

Questions and Answers Regarding the New Legislation

What Does the New Law Require?

- Chapter 388 of the Laws of 2010 requires certain board members to obtain training on the powers, functions and duties of boards of education, as well as the powers and duties of other governing and administrative authorities affecting public education.

Who Must Take The Training?

- All school district or BOCES board members appointed or elected for a first term that begins on or after July 1, 2011. Current board members who were appointed, elected or re-elected prior to that date are not required to receive training.

When Must the Training Be Completed?

- Training must be completed within the first year of the newly appointed or elected board member's term. However, training can occur between the election in May and July 1st.

Is a Board Member Required to Repeat the Training?

- Although recommended, persons who are elected or appointed more than once do not need to take the training again.

How Can An Organization Become An Approved Provider of the Training?

- All providers must be approved by the Commissioner of Education. The Commissioner will consider an understanding of the educational environment, the roles of trustees and boards of education and boards of cooperative educational services, and the experience of the provider in delivering such training.

What happens if the individuals doing the training for an approved provider change?

- Once providers and curriculums are approved, no further approval is required for subsequent trainers that may be added. Organizations that are approved by SED to provide the training have a commitment to maintain standards for curriculum and trainers in the future.

What Areas Might Be Included As Part of the Training?

- In addition to the requirements listed above, emphasis should be placed on the board of education's role in educating all students, encouraging the attainment of a higher level of student achievement, interpreting data such as NYS School Report Cards and ensuring that students have the opportunity to achieve an education that prepares them to succeed in college or career.

Is there a minimum number of hours that the training must be?

- Although not required by the legislation, the Education Department recommends a minimum of 6 hours for this training. Any proposed programs less than 6 hours in length may be at risk of not receiving SED approval.

What happens if a board member required to receive the training fails to do so?

- If a newly elected board member fails to complete the required training within the first year of his or her term they may receive a formal letter from the State Education Department. In addition, the board member may be subject to removal as a result of an appeal brought before the Commissioner as provided for in Section 306 of Education Law.