THE ADVOCATE

CAYUGA-ONONDAGA BOCES
OFFICE OF PERSONNEL RELATIONS
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Providing comprehensive employment and personnel relations services to local school districts for over 40 years.

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Welcome New Chief School Officer

The Cayuga-Onondaga BOCES Office of Personnel Relations welcomes and wishes much success to

KELLY HOUCK
the recently appointed Chief School Officer at the
DUNDEE CENTRAL SCHOOL DISTRICT

Best wishes!

Coaches Are Now Mandated Reporters of Child Abuse

On August 6, 2014, Gov. Andrew Cuomo signed into law amendments to Social Service Law Sections 413 and 488, as well as creating a new section in the Education Law, Section 3036. The amendments to the Social Service Law now make any "full or part-time compensated school employee required to hold a temporary coaching license or professional coaching certificate[,]" mandatory reporters of child abuse. Education Law Section 3036 includes the following language:

> the commissioner shall prescribe regulations requiring that all persons currently holding a temporary coaching license or a professional coaching certificate and persons applying for such license or certificate shall, in addition to all the other licensure or certification requirements, have completed two hours of coursework or training regarding the identification and reporting of child abuse and maltreatment.

Under these laws, new applicants must provide the Department of Education proof that they have successfully completed two hours of course work or training regarding the identification and reporting of child abuse from an approved provider, a list of which can be found on the Department's website. Coaches currently holding a temporary coaching license or professional coaching certificate who have not already completed the required course work or training must do so and submit proof of completion to the Department by July 1, 2015.

States have been dealing with issues related to mandated reporters since the 2011 case of Jerry Sandusky, a former Penn State University football coach who was accused of child sexual abuse. When promulgating the new law, the legislature recognized that there was some ambiguity in the prior versions of the Social Services and Education Laws that made it unclear whether coaches were mandated reporters. The stated intent of the amendments was to clarify the duties of coaches since "coaches are often in a position to observe children for signs of abuse … [and] develop close, trusting relationships with their players,

making it likely that a child would confide in his or her coach."

Some have criticized the amendments to the Social Service Laws, because it only affects **paid** coaches. However, the language of Education Law Section 3036 does not distinguish between compensated or uncompensated school employees.

Therefore, districts should check to see if **all** their current coaches and coaching applicants have completed the required mandatory reporter training. In practice, many coaches may already be mandatory reporters because they are also teachers, but districts should notify all current coaches and coaching applicants of the changes in the law and ensure that current coaches obtain the necessary training, if they have not already, and that coaching applicants have also complied with the new laws.

District Affiliation and Seniority

In *Appeal of Donnellan*, the New York State Education Department recently explained how a board appointment to serve as a regular full-time substitute teacher could impact a school district's analysis of seniority.

Previous decisions by New York courts and the Commissioner of Education have set forth the basic framework for analyzing seniority in a tenure area. First, a school district must look at actual full-time service rendered. Second, if two teachers have an equal amount of full-time service, then the appointment dates of the teachers are to be used to determine who has greater seniority. Third, if the appointment dates are the same, then the school district may use an objective means to break the tie.

In *Appeal of Donnellan*, the second step of the analysis was examined in greater detail. In that case, the school district asserted that the date of appointment to a probationary position was the operative "appointment date" when analyzing seniority. The Acting Commissioner disagreed and found that the date that the teacher was appointed by the school board to serve as a regular full-time substitute teacher was the operative date. In explaining this decision, the Acting Commissioner stated that the "underlying purpose of reviewing appointment dates is to determine which teacher became affiliated with the district first." She concluded that appointment as a regular full-time substitute teacher demonstrated the requisite affiliation.

This decision illustrates one of the many potential pitfalls that a school district may encounter as it attempts to determine which teacher has the least seniority. If your district has any questions about this process (or this recent decision), please feel free to contact our office with any questions.

Overview of Governor's Program Bill #56 (APPR Scores and the Common Core)

By now all school districts are aware that Governor Cuomo introduced a bill that would implement a revised methodology for calculating the APPR scores for any teacher or building principal who is rated **ineffective** or **developing** in the **2013-2014** or **2014-2015** school years. This temporary calculation methodology would only apply to those teachers who were rated as ineffective or developing and whose composite score was based, in any part, on the Grades 3-8 NYS Math and ELA Common Core Assessments.

At the time this article was written, Governor Cuomo's bill had not yet been approved by both the Senate and Assembly. As such, it is not law and should not be implemented. The Senate and Assembly are expected to approve the bill. However, until the bill is approved and signed by the Governor, school districts will be without authority to change any teacher's composite score or final rating.

If and when the bill is passed, to determine if a calculation adjustment is necessary:

Step 1: Determine which teachers are rated as ineffective or developing (composite score less than 75).

Step 2: Determine which subcomponent scores were dependent on Grades 3-8 NYS Math and/or ELA Assessments.

Teachers Whose State 20% is Based on Grades 3-8 NYS Math and ELA Common Core Assessments	Teachers Whose Local 20% is Based on Grades 3-8 NYS Math and ELA Common Core Assessments
· Any teacher who received a state-provided growth score (ELA and Math teachers in grades 4-8) · Any Grade 3 teacher · Any other teacher who has an SLO that uses the Grades 3-8 NYS Math and/or ELA Common Core Assessments as the evidence in their SLO	· Any teacher in a district whose local measure includes Grades 3-8 NYS Math and/or ELA Common Core Assessments

Step 3: If the State 20% is based on 3-8 scores, exclude this score, calculate the Local 20% score and use the local measure subcomponent score twice.

Step 4: If the Local 20% is based on 3-8 scores, exclude the 3-8 scores from the district-wide measure, recalculate the district-wide measure and use that as the Local 20% score.

Editor's Note: *We are grateful to Jessica Docteur, Assistant Superintendent of Curriculum, Instruction & Educational Programs at the Cayuga-Onondaga BOCES, for contributing this information for our "Advocate" readers.*

RECENT AREA TEACHER CONTRACT SETTLEMENTS (shaded areas = contract term)

DATA COLLECTED BY THE CAYUGA-ONONDAGA BOCES OFFICE OF PERSONNEL RELATIONS

CAYUGA-ONONDAGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
BOCES	**10-13**	4.50	4.50	1.50	1.75	2.25	2.25	2.25			2.71
Auburn	**6-12**	3.45	3.00	3.00	0.00	2.25	2.25				2.33
Cato-Meridian	**11-12**	3.80	3.80	3.80	2.00	2.00	2.00				2.90
Jordan-Elbridge *	**1-12**	3.85	3.90	0.50	2.01	2.18					2.49
Moravia	**6-13**	4.00	4.00	2.00	2.00	0.00	2.00	2.50	2.50		2.44
Port Byron	**6-13**	4.25	3.70	2.00	2.00	2.00	2.00				2.66
Skaneateles	**5-14**	3.75	3.75	1.50	1.50	1.50	2.50	2.60	2.75		2.48
So. Cayuga	**4-13**	4.00	2.00	2.00	2.00	2.00	2.25	2.25			2.36
Union Springs	**6-14**	4.25	4.25	2.00	2.00	2.00	2.00				2.75
Weedsport	**7-13**	4.35	4.50	0.00	2.00	2.00	2.00				2.48
	AVG.	**4.02**	**3.74**	**1.83**	**1.73**	**1.82**	**2.19**	**2.40**	**2.63**		

** Jordan-Elbridge figures for 2012-13 and 2013-14 are calculated at step + 55% of average of Feb CPI figures*

BROOME-TIOGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
Chenango Vall.	**4-11**	4.10	2.50	2.75	2.75	2.75					2.97
Deposit	**9-13**	4.25	2.50	2.50	2.00	2.50	2.50				2.71
Maine-Endwell	**5-08**	4.50	4.50	4.50	4.50						4.50
Owego-Apal.	**1-13**	4.35	2.95	2.95	2.95	2.00	2.00				2.87
Union-Endicott	**11-10**	4.00	$2,253	2.70	2.70	2.70	2.70				2.96
Whitney Point	**6-13**	3.00	3.30	3.50	0.00	2.20	2.20				2.37
	AVG	**4.03**	**3.58**	**3.15**	**2.48**	**2.43**	**2.35**				

GENESEE VALLEY BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
Geneseo	**6-12**	4.20	4.20	2.00	2.00	2.00					2.88

GREATER SO. TIER BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
Hornell	**7-13**	4.40	4.00	2.20	2.00	2.50	2.75				2.98

OSWEGO BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
Hannibal	**6-14**	3.50	3.50	0.00	1.75	1.75	2.20	2.20	2.20		2.14
Oswego	**3-11**	4.00	4.00	0.00							2.67
	AVG	**3.75**	**3.75**	**0.00**	**1.75**	**1.75**	**2.20**	**2.20**	**2.20**		

RECENT AREA TEACHER CONTRACT SETTLEMENTS (shaded areas = contract term)

TOMPKINS-SENECA-TIOGA BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
BOCES		4.00	4.00	4.00							4.00
Candor		3.00	3.00		2.00	2.00					2.50
Dryden	**6-14**	4.20	2.60	2.60	3.00	3.00	3.00	3.00	3.05		3.06
George Jr. Rep.	**9-08**	3.26									3.26
Groton	**3-13**	3.50	3.50	3.50	3.50	2.50	2.60	2.70	2.70		3.06
Ithaca	**6-11**	2.20	2.00	2.00	2.00	2.00	2.00				2.03
Lansing	**9-12**	3.40	3.50	3.50	2.70	2.70	3.00	3.00			3.11
Newfield	**5-14**	3.50	2.50	2.00	2.00	3.00	3.50	2.75	2.50		2.72
South Seneca	**7-13**	4.00	4.00	1.50	1.50	2.45	2.45				2.65
Trumansburg	**1-13**	4.00	4.20	2.70	2.70	3.00	3.00				3.27
	AVG	**3.51**	**3.26**	**2.73**	**2.43**	**2.58**	**2.79**	**2.86**	**2.75**		

WAYNE - FINGER LAKES BOCES

	Date Settled	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	AVG.
BOCES		3.00	2.50	1.90	1.90						2.33
Bloomfield		3.90	3.85	3.60	3.35	1.98	2.00	2.00			2.95
Canandaigua		4.20	4.10	3.85	2.00	2.69	2.65	2.57			3.15
Clyde-Savan.	**6-12**	5.00	5.00	5.00	2.25	2.25	2.25				3.63
Dundee	**1-12**	4.00	4.00	2.60	2.50	2.50					3.12
Gananda		4.00	2.75	2.75	2.60	2.60	2.75				2.91
Geneva	**6-12**	4.58	4.22	4.15	2.00	2.00					3.39
Gorham-M'sex	**6-14**	3.50	3.50	2.25	2.25	2.50	2.50	2.50			2.71
Honeoye	**2-12**	4.00	2.60	2.50	2.50						2.90
Lyons	**6-10**	4.25	4.66	3.37	3.88						4.04
Man-S'ville	**8-14**	4.00	4.00	1.80	2.00	2.00	2.00	2.50			2.61
Marion		4.50	3.50	2.80	2.00	2.00					2.96
Naples	**9-11**	4.00	4.00	2.25	2.25	2.25					2.95
Newark	**10-13**	4.00	2.50	2.50	1.25	2.50	2.50				2.54
N Rose-Wolcott	**4-12**	4.32	4.27	1.00	2.47	1.90					2.79
Pal-Mac *	**6-09**	3.20	3.90	3.90	2.48	3.90					3.48
Penn Yan	**6-13**	4.00	4.00	2.29	2.29	1.90	2.00	2.00			2.64
Phelps-Cl Spr.		4.00	2.89	2.89	2.89	2.00	2.00	2.00			2.67
Red Creek		4.50	4.50	2.75	2.75	2.50	2.40	2.40			3.11
Romulus	**10-10**	3.33 apprx	3.33 apprx	3.50	3.50						3.42
Seneca Falls	**6-12**	3.67	3.91	3.50	3.45	2.00	2.00				3.09
Sodus		4.15	3.80	3.80	2.00	2.00	2.20	2.00			2.85
Victor		4.30	4.30	4.00	2.00	2.50	2.50				3.27
Waterloo	**5-13**	4.05	3.89	3.72	2.00	1.50	1.75	1.95			2.69
Wayne	**11-12**	4.25	4.00	3.00	2.00	3.00	2.00				3.04
Williamson		4.00	3.00	3.00	2.00	2.25	2.50				2.79
	AVG	**4.03**	**3.73**	**3.03**	**2.41**	**2.31**	**2.25**	**2.21**			

* *Pal-Mac re-opened and settled at 2.48% for 2012-13 and will take original 3.90% in 2013-14 instead*

AREA UNEMPLOYMENT RATES

New York State Rate

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.3%	7.7%	7.2%	6.1%	6.4%	6.5%	6.8%						
2013	9.1%	8.6%	8.0%	7.4%	7.5%	7.8%	7.8%	7.5%	7.4%	7.3%	6.8%	6.6%	7.7%

Syracuse, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.4%	7.6%	7.1%	5.8%	6.1%	6.2%	6.4%						
2013	9.3%	8.9%	8.2%	7.5%	7.4%	7.7%	7.5%	7.1%	7.1%	6.8%	6.6%	6.5%	7.6%

Auburn, NY Micropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.5%	7.8%	7.2%	5.6%	5.7%	5.5%	5.8%						
2013	9.2%	9.0%	8.2%	7.3%	6.7%	6.9%	6.9%	6.6%	6.4%	6.3%	6.2%	6.2%	7.2%

Cayuga County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.5%	7.8%	7.2%	5.6%	5.7%	5.5%	5.8%						
2013	9.2%	9.0%	8.2%	7.3%	6.7%	6.9%	6.9%	6.6%	6.4%	6.3%	6.2%	6.2%	7.2%

Broome County Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	8.0%	8.2%	7.6%	6.1%	6.4%	6.5%	6.8%						
2013	9.7%	9.2%	8.4%	7.6%	7.5%	8.0%	7.8%	7.4%	7.4%	7.1%	7.0%	7.0%	7.8%

Ithaca, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	4.9%	4.9%	4.4%	3.5%	4.1%	4.5%	4.8%						
2013	6.3%	5.5%	5.0%	4.6%	4.9%	5.6%	5.6%	5.4%	4.7%	4.6%	4.2%	4.0%	5.0%

Ontario/Seneca/Wayne/Yates Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.3%	7.7%	7.0%	5.7%	5.5%	5.4%	5.4%						
2013	9.2%	9.0%	8.3%	7.3%	6.7%	6.7%	6.3%	5.8%	5.9%	5.7%	5.8%	6.0%	6.9%

Rochester, NY Metropolitan Statistical Area

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ann. Avg.
2014	7.0%	7.2%	6.7%	5.5%	5.8%	5.8%	6.1%						
2013	8.7%	8.3%	7.7%	7.1%	7.0%	7.1%	7.2%	6.8%	6.8%	6.5%	6.2%	6.1%	7.1%

Source: New York State Department of Labor
Labor Statistics

CONSUMER PRICE INDICES

	INDEX 1982-84 BASE YEAR=100	% INCREASE FROM PRIOR YEAR	% INCREASE FROM PRIOR MONTH
July 2014			
NY-Northeastern New Jersey Area			
1. All Urban Consumers	261.498	0.1	1.6
2. Urban Wage Earners & Clerical Workers	257.309	0.1	1.6
U.S. City Average			
1. All Urban Consumers	238.250	0.0	2.0
2. Urban Wage Earners & Clerical Workers	234.525	-0.1	1.9
August 2014			
NY-Northeastern New Jersey Area			
1. All Urban Consumers	261.075	-0.2	1.3
2. Urban Wage Earners & Clerical Workers	256.691	-0.2	1.2
U.S. City Average			
1. All Urban Consumers	237.852	-0.2	1.7
2. Urban Wage Earners & Clerical Workers	234.030	-0.2	1.6

COST OF LIVING UPDATE

	ALL CITIES				NY - NORTHEASTERN NEW JERSEY			
Month	Revised Wage Earner Index	%	All Urban Consumers Index	%	Revised Wage Earner Index	%	All Urban Consumers Index	%
Jan-12	223.2	3.1	226.7	2.9	245.5	3.0	249.3	2.8
Feb-12	224.3	3.1	227.7	2.9	246.5	2.8	250.3	2.6
Mar-12	226.3	2.9	229.4	2.7	248.2	2.7	245.1	2.5
Apr-12	227.0	2.4	230.1	2.3	248.7	2.5	245.9	2.3
May-12	226.6	1.6	229.8	1.7	249.0	1.9	252.7	1.8
Jun-12	226.0	1.6	229.5	1.7	248.5	1.6	252.4	1.6
Jul-12	225.6	1.3	229.1	1.4	248.2	1.2	252.0	1.1
Aug-12	227.1	1.7	230.4	1.7	249.7	1.5	253.5	1.4
Sep-12	228.2	2.0	231.4	2.0	251.0	1.7	254.6	1.6
Oct-12	228.0	2.2	231.3	2.2	250.5	1.7	254.3	1.7
Nov-12	226.6	1.7	230.2	1.8	250.6	2.1	254.3	2.0
Dec-12	225.9	1.7	229.6	1.7	249.5	2.0	253.6	2.1
Jan-13	226.5	1.5	230.3	1.6	250.8	2.2	254.8	2.2
Feb-13	228.7	1.9	232.2	2.0	252.3	2.3	256.2	2.4
Mar-13	229.3	1.3	232.8	1.5	252.7	1.8	256.6	1.9
Apr-13	228.9	0.9	232.5	1.1	252.0	1.3	256.0	1.4
May-13	229.4	1.2	232.9	1.4	252.3	1.3	256.3	1.4
Jun-13	230.0	1.8	233.5	1.8	252.9	1.8	256.9	1.8
Jul-13	230.1	2.0	233.6	2.0	253.3	2.1	257.3	2.1
Aug-13	230.4	1.5	233.9	1.5	253.6	1.6	257.7	1.7
Sep-13	230.5	1.0	234.1	1.2	254.4	1.4	258.5	1.6
Oct-13	229.7	0.8	233.5	1.0	252.9	0.9	257.1	1.1
Nov-13	229.1	1.1	233.1	1.2	253.0	1.0	257.4	1.2
Dec-13	229.2	0.0	233.0	0.0	253.1	0.0	257.3	0.0
Jan-14	230.0	0.4	233.9	0.4	255.5	0.9	259.6	0.9
Feb-14	230.9	0.4	234.8	0.4	254.8	-0.3	259.0	-0.2
Mar-14	232.6	0.7	236.3	0.6	255.9	0.5	260.0	0.4
Apr-14	233.4	0.4	237.1	0.3	255.9	0.0	260.0	0.0
May-14	234.2	0.3	237.9	0.3	257.1	0.5	261.2	0.5
Jun-14	234.7	0.2	238.3	0.2	257.1	0.0	261.4	0.0
Jul-14	234.5	-0.1	238.3	0.0	257.3	0.1	261.5	0.1
Aug-14	234.0	-0.2	237.9	-0.2	256.7	-0.2	261.1	-0.2
Sep-14								
Oct-14								
Nov-14								
Dec-14								

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PAST ISSUES OF "*THE ADVOCATE*"

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