

The
University of the
Education  State of New York
Department

In the Matter

of the

Application of the MAYOR OF THE CITY OF
NEW YORK for the issuance to DENNIS M.
WALCOTT of a certificate for service as
a school district leader.

The Mayor of the City of New York, the Honorable Michael R. Bloomberg, has selected Dennis M. Walcott to serve as Chancellor of the City School District of the City of New York ("Chancellor") and has asked the Commissioner of Education ("Commissioner") to issue Mr. Walcott a school district leader certificate. For the reasons set forth below, I grant Mayor Bloomberg's request and direct that a school district leader certificate be issued to Dennis M. Walcott.

The Law

The individual occupying the position of Chancellor of the New York City Schools serves as the superintendent of schools and the chief executive officer of the New York City School District. See opening paragraph of Education Law §2590-h. Education Law §3003(1) requires that any person serving as a superintendent of schools must be eligible for a superintendent's certificate (also known as a school district leader certificate). Section 3003(1) sets forth the eligibility criteria:

No person...shall...be eligible to the position of superintendent of schools...who is not eligible for a superintendent's certificate issued by the commissioner in accordance with the following requirements:

- a. He shall be a graduate of a college or university approved by the

commissioner and in addition shall have completed sixty semester hours in graduate courses approved by the commissioner; and

- b. At the time of his appointment each shall have completed three years of teaching experience satisfactory to the commissioner in public or non-public schools.¹

Section 80-3.10(b)(3)(i) of the Commissioner's regulations further specifies the nature of the preparation and experience that a candidate for certification must possess. A candidate who applies for certification on or after September 2, 2007 must meet the following requirements:

- (a) Education. The candidate shall meet the following education requirements:

- (1) The candidate shall hold a master's or higher degree from a regionally accredited higher education institution or an equivalently approved higher education institution as determined by the department; and

- (2) either:

- (i) have successfully completed a New York State program leading to a professional certificate as a school district leader in the educational leadership service registered pursuant to section 52.21(c)(3) of this Title, or its equivalent as determined by the department. As part of the program completion requirements,

¹ There are additional prerequisites to the issuance of a superintendent's certificate, including fingerprinting for a criminal history record check, citizenship status and the completion of two hours of coursework or training in school violence prevention and intervention and two hours of coursework or training in the identification and reporting of child abuse and maltreatment (see Education Law §§3003[4], 3004[3], 3004-b[1], 2590-h[20] and 8 NYCRR §80-1.4). Mr. Walcott has satisfied all these requirements.

the candidate shall have successfully completed at least 60 semester hours of graduate study, which may include graduate study completed prior to admission to the program, and achieved a satisfactory level of performance on the New York State assessment for school district leadership...; or

(ii) have successfully completed an educational leadership program outside of New York State that is equivalent to a program leading to a professional certificate as a school district leader in the educational leadership service registered pursuant to section 52.21(c)(3) of this Title or an educational leadership program leading to a regular certificate in an equivalent title to school district leader, accredited by an accrediting body recognized by the United States Department of Education at a regionally accredited institution outside of New York State, including a requirement to pass an assessment equivalent to the New York State assessment for school district leadership, or alternatively the candidate shall satisfy this component of the educational leadership program by passing the New York State assessment for school district leadership...The candidate shall have successfully completed at least 60 semester hours of graduate study, which may include graduate study completed outside of the educational leadership program.

(b) Experience. The candidate shall have successfully completed three years of

classroom teaching service and/or educational leadership service and/or pupil personnel service experience in public or non-public schools N-12.

Notwithstanding these requirements, the Legislature contemplated that there may be instances where a candidate, because of his or her exceptional background, may be qualified to serve as a superintendent, even though the candidate lacks the precise preparation and experience required by law. Accordingly, the Legislature empowered the Commissioner to grant an exception to the preparation and/or experiential requirements if he finds that the candidate has "exceptional training and experience" which are the "substantial equivalent of such requirements":

The commissioner...may provide for the issuance of a certificate as superintendent of schools to exceptionally qualified persons who do not meet all of the graduate course or teaching requirements of subdivision one of this section, but whose exceptional training and experience are the substantial equivalent of such requirements and qualify such persons for the duties of a superintendent of schools. Education Law §3003(3).

The process for certification of such candidates is as follows:

(iii) Alternative route two, the certification of exceptionally qualified persons through screening panel review. The Commissioner of Education, at the request of a board of education or board of cooperative educational services, may provide for the issuance of a professional certificate as a school district leader (superintendent of schools) to exceptionally qualified persons who do not meet all of the graduate course or school teaching requirements in subparagraph (i) of this paragraph, but whose exceptional training and experience are the substantial equivalent of such requirements and qualify such persons for duties of a superintendent of schools. Prior to the appointment of any such

individual, the board must obtain the approval of the commissioner. In its formal request to the department the board must submit its resolution noting approval of the request, the job description, its rationale for requesting such certification of the individual, a statement identifying the exceptional qualifications of the candidate, the individual's completed application for certification, vitae and official transcripts of collegiate study. The certificate, if issued, will be valid only for service in the district making the request. The commissioner will refer the materials submitted by the board to a screening panel consisting of representatives of the department and appropriate educational organizations for review and advice. 8 NYCRR §80-3.10(b)(3)(iii).²

The Process

By letter dated April 7, 2011, the Mayor requested a school district leader certificate for Mr. Walcott. His letter included the rationale for the request and description of Mr. Walcott's qualifications. The Mayor also provided Mr. Walcott's application for certification, job description, educational transcript, and resume.

Pursuant to §80-3.10(b)(3)(iii) of the Commissioner's regulations, I appointed an advisory screening panel to review the materials provided by the Mayor and make a recommendation to me on the application. The members of that panel were: James N. Baldwin, Chief of Staff, New York State Education Department; Rebecca Cort, Associate Commissioner for Special

² While Education Law §3003(3) and 8 NYCRR §80-3.10(b)(3)(iii) state that the "board of education" shall make the request to the Commissioner for a superintendent's certificate, this provision must be read in the context of the changes made in 2002 by the Legislature in the governance of New York City Schools. Chapter 91 of the Laws of 2002, enacted on June 14, 2002, transferred from the Board of Education to the Mayor of the City of New York the authority to appoint the Chancellor of the New York City schools and also made the Chancellor directly accountable to the Mayor, at whose pleasure the Chancellor serves (Chapter 91 of the Laws of 2002 §12. See also Chapter 345 of the Laws of 2009). In light of these provisions, it is proper that the present application for a school district leader certificate be made by the Mayor.

Education, New York State Education Department; David La Vallee, Interim Provost and Vice Chancellor of Academic Affairs, State University of New York; Susan D. Phillips, Provost and Vice President for Academic Affairs, the University at Albany, State University of New York; Fadhilika Atiba-Weza, Superintendent of Schools, Enlarged City School District of Troy Deborah A. Shanley, Dean of the School of Education, Brooklyn College; Marilyn Terranova, Superintendent of Schools, Eastchester Union Free School District; Mark Vivacqua, District Superintendent of Schools, Herkimer-Fulton-Hamilton-Otsego BOCES, Janice White, Superintendent of Schools, Saratoga City School District, and Frank Munoz, former Deputy Commissioner for the Office of the Professions, New York State Education Department. I also appointed Richard J. Trautwein, Special Legislative Counsel, New York State Education Department, as Counsel to the panel, and Robert Bentley, Assistant Commissioner, Office of Teaching Initiatives, New York State Education Department, as Secretary to the panel

On April 12, 2011, I provided the panel members with copies of the Mayor's request and supporting documentation as described above. On April 13, 2011, I convened the panel in Albany to hear its advice on Mr. Walcott's application for certification. The panel debated Mr. Walcott's qualifications in relation to such issues as the nature of a large urban superintendency, transferability of experience from one setting to another, the leadership support structure in the New York City School District, the special challenges currently facing the New York City public schools, and the essential ingredients of leadership. After considering Mr. Walcott's qualifications and the Mayor's submissions, the panel unanimously recommended that I grant Mr. Walcott a school district leader certificate. For the reasons set forth below, I concur with the panel's recommendation and direct that the certificate be issued.

Analysis of Qualifications

As a threshold matter, the law requires that a candidate for a superintendent's certificate be a graduate of a college or university approved by the Commissioner (baccalaureate degree). This requirement cannot be met by substitution of other training or experience. Mr. Walcott satisfies this requirement, having received a B.A. in Sociology from the University of Bridgeport.

Mr. Walcott also meets many of the graduate coursework and experience requirements in whole or in part.

He meets the requirement of §80-3.10(b)(3)(i) of the Commissioner's regulations that a candidate possess a master's or higher degree. In fact, he holds two Master's degrees-- an M.S. Degree in Education from the University of Bridgeport and an M.S.W. Degree in Social Work from Fordham University.

He has satisfied the requirement of completion of 60 semester hours of graduate courses. However, he has not completed a registered or equivalent program in school district leadership, which under §52.21(c)(3) of the Commissioner's regulations would have included coursework in school leadership, a supervised leadership experience and successful completion of the New York State assessment for school district leadership.

He is a certified teacher, who holds a permanent teaching certificate for Nursery, Kindergarten and grades 1-6 and has approximately one and a half year's experience teaching in a private kindergarten. He also served a year as an adjunct professor at York College, but he does not fully meet the requirement of three years teaching experience and/or educational leadership service and/or pupil personnel service.

Accordingly, the question before me is whether Mr. Walcott's other preparation and experience qualifies him for a school district leader certificate to serve as Chancellor of the New York City public schools.

My analysis begins with a review of the knowledge and skills that Mr. Walcott would have acquired had he followed the traditional preparation route to certification. The Commissioner's regulations governing the registration of programs in educational leadership and the certification of school district leaders incorporate the essential characteristics of effective leaders as identified by a Blue Ribbon Commission on School Leadership, including vision, decision making, communication and collaboration, engagement with diverse stakeholders, and accountability. Thus, a candidate following the traditional route would have had graduate coursework in these areas, in the context of the educational leadership setting, and these competencies would have been tested by the New York State Assessment for School District Leadership. Through the supervised leadership experience requirement, a candidate would be expected to gain an understanding of the demands and challenges of school district leadership and insight into the many responsibilities of a school district leader, including, but not limited to the needs

of diverse student populations, budgeting, fiscal accountability, facilities management, curriculum, instruction, assessment, communications and relationship building.

The requirement of three years of experience builds on the initial academic preparation. From this experience, teachers can be expected to learn about: the system in which they work, particularly its resources, needs and the diverse backgrounds of the children and families they serve; teaching strategies; and how to handle and manage relationships with various stakeholders. School leaders learn how to: lead and support teachers; support students to achieve high learning standards; recognize teacher quality; build and strengthen the relationship between the schools and the community at large, including the business community, parents, institutions of higher education and other interested stakeholders.

My analysis must also be informed by the unique nature of the particular position at issue. While the regulatory requirements set forth above provide some general standards, evaluating Mr. Walcott's qualifications to serve as Chancellor is not a matter of applying a simple formula. By making the certificate effective only in the district which applies for it, §80-3.10(b)(3)(iii) contemplates that the evaluation of a candidate's qualifications and the weight accorded them depend upon the particular position and the school district. Thus, I must evaluate the Mayor's request with an emphasis on the particular nature of the New York City School District and the particular skills needed to lead the district in the face of current challenges. In this evaluation, I am also mindful of the Mayor's role in the selection of the Chancellor.

At this moment in time, the Chancellor in New York City will be faced with: (1) building on the district's recent efforts to improve academic performance to more effectively address persistent achievement gaps in graduation rates, performance on state assessments, and college and career readiness; and (2) the implementation of an unprecedented number of new initiatives dictated by the Board of Regents reform agenda and New York State's successful Race to the Top application. These initiatives include newly adopted common core standards for English Language Arts and Mathematics, implementation of an historic new teacher and principal evaluation system incorporating student achievement data, and bold interventions in the district's persistently lowest achieving schools. The Regents reform agenda will also require

the New York City School District to refine its strategies for addressing the challenges facing English language learners and students with disabilities, to increase the capacity of the networks and school-based inquiry teams to improve principal and teacher professional development and support, and to leverage innovative school models to enhance the college and career readiness of the district's high school graduates. These reforms are being pursued in a very challenging fiscal environment.

The record before me reveals that Mr. Walcott has had a long and distinguished career as a leader in private not-for-profit organizations and in public service. Much of that leadership experience is education-related and demonstrates a deep knowledge of the New York City school system—its organization, governance, finances, politics, complexity and the challenges it faces. There are many strengths in Mr. Walcott's leadership experience that would qualify him for school district leader certification in these challenging times.

While in the private sector, Mr. Walcott entered progressively more challenging leadership positions, demonstrating the ability to effectively manage both small and large, complex organizations. He founded a mentoring program for young boys of diverse backgrounds, the Frederick Douglas Brother-to-Brother Program. He later became Executive Director of Harlem Dowling Children's Services, where for 5 years he managed an organization that provided a range of child welfare services—from arranging for foster homes to adoption services to preventive services to educational programs. Initially providing services primarily in Harlem, under Mr. Walcott's leadership it merged with another organization to expand its services citywide. He then became President and Chief Executive Officer of the Urban League, a position he held for approximately 12 years. Mr. Walcott was responsible for expanding the Urban League's educational and youth programs, including programs such as Jeter's Leaders, Bridge to Brotherhood, Healthy Start, Northern Manhattan Prenatal Partnership and the 140th Street Building Block program. His efforts focused on promoting academic excellence and school attendance, preventing drop-outs, supporting inter-racial and inter-ethnic youth cooperation and developing college scholarship programs. Under his leadership, the Urban League developed partnerships with New York City schools, including a partnership with the United Federation of Teachers, the Council of School Supervisors and Administrators and community-based organizations to administer a grant to run a school leadership training program for parents.

During his tenure at the Urban League, Mr. Walcott entered public service as an educational leader. He was appointed as a member of the New York City Board of Education in 1993, serving for approximately 13 months. In 1997, when Chancellor Crew suspended the Community School Board in District 5, he was appointed as a Trustee and the Chair of the Trustee Board that assumed management of the district for over a year. He also served on a task force formed to study New York City governance policies.

Mr. Walcott then entered public service on a full-time basis. He was appointed as Deputy Mayor for Policy in 2002 and Deputy Mayor for Education and Community Development in 2006, where he continues to serve to date. In the latter capacity, he is responsible for oversight and coordination on behalf of the Mayor of the operations of the New York City Department of Education, the New York City Housing Authority, the Department of Youth and Community Development and the Mayor's Office of Adult Education. He also reviews the activities of the New York City School Construction Authority, the City University of New York and the City University Construction Fund.

The Mayor indicates that Mr. Walcott has been his point person on all City educational and youth policy, planning and programmatic efforts. He has been involved in key educational policy making on issues ranging from mayoral control, ending social promotion, and the charter school cap to expansion of school construction and adoption of Common Core standards. He has visited hundreds of schools and developed relationships with teachers, principals and other administrators throughout the New York City School District. As Deputy Mayor, he has developed an understanding of the city budget and State and Federal funding streams for education.

The depth and breadth of Mr. Walcott's knowledge about the educational issues confronting New York City's public schools is beyond question. He himself is a graduate of the New York City school system and the parent and grandparent of children who attended the New York City schools, which affords him a personal perspective on how the system operates. He has an impressive record of building coalitions and developing relationships with the community and key stakeholders. He clearly is steeped in policy analysis and the principles of budgeting and fiscal accountability. His resume is one of extraordinary accomplishment and demonstrates strong evidence of outstanding managerial skill in leading complex organizations. He could not

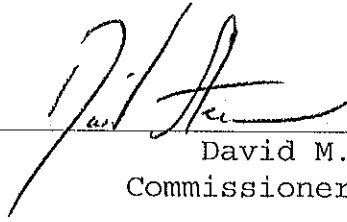
have succeeded in this regard without strong communication skills and the other attributes of a school leader. His background with the Urban League and record of involvement with child welfare services and youth services suggests that he has a thorough understanding of the diversity of students and their families and the need to strengthen relationships between schools and the community at large. He has repeatedly demonstrated the ability to mobilize resources to meet the educational and child welfare needs of children.

While Mr. Walcott is a certified teacher and has some teaching experience, the one area where Mr. Walcott's resume has some deficiencies in meeting the qualifications of a school district leader certificate is with regard to his knowledge of, and direct experience with: (1) curriculum and instruction or assessment and (2) the effective use of student performance data to drive decision making in a public educational setting. While he does not have a full three years of teaching and/or administrative or supervisory experience and/or pupil personnel service experience in the schools, he does have extensive experience in addressing the educational issues that confront the New York City School District.

Conclusion

After careful review of the record before me it is my judgment that, when viewed in its entirety, Mr. Walcott's training, background and experience are substantially equivalent to the certification requirements set forth in law. As stated in Matter of the Application of the Board of Education of the City School District of the City of New York and Levy (January 14, 2000), "substantial equivalence need not mean that, item for item, [the candidate's] qualifications match precisely each regulatory requirement. Rather it means that, when taken as a whole, in the judgment of the Commissioner, [the candidate's qualifications] have prepared [the candidate] to do the job of superintendent of the New York City schools." Although Mr. Walcott has not completed all the education and experience requirements for a school district leader certificate, I find that Mr. Walcott's exceptional record of successfully leading complex organizations, his deep knowledge of the New York City School District and the issues and challenges it faces and the leadership qualities he manifests, warrant certification for service in the New York City School District.

Accordingly, I find that Mr. Walcott is qualified to receive a school district leader certificate to serve as Chancellor of the City School District of the City of New York.

A handwritten signature in cursive script, appearing to read "D. M. Steiner", is written over a horizontal line.

David M. Steiner
Commissioner of Education

Dated: April 14, 2011