

NEW YORK STATE EDUCATION DEPARTMENT
DISTINGUISHED EDUCATOR PROGRAM

Questions and Answers

1. How and why was the Distinguished Educator Program established?

The Distinguished Educator Program was established in accordance with Education Law §§211-b and 211-c to provide assistance to low performing districts and schools. The Regents adopted sections 100.16 and 100.17 of the Commissioner's regulations to implement these laws by establishing criteria regarding the selection process, roles, responsibilities, protocols, procedures and payment of expenses for Distinguished Educators (DE).

2. What is the purpose of the DE Program?

Low performing districts and schools that have failed to make Adequate Yearly Progress (AYP) for four or more years may need additional assistance from a Distinguished Educator to work with district administration and the board of education to raise the academic achievement of all student groups. The New York State Education Department (NYSED) anticipates that DEs will be appointed to a district or assigned to a school or schools within a district that the DE has been appointed to only in extraordinary circumstances where there are acute issues that have remained unresolved despite prior intervention efforts.

3. Who are the DEs?

DEs are highly qualified individuals who are appointed/assigned by the Commissioner to assist low performing districts and schools that have failed to make AYP for four or more years.

Building principals, superintendents of schools and teachers, including retirees and current employees of school districts, under whose leadership schools have demonstrated consistent growth in academic performance and other individuals who have demonstrated educational expertise, including superior performance in the classroom, are eligible for the DE program. Other individuals who have demonstrated educational expertise, include, but are not limited to, teachers or administrators in charter schools, BOCES or non-profit educational organizations or recently retired District Superintendents (DSs). However, individuals employed by for-profit entities are not eligible for the DE program.

The qualifications for the DE program are contained in 8 NYCRR §100.17.

4. What are the minimum qualifications of a DE for a district?

A DE appointed to a district must have a minimum of:

a. ten years of successful experience in education including, but not limited to, at least five years of successful experience in turning around low performing districts and sustaining the improved academic achievement of all at risk groups, or dramatically raising the achievement of high needs students in moderate to high performing districts, **or**

alternate qualifications deemed acceptable by the Commissioner including, but not limited to, a minimum of five years of statewide experience working with low performing school districts, or a

minimum of five years comparable experience working with at risk populations in closing achievement gaps in a charter school, BOCES or in a non-profit educational organization;

b. NYS certification as a school district administrator or school district leader or a substantially equivalent certification, as determined by the Commissioner, issued by a jurisdiction outside of the State, **or**

a Ph.D., Ed.D. or other comparable advanced degree and a minimum of five years working directly in low performing districts or dramatically raising the achievement of high needs students in moderate to high performing districts;

c. have experience as a teacher or administrator in a school district, charter school, BOCES or a non-profit educational organization within the past three years or, where applicable, within the immediately preceding three years from the date of the candidate's initial appointment as a DE;

d. have demonstrated an ability to successfully work with at risk populations in closing achievement gaps; and

e. have experience in school turnaround and sustaining the academic success of at risk students.

5. What are the minimum qualifications of a DE for a school?

A DE assigned to a school must have a minimum of:

a. ten years of successful experience in education including, but not limited to, at least five years of successful experience in increasing student academic performance in low performing schools or dramatically raising the achievement of high needs students in moderate to high performing districts; **or**

alternate qualifications deemed acceptable by the Commissioner including, but not limited to, a minimum of five years of statewide experience working with low performing school districts, or a minimum of five years comparable experience working with at risk populations in closing achievement gaps in a charter school, BOCES or in a non-profit educational organization;

b. NYS certification as a school administrator and supervisor, school building leader or teacher or a substantially equivalent certification, as determined by the Commissioner, issued by a jurisdiction outside of the State, and have worked in/with low performing schools; **or**

a Ph.D., Ed.D. or other advanced degree and a minimum of five years working directly in low performing districts or dramatically raising the achievement of high needs students in moderate to high performing districts;

c. have experience as a teacher or administrator within a school district, charter school, BOCES or a non-profit educational organization within the past three years or, where applicable, within the immediately preceding three years from the date of the candidate's initial appointment as a DE;

d. have demonstrated an ability to successfully work with at risk populations in closing achievement gaps; and

e. demonstrate knowledge of curriculum development and ensure alignment of curriculum with NYS Learning Standards (including the Common Core Standards), Performance Indicators and Assessments.

6. How does the New York State Education Department (NYSED) plan to recruit candidates for the DE Program?

The announcement and application for the DE program will be posted on [the NYSED Website](#). In addition, NYSED will contact stakeholder organizations to request that they post the DE program announcement in their publications.

7. How are DEs selected?

DEs are selected through a rigorous application and interview process. The successful candidates will become part of the DE pool. The Commissioner may appoint and/or assign a DE from the DE pool to a district and/or school. The candidate must indicate through the application process a willingness to be placed in the DE pool to assist low performing districts/schools.

8. What is the DE pool and how long will a successful candidate remain in it?

A DE pool will be established consisting of all candidates whose qualifications have been approved by the Commissioner for service as DEs. These individuals will remain in the DE pool for three years. However, an individual can remain in the DE pool for an additional year upon the submission of evidence of ongoing professional development. While in the DE pool, all individuals are encouraged to maintain their current positions.

9. Are DEs who are appointed/assigned from the DE pool returned to the pool once their appointment/assignment is complete?

Yes. Upon completion of their appointment/assignment, the DEs are returned to the pool for the remainder of their three or four year term.

10. Can DE pool members reapply for the DE pool once their three or four year term has expired?

Yes.

11. What is the timeline for applying for the DE pool?

The application materials for the DE Program will be posted on the NYSED website and are due by **April 25, 2011**. Succeeding application periods will occur on a rolling basis every six months. Information regarding timelines for succeeding application periods will be posted on the SED website, and updated on a continuing basis.

12. Can the Commissioner appoint and/or assign an individual as a DE to a district and/or school who is not in the DE pool?

No. An individual must first become a qualified member of the DE pool before the Commissioner may appoint or assign her/him as a DE.

13. Who will interview candidates for the DE pool?

A panel of senior NYSED managers will interview and rate each candidate and recommend candidates for the DE pool to the Commissioner.

14. What are the rubrics that will be used to recommend that a candidate be placed in the DE pool?

A scoring rubric has been developed for this program utilizing the application, written responses, interviews and references to determine a candidate's qualification and subsequent placement in the DE pool.

15. What process will the Commissioner use to select a successful candidate from the DE pool to be appointed as a DE?

To the extent practicable, the Commissioner must appoint DEs to assist school districts with comparable demographics to the schools or school districts that are or were under such educator's leadership. However, a DE will not be appointed to a district or a community school district or assigned to a school within a district or a community school district in which he or she was previously employed as a teacher or administrator within the past five (5) years.

16. What procedure must a DE follow if he or she wants to exit the DE pool prior to the expiration of his or her term?

A candidate in the DE pool must inform the Commissioner or his designee in writing that he or she wishes to exit the pool.

17. Can a DE be removed from an appointment and/or the DE pool?

A DE serves within the sole discretion of the Commissioner, and may be removed at any time from a district or school or the DE pool.

18. Will NYSED post the list of successful DE pool candidates?

Yes.

19. Can an individual reapply to the DE program?

Both successful and unsuccessful candidates can reapply to the DE program.

20. What is the role of the Commissioner in the appointment process?

The Commissioner or his designee may interview the candidates for the DE pool. The Commissioner makes all the appointments of Distinguished Educators. The Commissioner may assign his/her designee to perform other tasks relating to the DE program

21. How many DEs will be appointed?

The number of DE appointed/assigned will be determined at the discretion of the Commissioner and will be dependent on need. As stated above, NYSED anticipates that DEs will be appointed to a district or assigned to a school or schools within a district that he or she has been appointed to only in

extraordinary circumstances where there are acute issues that have remained unresolved despite prior intervention efforts.

22. How will a district be informed that a DE has been appointed to serve the district?

The Commissioner or his designee will send a letter informing the district that a DE has been appointed.

23. What are the responsibilities of a DE?

The **general responsibilities of a DE** appointed/assigned to a district/school include:

- assessing the learning environment of schools in the district;
- reviewing or providing assistance in the development and implementation of any district improvement plan and/or any corrective action, restructuring, or comprehensive plan of any school within the district to which the DE is assigned;
- endorsing without change or making recommendations for modifications to any such plan as noted above to the board of education, trustees, or chancellor and the Commissioner; and
- participate in summer training and ongoing professional development, as directed by NYSED.

Responsibilities of a DE appointed to a district include:

- conducting an intensive review of district and school systems, structures, operations and facilities and developing an action plan;
- assessing the district's capacity to promote and support teaching and learning within all schools in the district;
- working with district administration and the board of education to review data, analyze district and school structures, plan for improvement, assist in targeting district priorities;
- facilitating increased student performance across the district; and
- recommending administrative and operational improvements to strengthen systems.

Responsibilities of DEs assigned to a school include:

- assessing the learning environment of the school(s) within the district;
- identifying or confirming systemic or instructional barriers and critical gaps to improving student achievement; and
- improving curricula, instructional and assessment strategies.

24. What is the role of the DE on the board of education or board of trustees?

A DE serves as an ex-officio, non-voting member of the board. In the City School District of the City of New York, a DE serves as an ex-officio, non-voting member of the community district education council or the city board, as applicable.

25. What are the district's duties with respect to the DE that has been appointed to the district?

The district must cooperate fully with any DE that has been appointed to the district.

In addition, the district must ensure that a DE, upon appointment to such district or assignment to a school within such district, complies with the fingerprint and criminal history record check

requirements contained in law, including, but not limited to, Education Law §§305(3), 1125(3), 1604(39) and (40), 1709(39) and (40), 1804(9) and (10), 1950(4)(II), 1950(4)(mm), 2503(18) and (19), 2554(25) and (26), 2590-h(20), 2854(3)(a-2) and (a-3) and 3035 and Part 87 of the Commissioner's regulations.

26. Does the DE have a role in personnel decisions?

The DE has no direct or formal role in personnel decisions within the district.

27. How long does a DE serve a district or school?

The DE will serve within the sole discretion of the Commissioner for one year and may, if he or she has a satisfactory evaluation, be re-appointed for one additional year.

28. Can a DE be reassigned?

A DE may be reassigned by the Commissioner to other districts and schools, based on the needs of districts and schools, as appropriate, as determined by the Commissioner including, but not limited to, compatibility of the needs of the district and the DE's expertise.

29. What is the DE's employment status?

The DE is a consultant, not an employee, to the district that he or she has been appointed to. The DE is also not considered an employee of NYSED.

30. Who is responsible for paying a DE's consulting fees and reasonable and necessary expenses?

The district that the DE has been appointed to is responsible for paying the DE's consulting fees and reasonable and necessary expenses incurred by the DE while performing his or her official DE duties. Consultant fees are established by region across the state under 8 NYCRR §100.16 as amended by 8 NYCRR §100.17.

31. Is service as a DE considered a "leave of absence"?

If an appointed DE is employed by a district or charter school, such district or charter school must facilitate the efforts of any such appointed DE in their employ by granting reasonable leave requests and otherwise accommodate their efforts, to the extent such efforts do not substantially interfere with the educator's performance of his or her regular duties.

32. Will an appointed DE receive health benefits?

A DE is appointed as a consultant to the district. Therefore, since a DE is not an employee of the district he or she is appointed to, the DE will not receive health benefits from that district. If on an approved leave from their current district to serve as DE, current collective bargaining and contract benefits may apply.

33. Will service as a DE count toward retirement?

Consistent with and to the extent permitted under any applicable provision of law, existing collective bargaining agreements and contracts, upon return to service with his or her employer, the employee's

term of service as a DE must count as service time for purposes of scheduled, routine, or general compensation enhancements, retirement eligibility, retirement benefit calculation and seniority.

A DE should also consult with the New York State Teachers' Retirement System (NYSTRS) regarding whether his or her service as a DE will constitute pensionable service for purposes of NYSTRS.

Additionally, a DE, who is a retired district employee, should consult with NYSTRS regarding what impact his or her consulting fees will have on any retirement benefits he or she is receiving.

Further information regarding the aforementioned issues can be found at: <http://www.nystrs.org/>

34. May a BOCES District Superintendent serve as a DE?

No.

35. Who will the DE report to at NYSED?

The DE will report to the Commissioner or his designee. A protocol will be established to facilitate this process.

36. Who will oversee the DE Program?

NYSED is charged with full responsibility for the oversight and management of the statewide DE Program.

37. What are a DE's reporting requirements?

A DE must submit an action plan outlining his or her goals and objectives to the Commissioner or his designee for approval within forty-five days of appointment. Once the action plan is approved, the DE must provide a copy of it to the district. In addition, the DE must submit quarterly progress reports to the Commissioner or his designee.

38. What types of information should a DE's action plan contain?

Following an assessment of the district/school, the DE must submit to the Commissioner for approval the DE's strategies and deliverables (goals and objectives) for assisting the district he or she has been appointed to or the school(s) he or she has been assigned to within such to improve student performance.

39. Will NYSED provide guidance to DEs regarding the development of their required action plan?

NYSED will provide a template to guide DEs in developing the action plan.

40. What role, if any, does the district have with respect to the development of the DE's action plan?

The DE will consult with district staff and the board of education, as necessary and appropriate, during the development of his or her action plan. The district has no role in either drafting or approval of the DE's action plan.

41. What is the difference between a district improvement plan and the DE action plan?

A district improvement plan is developed by the district and provides a comprehensive blueprint for how the district will use its resources to improve student results. A DE's action plan specifies the particular support that the DE will provide to the district s/he is appointed to or the school(s) within such district that he or she has been assigned to.

42. Will the DE provide assistance and review district improvement plans?

The DE must review or provide assistance in the development and implementation of any district improvement plan and/or corrective action, restructuring or comprehensive plan of any school(s) within the district to which he or she is assigned. In addition, the DE must either endorse without change or make recommendations for modifications to any such plan to the board of education, trustees, or chancellor (in a school district in a city of one million or more inhabitants), and the Commissioner.

43. What is the district's responsibility regarding the DE's recommendations pertaining to its improvement plan(s)?

Upon receipt of any recommendations from the DE for modification of a district improvement plan and/or any corrective action, restructuring, or comprehensive plan, the board of education, trustees, or chancellor must either modify the plans accordingly or provide a written explanation to the Commissioner of its reasons for not adopting such recommendations. The Commissioner **will** direct the district to modify the plans as recommended by the DE unless the Commissioner finds that the written explanation provided by the district has compelling merit.

44. What will be the relationship between a DE and designated NYSED staff visiting the district to which the DE has been appointed?

The DE will coordinate and collaborate as appropriate with designated NYSED staff during any and all district visits.

45. Who will evaluate the DE?

The Commissioner or Commissioner's designee will conduct an annual evaluation of each individual assigned to serve as a DE based on the goals and objectives specified in the action plan. At the Commissioner's discretion, this annual evaluation may also include additional factors.

46. Can there be two or more DEs appointed to one district?

Yes. At the Commissioner's discretion and based on needs, a DE may be appointed to a district to provide assistance to the entire district and one or more DEs could be appointed to the same district but assigned to assist specific a school or schools within such district. A DE could also be appointed to district to provide assistance to the entire district but also assigned to provide more intensive assistance to a school or schools within such district.

47. How much notice will the DE have between his or her appointment and placement in a district and/or assignment to a school or schools within the district he or she has been appointed to?

It is anticipated that the DE will generally have approximately three to four weeks between his or her appointment and placement in the district or assignment to a school or schools within said district.

However, this time period could be shortened if the DE is appointed to a district or assigned to a school or schools within such district that is experiencing extremely urgent challenges or needs.

48. How does a DE obtain clerical, logistical and technical support?

By statute, a district must fully cooperate with an appointed DE. Once a DE is appointed to the district, it is the responsibility of the district to make the appropriate arrangements for the DE's support.

49. Upon completion of service by the DE, what follow-up activities are required by the district/school?

Upon completion of service of the DE, the district and school must prepare and submit to the Commissioner a written report describing how they will continue, sustain and extend the continuous improvement structures and systems that have been implemented to reverse chronic failure and to support improved academic achievement and improved graduation outcomes.

50. Does the relationship continue between the DE and the district after the assignment is completed?

The district and the DE may mutually agree to continue the relationship informally or may choose to end the relationship at the end of the assignment.

51. Can an administrator in the district/school request that the DE accept additional responsibilities beyond those specified for the DE and approved by the Commissioner?

No.

52. Is there an NYSED external communication protocol that the DE should follow?

These protocols will be reviewed during the orientation session.

53. Is the DE's appointment/assignment full-time?

The DE's appointment is for one year and may be either full-time or part-time based on the needs of the district or school(s) involved. It is envisioned, at least for the first months of the DE's appointment, that the DE will serve in the position on a full-time or nearly full-time basis.

54. Where can additional information on the DE Program be found?

For further information about the DE program, please visit the website <http://www.p12.nysed.gov/accountability/iebp/DEProgram.html>