



September 8, 2017

Mr. Ralph A. Rossi II, Esq.
General Counsel
SUNY Charter Schools Institute
41 State Street, Suite 700
Albany, NY 12207

Dear Mr. Rossi:

I am writing to oppose proposed regulations pertaining to the preparation and certification of teachers to be employed by charter schools authorized by the State University (SUN-30-17-00024-P).

There is ample research demonstrating that effective classroom teachers are the most powerful school-controlled factor influencing the academic success of children.¹ Our primary concern is that the extent of formal preparation required by the proposed regulations is so limited as to foreclose reasonable assurance that teachers so certified will be capable of delivering effective instruction.

The proposed regulations would permit individuals to obtain certification by completing as few as 30 hours of classroom instruction and roughly four weeks of supervised field experience. We do not believe these requirements would allow sufficient time for candidates to become adequately prepared to be proficient in the core tasks of teaching including, for example, delivery of instruction, design of assessments, and classroom management. Nor can these de minimis requirements assure that teachers so certified will be prepared to support the success of diverse children, including English language learners and students with disabilities. Nor do the proposed regulations require expertise in the subject to be taught, for example, by requiring an undergraduate degree in a pertinent field. Finally, the regulations do nothing whatsoever to assure that teachers supervising the field experience of certification candidates will themselves proven to be effective teachers.

The preparation of charter school teachers concerns our members because movement of students from charter schools is common. A recurrent worry among school district leaders with large charter school enrollments is that the schools they oversee must maintain some additional capacity to accommodate students moving from charter schools to their district schools, whatever circumstances of those students and whenever they arrive. The challenges these districts must manage will be compounded if weaker teaching leaves affected students further behind where they ought to be.

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We appreciate the difficulties charter schools may encounter in finding qualified and acceptable teachers – because so many of the districts our members serve encounter those challenges as well. For example, in a survey we concluded last month, difficulty in finding an adequate number of qualified teachers was identified as a significant problem for their schools by over one-third of superintendents statewide, including 72 percent of superintendents in the state’s northern-most counties, 62 percent of superintendents leading high poverty districtsⁱⁱ, and 51 percent of superintendents serving rural communities.

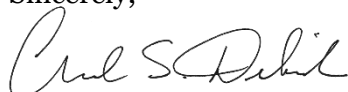
The “solution” envisaged by the proposed regulations would create a cadre of “second-class” teachers, essentially trapped to teach only in SUNY-authorized charter schools, not employable by either district schools or by charter schools authorized by other entities. A problem which extends broadly and beyond charter schools deserves a broader set of solutions.

Finally, we do wish to state that, even if we regarded the proposed regulations as wholly sound and meritorious, we would still assert that they exceed the intended scope of statutes. It is common for statutes to authorize state agencies to adopt implementing regulations, but those regulations must be consistent with what laws prescribe.

Article 56 of State Education Law authorizes the establishment of charter schools in our state. Section 2854(1)(a) of that article reads, “Notwithstanding any provision of law to the contrary, to the extent that any provision of this article is inconsistent with any other state or local law, rule or regulation, the provisions of this article shall govern and be controlling.” No amendment to Article 56 has been enacted to authorize additional flexibility in the employment by charter schools of teachers not meeting regular certification standards. Therefore, the proposed regulations are inconsistent with Article 56 and are thus invalid.

For all the foregoing reasons, we urge that the proposed regulations not be approved.

Sincerely,



Charles S. Dedrick, Ed. D.
Executive Director

ⁱ Sanders, W.L., Wright, S.P. & Horn, S.P. “Teacher and Classroom Effects on Student Achievement: Implications for teacher Evaluation. *Journal of Personnel Evaluation in Education*, vol. 11, no. 1, 1997.

Hammond, Linda Darling. “Teacher Quality and Student Achievement: A Review of State Policy Evidence.” *Education Policy Analysis Archives*, vol. 8, no. 1, ser. 2000, Jan. 1, 2000.

Rockoff, Jonah E. “The Impact of Individual Teachers on Student Achievement: Evidence from Panel Data.” Harvard Univ., Cambridge, MA. Kennedy School of Government. 2003.

ⁱⁱ For the purposes of the Council’s survey, “high poverty districts” are districts where over 60 percent of superintendents are eligible for the federal free or reduced price lunch program as estimated by the district’s superintendent.