

Policy Committee Meeting
January 26, 2010
6:30 p.m.

MINUTES

Attendance: Commissioner Cruz (Chair); Commissioners Campos and Powell.

District Staff: Chuck Johnson and Gladys Pedraza Burgos

Board Staff: Debra Flanagan

Commissioner Cruz convened the meeting at 6:39 p.m.

I. Review and Approval of Minutes from December 15, 2009 Policy Committee Meeting

Motion by Commissioner Powell to approve the minutes of the December 15, 2009 Policy Committee meeting. Seconded by Commissioner Campos. **Adopted 3-0.**

II. Policy Proposal regarding Education of Homeless Students

Commissioner Cruz requested Commissioner Powell provide background historical information as to the need for this policy. Commissioner Powell stated that she was aware that staff in the Grants Department and in the Placement Office were requesting a policy regarding education of homeless students.

Board staff member Debra Flanagan explained that RCSD was cited by the State last year for not having this legally mandated policy in place. She stated that staff from the Grants Office approached her in October 2009 to report the citation and to urge passage of a policy to prevent jeopardizing the RCSD application for a consolidated grant from the State. Ms. Flanagan reported that she drafted a policy in October based on a template provided on the New York State Education Department website in order to facilitate compliance. She noted that the policy proposal presented here has been reviewed and revised by attorneys in the Law Department. Ms. Flanagan expressed concern that this revision states that students would be questioned about their housing status only when initially enrolled in school, although their status could change at other times.

Commissioner Powell suggested inserting language stating that students would be asked about their housing when initially enrolled and when their status changes. She explained that RCSD could be notified of a change in the student's housing status by the student themselves, their family, or any number of social service and community agencies.

Motion by Commissioner Powell to amend the proposed policy with above-stated suggested language. Seconded by Commissioner Campos. **Adopted 3-0**

Motion by Commissioner Powell to approve the amended policy for Education of Homeless Students. Seconded by Commissioner Campos. **Adopted 3-0**

Commissioner Cruz inquired as to the urgency to adopt this policy. Gladys Pedraza Burgos replied that passage of this policy is urgent because it affects current applications for funding.

Commissioner Powell noted that the policy could be introduced and discussed in the upcoming Board Business meeting on January 28th, but votes would not be cast until February at the earliest. She explained that the rules regarding policy adoption would have to be suspended to expedite this policy approval in a shorter timeframe.

Action Item: Chuck Johnson will amend the policy as directed by the Committee and provide it to Board staff by tomorrow morning. Board staff (Debra Flanagan) will distribute the amended policy proposal to all Commissioners as soon as possible tomorrow morning, with a memo explaining the urgency of the policy and a request that the usual policy adoption rules be suspended.

III. Change Order Policy Proposal

Commissioner Powell explained that she met with the Finance team a few weeks ago to discuss options for having the Board review change orders prior to final payment on contracts. She stated that this was an issue cited in the State Comptroller's audit and an ongoing concern of certain Board members. She pointed out that the language inserted into the existing Financial Resolution and Reporting policy (6630) was recommended by the Chief Financial Officer as a way to enable Board oversight of change orders using existing processes and reports. Commissioner Powell suggested that additional time for this policy revision may be advantageous in allowing all Board members to review and respond.

Commissioner Campos emphasized the importance of providing an opportunity for all Commissioners to consider and comment on the proposed policy revision.

Commissioner Cruz stated that if the Policy Committee members find the proposed revision acceptable, then it could be presented to the other Commissioners for consideration and comment up to a week prior to the February Policy Committee meeting. All comments received would be included in the discussion in the February meeting. In this way, any objections or concerns of colleagues can be taken into consideration, while still allowing the process to move forward.

Action Item: Board staff will prepare a memo to all Board members and attach the proposed revision to Financial Resolutions and Reporting policy, requesting that all comments be provided in writing by February 9th.

IV. Process for Reviewing Draft Policy Manual

Commissioner Cruz reported that he met with Ms. Flanagan to discuss and develop a process for reviewing the voluminous draft Policy Manual. He stated that first priority would be given to all policies which are legally mandated and in need of development or revision.

Ms. Flanagan explained that she had compared the list of legally required policies with the District's existing policies to identify specific areas to be brought into compliance. She referred to a document entitled, "Identified Policy Gaps", which specifies the policies to be developed or revised to meet legal requirements. She noted the second priority for review are policies to be reviewed by attorneys to determine whether revision is needed or Superintendent regulations would suffice. Lastly, any remaining policies would be finalized which the Board would like to have in place.

Ms. Flanagan proposed that legal compliance be addressed first in the process of updating the Policy Manual, with attorneys in the Law Department preparing suggested revisions. She explained that the suggested policy would then be presented to appropriate District staff to evaluate in terms of operational implications. After these reviews, a final suggested version would be presented to the Policy Committee for consideration.

Commissioner Cruz declared that updating the Policy Manual is one of the priorities for the Policy Committee in the upcoming year, and requested a summary as to the status of each of the required policies.

Action Item: Board staff will collaborate with Chuck Johnson to prepare a summary of the status of each of the legally required policies.

Ms. Flanagan emphasized the importance of using the District's existing policies as the foundation for the review, noting that the draft manual provided by Erie 1 BOCES does not correspond to the structure of the existing manual and contains many redundancies. She suggested utilizing the internal process outlined above to expedite the Manual update and to realize cost savings through terminating the contract with Erie 1 BOCES at this point.

Mr. Johnson, General Counsel, agreed that the draft manual provided by Erie 1 BOCES is not based on the District's perspective or way of operating. He stated that the existing Policy Manual should have been used as the template and any revisions or new policies should have been added to that foundation. Mr. Johnson acknowledged that in specific cases in which the District does not have a policy, it may be useful to consult the suggested language contained in the draft provided by Erie 1 BOCES.

Action Item: Chuck Johnson will review the contract with Erie 1 BOCES to determine the District's rights for termination at this point, from which additional cost savings could be realized.

After examining all legally required policies, Commissioner Campos suggested that policies establishing an ongoing review, evaluation or report be assessed to determine whether this is

beneficial to the Board's oversight. She stated that these policies are delineated in a spreadsheet developed by Ms. Flanagan to reflect all deliverables to be provided to the Board.

Commissioner Powell explained distinctions between Board policy and Superintendent regulation, noting that policy establishes direction, goals and priorities, while regulations describe the processes to implement policies.

Commissioner Cruz inquired as to mechanisms for ensuring that policies and regulations are actually being followed. Commissioner Powell replied that this has been an ongoing concern. Commissioner Cruz requested that this be placed on the agenda for discussion in the February Policy Committee meeting.

V. Selection Process for a Parent Representative to the Policy Committee

Commissioner Cruz asked about the status of obtaining a parent representative for the Policy Committee. Ms. Flanagan reported that criteria had been developed in collaboration with Gladys Pedraza Burgos and approved by the Policy Committee last year. She stated that additional information and guidance was sought as far as establishing term limits, the way in which the recruiting and selection process should be handled, and the extent to which Committee members would like to be involved.

Commissioner Campos asserted that term limits for a parent representative should be one year, to correspond to Board members' committee assignments.

Commissioner Cruz proposed developing a campaign around obtaining parent representatives for all Board committees, with a general announcement and application that could contain a section regarding the specific tasks of each committee and the background of the applicant. Rather than establishing criteria for representation, he advised that these be expressed as preferences.

Action Item: Ms. Flanagan will collaborate with her supervisor, Shanai Lee, and Gladys Pedraza Burgos to develop an announcement and application for parent representatives to serve on Board committees.

VI. Development of Work Plan for Policy Committee

Commissioner Cruz explained that he wants to create a work plan to delineate and prioritize the tasks to be addressed by the Policy Committee in the upcoming year. He identified the following items: review/update of the Policy Manual, parent representation on Board Committees, Code of Ethics policy for Board members, Student Wellness policy, Change Order policy proposal, Student Attendance policy, revision to Responsible Bidders' policy to enhance opportunities to contract with minority- and women-owned businesses, and a policy proposal regarding the Buy American Act. He asked Board staff to prepare a memo to send to all Board members requesting that they submit all policy proposals that they would like considered by the Committee in the upcoming year.

Commissioner Campos stated that this memo had been provided to all of the Commissioners with a deadline for response of January 31.

Commissioner Cruz requested that Board staff include this request and deadline in the Board Report from the Policy Committee for the January 28th Board Business meeting.

Motion to adjourn by Commissioner Powell. Seconded by Commissioner Campos.
Adopted 3-0

Meeting adjourned at 7:41 PM.

Next Meeting: February 16th at 6:00PM