

**Laws and Regulations Governing NYS Teacher Centers**  
(Teacher Resource and Computer Training Centers)

**Education Law 316**

1. As used in this section, unless another meaning clearly appears from the context:
  - a. "Teacher resource and computer training center" means any site operated by a school district, board of cooperative educational services or a consortium of school districts and/or boards of cooperative educational services which is specifically established pursuant to this section to provide professional support services to teachers within the state in order to:
    1. assist teachers, diagnose learning needs, experiment with the use of multiple instructional approaches, assess student outcomes, assess staff development needs and plans, and train other school personnel in effective pedagogical approaches;
    2. provide demonstration and training sites where teachers are trained, specifically in the use of computers as teaching aids; the criteria for school acquisition and use of computer equipment and soft- ware; and the evaluation of computer-related materials;
    3. develop and produce curricula and curricular materials designed to meet the educational needs of students being served through application of educational research or new or improved methods, practices, and techniques;
    4. provide training to improve the skills of teachers in order to enable such teachers to meet the special educational needs of the pupils they serve, and to familiarize such teachers with developments in curriculum formulation and educational research, including the manner in which the research can be used to improve teaching skills;
    5. provide a location where teachers may share resources, ideas, methods and approaches directly related to classroom instruction and become familiar with current teaching materials and products for use in their classrooms; and
    6. retrain teachers and other educational personnel to become better qualified to teach in subject areas necessary to prepare students for the developing high technology era, in the disciplines of mathematics, science and computer technology.
  - b. "Site" for the purposes of this section shall mean the location or locations where the curriculum development and training activities of the teacher resource and computer training center take place.
2. In order to provide the school districts and teachers of the state with an opportunity to develop systematic, ongoing in-service training programs, assure the dissemination and application of educational research developments to classroom instruction and develop new curricula and curricular materials specifically designed to meet the educational needs of the students served, the commissioner shall, within available state appropriations and subject to the procedures established in this section, provide funds

to school districts and boards of cooperative educational services to plan, establish and operate teacher resource and computer training centers. Any school district or board of cooperative educational services requesting such funds shall make application therefore at such time, in such manner, and containing or accompanied by such information as the commissioner may through this section or by regulation require.

Applications shall be made within the following categories:

- i. a school district with a teacher population of one thousand or more;
  - ii. a school district with a teacher population of five hundred or more but less than one thousand;
  - iii. a school district with a teacher population of less than five hundred;
  - iv. a board of cooperative educational services; or
  - v. a consortium of two or more school districts and/or boards of cooperative educational services.
3. Each such application shall be reviewed by the state professional standards and practices board for teaching. The board shall in each instance recommend to the commissioner action, as appropriate, including specific reasons when it is negative. Any school district, board of cooperative educational services or consortium whose original application is rejected may resubmit a revised application for further review. Notwithstanding any other provision to the contrary, an application to continue a teacher resource center which was in operation prior to the 1984-85 school year shall be deemed automatically approved.
4. The commissioner shall establish criteria and standards by which applications shall be evaluated which shall include provisions for furnishing technical assistance and information provided by the department through the facilities of the proposed teacher resource center, provided, however, that such criteria and standards shall be consistent with federal regulations which were applicable to teacher resource centers in operation during the 1982 calendar year.
5. Any school district, board of cooperative educational services or consortium having an application approved under this section may collaborate, consult and contract with an approved institution of higher education in New York state to carry out activities under or provide technical assistance in connection with such application. Each application shall be reviewed by the professional practices subcommittee of the state professional standards and practices board for teaching.
6. Each teacher resource and computer training center shall be operated by a board, the majority of which shall be composed of elementary and secondary school teachers representative of teachers served by the teacher resource and computer training center. Teacher members shall be designated by the collective bargaining agent of the teachers served by the teacher resource and computer training center. Such board shall also include individuals designated by the school board or board of cooperative educational services served by such center and at least one representative designated by the institutions of higher education located in the area served by such center. Such board shall also include at least one parent of an elementary or secondary school pupil and at least one representative of a business or industry that uses, produces or is

involved with computer equipment and software.

7. The powers and duties of each teacher resource and computer training center board shall include policy formulation, the employment of staff or consultants, budget control and expenditure of funds to accomplish the purposes of this section, recommendations for subcontracting to secure technical and other kinds of assistance, and any other appropriate managerial or supervisory activities not otherwise prohibited by state or local law or regulations of the commissioner.
- 7a. Notwithstanding any other provision of law, a teacher resource and computer training center board may collaborate, consult and contract with a school district or board of cooperative educational services which is included in the application for the establishment of such teacher resource and computer training center for the assignment of teachers employed by such school district or board of cooperative educational services; provided, however, in such case such teacher shall continue to accrue all employment rights and benefits, including seniority, with the employing school district or board of cooperative educational services and the teacher resource and computer training center board shall reimburse such school district or board of cooperative educational services for the services of such teacher.
8. Funds provided each school year to school districts and boards of cooperative educational services by the commissioner to plan, establish and operate teacher resource and computer training centers shall not exceed two million dollars per center, except that for the city school district for the city of New York such center shall not exceed eleven million two hundred fifty thousand dollars; and provided further that each approved center shall receive not less than twenty thousand dollars. In any year in which there is a statewide increase in funding for teacher resource and computer training centers, such increase shall be distributed proportionately among existing centers that have satisfactorily fulfilled the requirements of such centers' current grant. A portion of the increase shall be made available to new applicants to establish new teacher centers, and to current teacher centers to develop and implement regional and statewide teacher center activities.
9. Evaluation and annual reports.
  - a. Teacher resource and computer training centers shall provide data annually as prescribed by the commissioner.
  - b. The commissioner shall prepare and submit to the governor, the temporary president of the senate and the speaker of the assembly, not later than May first, nineteen hundred ninety-nine and by the first day of January in each year thereafter, a report detailing the financial and programmatic information for teacher resource and computer training centers. Such report shall, at a minimum, set forth with respect to the preceding school year: cost information for individual services provided by such centers; numbers of teachers and other staff served, summarized in the aggregate, by elementary and secondary school levels, and by home school district; lists of programs and courses offered, including identification of those with credit toward college graduate degrees and those which relate to specific academic areas and higher learning standards; and aggregate expenditure data for the following categories: administration, staff development services, rent and other facilities costs, and other services; and such

other information as deemed appropriate by the commissioner to assist the commissioner in identifying cost-effective services and programs which may be successfully replicated in other centers, school districts and boards of cooperative educational services (BOCES). The format for the report shall be developed by the commissioner in consultation with school district officials, and teacher resource center officials, provided that all information in such report shall be displayed on both a statewide and individual center basis. Such report shall include changes from the year prior to the report year for each such item for all teacher resource and computer training centers and shall be made available to other interested parties upon request.

- c. Funds provided under the teacher resource and computer training centers program may be used to contract with educational organizations for the purpose of conducting a statewide program evaluation. The professional practices subcommittee of the professional standards and practices board shall review and approve grant applications submitted for this purpose.

Adopted by the Regents April 27, 1984.

### **Teacher Center Program and Reporting Requirements**

#### *Subdivision 9 of section 316 of the NYS Education Law*

The commissioner shall prepare and submit to the governor, the temporary president of the senate and the speaker of the assembly, not later than May first 1999 and by the first day of January in each year thereafter, a report detailing the financial and programmatic information for teacher resource and computer training centers.

Such report shall, at a minimum, set forth with respect to the preceding school year:

Cost information for individual services provided by such centers, numbers of teachers and other staff served, summarized in the aggregate, by elementary and secondary school levels, and by home school district; lists of programs and courses offered, including identification of those with credit toward college graduate degrees and those which relate to specific academic areas and higher learning standards; and aggregate expenditure data for the following categories: administration, staff development services, rent and other facilities costs, and other services; and such other information as deemed appropriate by the commissioner to assist the commissioner in identifying cost-effective services and programs which may be successfully replicated in other centers, school districts and boards of cooperative educational services (BOCES).

The format for the report shall be developed by the commissioner in consultation with school district and BOCES officials and teacher resource center officials, provided that all information in such report shall be displayed on both a statewide and individual center basis.

Such report shall include changes from the year prior to the report year for each such item for all teacher resource and computer training centers and shall be made available to other interested parties upon request.

## **Regulations of the Commissioner of Education**

### **Part 81**

#### **81.1 Application**

In order to qualify for State funds pursuant to Education Law section 316, each applicant shall submit in a form prescribed by the commissioner a proposal to plan, establish and operate a teacher resource and computer training center approved by the board of education or board of cooperative educational services submitting the application or by each such board of a consortium submitting the application.

#### **81.2 Criteria**

Each application shall reflect the following criteria:

- a. Compliance with the requirements set forth in Education Law section 316.
- b. The extent of participation by the center board in the preparation of the application.
- c. The existence of formally established policies to guide the work of the board in an effective and efficient manner.
- d. The extent to which activities or planned activities fit one or more of the purposes set forth in subdivision(1)(a) of section 316 of the Education Law.
- e. The strength of linkages with institutions of higher education and with other cultural and educational institutions with learning technology inservice capacity.
- f. The adequacy of the qualifications and experience of the staff operating the center.
- g. The adequacy of the resources and facilities to carry out the propose activities.
- h. The reasonableness of the proposed cost in relation to the expected outcomes.
- i. The degree to which the center's activities are coordinated with and support the applicant's annual staff development program.

#### **81.3 Award of Grant**

In evaluating the applications submitted pursuant to section 81.1 of this Part, the commissioner may consider the distribution of centers on a regional basis so that access to such centers is available on a wide geographical basis.

Adopted by the Regents April 27, 1984.

## **Roles and Responsibilities of Teacher Resource and Computer Training Centers and Cooperating Local Education Agencies (LEA)**

Teacher Resource and Computer Training Centers were created by the State Legislature in 1984. The enabling legislation introduced a unique approach to staff development in New York State, and also created a unique relationship between teacher centers and schools.

Section 316 of Education Law delineates the following powers and duties of the teacher center board: “....policy formulation, the employment of staff or consultants, budget control and expenditure of funds to accomplish the purpose of this section, recommendations for subcontracting to secure technical and other kinds of assistance and any other appropriate managerial or supervisory activities not otherwise prohibited by state or local law.”

In order for the teacher center to function, it must join with the LEA in a cooperative relationship. Where the teacher center is created as a consortium of two or more school districts and/or BOCES, the teacher center board has the authority to choose to work with any one of the interested participating LEAs.

This relationship between teacher centers, as represented by their governing policy boards, and local education agencies, which cooperate with Centers as their fiscal agents, is a new and continually evolving one. The following guide is intended to assist both parties in defining and clarifying their respective roles and responsibilities. It is based on the collective experience, to date, of Center directors, policy board members, school superintendents, local bargaining agent representatives, and Department staff, all committed to the teacher center concept.

While the list of items contained here is not all inclusive, it does address those areas we think are basic to this new relationship. Roles and responsibilities are discussed in general terms and reflect both the letter and the intent of the teacher center legislation. It is important that each Center and cooperating LEA consider these items as they relate to their particular situation and come to a mutually agreeable definition of their roles. We see this as the crucial beginning step toward an effective teacher center program.

Three main areas of cooperation are addressed below: *fiscal management* of the Center, *employment* of Center staff, and *communication* between the Center and the cooperating local education agency. Roles and responsibilities of each organization are listed side-by-side to illustrate the corresponding functions of each. Following the list are related considerations. It is assumed for all items in this guide that lines of responsibility are drawn within the bounds of whatever laws and regulations govern both teacher centers and schools.

# 1. Fiscal Management

## Teacher Center

- a Provides LEA with information concerning its fiscal policies and guidelines.
- b Authorizes expenditures and communicates these to the LEA in a timely manner and in accordance with the LEA's regular fiscal procedures.
- c Fulfills program reporting responsibilities to the State Education Department in a timely manner, to expedite the release of grant funds to the LEA.
- d Cooperates with the LEA in the preparation of fiscal reports as required by Education Department.
- e No action required.
- f Retains ownership of all items purchased with grant funds. In the case of dissolution of a Center, the board disposes of equipment according to SED guidelines.  
(In a single district center, equipment becomes property of the LEA; in a consortium, the board distributes equipment among the participating districts.)

## Local Education Agency

- a Provides Center with information concerning its fiscal policies and guidelines.
- b Makes all payments authorized by Policy Board in a in a timely manner including routine expenditures, special contracts, etc., and within the framework of its regular fiscal procedures.
- c Provides "up front" monies as necessary for the successful initiation of the grant when awarded.
- d Provides fiscal reports to the State Education Department as required.
- e Provides itemized fiscal updates to Center on a regular basis.
- f No action required.

### Considerations:

Among the issues to be decided are:

- To what extent any bidding procedures or other fiscal procedures of the LEA will be applicable to the Center.
- To what extent the Center will enjoy bulk rates with vendors and other advantages of purchasing through the LEA.

## 2. Personnel

### Teacher Center

- g Policy Board creates positions to staff the Center and sets specifications for these positions: qualifications, duties, salary, hours, benefits, etc.
- h Policy Board publishes vacancy notices, interview candidates, selects persons to be hired and forwards all pertinent information to the LEA for purposes of appointment.
- i No action required.
- j Policy Board supervises, evaluates, and disciplines Center staff according to its established policies. May also terminate employment in accordance with established policies.

### Local Education Agency

- g Advises policy board on state and local requirements for any Center staff positions which employment will be filled by hiring onto LEA payroll.
- h Acts as the Center's employing agency, when staff is placed on LEA's payroll. Appoints staff as selected by policy board, in accordance with state and local laws.
- i Pays salaries according to established schedule for staff on district's payroll or according to terms of contract.
- j No action required.

#### Considerations:

- There are a variety of methods which may be used to employ Center staff: if the appointee is a regular employee of either the cooperating LEA or of another participating district in a consortium, or will be hired onto the cooperating LEA's payroll, consideration needs to be given to the existing contractual obligation of that school district, as well as applicable civil service requirements, and other state and local laws. Among the items to be agreed upon by both parties and the appointee are: status of appointee at originating district, salary, leave, tenure credit, retirement benefits, health insurance, Social Security, workers' compensation, unemployment insurance, etc. The LEA may also have evaluation responsibilities if the person is a regular staff member on leave or other special status. Another common scenario for the employment of Center staff is through a contract with an appointee who is not a regular staff member of the cooperating LEA or a participating school. In such cases, the Policy Board usually negotiates a contract with the person, specifying salary, leave, and all other conditions for employment. The employee does not appear on the regular payroll of the
- Also, in the case of Centers whose staff are regular employees of the LEA or another participating school, the parties may want to consider an agreement to deal with unanticipated costs resulting from extended illness or leaves. Commonly, the Center agrees to apply for an amendment to its grant to cover such costs.



### 3. Communication

#### Teacher Center

- k Cooperates in an established, routine exchange of information with the LEA.
- l Provides LEA with up-to-date information on its operational policies and Center activities.

#### Local Education Agency

- k Cooperates in an established, routine exchange of information with the Center.
- l Provides Center with up-to-date information on pertinent school policies, fiscal procedures, etc.

#### Considerations:

In order to keep lines of communication operating, it is recommended that regular, perhaps monthly, meetings be held between the Center and the cooperating LEA to exchange information, explore areas of mutual interest and effort, resolve problems, etc.

Communication should not be limited to this, however, and may take a variety of forms. A few of these are:

- Meetings between the board chair or Director and the cooperating LEA's chief executive.
- Meetings between the Center Director and the cooperating LEA's fiscal officer.
- LEA representation on the Policy Board.
- Involvement of both staffs in Center and school activities, and
- Routine exchange of written items such as Policy Board minutes, newsletters, pertinent policy statements, and other Center and school publications.

## **Reporting Requirements**

### **State Education Department Requirements**

#### **Self Study Report**

This report provides a way to involve all Policy Board members in reflective consideration of the Center's mission, pertinent issues of management, efficacy of program development, and future direction. The Self Study differs from other reporting requirements in that the Policy Board, rather than the Center's staff, has the primary responsibility for conducting the study and summarizing the results in a report to the NYSED. The process of how the Board implements the study is as important as the study itself and must be noted in the report. The Self Study may be conducted at any time during the program year.

Guidelines for this report are distributed at the Annual Meeting of Teacher Centers each year. Although it is tied in with the Statewide Evaluation, which is performed by an outside agency, the general topics of the reflective questions you may choose from leave a lot of latitude for Policy Boards to customize the study. There may be an attached questionnaire for the Board to complete as part of the Statewide Evaluation.

Two copies are submitted to the SED along with the original cover page signed by the Policy Board members involved in the study. A copy of the Board minutes reflecting approval of the report should also be submitted.

#### **End-Of-Year Report**

Packets for this report are distributed by the SED annually and contain a checklist of reporting elements required and a detailed explanation of how each report must be completed. For example, all databases must be in an Excel file and the four summary forms (A,B,C and D) are provided in an Excel file online in Trc Library in Caucus, the Internet-based online conference used by all Centers.

The following reports are required by July 31 of each year:

- A database of activities completed by each Center
- Form A, an activities summary report
- Form B, other sources of funding
- Form C, mini-grants awarded (*currently not allowed*)
- Form D, final expenditure and program/services report summary
- Self Study
- Final expenditure report

The grant year runs from July 1 - June 30 of each year. All of the programs (courses, workshops, grants, etc.) must be completed by June 30th. End-of-year reports on all of these activities/programs must be received no later than July 31st.

Assistance for completing these forms is available at Teacher Center statewide meetings. Special sessions are planned for new Centers or new staff at existing Centers. Individual help may also be available from your mentor or from regional workshops planned by your network.