the pandemic.

“We must move away from the one-size-fits-all approach that we know leaves our most vulnerable students behind,” Young said.

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MASKS, from page 1

March 2 based on local conditions. According to the *Buffalo News*, the decision came after the district's Medical Advisory Team and the Erie County Department of Health met to review data on rates of COVID-19 transmission and pediatric hospital rates.

Erie County was identified by the CDC as one of several across the state as having rates of virus transmission high enough to warrant continued universal masking (i.e., more than 200 cases in the prior seven days, increased hospital admissions and at least 10% of hospital beds taken by COVID patients).

Certain students or staff may be required to wear masks. Individuals who

have tested positive for COVID-19 and return to school after completing five days of isolation are required to mask in school and indoor spaces on days six through 10.

After exposure or potential exposure to someone with COVID-19, individuals "should wear a mask" in school and indoor spaces for 10 days, according to DOH.

State officials recommend that schools use other mitigation strategies such as improved ventilation and surveillance testing. Noting that individuals are free to wear masks if they choose, state officials say it is essential that schools establish "mask positive"

environments so that mask-wearers "are not stigmatized, bullied, or made to feel uncomfortable" in accordance with the Dignity for All Students Act.

Rome City School District Superintendent Peter Blake issued a statement to parents on social media with the assurance that, "For any individual that chooses to continue to wear a mask in our facilities, whether it be all the time or only in certain situations, please know that we support your decisions and right to do so."

A question-and-answer document on the updated guidance is available from the state Department of Health at [on.ny.gov/3KbQ8hd](https://on.ny.gov/3KbQ8hd).



**Health Commissioner Mary Bassett, M.D., issued revised guidelines on mask use in schools.**

❖ Photo courtesy of the New York State Department of Health

FOIL, from page 1

requiring students to wear masks during a pandemic isn't against the law, nor does it violate the terms of surety bonds or school insurance policies.

**2. Follow the law.** Whether or not the request specifically mentions the Freedom of Information Law, treat it as a FOIL request; acknowledge receipt as required by FOIL, and get out a full response within the FOIL time requirements. Note that the FOIL time requirements may be different than the deadlines stated in the submitted demand.

**3. Seek the document requested.**

Keeping in mind the wording of the request, determine whether the district has the document. A district isn't obligated to create documents that don't exist or to guess at what the requestor is seeking.

**4. Consult legal counsel.** If the document exists, check with legal counsel to decide whether it's legally disclosable.

**5. Respond.** If the document exists and your legal counsel recommends disclosure, send it out. If the district doesn't have the document, respond

by stating this and close the inquiry. Remember: A district isn't required to create any records in response to a FOIL request.

Finally, don't be terribly surprised if you get further requests from the same person or for the same information. And don't be surprised if the district receives further legal demands.

It can be taxing to serve in school leadership during a pandemic. It's worth noting that, according to a recent survey by the American Federation of Teachers, parents nationwide gave their schools and teachers an overwhelming

"thumbs-up" for the way they've responded to the adversities brought on by COVID. Some 72% of parents say their schools continue to provide excellent or good-quality education, and 78% applaud the quality and performance of their teachers.

One more thing: NYSIR is *not* an entity subject to FOIL. If records dealing with a given school district or BOCES were in NYSIR's possession, they technically would not be in the possession of a school district or BOCES and therefore would not be subject to disclosure.

## HOW YOU CAN CONTRIBUTE TO ON BOARD

On Board welcomes submissions of articles and opinion pieces relevant to a statewide audience of education leaders in New York State, especially from school communications professionals, superintendents, principals and others working in K-12 public education. We are particularly interested in stories about outstanding school programs that could serve as models for other school districts and articles about how trends in public education are manifesting in New York State.

Submissions should be 700 to 1,400 words and are subject to editing. We also welcome submissions of photographs that show students engaged in learning and tell the story of educators in public schools being innovative and fulfilling their missions. Letters to the editor that comment on anything that has appeared in On Board are also welcome.

Letters to the editor should be 375 words or less.

Send submissions to Editor-in-Chief  
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# Who speaks for 'the public'?

By Mark Snyder

LEADERSHIP DEVELOPMENT MANAGER

All school boards are entrusted by their communities to take the best course of action for all students in the school district, which means they must hear and value the opinions of members of the community they serve. Some school boards have noticed an increase in the amount of feedback and information they have received from their stakeholders at board meetings, on social media and in the community. Some stakeholders fervently advocate for board action. The vocal few may or may not represent a widespread or majority view. So how much attention should a board pay to such voices?

School districts need data on public attitudes and/or opinions. Surveys, public forums and other forms of outreach can be invaluable as the board tries to stay aware of community opinions and feedback.

Ideally, your district will have a community relations plan that provides the board with a clear outline of the strategies and instruments the district uses to assess public attitudes. The board can have a voice in determining the topics that will be assessed and/or the questions that will be asked in these surveys and forums, if desired.

It is important to note that the task of assessing public feedback is best done by the school district rather than by individual school board members who rely on their personal social media pages, personal contacts and social circles for community contact. Being connected with community members is



great, but the district is better positioned to elicit views that are representative of the community at large.

To better understand community sentiment, the board may want to create an advisory committee. The school board can identify the charge of this committee, and agenda items can be determined by the board as well as committee members.

Ideally, membership of an advisory committee should reflect the demographics of the community. The committee should meet regularly. As long as members of the committee feel that their opinions are valued and the district is sincere in its efforts to improve, this can be

an effective way for the board to remain in touch with community sentiments.

An advisory committee can inform the board of community members' feedback on important or controversial upcoming decisions, new initiatives, or their needs and wants from the district. Ideally, this committee will vet options and serve as an important ally to the board as it seeks community buy-in for how the district pursues its goals.

With issues such as masking and critical race theory in the news, public comment periods in many districts have erupted into dramatic scenes. Community members who share their thoughts and opinions want to know that they have been heard, and school board members must actively and respectfully listen, then genuinely thank them for sharing their thoughts.

Sometimes, board members might feel taken aback by harsh rhetoric or, in some cases, what seems like a mob mentality. Other times, a board might encounter the wisdom of crowds. Boards should always listen, then deliberate based on relevant information, data and professional advice including appropriate consideration of the recommendations of the superintendent and, when needed, legal counsel. This kind of leadership is reassuring to the public and usually wins respect, even from dissenters.

Most school board members sincerely want to take the thoughts and opinions of their community into consideration before making any decisions. It is critically important that the board operate with the best available understanding of the opinions of the entire community. This will lead to better relations with all stakeholders, more informed decision-making and satisfaction that all voices have been heard.



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# Transparency or travesty? States move to have political parties on BOE ballots

By George Basler  
SPECIAL CORRESPONDENT

Tennessee lawmakers have scrapped the state’s traditional system that banned school board candidates from campaigning as representatives of a political party. In October, they approved a measure that allows candidates running for school board to list party affiliations on the ballot.

Tennessee isn’t alone. Six other states – Alabama, Connecticut, Georgia, Louisiana, North Carolina and Pennsylvania – also allow partisan elections. In the past year legislators in at least five other states – Arizona, Florida, Indiana, Missouri and Oklahoma – have introduced bills to make school board elections partisan.

Backers say it would give voters more information, increase participation and enhance accountability.

“It’s a fundamental issue of transparency,” said Aaron Churchill, a research director for the conservative Thomas B. Fordham Institute.

It’s naïve to think that school board members are apolitical, he said. “There are real differences of opinion about how to govern schools and educational challenges, and it’s better to put these things on the table.”

Proponents of partisan elections point out that turnout in nonpartisan school board elections is often pitifully low – generally between 5% and 10%, compared to around 60% for presidential elections (67% in 2020). This gives special interest groups, such as teachers unions, the ability to influence outcomes with get-out-the-vote efforts, they argue.

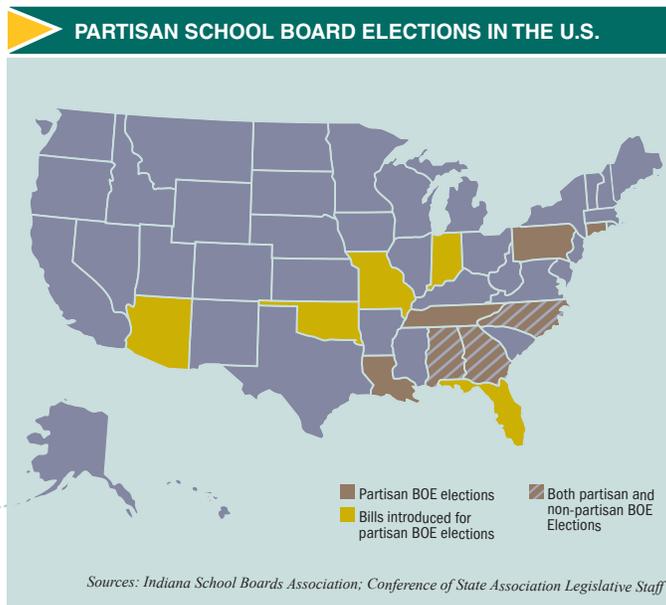
Partisan races could increase turnout, Churchill said. “It’s not helpful to have group think,” he said. “Having frank campaigns on how to run schools is not a bad thing.”

But critics worry about the negative fallout from partisan races.

“The basic things school board members do are not ideological,” said Michael R. Ford, an associate professor of public administration at the University of Wisconsin Oshkosh. “It would be a huge distraction to make local races partisan because it would be inviting national issues into the context of local government.”

## Limiting candidates

Non-partisan school board races have been the rule since the turn of the 20th century. Exceptions are Connecticut, Louisiana and now Tennessee, all of which allow party identification on school board ballots. Alabama, Georgia and North Carolina have both partisan and non-partisan races.



In Connecticut, school boards have no taxing authority. Municipalities own school buildings and set district budgets (except in “regional districts” in which the individual towns vote on the budgets), according to Robert Rader, executive director of the Connecticut Association of Boards of Education.

If a political party controls a Connecticut municipality, it’s common for a school board to mirror that, Rader said. “We hear about boards ‘turning over’ when they go from D to R or back,” he said.

One good thing about partisan elections is that if a board member goes rogue or becomes disruptive, a party leader can reign them in, Rader said. But Rader has also seen good board members get knocked off a board by their party withholding their vote to renominate the person. And rarely do unaffiliated school board candidates win unless they are already well known, he said.

Rader said his association preaches that board members drop their party affiliations at the boardroom door and vote in accordance with what’s best for children. “We tell board members they don’t answer to the party leaders, but sometimes they have to keep in the good graces of the party leader or they’re not renominated.”

In Connecticut and other states that allow school boards to list political party affiliation on the ballot, there can be a perception that political parties act as a gatekeeper for picking candidates, he said. “Rarely do unaffiliated school board candidates win unless they are already well-known,” Rader said.

In Pennsylvania, school board candidates can run on both the Republican and Democratic lines. And this happens, according to John Callahan, chief advocacy officer with the Pennsylvania School Boards Association. So, a given race could pit two candidates who each claim to be both Republican

and Democratic against each other, creating a new form of campaigning that is simultaneously both partisan and nonpartisan.

## So far, little interest in New York State

The issue of partisan races has not surfaced in New York. While lawmakers who have pushed for partisan labels on ballots in other states generally are conservative, the chairman of New York’s Conservative Party, Gerard Kassir, said he knows of no proposals to attach party labels to school board candidates’ names.

And Kassir said he personally opposes the idea. School board candidates should be able to express positions not based on a political party filter, he said.

Some academics see the push for partisan elections in other states as reflecting passion over issues such as mask mandates, teaching of racial issues and support for LGBTQ students.

With or without partisan labels, school board elections can be expected to take on more of a political character, according to Christopher Borick, a professor of political science and director of the Muhlenberg College Institute of Public Opinion.

“In the near future, I expect national issues to find their way into school elections,” Borick said. “The big concern is: What is the end game? What is it going to mean for school policies?”

## Case study: Partisan elections growing in North Carolina

By George Basler  
SPECIAL CORRESPONDENT

The number of partisan school board elections has been growing in North Carolina, although most school board elections remain non-partisan.

According to state statute, school board elections are supposed to be nonpartisan. But lawmakers in the General Assembly can change that by approving local bills that change the rules for particular districts.

The Republican-controlled legislature has done so repeatedly in recent years.

Bruce Mildwurf, director of governmental relations for the North Carolina School Boards Association (NCSBA) explained the procedure: A county commission, local politician, or interest group can contact a state legislator to sponsor a bill for a partisan election. The legislator

would then submit a bill that the full legislature would have to approve.

“In the last 10 years we’ve seen the number (of partisan races) shoot up,” Mildwurf said. The number has gone from 16 in 2015 to 40 today. That’s out of 115 school districts, which are all either county or city districts.

Why the growth? “Some people believe a letter next to their names gives people more information,” Mildwurf said.

NCSBA opposes statewide legislation to make all school board elections partisan. It lobbies on local bills that affect single districts upon request from the affected school board. “I can’t recall a single local board of education that has asked NCSBA to support a switch to partisan school board elections,” Mildwurf said.

The trend toward more partisan races in North Carolina shows no signs of letting up. Races in three more districts are due to become partisan by 2024, bringing the number to 43.

# Superintendents from New York State at AASA's National Education Conference

By Eric D. Randall  
EDITOR-IN-CHIEF

Three superintendents from New York State were notably prominent at the National Education Conference, held in Nashville Feb. 17-19 and organized by AASA, the School Superintendents Association:

- Shari Camhi of Baldwin is incoming AASA President.
- Luvelle Brown of Ithaca was honored with a humanitarian award in recognition of his work in equity.
- Gladys Cruz of Questar III BOCES is one of two candidates for 2023-24 AASA president.

Superintendents from New York who served as presenters included Camhi (“Getting Serious About the Future of Learning” and “Learning 2025 Is About Action”); Constance Evelyn of Valley Stream (“School Improvement Framework – Conditions for Systemic Change”); Phyllis Harrington of Oceanside (“Leadership Matters: Tenure Attainment Plan for New Leaders”); Jennifer Morrison of New Hyde Park-Garden City (“Transformational Leading and Learning”); Anita Murphy of Capital Region BOCES with Cosimo Tangorra Jr. of New Hartford (“United: Leadership Through Partnership and Communication”); Kristine Orr of South Glens Falls (“Virtual Learning: Out-of-the-Box Thinking with Unexpected Results”); Edwin Quezada of Yonkers (“Navigating SEL from the Inside Out: Matching Programs to District Needs”); Janice Ross of Brooklyn North High School District (Breaking Down Barriers to Student Achievement); Randy Squier of Coxsackie-Athens “Reimagining, Redefining and Renewal of Student Preparation and Readiness”) and Bo Wright of Rush-Henrietta (“Leading for Wellness Equity”).

Also presenting were several other school administrators from New York, including Terry Bordell, chief school improvement officer for Questar III BOCES (“Innovative Professional Development During the COVID-19 Crisis”).

Donna DeSiato of East Syracuse Minoa was recognized as New York’s Superintendent of the Year.

In her presidential address, Camhi said that public education must modernize.

The basic approach to the curriculum and sequential structure of secondary education can be traced to a meeting in 1892, she said. But antiquated approaches cannot adequately prepare



Shari Camhi, superintendent of Baldwin Public Schools, speaks at the National Education Conference organized by AASA – the School Superintendents Association. She becomes president of the association in July. ❖ Photo courtesy of AASA

students to be successful in the world of the future, she said.

“It’s about our students’ needs,” she said. “We use words like future-focused and inventing and creating. We all know about problem solving and communicating that must go with this.” Students need to understand how machine learning will change society and understand concepts like problem prediction, she said.

Her school district, the Baldwin Union Free School District on Long Island, offers an example of changing our approach. The high school has seven academies that put students in the roles of producers, pioneers and innovators, she said. Classroom discussions resemble a game of volleyball with all students

involved rather than a game of ping pong in which individual students take turns interacting with the teacher.

An educator residency program exposes teachers to what is happening in business and industry.

“We have redesigned learning to mirror the work environment,” she said. The results? “In June 2021 my graduation rate was 98%!”

She said today’s superintendents could form the next committee to set a new direction for public education.

Camhi assumes the AASA presidency in July.

Coverage of Camhi’s speech originally appeared on AASA’s Conference Daily Online at [nce.aasa.org](http://nce.aasa.org).

## Divisiveness prompting

By Eric D. Randall  
EDITOR-IN-CHIEF

Nearly half of superintendents are considering or planning to leave their jobs in the next two to three years, according to a new survey released at the AASA National Conference on Education.

Their biggest source of stress: being in the middle of highly polarized factions with passionate opinions. In a survey conducted by EAB, a data analytics company that specializes in educational institutions, eight in 10 superintendents said that the most difficult part of their job is navigating political divides. Issues have included school closures, mask

## NSBA lead

By Eric D. Randall  
EDITOR-IN-CHIEF

Membership loss in the National School Boards Association could end up undermining the ability of AASA, the School Superintendents Association, to effectively advocate for public education at the federal level, AASA Executive Director Daniel Domenech said Feb. 18 at an AASA national conference session with John Heim, NSBA’s new executive director and CEO.

Historically, NSBA and AASA have agreed on most legislative and policy positions and presented lawmakers with a unified message from the organizations representing school management and governance, Domenech said. Voicing fear that NSBA may splinter into two associations, he said that possibility would make it harder to present a united front to lawmakers in Washington, D.C.

The executive directors of the two organizations annually hold a joint session at each organization’s national conference. This year’s session had more discussion of political intrigue than usual.

Heim, who joined NSBA as executive director in November after leading the Kansas Association of School Boards, said he is trying to rebuild NSBA after it sent, then rescinded, a letter to President Biden seeking federal assistance to “stop

# New York State prominent Education Conference

## Class is stressing out superintendents, up half to consider leaving their jobs

mandates and teaching about racism in schools, according to EAB.

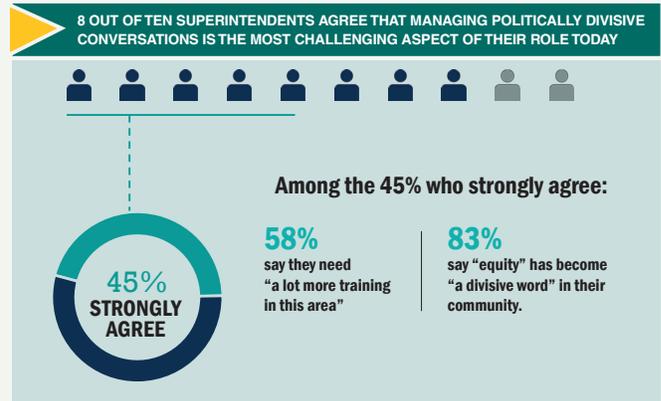
“Superintendents are tired of mediating disputes fueled in large part by America’s deepening political divide,” said EAB Director of K-12 Research Ben Court. “EAB’s new survey shows that school superintendents have reached a breaking point, and up to half may be looking for a way out.”

According to AASA data, the typical annual turnover rate for school superintendents is 14-16%. EAB’s survey shows that nearly half of respondents (46%) are considering or planning to leave their role in the next two to three years. More than a third (36%) of experienced superintendents (6+ years

of tenure) are planning to retire within that time frame. Among more junior superintendents (those with five years of experience or less), 18% say they will see how this year goes before deciding on future plans, and 6% are already actively looking for other work.

However, there is still optimism among superintendents about the path ahead. Regardless of future plans, 67% of respondents believe they will feel more successful in their role a year from now than they do today. One change that may help is spending more time with students, as 80% say that more time interacting with students in their schools will make them more effective in their role.

Download the report at [bit.ly/3KfOFGJ](https://bit.ly/3KfOFGJ).



## Heim discusses loss of membership



**John Heim, who became executive director of the National School Boards Association in November, discusses how he is addressing a membership crisis with AASA Executive Director Daniel Domenech at a national conference.** Photo courtesy of AASA

threats and acts of violence” against school board members and school personnel during protests over COVID-19 mitigation efforts in schools.

Heim said there are unresolved questions about the Sept. 29, 2021, letter. Those include allegations that either the White House or the Justice Department had a role in determining the contents of the letter. Some critics have claimed the letter was intended to intimidate parents and suppress their right to express opinions to elected officials.

Noting he was hired almost two months after the letter was sent, Heim said it was “clearly a mistake.” What is not clear, he said, is what specific missteps were made. He said NSBA has hired a law firm to investigate what happened, and a report is expected at the end of March, prior to the organization’s

national conference in San Diego in April. That report will enable NSBA to move forward constructively, he said.

The first thing to understand is that NSBA not a membership organization like AASA but a federation of state school boards associations, Domenech said.

While individual superintendents are members of AASA, individual

school board members are not members of NSBA, he and Heim noted. Rather, a given school board can, as an entity, join a state school boards association. NSBA is a federation whose members are the state school boards associations. The maximum number of members is 49 because Hawaii does not have a state school boards association.

About 10 state school boards associations have dropped membership in NSBA in recent months, Heim indicated. Another 10 have put NSBA on notice they are reevaluating their membership status.

Domenech expressed curiosity about whether this scale of exodus could be attributed to one high-profile letter. “Being on the outside and looking at it ... what else was going on?” he asked.

Heim said executive directors of state associations want more say in NSBA. Currently, the NSBA board of directors is made up solely of school board members,

with one state executive director serving as a non-voting member.

Heim said he was “minding his own business” as Kansas’ executive director when fallout over the letter to Biden led to a leadership vacancy with the national association. Saying he believes the national group has a vital role, he said his goals are to reestablish trust, keep members in the fold and possibly win members back.

Domenech, he said, was the first in the nation’s capital to reach out to him after he joined NSBA. “It was so good to feel like I had a friend in Washington.”

At both the national and local levels, everything is better when school boards and superintendents operate as a team, Domenech said. If a school district has a long-term superintendent and a school board with members who have served for many years, there is a 90% chance that it’s a high-performing school district, he said.

“It’s so hard for a board to be successful without a good superintendent, and vice versa,” Heim agreed.

He added that the current environment seems to be tough for everyone in school leadership.

Noting he used to be a superintendent, Heim added, “I’ve closed school buildings. I’ve fired coaches. And I have never seen anything like the last two years.”

This story originally appeared on AASA’s Conference Daily Online at [nce.aasa.org](https://nce.aasa.org).

### How NSBA has addressed White House letter issues

1. Acknowledged the mistake
2. Apologized
3. Changed leadership
4. Hired a law firm to conduct an independent review

Source: John Heim, National School Boards Association

## State Briefs

### Legislature votes to allow absentee ballot in school district elections

The Legislature voted March 8 to allow voters to request an absentee ballot on the basis of COVID-19 concerns in school district elections this spring. As of presstime, it had not been sent to Gov. Kathy Hochul.

Hochul previously signed legislation that allows voters to request absentee ballots in the general election because of the pandemic.

The same day that the school election bill was passed, Hochul said the pandemic is in the “past tense” and the state was “on the cusp of entering a whole new era.”

School election and budget vote turnout almost tripled to more than 1.5 million when absentee voting was mandatory in 2020. (See chart, page 11.)

Rockland County Republican Mike Lawler opposed the measure in the Assembly. “There has to be an end point and we have to get back to the normal course of action,” said Lawler. He said it is important for people to get vaccinated. “But let’s stop using this as a bludgeon to change every law we don’t like.”

The sponsor of the legislation, Assemblyman Harry B. Bronson, a Rochester Democrat, noted the bill will expire at the end of the year.

Source: *Times Union* (3/8/22); staff report

### NYC principals’ union negotiates extra pay for tracking COVID cases

The New York City Department of Education has agreed to pay five hours of overtime to school administrators for every COVID-19 case that required extra work to track and inform infected students and staff, The New York Post has learned.

The payout will come under an unprecedented agreement hammered out between the principals’ union and the DOE in November. It will be at least partially funded with federal COVID-19 aid.

The Council of Supervisors & Administrators filed a grievance last year, complaining principals and assistant principals had to field night and weekend calls from the DOE’s COVID-19 “Situation Room.” They worked additional hours to determine which classrooms had to close and which students or staff had to be quarantined and notified.

Source: *The New York Post* (3/6/22)

### NYC Schools Chancellor David Banks says enrollment losses reflect ‘a betrayal’



David Banks

New York City schools have lost more than 120,000 students over the past five years, and schools Chancellor David Banks says that is “an indictment of the work that we have done.”

Mayor Eric Adams appointed him chancellor in December.

“It’s a betrayal,” Banks said.

He plans to require all 32 local district superintendents to reapply for their jobs.

“As teachers, we like what we’ve heard so far from Chancellor Banks,” Michael Mulgrew, the president of the United Federation of Teachers, said in a statement. “We are particularly happy to hear his emphasis on making the bureaucracy work for the schools,

rather than the schools working for the bureaucracy.”

Source: *The New York Times* (3/2/22)

### School board to challenge order to stop using Native American mascot

By a 3-2 vote on Feb. 23, the Cambridge school board decided to appeal state Education Commissioner Betty Rosa’s order to retire the school’s Indian nickname and imagery.

Board of Education President Jessica Ziehm said every state official she’s spoken to about the ruling agreed that Rosa overstepped her bounds.

“This is about our rights as a community and a school district,” Ziehm said before the vote.

The school board voted to remove the mascot but that decision was reversed after an election was held and board membership changed. Rosa ruled the reconsideration of the issue was improper.

A resolution directs the board’s attorneys, Honeywell Law Firm PLLC, to “commence any appropriate legal action necessary on behalf of the Board of Education to challenge the Commissioner’s Decision.”

Source: *Glens Falls Post-Star* (2/24/22)

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# After 10 years of tax cap, what have we learned?

By Paul Heiser

SENIOR RESEARCH ANALYST

New York’s tax cap law went into effect 10 years ago. It established a limit on the annual growth of property taxes levied by school districts that hold public budget votes to 2% or the rate of inflation, whichever is less (certain adjustments prescribed by law may make each school district’s tax levy increase more or less than 2%; see sidebar article).

Ten years of data have provided clues to voter behavior in the tax cap environment. As school districts prepare their budgets for the upcoming school year, school board members and administrators should keep in mind four lessons:

## Lesson #1: School budgets within the cap were much more likely to pass

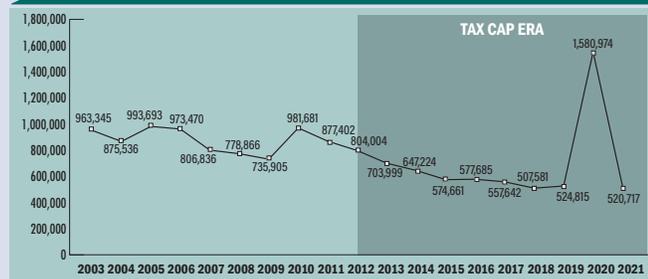
School budgets that stay within a school district’s tax cap require only a simple majority of voter approval to pass, while budgets that exceed the cap require 60% supermajority voter approval. Over the 10-year period in which the property tax cap has been in effect, 99.3% of budgets requiring only a simple majority were approved by voters. By comparison, only two-thirds (67.2%) of budgets requiring a 60% supermajority – often called an “override” – were approved by voters over that same 10-year span.

YEARLY BUDGET PASSAGE RATE SINCE START OF TAX CAP



## Lesson #2: In-person voter turnout has plummeted

SCHOOL BUDGET VOTER TURNOUT



Since the tax cap went into effect in 2012, the number of school district residents voting on school budget proposals has plummeted. In the nine years prior to the implementation of the tax cap, an average of 887,415 voters voted on budgets statewide. In the 10 years since the property tax cap took effect, the average number of voters was 699,930. That average falls to 602,036 if voting results from 2020 are excluded. That year, all school budget voting was conducted by mail because

of coronavirus restrictions, causing voter turnout to spike to nearly 1.6 million.

The cause of the decrease in voter turnout since the tax cap went into effect is not known. Whatever the reasons, the decrease in voter turnout represents a disturbing trend. It means that the outcomes of school budgets are being decided by fewer and fewer people. It also means fewer voters are voting in school board elections to decide who guides their local schools.

## Lesson #3: Even REDUCING a tax levy can require 60% approval

Under the tax cap, some districts have found themselves in the unenviable position of having tax caps of less than zero. This situation may arise, for example, when school districts receive payments in lieu of taxes, or PILOTs. PILOTs are payments made by businesses or tax-exempt non-profits as a substitute for property taxes through an agreement with local officials.

By law, PILOT payments must be subtracted from a school district’s tax cap calculation, thereby lowering its allowable tax levy. In some cases, it

lowers a district’s allowable tax levy to less than the year before, resulting in the district having to decrease its levy from one year to the next to stay within the cap. Some districts have found themselves in situations where they need supermajority voter approval even though they lower their tax levies from one year to another. For example, if a school district has an allowable tax cap of minus 2% but asks voters to approve a budget with a minus 1% change in its tax levy, it needs 60% voter approval because the levy exceeds its allowable limit.

## Lesson #4: Spending has been curtailed

The tax cap has not only kept property taxes low but has also had an impact on spending. Between 2004 and 2008, average school budget spending increases averaged 5.90% statewide. Due to the lingering financial impact of the Great Recession of 2008, average spending increases decreased to lower than

2% each year from 2009 to 2011. However, once the economy recovered from the recession, average spending increases did not return to post-recession levels. Instead, since the tax cap went into effect in 2012, average school budget spending increased about 2.26% yearly, and never more than 2.88% in any given year.

## Understanding the tax cap

By Paul Heiser

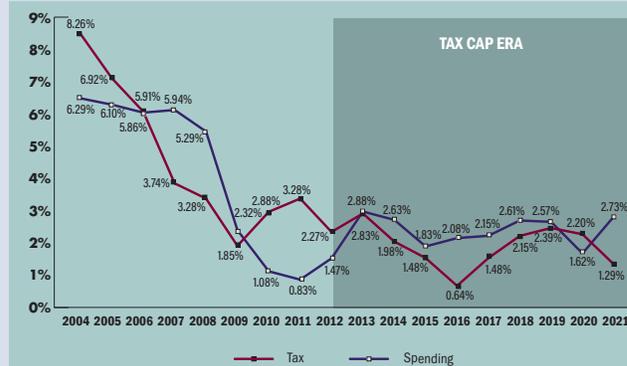
SENIOR RESEARCH ANALYST

State law limits proposed tax levy increases in New York to 2% or the rate of inflation, whichever is less. However, school districts may exempt certain expenditures, such as PILOT payments and certain capital expenditures, so the cap varies from district to district and may legally exceed 2% in some districts. In other districts, the tax cap may be less than

2% and, in some cases, may actually be less than zero.

Prior to the tax cap, school districts could adopt budgets with property levies of any magnitude if they were approved by more than 50% of voters. Under the tax cap, school budgets still require a simple majority of voter support as long as they remain within the designated cap. However, budgets with proposed tax levies that exceed the tax cap require 60% supermajority voter approval to pass, otherwise known as an “override.”

YEAR-TO-YEAR PROPOSED SPENDING AND TAX LEVY CHANGES



# E = mc<sup>2</sup> ... or 3+2 = 5



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Hear also from the New York School Insurance Reciprocal's Brett Carruthers as he shows you how to protect your district from ransom wear attacks and your student information from falling into the wrong hands.

**Their Future:** Jobs for your graduates! Cory Albrecht will discuss how Mohawk Valley Community College and the Advanced Institute for Manufacturing is helping to create awareness at the secondary education level regarding manufacturing industry opportunities and educational pathways. The discussion will take a look at opportunities in New York State for careers in Advanced Manufacturing, the competitive wages that can be earned, and the high-need for technical trades.

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*Timeline*

# 2022 Annual Budget Vote & School Board Election

*Districts should be aware that Education Law section 2022(7) requires a school district to post to its web-site the final annual budget and any multi-year financial plan adopted by the board of education.*

	March 1	School districts must submit information necessary for the calculation of the tax levy limit to the state comptroller, and the commissioners of education and taxation and finance.
49 DAYS BEFORE VOTE	March 29- April 2	Districts must publish four legal notices of the budget vote and board election during the seven weeks (49 days) preceding the date of the election. The first notice must be published no later than 45 days before the election. (The 45th day before the election falls on Saturday, April 2, 2022.) If newspaper(s) of general circulation publish the first legal notice on Saturday, April 2, this complies with the deadline. However, better practice would be to publish on or before Friday, April 1, but not before Tuesday, March 29 – the 49th day before the election. Publication of the first notice on Monday, April 4, probably is permissible pursuant to the state’s General Construction Law <sup>1</sup> .
30 DAYS BEFORE VOTE	April 18	<ol style="list-style-type: none"> <li>School board candidate nominating petitions are due in the office of the district clerk by 5 p.m. 30 days before the election, except in small cities. The 30th day before the election falls on Sunday, April 17, 2022; therefore, General Construction Law controls and petitions are due on Monday, April 18.</li> <li>Voter-submitted petitions (for propositions other than those required to be included in the notice of annual meeting) must be submitted 30 days before the vote. The 30th day before the election falls on Sunday, April 17, 2022; therefore, the General Construction Law controls and petitions are due on Monday, April 18.</li> </ol>
28 DAYS BEFORE VOTE	April 19	Districts, other than small cities, must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which occurs no later than 25 days prior to the vote in districts other than small cities. <sup>2</sup>
25 DAYS BEFORE VOTE	April 22	Districts, other than small cities, must distribute military ballots no later than 25 days before the vote.
24 DAYS BEFORE VOTE	April 25	Districts must transmit their “Property Tax Report Card” to the State Education Department (SED) by the end of the next business day following approval by the school board, but not later than the 24th day before the budget vote. (The 24th day before the budget vote falls on Saturday, April 23, 2022. Therefore, best practice would be to transmit the property tax report card to SED by Friday, April 22. However, if a particular school board does not meet until April 22 to approve the property tax report card, then pursuant to the General Construction Law, the report card could be transmitted on Monday, April 25.)
20 DAYS BEFORE VOTE	April 27	In small city school districts, school board candidate nominating petitions are due to the district clerk by 5 p.m.
17 DAYS BEFORE VOTE	May 2	Small cities must determine the names of all candidates duly nominated and the propositions and referenda to be voted for on the ballot three days prior to the distribution of military ballots, which occurs no later than 14 days prior to the vote in small cities. Seventeen days before the vote falls on Saturday, April 30, thus under General Construction Law the content of the military ballots may be determined on Monday, May 2.
	April 26 - May 3	Districts must complete their budgets seven days before the public hearing. <sup>3</sup>
2 WEEKS BEFORE VOTE	May 3	<ol style="list-style-type: none"> <li>Last possible day for voter registration by school district board of registration in small city school districts.</li> <li>Small city districts must distribute military ballots no later than 14 days before the vote.</li> </ol>
7 - 14 DAYS BEFORE VOTE	May 3 - 10	Board must hold public hearing on the budget.
	May 3 - 17	Copies of the budget must be available to the residents upon request (during the 14 days before the vote and on the day of the vote).
	May 3 - 12	In all districts that have adopted a system of personal registration, other than small city school districts, the last possible day for voter registration by school district boards of registration must fall during this period (five to 14 days prior to the vote).
	May 11	Deadline for mailing “budget notice.”

## May 17 - Annual Budget Vote and School Board Election

For a PDF of this page, email [editor@nyssba.org](mailto:editor@nyssba.org)

<sup>1</sup> Pursuant to New York State General Construction Law section 25-a(1), when a legal deadline falls “on a Saturday, Sunday or a public holiday, such act may be done on the next succeeding business day and if the period ends at a specified hour, such act may be done at or before the same hour of such next succeeding business day.”

<sup>2</sup> This means that a board of education must finalize its budget 28 days before the vote which is four days earlier than the deadline for reporting property tax report card information. See footnote 3.

<sup>3</sup> By necessity, the budget is approved prior to submitting the property tax report card. However, a board may make adjustments to various projected expenditures without changing the total dollar amount of the budget submitted in the property report card.

Research by Kimberly Fanniff, Senior Staff Counsel



## SOUTH JEFFERSON *Superintendent of Schools*

The South Jefferson Central School District Board of Education is looking for a student-centered educational leader with vision and integrity who will be active in the community; visible throughout the district; work collaboratively with the Board; has a commitment to excellence, high expectations for students, faculty, staff and the ability to continue the development of a high quality educational program.

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- Interested candidates should submit a letter of interest, current resume, completed application, credential file and copies of New York State teacher and administrator certifications to:

**Stephen J. Todd**  
District Superintendent  
Jefferson-Lewis BOCES  
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Watertown NY 13601  
(315) 779-7010  
Fax: (315) 779-7009  
e-mail: [placlair@boces.com](mailto:placlair@boces.com)

Applications are available on-line at [www.boces.com](http://www.boces.com) or [www.spartanpride.com](http://www.spartanpride.com)

Application deadline: *April 15, 2022*

Starting Date: *December 2022*

If you have any questions, please call me at 315-779-7010.



## SUPERINTENDENT OF SCHOOLS WATERFORD-HALFMOON UNION FREE SCHOOL DISTRICT

The Waterford-Halfmoon Union Free School District Board of Education is seeking a Superintendent of Schools for its 783 pupil PreK-12 district. The Town of Waterford is situated in the southeastern corner of Saratoga County, 12 miles north of Albany at the junction of the Hudson and Mohawk Rivers, and the junction of the Erie and Champlain Canals.

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Mail or submit electronically a letter of interest, resume, completed application, three letters of reference specific to this position, transcripts, and proof of certification by March 18, 2022 to:

Mr. James P. Dexter, District Superintendent of Schools  
WSWHE BOCES  
10 LaCrosse Street, Suite 6  
Hudson Falls, NY 12839  
(518) 746-3310, Ext. 8 or Fax (518) 746-3319  
[jdexter@wswheboces.org](mailto:jdexter@wswheboces.org)



## SUPERINTENDENT OF SCHOOLS GREENWICH CENTRAL SCHOOL DISTRICT

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Mail or submit electronically a letter of interest, resume, completed application, three letters of reference specific to this position, transcripts, and proof of certification by March 18, 2022 to:

Mr. James P. Dexter, District Superintendent of Schools  
WSWHE BOCES  
10 LaCrosse Street, Suite 6  
Hudson Falls, NY 12839  
(518) 746-3310, Ext. 8 or Fax (518) 746-3319  
[jdexter@wswheboces.org](mailto:jdexter@wswheboces.org)

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# Failure to subpoena adult witnesses leads to expungement of student’s suspension

By Shubh N. McTague  
STAFF COUNSEL

A student engaging in misconduct may not be suspended in excess of five school days unless the school district has conducted a long-term suspension hearing during which the student is entitled, in part, to cross examine witnesses. That right, however, is not available if: (1) the witness to be cross-examined is a student whose identity is unknown to the student charged with misconduct; and (2) the school district “reasonably considers” the charged student to be “potentially” violent.

In the recent case of *Appeal of J.R.*, the commissioner of education determined that a student charged with: (1) possession of a vaping pen/substance; (2) attempted sale of drugs; and (3) subsequent retaliatory behaviors was denied a fair hearing based on a finding that the student’s right to cross-examine witnesses was violated. The student admitted to the first charge but denied the other two. A hearing officer found the student guilty of the second charge. The district thereafter proceeded to suspend the student for a period of approximately seven months.

**“School districts should carefully consider the nature and quality of proof against students before pursuing long-term suspensions”**

– Commissioner of Education in *Appeal of J.R.*

During the hearing, the student’s parents asked the hearing officer to issue subpoenas for certain witnesses. One of those witnesses would have been the parent of the student who allegedly purchased the drugs and showed the school principal screenshots of a social media conversation between the two students involved. The others would have been officers from two different police departments contacted regarding the matter, one of which conducted a “forensic ... scan” of the alleged purchaser’s phone.

The school district’s evidence at the hearing consisted of the school principal’s testimony about the content of the social media conversation. The actual screenshots of the conversation were not introduced into evidence. According to the commissioner, hearsay testimony is admissible and can constitute competent and substantial evidence of

a student’s guilt. However, given the limited evidence, the parent of the alleged purchaser and the police officers were likely to offer relevant testimony. “If sufficiently probative, such evidence and testimony could have lead a reasonable factfinder to find the student not guilty of the charges against him.”

In denying the request for witness subpoenas, the hearing officer reasoned that the district had “an interest in keeping the names of the students confidential” which outweighed the right to cross-examination. The commissioner disagreed, finding that the exception to cross-examination did not apply in this case because the parent witness was an adult and there was no evidence the parent’s identity was unknown.

As to the police officers, the record showed the hearing officer questioned the school principal about bringing them in, to which the principal responded he

did not know “what that process would look like.” Thereafter, the hearing officer proceeded to ask the principal additional questions and the issue was not addressed further. According to the commissioner, the hearing officer’s failure to adjourn the hearing and issue the requested subpoenas constituted an abuse of discretion.

As a result, the commissioner ordered the charge of attempted sale of drugs expunged from the student’s record. Although the student’s admission to the vaping-related charges was subject to a penalty, the commissioner nonetheless further found an approximately seven-month suspension for this offense shocked her sense of fairness. Because the student had already served the entire suspension and the record could not be amended to reflect a lesser penalty, the commissioner further ordered the district to also expunge this charge from the student’s record.

Finally, the commissioner admonished that “[s]chool districts should carefully consider the nature and quality of proof against students before pursuing long-term suspensions. Should they choose to proceed, school districts must ensure the assiduous protection of students’ due process rights.”



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- Provides advice and consultation on legal issues including EEOC, ADA, Title VII, IX, and XI complaints, FOIL, grievances, vendor, construction and procurement contracts along with SEQRA.
- Participates on negotiation committees and labor management committee. Prepares memorandum of agreements as required for bargaining units.
- Assist with 3020a, and Section 75 hearings and proceedings and any other disciplinary hearings.
- Provides guidance to Superintendent regarding Civil Service Law.
- Provides guidance to insure compliance with all state and federal laws.
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Please attach cover letter and apply on line at: [www.applitrack.com/carthagecsd/onlineapp](http://www.applitrack.com/carthagecsd/onlineapp)

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DEADLINE: MARCH 28, 2022

# Make food part of your district's success strategy

By Amie Hamlin

Most people are aware that adults age 65 and older and people of any age with serious underlying diet-related medical conditions have been most at risk during COVID-19. But did you know that a healthy plant-based diet reduces one's vulnerability?

Researchers including Dr. Andrew Chan of Harvard Medical School tracked nearly 600,000 COVID-19 cases and concluded, "A diet characterized by healthy plant-based foods was associated with lower risk and severity of COVID-19." This does not replace the need for other safe protective measures, however.

Overwhelming evidence published in major medical journals shows that plant-based diets prevent heart disease, certain cancers, type 2 diabetes, high cholesterol, blood pressure, strokes, autoimmune disorders, depression, anxiety and dementia not to mention being one of the best ways to address obesity. Low-fat, whole-food, plant-based diets have also been proven to reverse heart disease and type 2 diabetes. The more plant-based options we add to our diets, the healthier we are.

And research shows that the healthier a student's diet, the better their attendance, concentration, behavior

and grades. Students are under so much stress, especially now. Food that fuels their bodies and brains can make a big difference for these issues that are so important to student well-being and for school success indicators.

These are some of reasons that my organization, the Coalition for Healthy School Food, encourages schools to offer a plant-based entrée each day as an option. We have distributed our recipes to more than 36,000 school districts across the U.S., and we communicate with more than 11,000 school food service directors in 30 states.

In 2004, we wrote a legislative resolution that passed unanimously in the New York State Legislature. The resolution encourages school districts to offer a plant-based entrée each day.

While some have, persistent myths may be preventing positive changes that would benefit students and the school community:

**Myth 1: Plant-based entrees cost more.** Per serving, meat is more expensive than beans and other legumes or tofu.

Black beans and kidney beans are grown commercially by New York State farmers and can be used both as a vegetable and in entrees. Food service directors who serve vegan meals say they are able to do so within the budget provided in the National

School Breakfast and Lunch Program, and that plant-based options provide cost savings or are at least cost neutral. "We offer a Dr. Praeger's veggie burger throughout the month," said Charlene O'Connor, food service director for the Plattsburgh City School District. "This product costs \$1.60 per pound versus the \$4.50 per pound that we pay for local beef." In Ithaca, "locally made tofu and black beans from New York State cost less than meat-based options like the \$1 chicken drumsticks we serve," according to Beth Krause, food service director for the Ithaca City School District.

**Myth 2: The food will be wasted.**

A partner of our organization called Physicians Committee for Responsible Medicine (PCRM) tested this in a study of a Washington, D.C., elementary school that served sesame tofu, three-bean chili, barbecue tofu bites, southwest veggie burgers, plant-based sloppy joes and pasta with chickpeas. The researchers tracked plate waste and found that waste from the vegan entrees did not exceed the national school food waste average. Similar results were found when school meal regulations changed in 2012. They found no more food waste than occurred previous to the healthy changes.

**Myth 3: Kids won't want plant-based meals.** Many such recipes have been

on the menu for years in school districts across the nation, and they are "kid tested and approved." We'll be happy to supply the recipes. In addition, many students are adopting plant-based diets for reasons including health, climate change, social justice and animal suffering. It's important that school leaders support students who want to make positive choices.

Together we can set up New York students for success now and in the future by making sure they have access to the healthiest meals based on a preponderance of research. Offering the most health supporting options will be consistent with what we teach about nutrition and what many students want. It will be a win for the students and a win for the schools.

For more information, please download our booklet, *School Food Service in the Age of COVID-19 and Beyond: Why What You Serve Matters Now More Than Ever* at [healthyschoolfood.org/covidbooklet](http://healthyschoolfood.org/covidbooklet).

Family-size recipes are available at [bit.ly/PlantPoweredRecipes](http://bit.ly/PlantPoweredRecipes).

Amie Hamlin is executive director of the Coalition for Healthy School Food a nonprofit organization that introduces plant-based foods and nutrition education in schools to educate the whole school community about the health, environmental and social justice issues of our food choices.

## Awesome Bean Burgers *Serves 6*

Kids love mixing the ingredients together with their hands and forming the patties.

- 3 cups cooked black beans, drained (1 29-oz. or 2 15-oz. cans, or 1½ cups dried)
- 1 medium sweet potato, steamed or baked until soft
- 1 tablespoon tomato paste
- ½ cup quick-cooking oats (or rolled oats briefly whirled in a blender)
- 2 teaspoons soy sauce
- 1 teaspoon ground cumin
- 1 teaspoon chili powder
- 1 teaspoon garlic powder
- 1 teaspoon Dijon-style mustard
- ¼ teaspoon salt
- ¼ teaspoon ground black pepper

Preheat the oven to 350° F. Line a baking sheet with parchment paper or lightly oil it.

In a food processor, pulse the black beans, cooked sweet potato (removed from the skin), tomato paste, and oats until well combined. Mix the remaining ingredients in a small bowl, and then add to the food processor and pulse again until combined. Alternatively, mash the beans with a potato masher or your hands, and then mash in the sweet potato and oats. Add the rest of the ingredients and stir well.

Form the mixture into 6 patties. Place the patties on the prepared baking sheet and bake until brown on one side, 8 to 10 minutes. Flip and bake for 10 more minutes.

Serve while hot, in a bun or not. Don't forget to add your favorite toppings. Leftovers also make a great snack served cold or reheated.

*Recipe developed by Chef Wynnie Stein of Moosewood Restaurant for Coalition for Healthy School Food.*



## Fiesta Mexican Lasagna *Serves 6*

The main dish filled with comfort food goodness and hearty, healthful ingredients. Golden butternut squash, corn, and peppers are roasted until the sweet, natural flavors caramelize together. The colorful vegetables are layered with crunchy corn chips, smooth black beans, flavorful spices and lively salsa, all baked in an aromatic, savory casserole.

- ½ green bell pepper, chopped
- 1 medium onion, chopped (about 1 to 2 cups)
- 1 cup corn kernels, fresh, frozen, or canned
- ½ teaspoon oil
- 2 cups peeled and cubed butternut squash
- 3 cups cooked black beans (1 29-oz. can or 2 15-oz. cans, or 1½ cups dried), drained
- 1 tablespoon ground cumin
- 1 tablespoon oregano
- 1 or 2 cloves garlic, chopped
- ½ teaspoon chili powder
- 1 teaspoon paprika
- 1 8- or 10-ounce can tomato sauce or enchilada sauce
- 1 16-ounce jar salsa
- 7 ounces tortilla chips, lightly crushed (about 4 cups)

Preheat the oven to 350° F. Lightly oil a baking sheet and an 8 x 12-inch baking pan.

In a bowl, toss the green peppers, half of the onions, and the corn with



the oil. Spread the mixture on the prepared baking sheet and roast in the oven, uncovered, for 20 minutes.

Steam the squash for 15 minutes or until tender. Mash the squash. Stir in the roasted vegetables, cumin and oregano.

In a small saucepan on medium heat, sauté the remaining onions with the garlic, chili powder, and paprika, stirring frequently, until soft. Put these onions and spices and the black beans into the food processor and process until smooth.

Stir together the tomato sauce and salsa.

In the prepared baking pan, layer a third of the sauce, a third of the chips, half of the bean mixture, all of the squash-vegetable filling, a third of the chips, the rest of the beans, the rest of the chips, then the remaining sauce. Cover with foil and bake for 20 minutes, then uncover and return to the oven for 15 minutes.

*Recipe developed by the Cool School Food Team for the USDA Recipes for Kids Challenge contest submission from Ithaca, NY.*