

# 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 or five years (as defined in § 111.1 (4) of the Education Law) or

immediately preceding three years or five years (as defined in § 111.1 (4) of the Education Law) or



**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.

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(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.

**25. Does the DE have a role in personnel decisions?**

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

**26. 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.

**27. 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.

**28. 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.

**29. 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.

**30. 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.

**31. 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.

**32. 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

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The DE will consult with district staff and the board of education, as necessary and appropriate,



