

**Policy Committee Meeting
May 19, 2009
6:30 p.m.**

MINUTES

Attendance: Commissioner Elliott (Chair); Commissioners Brennan, Powell, and White (joined meeting at 6:56PM); District Staff: Chuck Johnson; Board Staff: Debra Flanagan

Commissioner Elliott convened the meeting at 6:32 p.m.

Commissioner Powell requested that the “New Business” item on the agenda include discussion of the process and status of updating the Policy Manual.

I. Review and Approval of April 21, 2009 Minutes

Commissioner Elliott expressed concern regarding a statement in the minutes of the April 21, 2009 Policy Committee meeting regarding obtaining a parent representative on the Policy Committee. She emphasized that the search for a parent representative not be limited to a current member of a parent organization.

Commissioner Powell confirmed that the minutes as written accurately reflect her statements in the April 21, 2009 Policy Committee meeting.

Commissioner Powell stated that the search for a parent representative need not be limited, and urged the Committee to collaborate in obtaining input from the Office of Parent Engagement.

Motion by Commissioner Powell to approve the minutes of the April 21, 2009 Policy Committee meeting; Seconded by Commissioner Brennan. **Adopted 3-0**

II. Student Arrest Policy

Commissioner Elliott reported receiving a letter from Superintendent Brizard, which stated that student arrests have increased by 500% and that he believes that many of these arrests were not warranted. Commissioner Elliott stated that she would like more information from the Administration as to the implementation of this policy and the cause for the significant escalation in student arrests. Specifically, she requested data as to the basis for making determinations to arrest students and of the individuals authorizing these sanctions rather than using teaching opportunities or less severe disciplinary measures.

Chuck Johnson asked about the specific information to be included in the Administration’s report to the Policy Committee, citing data regarding the charges, circumstances of the arrest and the individual who made the call. Commissioner Elliott also stated that she would like Jim Shepard to attend the next Policy Committee meeting if he is available, and that the data in the report should correspond to the time period of the 500% increase in arrests cited by the

Superintendent. Commissioner Powell requested that the data in the report be on a monthly basis and with detail for each school to indicate trends in the use of this practice, as well as school-level leaders primarily involved.

Commissioner Elliott inquired as to the extent to which these specific items are recorded by schools when arrests are made. Mr. Johnson stated that the schools will have to be contacted to obtain all of the data, and that the information should be available to report at the next Policy Committee meeting.

Lori Thomas asked whether this report could include data regarding mental hygiene arrests at the elementary school level, expressing concern that extreme measures are being taken in response to young children's tantrums.

Action Item: Chuck Johnson will coordinate with other District staff to obtain data requested regarding student arrests; he will also invite Jim Shepard to attend the next Policy Committee meeting to report and provide further information to the Committee.

Minister Florence, parent of an RCSD student, questioned the rationale behind using arrests as the first option for disciplining students; he also inquired as to the policy requirements for notifying parents when an arrest has been made. Mr. Johnson offered to research this policy.

Action Item: Mr. Johnson will examine and report to the Committee the policy requirements for notifying parents of disciplinary actions taken with their children, particularly with regard to student arrests.

Commissioner Brennan contended that there may be a connection between the escalation of student arrests and implementation of the in-school suspension program, in that teachers opposed to in-school suspension may be resorting to use of formal law enforcement authority to address student discipline issues.

Mr. Adams, parent of an RCSD student, inquired as to the possibility of conducting a public hearing to notify and involve the larger community with regard to the impact of this practice on students and their families. Commissioner Brennan pointed out that arrest records follow individuals for a long period of time, even if they have been exonerated.

Commissioner Elliott replied that a public hearing will be planned to address this issue, and inquired as to parents' preferences in terms of the timing of the hearing. The parents present stated that they would prefer the hearing to be held prior to the next Policy Committee meeting.

Action Item: Board staff will work with Commissioner Elliott to schedule a public hearing regarding student arrests prior to the next Policy Committee meeting on June 16th.

III. Policy Proposal to Include City Council Representation on Standing Board Committees

Commissioner White explained his proposal to include City Council representation on Board committees as a way to establish greater communication and collaboration in addressing

concerns regarding RCSD. This proposal is to provide for City Council representation on the Finance Committee and Audit Committee because of shared financial concerns. At the same time, reciprocity is expected from City Council in establishing an Education Committee with Board representation.

Commissioner White reported that he has just received responses to his proposal from Mayor Duffy and City Council President Santiago after many months, but both responses failed to provide a direct answer and simply stated that further discussion is needed.

Commissioner White acknowledged that City Council representation on the Finance Committee would require an amendment to the Board By-laws, but this would not be necessary for the Audit Committee because state law allows a number of external parties to serve on this committee. He also encouraged providing voting rights to City Council representatives serving on Board committees to make their participation meaningful.

Commissioner Brennan objected to allowing voting rights for any non-elected representative because this would undermine the democratic process and accountability to the public. He emphasized the need for reciprocity through providing Board representation on City Council committees to ensure mutual discussion, responsibility and oversight.

Commissioner Powell requested copies of the responses received by Commissioner White from Mayor Duffy and City Council President Santiago.

Action Item: Commissioner White will provide copies to Policy Committee members of the correspondence received from Mayor Duffy and City Council President Santiago in response to his proposal for reciprocal representation.

Commissioner Powell suggested formulating a bilateral resolution such as the Fiscal Independence Agreement of 1972 and 1986, and the Facilities resolution of a couple of years ago. She emphasized that this resolution must be reciprocal and must contain language stating that the Board agrees to alter its By-Laws to include one voting member on the Finance Committee and City Council agrees to establish an Education Committee with Board representation. Commissioner Powell stated that this bilateral resolution would be voted upon by the Board and City Council. Even with Board approval, the resolution would have to stipulate that it becomes effective only upon passage of a similar measure by City Council.

Action Item: Board staff will collaborate with Commissioners White, Powell and Brennan in formulating a bilateral resolution to allow City Council representation on the Board Finance Committee, contingent upon City Council passing a measure to establish an Education Committee with Board representation.

IV. Miscellaneous

Commissioner Brennan described the process and rationale for contracting with Erie 1 BOCES to update the Policy Manual and to identify policies in need of review. He expressed disappointment as to the current status of this process, noting that Erie 1 BOCES has provided a list of policies required by law, but no indication of the policies in need of review.

Commissioner Elliott stated that a face-to-face meeting with the attorney from Erie 1 BOCES would be beneficial in addressing Committee members' questions and concerns about this process.

Action Item: Board staff will arrange a meeting of the members of the Policy Committee with the attorney from Erie 1 BOCES assigned to update the Policy Manual.

Commissioner Powell described the process used in the past for updating the Policy Manual, suggesting that the Committee give first priority to required policies and those highly recommended by Erie 1 BOCES, so that these can be put into place in a timely manner. Addressing more controversial policies after this has been accomplished will maximize overall efficiency and allow adequate time for discussion and consideration. Commissioner Elliott concurred with this approach.

Commissioner Powell underscored the importance of considering policy review requirements, cautioning against establishing review schedules which the Board is unable to fulfill. She also distinguished between Board policy review and the Administration's evaluation of performance outcomes, noting that review requirements must clarify these expectations.

Commissioner Elliott emphasized the importance of new Board members becoming familiar with all Board policies and of honoring the rationale for a establishing policy review within a specified timeframe, rather than basing review schedules on expediency.

Commissioner Powell suggested developing a template with standard language regarding review requirements, indicating expectations (i.e. Board policy review or Superintendent report of performance outcomes) and specifying the month of the year in which the review is to be conducted.

Action Item: Board staff will develop a template to use for review requirements, indicating the month of the review and the expectations in terms of conducting a Board policy review or a Superintendent report of performance outcomes.

Motion by Commissioner Brennan to adjourn; seconded by Commissioner Powell.

Adjourned at 7:42 p.m.

Next Policy Committee meeting: June 16, 2009 at 6:30PM