

ROCHESTER BOARD OF EDUCATION
Policy Committee Meeting
January 17, 2013

Attending: Commissioner Cruz (Chair) and Commissioner Powell. Commissioner Campos absent. Parent Representative: Ranika Brown absent. District staff: Ed Lopez-Soto, Chief Counsel; Gary Smith, Purchasing Officer. Board staff: Debra Flanagan.

Commissioner Cruz convened the meeting at 6:51PM.

I. Review and Approve Minutes of November 8, 2012 Policy Committee Meetings

Motion by Commissioner Powell to approve the minutes of the November 8, 2012 Policy Committee meetings. **Adopted 2-0.**

II. Review Additional Changes Proposed to Purchasing Policy (6700)

Gary Smith reported that the New York State legislature approved a bill in the last session to allow school districts to accept bids from vendors in electronic format. He stated that RCSD currently posts all requests for bids on BidNet, which has the capability to accept bids electronically. Mr. Smith stated that acceptance of bids in electronic format would facilitate the process, and would be used initially on a pilot basis to ensure that the system is working correctly.

Commissioner Powell noted that the Purchasing policy is subject to a vote in this month's Business meeting to incorporate revisions that have already been proposed. She questioned whether the vote on the policy should be postponed until the February Business meeting to allow Board members time to consider the additional changes presented in this evening's meeting.

Ed Lopez-Soto stated that the additional changes are quite straightforward.

Commissioner Cruz advised postponing the vote on the proposed revisions to Purchasing policy to provide time for Board members to consider these additional changes.

III. Review and Discuss Possible Revision of Values Education Policy (4311.2)

Debra Flanagan reported that minutes of Policy Committee meetings are not available as far back as 1991, when the current Values Education policy was adopted. She stated that Board meeting minutes indicate that the Curriculum Development Committee formed a subcommittee comprised of community representatives to develop the current policy, but no detail is provided in terms of the composition of this subcommittee.

Commissioner Powell commented that the intent at the time was to integrate these values into the curriculum, but it is not certain whether this was actually done.

Commissioner Cruz questioned the need for revising this policy at this point.

Commissioner Powell stated that some of the community members involved in developing the original policy have inquired about implementation, and she has received feedback that the existing policy contains too many values. She asserted that either the policy needs to be revised to prioritize among these values to facilitate implementation, or the Board needs to insist on implementation of the existing policy.

Commissioner Cruz suggested asking the Administration to identify the ways in which the values contained in the Values Education policy are currently reflected in the curriculum. He stated that this information will be useful in enabling the Policy Committee to consider values contained in the policy that are not included in the current curriculum, and to determine the need for policy revision.

Action Item: Mr. Lopez-Soto will present the Values Education policy (4311.2) to Cabinet members next week and request a report as to the ways in which the values contained in the policy are reflected in the current curriculum.

IV. Feedback regarding Policies requiring Deliverables

Ms. Flanagan stated that most of the feedback received has been from Commissioners Adams and White, who presented quite a few questions and suggestions regarding the data available and the information provided to the Board.

Commissioner Cruz asserted that more information is needed in terms of the data currently available from the Administration with respect to each of these deliverables. He added that this information will enable the Committee to determine ways to consolidate reports and reduce the administrative burden in generating them. Commissioner Cruz also suggested establishing a timeline in terms of when specific reports are due, and designating the appropriate Board committees to receive specific reports.

Commissioner Powell pointed to the need to link specific reports to specific policies to monitor receipt of these deliverables.

Action Item: Ms. Flanagan will inquire about the specific reports and data currently available to meet the requirements of each of these policies. She will also develop a timeline for receipt of each of the reports and designate the appropriate Board committee to receive each of them.

Commissioner Powell noted that the list of policies with deliverables is rather daunting, and explored ways to pare it down. She inquired whether there is a legal requirement for the Superintendent to evaluate the efficacy of the Suspected Child Abuse and Maltreatment policy (5460).

Action Item: Mr. Lopez-Soto will examine the legal requirements regarding the Suspected Child Abuse and Maltreatment policy (5460), particularly with regard to the Superintendent performing an evaluation of the efficacy of the policy.

Commissioner Cruz commented that the requirement for the Superintendent to provide annual reports under the Lead-Safe Schools policy (7010) does not seem necessary, as the District has been working diligently to remedy this problem.

Commissioner Powell replied that lead was recently found in one of the schools while repairs were being made, so the problem still persists.

V. Review and Discuss Proposed Revision of District Policy Against Harassment of Students and Employees (1510)

Mr. Lopez-Soto reported that the NYS Medicaid Inspector General and the NYS Medicaid Compliance Officer recently performed a desk review of RCSD Medicaid claims processes. He noted that the District's Medicaid processes were found to be excellent, and only two minor policy changes were suggested:

1. With regard to reporting suspected fraudulent claims, the policy should include protection against retaliation and "intimidation" on behalf of the person reporting the potential fraud.
2. The policy should protect individuals from intimidation or retaliation in the event that something is said during a self-evaluation.

Motion by Commissioner Powell to approve the proposed revisions to the District Policy Against Harassment of Students and Employees (1510). **Adopted 2-0.**

VI. Review and Discuss Proposed School Uniform Policy

Mr. Lopez-Soto explained that the impetus for this proposed policy arose from questions frequently raised by RCSD staff about purchasing school uniforms for students, and discovery of some instances in which students were suspended or removed from the classroom for failure to wear school uniforms.

Mr. Lopez-Soto stated that the law clearly prohibits school districts from using taxpayer funds to pay for school uniforms. He reported that this prohibition became effective with a change in the law approximately eighteen months ago, and the law now considers such purchases gifts.

Mr. Lopez-Soto noted that the existing Code of Conduct pertains to dress codes, specifically prohibiting students from wearing obscene or inadequate clothing to school. He clarified that failure to wear a school uniform does not constitute a violation of the Code of Conduct, so students cannot legally be suspended for failure to wear a uniform. He also stated that the District cannot require students to wear school uniforms, but individual schools can impose such a requirement.

Commissioner Powell inquired whether the proposed policy is based on examples from the New York State School Boards Association (NYSSBA) or from other school districts. Mr. Lopez-Soto replied that he had reviewed school uniform policies of the Big Five districts, but these

policies were quite minimal. He asserted the need for the policy to provide guidelines for those administering it.

Commissioner Powell asked whether it would be a violation of student rights if every school in the District were to require students to wear a uniform. Mr. Lopez-Soto responded that this would not be considered a violation of student rights because participation is voluntary and on a school-by-school basis.

Commissioner Cruz inquired about the process by which a school establishes the requirement for students to wear uniforms. Mr. Lopez-Soto replied that each school can determine the process for establishing this requirement: by the School-Based Planning Team, the principal, a vote of the parents, or some other method.

Commissioner Cruz pointed out that the proposed School Uniform policy waives the uniform requirement if this would impose a financial hardship on the family, and asked about other possible reasons that the requirement could be waived. Mr. Lopez-Soto remarked that religion is the other most commonly accepted reason for waiving the uniform requirement.

Action Item: Mr. Lopez-Soto will revise the draft School Uniform policy to include other reasons (e.g. religion) for waiving the school uniform requirement for a particular student. He will also check sample policies available through the New York State School Boards Association to incorporate any additional revisions applicable to RCSD.

VII. Review and Discuss Proposed Kindergarten Attendance Policy

Mr. Lopez-Soto noted that the New York State legislature approved a bill allowing the Rochester City School District to require children to attend kindergarten if they reach five years of age on or before December 1st. He reported that this is the basis for the proposed policy.

Commissioner Powell noted that this essentially enables RCSD to treat kindergarten students in the same way as students at any other grade level by requiring their attendance based on enrollment in school. She asked about situations in which parents have not yet enrolled their child in school. Mr. Lopez-Soto replied that the law allows parents to choose whether to enroll their child in school in the year in which they reach five years of age, or in the following year.

Commissioner Powell contended that it is misleading to entitle the proposed policy, “Kindergarten Attendance” because it does not actually mandate kindergarten attendance. She stated that the law provides a basis for the District to address truancy after the child has been enrolled at the kindergarten level.

Action Item: Mr. Lopez-Soto will revise the Student Attendance and Withdrawal policy (5100) to incorporate the provisions requiring student attendance after enrolling in school.

Motion by Commissioner Powell to adjourn. **Adopted 2-0.**

Meeting adjourned at 7:47PM.