

**ROCHESTER BOARD OF EDUCATION**  
**Policy Committee Meeting**  
**January 19, 2012**  
**Immediately following the Finance Committee Meeting**

Attending: Commissioner Cruz (Chair); Commissioners Powell and Adams. Commissioner Campos absent. Parent Representative: Victoria Robertson. District staff: Charles Johnson, General Counsel; Bethany Centrone, Associate Counsel; Lori Baldwin, Director of Safety & Security. Board staff: Debra Flanagan.

Commissioner Cruz convened the meeting at 6:58PM.

**I. Review and Approve Minutes of December 8, 2011 Policy Committee Meeting**

**Motion** by Commissioner Powell to approve the minutes of the December 8th Policy Committee meeting. **Adopted 2-0, with concurrence of parent representative.**

**II. Suggestions of Information to be Provided to the Board regarding Resolutions for Tenure**

Chuck Johnson noted that a question was raised in the October 2011 Policy Committee meeting about information that would assist the Board in oversight of tenure recommendations. He stated that three objective and factual measures have been identified: ratings in annual performance reviews, unexcused absences, and disciplinary action or counseling. He pointed out that this information can be reviewed by the Board in Executive Session prior to the Business Meeting in which they have to vote on tenure resolutions. Bethany Centrone stated that she envisioned providing this information in a chart/spreadsheet format for ease of review by the Board. She noted that any additional information sought by the Board for review of tenure recommendations beyond the three measures suggested would have to involve the Chief of Human Capital Initiatives.

Commissioner Powell recalled a time when the Board was given performance evaluations in conjunction with tenure recommendations for principals, but this was done at the Superintendent's discretion. She expressed concern about using discipline or counseling as a measure because new teachers are involved in a mentorship program. She questioned when career development counseling leaves off and counseling for professional issues begins.

Ms. Centrone replied that the type of assistance provided in the mentorship program is not considered counseling for disciplinary purposes, and the employee's professional growth from mentoring would be reflected in increases in numerical ratings in their annual performance evaluations over time. She stated that counseling for disciplinary purposes would be based on issues such as poor attendance or conduct-related problems.

Commissioner Cruz cautioned against the Board assuming the responsibility of scrutinizing personnel files, and emphasized the need to balance this consideration with the information

necessary to exercise oversight. He asserted that the suggested approach utilizing these three measures would achieve this balance.

Ms. Centrone offered to create a spreadsheet with sample data to illustrate the use of this information.

**Action Item: Ms. Centrone will create a spreadsheet with sample data to illustrate the way in which the suggested personnel information can be used for Board oversight of tenure recommendations.**

Commissioner Powell stated that she preferred standardizing the personnel information provided to the Board regarding tenure recommendations, so that this would not be subject to change with each administration and would provide a clear and objective basis for making these decisions.

### **III. Discuss Options for Expanding Transportation Services**

#### **A. Analysis of RPD Crime Data: Lori Baldwin**

Lori Baldwin presented several crime density maps of the City, which illustrate the level of criminal activity in specific areas and at different times of day (i.e. 6:00-8:00AM, 1:00-6:00PM, 6:00-8:00AM and 1:00-6:00PM, and 6:00AM – 6:00PM). She explained that the data is for the last three years and primarily focuses on violent crime and crimes of concern in terms of student exposure (e.g. drugs, prostitution, weapons possession). She stated that the maps clearly indicate highest crime locations in the areas surrounding quite a few RCSD schools: Marshall High School, Jefferson High School, Franklin campus, and School Without Walls.

Commissioner Cruz stated that the data is disheartening because crime in the City is concentrated in the areas that schools are located. He pointed out that an argument can be made for expanding transportation services in the NE, since more schools in this section of the City are affected by high crime rates.

Ms. Baldwin noted that more detailed data can be obtained (e.g. by block) if there is a specific area that the Committee members would like to investigate further. She stated that the type of crime typically *involving* students is simple assault (i.e. fighting), which could be better distinguished through a breakdown of the data.

Commissioner Adams requested further information as to the actual numbers involved in the high-crime areas to be able to ascertain the severity of the problem. Ms. Baldwin replied that the intent was to indicate the high-crime areas in the District, and numerical data can be obtained for specific areas of interest to Policy Committee members.

Ms. Robertson reiterated the need for actual numerical data to assess the severity of the problem, as relatively few crimes could be committed in a surrounding low-crime area and this might make the area appear to have a comparatively higher crime rate. She also

emphasized the need for numerical data as a basis for establishing objective criteria for expanding transportation services.

Commissioner Powell discussed the issue of safety as defined in NYS law, which favors suburban districts because the threats to student safety are a lack of sidewalks or small shoulder to the road. She stated that these districts are able to obtain NYS reimbursement for the costs of expanding transportation to students on this basis, but the law does not consider safety hazards to students in urban districts. Commissioner Powell contended that this may be an issue of unequal protection under the law, and should be pursued at the legislative level. She suggested submitting a letter to the New York State School Boards Association and to the Office of the Big Five School Districts, requesting that this issue be included in their legislative agendas.

B. Summary of NYS Laws and Regulations regarding Student Safety and Transportation:  
Debra Flanagan

Ms. Flanagan reported that current NYS law allows school districts to create “child safety zones” when hazardous areas have been identified, based on criteria established by the State. She explained that transportation services can be provided within these child safety zones without regard to the distance of students’ residences from school, and the cost of this transportation is reimbursed by the State. Ms. Flanagan emphasized that the law applies to all districts *except* those of large cities (i.e. with more than 125K inhabitants), leaving no provision for expanding transportation to protect student safety in those districts. She noted that a previous memo to the Committee members had questioned the discriminatory impact of the law in failing to provide a mechanism for protecting students in large city school districts.

Commissioner Cruz suggested referring this issue to the Community & Intergovernmental Relations Committee for including in the legislative agenda.

**Action Item: Ms. Flanagan will prepare a memo to the Community & Intergovernmental Relations Committee to request that this issue be included in the legislative agenda. Ms. Flanagan will also compose a letter to the New York State School Boards Association and to the Office of the Big Five School Districts to request that this issue be considered for their legislative agendas.**

Commissioner Powell pointed out that parents would be much more likely to choose a school in their own neighborhood if transportation was provided to ensure their child’s safety.

Commissioner Cruz noted that a next step would be to examine the fiscal impact of various transportation scenarios, such as providing transportation to all students in the NE section of the City.

Commissioner Powell voiced concern about the elementary schools in high-crime areas and pointed to the need for data as to the number of elementary students walking to school in these areas.

Commissioner Cruz suggested that a meeting be scheduled with Jerome Underwood, Lori Baldwin, Maria Mello-Dupre and himself to discuss data needs in greater detail.

**Action Item: Ms. Flanagan will schedule a meeting with Commissioner Cruz, Jerome Underwood, Lori Baldwin, Maria Mello-Dupre and the crime analyst from RPD to discuss specific data needs in greater detail.**

#### **IV. Proposed Employee Residency Policy**

Mr. Johnson noted that the members of the Policy Committee had asked him to meet with representatives from the collective bargaining units to obtain their feedback about this proposed policy. He stated that this meeting took place on January 17<sup>th</sup>, and the overall response was not favorable for a variety of reasons:

- A similar policy was tried in the past with administrators and was not successful, so was rescinded after 6 months;
- Concern that residency requirement would limit the pool of applicants for District jobs;
- Concern that residency requirement would result in less-qualified staff;
- Teachers remain on Preferred Eligibility List for life, which complicates the “continuous residency” requirement;
- The District currently has the option of requesting City residency lists for competitive civil service positions

Mr. Johnson reported that the union representatives offered suggestions for incentives rather than using a mandate: tax breaks; salary incentives; paying for moving expenses; giving preference or priority to urban experience when considering candidates for a position; and promoting existing incentive programs such as Teacher Next Door.

Commissioner Powell pointed out that the Teacher Next Door program only applies to purchase of HUD homes, thereby further limiting potential applicants.

Commissioner Cruz stated that the City has a program to assist with paying some housing costs, and the District could coordinate with this program to maximize the impact. He stated that while the proposed policy may not be feasible, the incentives may be worth pursuing.

Commissioner Powell expressed appreciation that suggestions were offered for incentives because the history of these policies nationwide has not been successful.

Mr. Johnson suggested offering an annual raise or bonus to employees who move or continue to reside in the City. Commissioner Powell pointed out that a process would have to be created to verify continued residence in the City after a year, and that the property is being used as the employee’s residence and not leased to tenants.

**Action Item: Mr. Johnson will discuss possible incentives to offer employees who move or retain residence in the City with the Superintendent and the Chiefs of Teaching & Learning and Human Capital Initiatives. He will report this feedback to the Policy Committee in the February meeting.**

## **V. Proposed Special Education Policy**

Mr. Johnson explained that the proposed “Summary of Special Education Policies” provides an overview of each of the Special Education policies to help guide the reader to the specific topic of interest. He reported that he is currently working on assigning a numbering scheme to all of these policies, which will be incorporated into the “Summary” policy.

Commissioner Powell suggested incorporating the “Summary” policy as an exhibit or table of contents, so that it would not have to be formally adopted by the Board each time one of the Special Education policies is changed.

## **VI. Current Status of Policy Manual Review**

Ms. Flanagan reported that a total of 27 policies have been adopted since the review and update of the Policy Manual began in January 2010. She stated that with the adoption of the 22 proposed Special Education policies currently before the Board, all of the policies will be up to date in terms of addressing legal mandates.

Regardless of the numerical total, Ms. Flanagan pointed out the great substantive work underlying development of several policies: Wellness policy and new accompanying regulation; Parent Involvement and new accompanying regulation; Professional Services Contracting policy; Responsible Bidders policy, and new policies to enhance fiscal oversight.

Mr. Johnson noted that policy proposals will be presented in the near future to incorporate the requirements of the *Dignity for All Students Act*, which becomes effective on July 1, 2012.

Commissioner Cruz also pointed out that the Wellness policy may need to be revised to incorporate new federal nutrition standards.

**Motion** by Commissioner Powell to adjourn. **Adopted 2-0, with concurrence of parent representative.**

Meeting adjourned at 8:13PM.

**Next Policy Committee Meeting: February 9<sup>th</sup> at 5:30PM**