

**ROCHESTER BOARD OF EDUCATION**  
**Policy Committee Meeting**  
**September 24, 2013**

Attending: Commissioner Cruz (Chair – arrived at 6:07PM)) and Commissioners Powell (left at 6:10PM), Campos, Adams, White (left at 6:37PM), and Elliott (Left at 6:37PM). Parent Representative: Barbara Van Kerkhove. District staff: Ed Lopez-Soto, Chief Counsel; Lori Baldwin, Director of Safety & Security; Brenda Pacheco, School Chief for Secondary Schools; Jerome Underwood, Director of Youth & Family Services; Willie Robinson, Director of Parent Engagement. Members of RCSD Parent Advisory Council: Candice Lucas, Makita Saloane, Vicky Robertson, and Felix Jacobs. Board staff: Debra Flanagan.

Since Commissioner Cruz was detained, Commissioner Powell convened the meeting at 5:41PM.

**I. Review and Discuss Student Suspension Data**

Commissioner Elliott stated that she had requested the Policy Committee examine student suspension practices in the District and the necessity for revisions to the Code of Conduct (5300). She expressed concern that there has been an over-reliance on suspension, rather than using behavioral incidents as opportunities for teaching. Commissioner Elliott stated that the organizational culture seems to adopt a punitive approach rather than instructing and assisting students in moving toward positive and constructive behavior. She pointed out that children come to school with a myriad of issues (e.g. hunger, health problems, abuse) and may not know appropriate behaviors or ways to cope. Commissioner Elliott stated that if professionals in the school system do not understand the issues confronting children, students' behavior will be interpreted in the context of their own experience and viewed as disruptive or insubordinate – when it is simply a case of the child not knowing how to cope.

Commissioner Elliott referred to recent events downtown and at the Lilac Festival as an indication that the community has not taught children the skills for conflict resolution. She emphasized the importance of the District assuming responsibility for teaching constructive conflict resolution to students and of instilling this in our policy and organizational culture. Commissioner Elliott discussed the vicious cycle of violence in the community leading to pervasive fear and need for self-protection, which has also led many young people to carry weapons and then be arrested or suspended. She underscored the importance of avoiding incarceration in these instances, and of offering support and encouragement to students to use other methods for protecting themselves and mitigating conflict.

Ed Lopez-Soto stated that the District does not primarily rely on incarceration or suspension to discipline students, but has attempted to address student needs through the PM school (LyncX program), counseling, and other supportive interventions.

Lori Baldwin reviewed the data regarding the number of student suspensions in each school in 2011-12 and 2012-13. She explained that Superintendent Vargas was adamant last year about schools reporting all instances of suspension, and the improved reporting and data accuracy makes it appear as though there was a major increase in suspensions in 2012-13 compared to previous years. Ms. Baldwin referred to the large number of student suspensions at School No. 17 last year, noting that the school moved into another building, students were located on different floors, and an 8<sup>th</sup> grade was also added. She stated

that all of these changes created turmoil in the school, and additional supports were put in place (e.g. security staff, social/emotional supports). Ms. Baldwin reported that disciplinary incidents began to taper off in the spring as a result of these additional supports.

Commissioner Elliott asked about the primary reasons for students being suspended in the District. Brenda Pacheco replied that this has been due to insubordinate behavior, students not following school rules, and fighting – particularly among 7<sup>th</sup> and 8<sup>th</sup> grade students (referring to School No. 17).

Noting the extreme increase in the number of suspensions at School No. 17 last year, Commissioner Elliott inquired whether students had the same staff in the building to which they had moved. Ms. Pacheco confirmed that all of the staff members moved into the building with the students, but staffing was insufficient to cover each of the different floors on which students were located.

Ms. Pacheco explained that the disciplinary process typically begins with in-school suspension (either removal from the classroom or ISS) and then progresses to out of school suspension for repeat incidents.

Commissioner Adams noted that she examined student disciplinary and suspension data in depth during the 2013-14 budget deliberation process, and found that the data has been inaccurate and largely missing prior to the 2012-13 school year. She expressed concern that data inaccuracies continue and therefore the existing data does not reflect the actual situation with regard to student suspension. Ms. Pacheco responded that suspension is defined as any time a student is sent out of the educational environment, which includes ISS and removal from the classroom. She explained that school staff have not understood this definition and therefore under-reported instances of student suspension in the past (i.e. prior to 2012-13). Ms. Pacheco also pointed out that school staff were reluctant in the past to report suspensions because this was used as the basis for NYSED to determine whether a school was identified as “persistently dangerous”. She stated that efforts have been made to improve this data and to ensure that school-level staff have an accurate understanding of the definition and reporting process for suspensions.

Commissioner Powell inquired whether school staff have been reporting suspensions only on student report cards, but not in other reports to NYSED. Ms. Pacheco replied that suspensions are not included in students’ report cards, but are reflected in their transcript. Commissioner Powell emphasized the importance of parents being informed of all suspensions, including ISS, and of consistency in the information contained in student records. Ms. Pacheco noted that different reports are available to parents based on attendance, discipline, and grading. She stated that parents can request an Absence List, which indicates each day that a student was absent and the reason for the absence – including disciplinary reasons. She reported that students’ official transcripts include the number of absences, but not the reasons for them. Ms. Pacheco explained that this is to prevent jeopardizing future opportunities, since official transcripts may be sent to colleges and/or other external organizations.

Commissioner Elliott voiced concern about situations in which students have been suspended for involvement in a fight when they were actually attempting to stop the fight and bring about a peaceful resolution.

Commissioner White stated that these situations can be addressed through the appeal process, and contended that the District has not adequately informed parents of their rights regarding student suspension in the past.

Commissioner Elliott asserted that legal issues and the burden of parents having to appeal could be avoided simply by not suspending these students in the first place.

Commissioner White noted that school staff have to make personal judgments and interpretations in these situations, emphasizing the importance of professional development in making disciplinary decisions and ensuring that suspension is used as a last resort.

Commissioner White expressed concern about a disproportionate number of students of color being suspended in the District, stating that the data presented does not provide this information. He also requested data regarding student arrests, with a breakdown by race and ethnicity.

**Action Item: Ms. Baldwin and Ms. Pacheco will provide the Policy Committee with the following data:**

- **The race/ethnicity of students suspended in 2012-13 compared to the demographic (racial/ethnic) composition of the student population for each school;**
- **The race/ethnicity of students arrested in 2012-13 compared to the racial/ethnic composition of the District student population, and the schools in which these students were enrolled; and**
- **Office Discipline Referrals for each school by race/ethnicity, compared to the race and ethnicity of the student population of the school**

Commissioner Adams requested data regarding the RPD use of force with RCSD students on and off school property. Ms. Baldwin replied that RPD does not track this data. Commissioner Adams stated that the extension of the RPD contract was approved by the Board on the basis of RPD gathering and monitoring this information. She asserted that students' interactions with RPD affect their perception and attitude toward school authorities, thereby affecting the school's ability to keep students engaged. Ms. Pacheco stated that a number of meetings have been held with Security Resource Officers (SRO) to discuss the use of force with RCSD students and protocols have been developed.

Commissioner Elliott discussed underlying fears that teachers may have toward male African American students, which compromises their ability to teach them. She emphasized the importance of professional development in assisting teachers to understand behavioral differences on the basis of gender, race and urban experience, so that students' behavior will not automatically be interpreted as disobedient and necessitating a disciplinary response.

Commissioner Campos requested data of the number of students in each school that have had more than one suspension, as an important indicator of disciplinary issues/patterns at the school level.

**Action Item: Ms. Baldwin and Ms. Pacheco will provide the Policy Committee with data regarding the number of students in each school who have had more than one suspension.**

Ms. Pacheco described the investigative process used in the District when an incident has been reported. She stated that referrals for long-term suspension are closely examined and involve a number of checks and balances:

- Referrals for long-term suspension must be carefully documented and submitted to the School Chief for approval
- Evidence is requested of video footage, witness statements and/or testimony at the long-term suspension hearing

Ms. Pacheco asserted that these internal controls are in place to ensure due process for parents and students. She explained that the focus of discussion with parents and students is on future goals, ways to address underlying issues, and supports needed to assist the student in re-engaging in school.

Commissioner Elliott inquired about the relatively high number of suspensions at schools that have been well-regarded in the District, such as the School of the Arts and Monroe High School. Ms. Pacheco replied that this reflects differences in school practices in reporting suspensions, noting that the types of infractions reflect differences in student culture in different schools. She reported that suspensions are more commonly due to drug use among students at the School of the Arts, while Monroe High School used “mass suspension” in 2012-13 to gain control of the school climate.

Commissioner Cruz noted that additional data is needed for better understanding of student suspension, and an in-depth exploration is needed in light of the serious ramifications of disciplinary policy and practice. He requested that any additional requests for data on this issue be submitted to Ms. Flanagan, and suggested scheduling a special Policy Committee meeting when the requested data is available.

## **II. Input from Parent Advisory Council Members regarding Revision of Parent Involvement Policy (1900)**

Candice Lucas reported that the members of the Parent Advisory Council would like to have the spirit of the language in the Superintendent regulation (1900-R) reflected in the Board Parent Involvement policy (1900). She inquired about the process for integrating these two documents.

Mr. Lopez-Soto explained that policies are adopted by the Board of Education and provide overall guidance and direction to the District, while Superintendent regulations specify the way in which the policy will be implemented.

Vicky Robertson reported that the primary concern regards implementation of the policy throughout the District. She stated that parents should be informed and given access to the annual assessment report of District parent engagement, which should be provided well before the end of the school year so that parents have an opportunity to review and offer feedback. Ms. Robertson also discussed the importance of establishing accountability measures for parent involvement, particularly among school principals because of their influence in establishing the tone and climate for staff interactions with parents. She asserted that principals’ performance evaluations should include performance with regard to parent

involvement. Ms. Robertson stated that the current policy does not sufficiently support parents' role in decision-making. She cited the provision on p. 6 which states, "The District *may* [emphasis added] seek information regarding the needs and interests of parents in advance of collective bargaining negotiations". While parents cannot be directly involved in these negotiations, she asserted that the policy should contain a requirement to seek parents' input.

Mr. Lopez-Soto reported that parental involvement has been incorporated into principals' performance evaluations, but had not been included in the past.

Felix Jacobs stated that he has seen audits of various departments in the District over the years, but not with regard to parent engagement. He advocated for the policy to contain a requirement that the Auditor General conduct an audit of parent involvement every 2-3 years to monitor implementation.

Commissioner Cruz stated that a draft policy revision will be prepared to accommodate the concerns and recommendations of the Parent Advisory Council. He stated that the draft will be submitted to the Council to ensure that their concerns have been adequately addressed. Commissioner Cruz announced that he would like to advance a proposed revision of the Parent Involvement policy to the Board in November.

### **III. Review and Discuss School-Based Planning Team Policy (2265)**

Jerome Underwood reported that he and Willie Robinson (Director of Parent Engagement) have reviewed the current School-Based Planning Team policy, particularly with regard to parents' role on these teams. He suggested convening a cross-functional committee of 6-8 individuals to work on revising the policy, since the current version is rather archaic and does not incorporate major new initiatives such as APPR and the Common Core curriculum. Mr. Underwood advised obtaining representation on the committee from the Teaching & Learning Division, School Chiefs, and Parent Advisory Council. He estimated 6-8 weeks would be required for this committee to review the policy and present recommendations to the Board Policy Committee.

Commissioner Cruz agreed with this plan, noting the importance of expending additional time to ensure that an effective policy is developed.

Commissioner Adams commented that including the Common Core curriculum in the School-Based Planning Team policy is an excellent idea, pointing out that the Board has established an Ad Hoc Committee on Common Core Standards. She stated that the parent representatives on this Ad Hoc Committee may provide a useful bridge to the committee working on revision of the School-Based Planning Team policy.

### **IV. Review and Discuss Equivalence in Instructional Staffing and Materials Policy (4010)**

Mr. Lopez-Soto reported that this policy is required as a condition of receiving Title I funds, and the District is mandated to report annually to the NYS Education Department (NYSED) regarding the allocation of instructional staff and materials among schools ("NYSED Comparability Report"). He stated that NYSED sent a memo to the District about corrective actions needed, primarily in developing internal written procedures for school staff about the allocation/distribution process.

Commissioner Cruz suggested revising the existing Equivalence in Instructional Staffing and Materials policy to reflect the timing of the NYSED report and the need for written procedural guidance in allocating instructional staff and materials.

**Action Item: Mr. Lopez-Soto will prepare a draft revision of the Equivalence in Instructional Staffing and Materials policy (4010) to incorporate the recommendations of the Policy Committee for their October meeting.**

**V. Review new RCSD Motor Equipment Regulation (8410-R)**

Mr. Lopez-Soto reported that the Superintendent recently established a new regulation to ensure that District staff are informed of all motor vehicle laws and regulations when operating District-owned vehicles. He stated that this is primarily a risk management approach to minimize the District's potential liability.

**Motion** by Commissioner Campos to adjourn. **Adopted 2-0, with concurrence of Parent Representative.**

Meeting adjourned at 7:04PM.