

# ROCHESTER BOARD OF EDUCATION

## Community & Intergovernmental Relations Committee Meeting

October 14, 2014

### MINUTES

**Attending:** Board Vice President Cynthia Elliott (Chair); Board President Van White (arrived at 6:12PM); and Commissioners Adams, Evans, and Campos.

Parent Representatives: Eileen Graham-Reaves and Felix Jacobs.

District Staff: Ed Lopez-Soto, General Counsel

Board Staff: Debra Flanagan

Board Vice President Elliott called the meeting to order at 6:01PM, and requested a motion to modify the agenda to allow 30 minutes for review of the updated 2014-15 Legislative Agenda and 10 minutes for discussion of the status of the agreement for School Resource Officers (SROs).

**Motion** by Commissioner Adams to approve proposed changes to the agenda. Seconded by Commissioner Campos. **Adopted 3-0, with concurrence of both Parent Representatives.**

#### I. Review of the Minutes of the September 16, 2014 CIGR Meeting

**Motion** by Commissioner Adams to approve the minutes of the September 16, 2014 CIGR meeting. Seconded by Commissioner Campos. **Adopted 3-0, with concurrence of both Parent Representatives.**

#### II. Update on the Status of the Proposed Agreement with the Rochester Police Department for School Resource Officers (SROs)

Ed Lopez-Soto reported that the Rochester Police Chief has objected to including policy language in the proposed contract, and has indicated that he will not sign the contract unless this language is removed. Mr. Lopez-Soto noted that Section 4 of the proposed agreement contained the provisions to which the Police Chief objected. He stated that Chief Ciminelli proposed removing the policy language from the contract and including it as a separate attachment.

Commissioner Elliott requested clarification of the specific language in Section 4 of which the Police Chief disapproved.

Commissioner Adams pointed out that an argument could be made that policy language was also included in other sections of the proposed agreement. She inquired whether the Police Chief's objections were to the original proposed agreement, or to additional changes that have been made. Mr. Lopez-Soto stated that changes were made to the original agreement based on the recommendations presented by CIGR Committee members in the

September 16<sup>th</sup> meeting. He recalled that these recommendations included timelines, annual contract renewal, and allowance for future modifications to the contract based on the work of the School Climate Committee and the Advancement Project.

Commissioner Adams stated that the members of the CIGR Committee have not received an updated copy of the agreement containing these changes. Mr. Lopez-Soto responded that he has been waiting for a response from the Rochester Police Department (RPD) to the proposed changes.

Commissioner Elliott questioned the origin of the policy language in the proposed agreement with RPD. Mr. Lopez-Soto replied that the policy language stemmed from some of the changes recommended by Commissioner Adams in the September CIGR Committee meeting.

**Action Item: Mr. Lopez-Soto will provide members of the Community & Intergovernmental Relations (CIGR) Committee with a copy of the proposed agreement with the Rochester Police Department that contains the changes recommended in the September CIGR meeting.**

Commissioner Elliott asked about the timeframe for finalizing the proposed agreement with the Rochester Police Department. Mr. Lopez-Soto responded that the previous agreement will remain in effect until a new agreement has been finalized. He noted that the proposed agreement is a significant improvement over the existing agreement, particularly in outlining the roles and responsibilities of the District and of School Resource Officers (SROs). Mr. Lopez-Soto stated that this is the impetus for putting the proposed agreement into effect as soon as possible.

Commissioner Elliott requested that Mr. Lopez-Soto provide his legal opinion and recommendation regarding the proposed agreement. Mr. Lopez-Soto stated that he thinks that policy language should be included as an addendum rather than as part of the contract. He noted that work is under way to strengthen District policies through collaboration with the Advancement Project, the Rochester Area Community Foundation School Climate Committee, and the community. Mr. Lopez-Soto also pointed out that the proposed agreement allows the flexibility to make changes with the provision for annual contract renewal.

Commissioner Campos concurred with Mr. Lopez-Soto's recommendations.

Felix Jacobs expressed concern about differences among schools in terms of their disciplinary approach and the consequences imposed on students. He stated that he would like more information about the training that is to be provided to principals and school staff about interacting with the police.

Commissioner White noted that the District is in the process of examining school climate and the Rochester Area Community Foundation (RACF) is assisting in developing a comprehensive understanding of each of the roles involved in student discipline and intervention. He maintained the wisdom of the Board's and the Administration's decision

to consult with external partners that have the expertise to examine school climate in a comprehensive way, and to address the factors and processes at the school level that facilitate police involvement and school staff interactions with them. Commissioner White asserted that this comprehensive examination will lead to a better understanding of the ways in which student disciplinary issues can be managed without creating a school-to-prison pipeline. Mr. Lopez-Soto added that there will be greater clarity in defining roles and responsibilities after this work has been completed next year. He explained that this was the reason for including language to state that the proposed agreement is subject to modification in one year.

Commissioner White stated that the District cannot control the actions of the police, so it is imperative to focus on our involvement, interaction, and response in situations related to student discipline. He noted that assessing the need for training will be a critical aspect of this effort to assist SROs, School Sentries, principals, and teachers in interacting effectively with students and making appropriate disciplinary referrals. Commissioner White stated that the Board will be able to identify specific needs for training after the RACF School Climate Committee has completed their work.

Mr. Jacobs reported that he has been contacted by a community activist about a number of school incidents in which the principals' interaction with the police seemed to be contributing to the school-to-prison pipeline. He stated that he acknowledged the District's need for improvement in managing student behavioral and disciplinary issues because the injured party has the right to press charges once the police have become involved. Mr. Jacobs stated that he had offered to respond to this individual at a later date with information about actions being taken in the District to improve management of student discipline.

Commissioner White confirmed that after an incident or individual has been referred to the police, there is often no choice about how the situation is handled. He explained that law enforcement procedures and the District Attorney determine how to proceed in these situations, particularly since they have an obligation to the people of the State of New York.

Commissioner Elliott asked about options for addressing situations involving a parent-student altercation, citing a recent incident at School No. 3. She inquired whether some guidelines are available through the Advancement Project to address situations in which a parent enters the school to protect their child, but winds up in conflict with another student. Mr. Lopez-Soto affirmed that there will be an opportunity to address this type of situation through collaboration with the Advancement Project. He noted the importance of providing guidelines because this type of situation has arisen several times over the last couple of years.

Commissioner White emphasized the importance of professional development to teach staff that the police do not necessarily have to become involved and to understand how to intervene effectively in incidents that arise at school. He also noted the importance of including parent education/engagement in these efforts.

### III. Review of Updated 2014-15 Legislative Agenda

Commissioner Elliott reported that she and Board staff member Debra Flanagan reviewed the Legislative Agenda, and that a number of changes have been recommended. She stated that she has discussed items on the Legislative Agenda with NYS Assemblyman Gantt, who supports the legislation but finds the funding requests problematic in view of the State's current fiscal circumstances.

Commissioner Elliott announced that the Legislative Breakfast will continue to be held in November to ensure that the Legislative Agenda is presented to officials who have been re-elected and will remain in office. She stated that efforts can be initiated in August through October to advocate for items on the Agenda.

Commissioner Elliott requested that Commissioner Campos provide background information about the Federal Relations Network.

Commissioner Campos reported that the Federal Relations Network hosts an annual conference in January in which school board members go to Capitol Hill to lobby, and each state has their own room at the Capitol to meet with their legislative delegation. She stated that the first two days are spent gaining a deeper understanding of the issues and the last day is spent meeting with legislators. Commissioner Campos noted that the U.S. senators from New York (Senator Schumer and Senator Gillibrand) typically meet with school board members, and then meetings are held with each of the Congressional representatives to discuss issues of importance. She stated that this was a great experience, and emphasized the importance of federal elected officials seeing school board members actively advocating and supporting the students and families in their communities.

Commissioner Elliott stated that she would like to review the updated 2014-15 Legislative Agenda item by item to propose some changes and obtain Committee members' feedback:

#### U.S Government:

1. Monitor the reauthorization of the Elementary and Secondary Education Act (ESEA) and advocate as appropriate for features and elements of concern to the District (e.g., accountability, performance management).

Commissioner Elliott requested a summary of the major bills to reauthorize the Elementary and Secondary Education Act of 1965.

Commissioner White suggested obtaining an analysis of these bills from the Council of Urban Boards of Education (CUBE) to support the District's position.

**Action Item: Ms. Flanagan will provide the members of the Community & Intergovernmental Relations Committee with a summary of the *Student Success Act* and the *Strengthening America's Schools Act*, as well as an analysis of these bills by the Council of Urban Boards of Education (CUBE).**

2. Further revisions to the federal NCLB statute regarding accountability measures for the ELL population should allow for more seat time for these students prior to taking the mandatory ELA exams.

Commissioner Elliott discussed the importance of obtaining data regarding ELL students to substantiate the need for additional instructional time prior to taking mandatory ELA exams, as stated in the second item under the “U.S. Government” section of the Legislative Agenda.

New York State:

1. Increase funding for Universal Pre-Kindergarten programs:
  - Provide the flexibility to increase the program to full-day services for three year olds;
  - Advocate for permanent, stable funding for full-day pre-kindergarten.

Commissioner Elliott expressed concern about parents having a choice of providers for UPK, citing a recent example in which parents wanted to enroll their child in a preK program at Baden Street Settlement and were not allowed. Mr. Lopez-Soto replied that parents do have a choice of preK programs up to a point. He explained that vendors are rated according to the quality of their program, and space is allocated based on the vendor’s capacity and funding. Mr. Lopez-Soto noted that the preK program at the Baden Street Settlement is highly ranked, and had reached its maximum capacity under the contract.

Commissioner Elliott maintained that the contract has to be revised to ensure that parents have a choice of programs for their child. Mr. Lopez-Soto stated that the District requested a waiver from the State to allow additional children to enroll, but the waiver request was denied.

Commissioner Elliott stated that further discussion with NYS legislators will be needed on this issue because greater flexibility is needed in the law.

Mr. Lopez-Soto asked what would happen if there was no more space in the preK program at the Baden Street Settlement.

Commissioner Elliott stated that the Baden Street Settlement was considering options for expansion to accommodate additional preK students because the organization does not want to turn anyone away. Mr. Lopez-Soto suggested having 1-2 additional classrooms available and indicating this on the application. He also offered to meet with the Executive Director of the Baden Street Settlement to discuss the issue further.

Commissioner Elliott inquired whether NYS funding is available to provide transportation for preK students. Mr. Lopez-Soto stated that parents are provided bus passes so that they can transport their child to the preK program of their choice.

**Action Item: Ms. Flanagan will obtain data of the number of children residing in the Rochester City School District who are not enrolled in a preK program.**

2. Provide additional funds for K-3 reading teachers.

Commissioner Elliott stated that she has also asked Ms. Flanagan to obtain data to support the legislative item requesting additional funding for K-3 Reading Teachers.

Commissioner White pointed out that the District is not providing the infusion of support needed in some struggling schools (e.g. School No. 9). He discussed the need to examine the schools at greatest risk of being subject to NYS mandates for restructuring before beginning the budget process.

Mr. Lopez-Soto reported that the District has increased funding for K-3 reading and literacy for the last few years, which has resulted in a greater number of children reading on grade level by third grade.

Commissioner Adams emphasized the need for stable funding sources to support reading and early literacy on an ongoing basis. She explained that ELA and Math coaches are not allowed to provide direct instruction – only professional development. Commissioner Adams stated that this restriction must be changed because the coaches are considered to have instructional expertise in their field, which should be shared with students.

Commissioner Campos commented that School No. 9 needs a bilingual Response to Intervention (RTI) program, and the lack of this resource has compromised the school's ability to meet students' needs.

3. Increase the District's school year calendar from 180 to 200 days and provide necessary funding increases.

Commissioner Elliott inquired whether Committee members want to retain this item on the Legislative Agenda. She noted that NYS Assemblyman Gantt supports extending the school year, but there is an issue with providing additional funding.

Commissioner Campos asked about funding sustainability, given that the District is already implementing expanded day programs. She emphasized the need to advocate for sustainable funding for these programs. Mr. Lopez-Soto stated that the District has to continue advocating for funding from the State, which should be supplemented by partnering with external organizations. He explained that funders typically offer seed money for a period of time for program development, but funding is not provided on a continuous basis. Mr. Lopez-Soto suggested using data from pilot projects (e.g. the Wallace Foundation) to demonstrate the effectiveness of initiatives when advocating for NYS funding.

Commissioner Adams contended that funding requests have to be prioritized to maximize sustainability. She emphasized the need to advocate for funding programs that have been shown to be effective and which are mandated by the State (e.g. expanded day programs).

Mr. Lopez-Soto pointed out that expanded day programs and summer school not only curtail summer learning loss, but lead to academic gains. He acknowledged the need to prioritize because there are so many needs in the District.

Commissioner White noted that the District has done a poor job historically of prioritizing among programs, particularly in identifying those that are effective and using this as a basis for funding decisions. He stated that there has also been an issue with Central Office expenditures and accountability to ensure maximum effectiveness in resource utilization.

Mr. Jacobs stated that he definitely supports extending the school year because children in the Rochester City School District are not receiving enough instruction time, particularly as compared to their suburban counterparts.

Mr. Lopez-Soto reported that a lot of programs were conducted this summer to determine the effectiveness of various initiatives. He stated that the data is currently being reviewed and analyzed and will be presented to the Board of Education on December 9<sup>th</sup>.

Commissioner Elliott inquired whether Committee members would rather advocate for sustained funding for expanded day programs than for extending the school year calendar.

Mr. Jacobs replied that he is concerned about students' ability to sustain focus and learn with lengthier school days under the expanded day programs, particularly for younger children. He stated that he would rather support a longer school year.

Commissioner Campos discussed her young son's experience in kindergarten, acknowledging that young children may have difficulty with the longer school day in expanded day programs. She noted that the real problem is that these students have considerable homework to do after an expanded school day, leaving them little time to play or socialize with family or peers. Commissioner Campos suggested allowing time during the expanded day for students to work on their homework assignments.

Mr. Lopez-Soto concurred, contending that students should not have extensive homework in expanded day programs, but should be offered time to focus on art, music and sports and to complete homework assignments. He reported that the State emphasized additional instruction time in expanded day programs, so that art, music, and sports fell to the wayside.

Commissioner White voiced support for extending the school year, particularly for priority and focus schools. He noted that the District already does this for secondary students who are struggling academically.

4. Advocate to raise the drop-out age to 18 in the Rochester City School District and state-wide.

Commissioner Elliott stated that raising the drop-out age would allow students to mature and provide an opportunity for them to stay in school. She noted that this item on the

Legislative Agenda will be supported by empirical evidence indicating that raising the drop-out age will lead to 25% of potential drop-outs remaining in school. Additional data will be provided to show a significant increase in the graduation rate from 4 years to 5 years, indicating the benefit of allowing young people additional time to earn these credentials.

Mr. Lopez-Soto emphasized the need for infrastructure to ensure that students' needs are addressed, noting that it would be pointless to raise the age requirement if students do not attend school. He discussed offering alternative paths to students, and increasing the use of online courses.

Ms. Flanagan pointed out that there is a bill in the NYS legislature to provide a Career & Technical Education pathway to a high school diploma, and suggested that Committee members advocate for this bill as part of creating this infrastructure.

Mr. Lopez-Soto concurred, noting that this bill is heavily supported by the business community because of the ability to recruit students directly from high school to meet their employment needs.

Commissioner White described current efforts by the Deputy Superintendent for Administration, Adele Bovard, to rebuild the Edison campus and to support the Hillside Work-Scholarship program.

5. Obtain permanent, adequate funding for school health services, and the permanent ability to access, partner with, and/or contract with the full range of health care providers, insurance and technological assets of the community, expressly including, but not limited to BOCES.

Mr. Lopez-Soto reported that the District received \$5.5M for school health services last year, but this is still not enough to meet students' needs. He suggested ongoing advocacy for this item.

6. Advocate for NYS to restore the original formula for Foundation Aid and to rescind the Deficit Reduction Assessment (DRA):
  - Additional funding needed for ELL students
  - Funding for Contract for Excellence has been frozen for years

These funding changes would benefit all RCSD high-need students, including ELL.

Commissioner Campos noted that the State reduced Foundation Aid to the District, particularly for high-need students. She stated that there has been an influx of ELL students since this NYS funding reduction.

**Action Item: Mr. Lopez-Soto will obtain data from staff to substantiate the influx of ELL students in the District and to document their needs.**

7. Advocate for the District to obtain additional NYS grant funding.
8. Rochester School Modernization Plan – advocate for Phase 2 legislation and funding

Mr. Lopez-Soto reported that the legislation for Phase 2 of the Facilities Modernization Plan (FMP) has been approved by the NYS legislature and was just signed by the Governor.

Commissioner Elliott noted that this item has therefore been completed.

9. Advocate for flexible NYS Transportation Aid to enable RCSD students to have bus service within 1 ½-mile distance limit, particularly in the earlier grades

Commissioner Elliott inquired about the reason for requesting a change to the law if the District is not requesting any additional funding for transportation (i.e. “budget-neutral” legislation). Mr. Lopez-Soto explained that a memo and a presentation were given to members of the NYS legislature about this transportation bill, the impact on student attendance, and the District’s commitment to retain the same level of NYS funding for transportation.

10. Provide NYS funding to ensure the sustainability of expanded day and summer school programs

From the discussion earlier in the meeting regarding extending the school year, Committee members chose to revise this item from “Increase NYS funding for expanded day programs” to “Ensure the sustainability of expanded day and summer school programs” to enhance instructional time and prevent summer learning loss.

11. Allow parents to opt out of high stakes testing.

Commissioner Elliott asked whether parents can currently choose to opt out of mandated testing.

Commissioner Adams stated that there is no option for opting out of high stakes testing; parents can only refuse to allow their child to take these tests.

Commissioner Elliott stated that “high-stakes” testing needs to be defined.

Commissioner Adams defined “high-stakes tests” as tests taken at one point in time that affect evaluation of student, school and/or district performance and therefore have significant consequences in determining student, school, and district status.

Mr. Lopez-Soto pointed out that enabling parents to opt out would lead to a reduction in funding to RCSD if the student participation rate on mandated exams is insufficient. He recommended revising this item on the Legislative Agenda to state that high-stakes testing should be eliminated.

Monroe County:

1. Creation of 3-on-3-on-3 Taskforce – collaboration of RCSD, City of Rochester, and Monroe County

Commissioner Elliott noted that the County has been included in this Task Force in the last year, and suggesting revising this item to state that the County will support the work and goals of the 3-on-3-on-3 Task Force.

Commissioner White suggested including the goals of the Task Force in the Legislative Agenda.

**Action Item: Ms. Flanagan will obtain information of the goals/Strategic Plan of the 3-on-3-on-3 Task Force and include this in the Legislative Agenda.**

Commissioner Elliott suggested having Board members speak in public hearings held by the City of Rochester and by Monroe County to provide input into issues/legislation affecting students and their families.

Mr. Lopez-Soto recommended having a Board member speak at every meeting of the City Council and the Monroe County legislature.

2. Telemedicine

**Action Item: Ms. Flanagan will obtain information about the use of telemedicine, potential benefits to students and their families, locations at which telemedicine is used, and extent to which telemedicine is available to RCSD students and their families.**

Commissioner Elliott stated that this item may also be discussed in a 3-on-3-on-3 Task Force meeting.

3. Public Assistance Benefits

Commissioner Elliott explained that this item may also be addressed in a 3-on-3-on-3 Task Force meeting, and involves exploring ways in which eligibility for public assistance can be used to increase student attendance in the District.

Commissioner Adams declared that she opposes this item on the Legislative Agenda because it is punitive.

Commissioner Elliott advocated for keeping this item on the Agenda.

Commissioner White concurred that it should be kept on the Agenda.

Mr. Lopez-Soto stated that he also opposes this measure because it is punitive toward low-income families.

City of Rochester:

1. Collaborate with the City on appropriate initiatives, including:
  - The Facilities Modernization Program
  - The Truancy program
  - Early Childhood Education Initiative
  - Additional items as determined and/or developed by the 3-on-3 Taskforce

Commissioner Elliott noted that she has added the Mayor's Early Childhood Education Initiative to this item on the Legislative Agenda, and that she has invited Mayor Warren to bring members of her team to give a presentation on this initiative at the Legislative Breakfast.

2. Work to ensure that the City's Maintenance of Effort is provided as envisioned at \$119.1 million.

**Motion** by Commissioner Campos to approve the updated 2014-15 Legislative Agenda. Seconded by Commissioner Adams. **Adopted 3-0, with concurrence of both Parent Representatives.**

**IV. Develop a Community Action Plan to inform community members of ways to help RCSD students succeed**

In light of time constraints, Commissioner Elliott suggested deferring consideration of developing a Community Action Plan until the December meeting.

**Action Item: Ms. Flanagan will include development of a Community Action Plan on the agenda for the December 9<sup>th</sup> Community & Intergovernmental Relations Committee meeting.**

Commissioner Elliott announced that the November 4<sup>th</sup> meeting of the CIGR Committee will be cancelled because the focus will be on the Legislative Breakfast held on November 15<sup>th</sup>.

**V. Miscellaneous**

Commissioner Elliott announced that she will travel to Albany on November 17<sup>th</sup> with Board President White and Parent Representative Felix Jacobs to meet with legislators and state officials.

**Motion** by Commissioner Campos to adjourn. Seconded by Commissioner Evans.

Meeting adjourned at 8:02PM.

**Legislative Breakfast: Saturday, November 15<sup>th</sup>, 9-11AM**

**Next CIGR Meeting: Tuesday, December 9<sup>th</sup>, at 6:00PM**