

POLICY DEVELOPMENT & REVIEW COMMITTEE

JANUARY 31, 2006

Present: Commissioner Thomas Brennan (Chair); Commissioner Willa Powell; Commissioner Shirley Thompson; Dr. Manuel J. Rivera, Superintendent of Schools; Michael J. Looby, Liaison; Kimberly Rohring.
Minutes recorded by Judith Rutalis.

Absent: Commissioner Malik Evans

Commissioner Brennan then called the meeting to order at 5:31 p.m.

1. Program for Students with Disabilities – Policy 4321

Mr. Looby began his presentation by stating that there have been two policies since 1998 – 4321 and 4321.2 relating to students with disabilities and preschool students with disabilities which were enacted pursuant to the federal IDEA, which Congress reenacted in 2004. The State Education Department has been working on new regulations. These are technical amendments to comply with the new regulations by adding subsections to come into compliance with IDEA. There are 9 numbered paragraphs, 8 of which are mandated by the State for inclusion in the policy. Mr. Looby indicated that this is, essentially, a preemption item, although the Board has a nominal role of adopting the required policy. He said that paragraph “3” is not mandated by the State for inclusion in the policy, but mandated as an action item – it reflects the “child find” requirement that we periodically locate homeless students within our geographical boundary and ascertain those who may need disability screening. Mr. Looby said that we are recommending including it in the policy because the SED has stated a preference for inclusion, and that its inclusion merely reflects an action mandate anyway.

Paragraph 7 addresses a decision of the federal government and the state government to require us to comply with the Instructional Materials Accessibility Standard which is now referenced in State regulations. This decision will have implications for our purchasing documents. The textbook acquisition is an important aspect.

Commissioner Brennan asked if anyone had any questions. Since there were no questions, Commissioner Powell moved to advance it to the Board and Commissioner Brennan seconded the motion. Adopted 2-0.

Commissioner Powell inquired about the timetable. Was it to be circulated prior to the next meeting or at the meeting and then that would start the clock? Would it be sent out this week, then be a discussion item at the Board, and then a vote at the meeting?

Mr. Looby said that would be the scenario.

2. School Wellness Policy

Commissioner Brennan began by indicating that a new subcommittee needs to be formed and a Board liaison needs to be designated, along with a Food Service person, students and

parents. He offered the liaison position to Commissioner Powell and she deferred.

Commissioner Powell expressed concerns with how the rest of the committee would look.

Mr. Looby said that they have looked at the National School Board's website and the state agricultural website. They found that a fair number of districts have adopted this policy. The goals are to increase awareness of nutritional education and physical activity. We might include an administrator in the area of health and one in physical education on the committee.

Commissioner Powell asked about any overlap with the nurses. Would we be looking at mostly the business community and medical institutions?

Mr. Looby said that there is nothing to prevent a recommendation to reach out to insurance companies or hospitals.

Commissioner Powell said she would be interested in being the Board liaison if no other Board Member was available or interested. She would like to see it get back to Mr. Looby and Dr. Rivera as Dr. Rivera has more contact with parents and the broader community.

Commissioner Brennan said he would leave it to the administration to look into members for the committee.

Commissioner Powell asked when it could be advanced. Could it start at the end of this month?

Mr. Looby said they have to at least frame the issue. They would look at a couple of models and our internal working document within 2-3 days, but we would have to get volunteers first before we could start, and that he'd check to see if Administrative staff are already at work on the subject.

Commissioner Powell asked if the New York State School Boards Association has templates.

Mr. Looby said he would check with Jay Worona at NYSSBA.

Commissioner Powell said she would put out a "Volunteers Needed" notice to PTA's, PTC's to broaden the reach for community representation. She asked that Mr. Looby notify her when the committee has been formed.

3. Parent Preference/Managed Choice Policy - 5153

Dr. Rivera began by advising that he has met with staff 2 times regarding the work that has been done and test runs. He said that he's not seeking a recommendation this evening, but wants to share what has worked and give directions on what has been considered. He would like to invite people to meet with him and staff regarding both the work that has been done and options to be considered. This Committee could host a public hearing as early as 2 weeks from this week due to the work that is needed to be done, but he doesn't want to delay action. The 3-part process would be work/community conversation/public hearing; then have a meeting of the Committee of the Whole between February 21 - 28. He then provided an overview on the policy.

In October, 2002, the Board passed a sweeping policy on choice. There were a number of studies underway under Dr. Janey. In the year that followed, it led to a lot of work to gear up to implementation. The Board in February, 2004, approved a transitional amendment to the policy. We developed a .5 mile radius of the school which passed for the 2004-05 school year. Only 50% of eligible families participated in the first year. The results also showed a disparity in race. We needed to set targets. We came back in February, 2005, and recommended a second transitional year and brought recommendations; we concluded we needed one more year of data. Dr. Rivera said he likes the results of the policy. We accommodated 100% of parents wanting

their home school. It increased the possibility of more getting their schools of choice. Dr. Rivera then introduced Joe Capezzuto to share the evidence then said Terry Hofer would present part two; then we would come back with recommendations for changes, if needed.

Mr. Capezzuto began by advising that we are in the second transitional year of the policy. Last year we started registering kindergartners in the Parent Information and Student Registration centers and the majority of the participants received 1 of their top 2 choices. The first year participation level was 50%; the target for the second year was 70%. 79% of the anticipated kindergartners actually enrolled, but the percentage dropped to 70% by BEDS day. 88% received their top 2 choices, due to more participants, closing of the charter schools, and a drop in the number of kindergartners.

He said last year, the racial/ethnic ratio was disproportionate to the District's composition. This year it matches the composition. 32% requested sibling preference and this year 38% were in home school vs. 35% last year. The home school boundaries are the same as last year. There were home school seats available through the first day of school. 5% were reserved until the first day and then filled by home school students.

Based on anticipated kindergarten enrollment, the first section filled to organizational capacity and then additional sections were added.

We created an efficient District-based, user-friendly enrollment which showed real time seat availability. Double entries were a non-issue. We reached out to pre-kindergarten students with the parent liaison project. 90% of placement was done before the opening of school. Next year, we will bring in the pre-kindergarten registration at the centers while continuing kindergarten registration. Secondary placement and special education are to be phased in for 2007-08.

One of the goals is to refine the voluntary transfer process for elementary schools.

Dr. Rivera asked if there were any questions from the Board.

Commissioner Powell had two comments: (1) with regard to the outreach in the lottery, she found it to be phenomenal that the racial/ethnic outcome matched the CSD composite, and (2) she inquired about double entry and the use of the Alves system that Michael Alves set up.

Mr. Capezzuto advised that they had real time input. Parents would check the computer screen as the information was submitted, then the parent would sign off on the pad, electronically, and then it went right to the classroom. He indicated that with collaboration with Michael Alves, they are using the Alves software more efficiently.

Commissioner Powell asked about the Alves software with regard to differences in special coding, i.e. bilingual, etc.

Mr. Capezzuto said that is being addressed; that our system shows what each school has to offer and the placement in the actual classroom.

Commissioner Powell said the complaint she heard in the community was with the 2-way bilingual difficulty – many parents within walking distance understood access to 2-way bilingual program was the same as the school body. How will it be communicated since there is an overwhelming demand for English language seats? She also asked if the 2-way bilingual program was conducted as a city-wide draw. She thinks we could be on a collision course as a school within a school. We need to be clear how we communicate access to the program, i.e. making it known that a parent is applying to a 912 school but there are only 22 seats available.

Mr. Capezzuto said that before the lottery was completed, there was an opportunity to go back and adjust the recommended language assessment before the selection process was

done. He said bilingual students are tested and there are other bilingual programs offered outside of #12 and #33.

Dr. Rivera said there have been discussions regarding dual language. He said we can come back in a couple of weeks on how best to address this.

Commissioner Thompson had a question about the racial/ethnic breakdown. She asked for figures from last year vs. this.

Mr. Capezzuto said last year, the largest percentage was white; the 2nd was Hispanic; and out of the other three, the lowest was African-American.

Commissioner Thompson referenced page 11 and asked if sections are synonymous with class?

Mr. Capezzuto advised yes they were.

Commissioner Thompson then asked about any added costs – financial only?

Mr. Capezzuto said they had factored in numbers across the District which were managed through the lottery system.

Dr. Rivera said that in some cases, no new teacher would be added for a low number of students, but perhaps if they hit a higher number, one would be.

Commissioner Thompson liked the look of the technology aspect.

Mr. Capezzuto stated that was the biggest problem last year; with the delay in implementation. There were three different centers, each with their own staff, resulting in delays. He said we are reaching out to the community for ways to improve.

Commissioner Powell asked about transfer requests submitted after August 31 – they will be processed by 11/15 except for safety, medical reasons or special circumstances. Would this change the policy; it seems to collide with the values of the policy.

Mr. Capezzuto said we recognize that we need to keep kids attached to their school.

Commissioner Thompson said that it would be helpful to her and others to review what is currently in place versus recommendations.

Mr. Capezzuto agreed.

Dr. Rivera then directed Terry Hofer to proceed with the 2nd part of the presentation.

Mr. Hofer stated that he would speak on the evolution of the kindergarten choice process. Prior to 2002, RCSD did not have a formal choice option for elementary schools. In October, 2002, the Parent Preference/Managed Choice policy was approved by the Board of Education. In February, 2004, the first transition year of the policy was approved by the Board. 88% received their 1st, 2nd, 3rd or 4th choice; in February 2005, the transition year was extended for a second year and the percentage receiving their 1st, 2nd, 3rd or 4th choice went up to 90%. He said that we are making incremental improvements to the policy with public input. Our goal is to increase the percentage to 95% choice assigned.

There are two important amendments recommended for the policy: (1) evaluate the impact of the change in home school percentage (lower from 70% to 60%) on the policy's intent and determine whether permanent policy changes need to be employed; and (2) phase in the .5 mile radius as the proximity area and incorporate a solution for those without any proximity area. We are on track to solving the radius issue whereby every address can be assigned to a home school area.

Mr. Hofer said that the work done to date has included a review of the Children's Institute report; analyzed year-over-year kindergarten lottery data to look for positive trends or not; identified all addresses within .5 mile of each school; identified all addresses within the walk zone (up to 1.5 miles) of each school, which was made easier because we used the

Transportation Department's criteria; explored various options; and conducted test runs for the selected options.

Mr. Hofer then discussed the scope of 12 options being considered, whereby, consistent with the Board directives in the transition amendment, there is a potential for 100% of home school students to attend their home school. This was very successful in the first year. Another option is the potential to maximize the choice options, getting it up to 95% if possible. Other options are the potential to maximize the percentage of choice assigned families and the potential to decrease transportation costs, which was discussed with the initial policy.

Commissioner Powell asked about the discussion on 70/30 (home school seats/non home school seats) vs. 60/40.

Mr. Hofer stated that the official Board policy is set at 70/30. He said that on the first day of school we were well within capacity and we accepted home school students up to the first day of school. The numbers are strictly lottery driven – there's really no difference between 70/30 and 60/40.

He moved on to a discussion on maximizing choice options. The original lottery, run in 2005 with a 70/30 percent ratio, showed there was only 1 choice for home school options, no walk zone options and up to over 13 city-wide choices. Running the lottery with a 60/40 ratio showed no difference; however, running the lottery using the existing criteria together with a .5 mile radius, home school options increased to 1-3 (with 88% having 1 option and a handful having 3 options), though still no walk zone options but still over 13 city-wide choices. Using the existing criteria, adding the .5 mile radius and the walk zone preference, home school options increased to 1-3, walk zone options increased to 1-8, and city-wide choices remained at over 13. Mr. Hofer said that when they first drew the circles for the zones, there were still some white zone areas (areas without a home school zone or .5 mile radius zone). The upside is that by adding the walk zone (.6 miles – 1.5 miles), there become 1-8 options. Using the .5 mile radius and the walk zone potentially solves the gap zones and increases the walk zones and thereby decreases transportation costs.

Mr. Hofer then showed a chart which asked the question: "Does the option maximize the % of Choice-Assigned Families? The answer is yes, when using the walk zone preference. He then moved on to discuss the test run results. Using the filters of 70/30 and 60/40, there were virtually no differences in percentage of home school assigned families (100%); 1st Choice Assigned (82.8%); all choices (90%); and number unassigned by the choice process (163). Running at 60/40, the potential advantage is to fill up the home school seats with non-home school slots. Using the same criteria as above, but including the .5 mile priority and home school preference, the percentage of home school assigned remained at 100%, but the percentage of 1st Choice assigned increased to 83.3%, all choices increased to 94.1%, and the number unassigned by the choice process decreased to 97. Using the first criteria, and including the .5 mile radius and the walk zone preference (under 1.5 miles), once again the home school assigned remained at 100%, but the 1st choice assigned increased again to 84.9 %, the all choices increased to 95.4%, and the number unassigned by the choice process decreased to 75. Sibling preference has been accounted for in all choices. One area to look closely at is the all choices category when using the .5 mile radius. We need to weigh the percentage vs. transportation costs.

Mr. Hofer concluded by outlining work that still needs to be done. They will look neighborhood by neighborhood for broken streets, dead ends and both sides of streets, among others to adjust to the .5 mile circle. We need to conduct one or more additional test runs, make any necessary updates, hold briefings and provide an opportunity to share the plan with interested stockholders, and then ultimately make a recommendation to the Board.

Dr. Rivera said that he wanted to give the Board a sense of what we want to accomplish. We want to zero in on the 1st through 4th options and what impact they have – advantages vs. disadvantages. We are looking for this to be a little easier to digest then advance it to the Board. There is more work to be done and more test runs need to be conducted.

Commissioner Brennan asked about firm dates for the briefing and hearing.

Dr. Rivera stated that because of the timeline, it would be next Wednesday or Thursday. He asked if an agreement can be made to have a briefing or forum to share information and ask questions.

Commissioner Brennan asked about meeting next week, then holding the hearing so we can get it in by February 16th.

Dr. Rivera said that February 15th could work as the hearing date because 2/16 is tied up with the Black History presentation.

Commissioner Brennan asked if there should be a meeting of the Committee of the Whole before the business meeting?

Commissioner Powell still thinks we're on a collision course if the recommendation is to change the policy. She thinks the protocol is cumbersome. She believes the best case would be a straw poll vote among the Board Members. She doesn't think it's feasible even if there was a recommendation today to get the policy through. We need to communicate to the public and it depends on what is to be recommended. We could be worse off by not administering the policy as it exists. Only if the Board can act quickly can they give Dr. Rivera latitude. Giving latitude is more achievable. She praised Mr. Hofer on a remarkable and well-done presentation. She feels that some assumptions have been made and we need to run more data to see what assumptions are being made. We don't know what we are trading away. She would appreciate consideration given to that concern.

Commissioner Thompson said she e-mailed Commissioner Brennan; she has been involved in the managed choice process and would like to be kept "in the loop" and would like a one-on-one meeting so she can absorb everything and wants everyone on the same page. She is especially grateful for the explanation of the chart regarding whether the option maximizes the percentage of choice-assigned families. She also asked if the plan was to be shared with stakeholders prior to presentation to the Board?

Mr. Hofer said that the options were being presented together with related discussion.

Commissioner Thompson said that then this probably won't happen prior to 2/16 if we're to have a hearing.

Dr. Rivera said that his thinking was to proceed with the work, have a discussion on 2/8 or 2/9, then a hearing on 2/15 following the briefings. But then the question would be when the Board would vote if they had a position on this.

Commissioner Thompson asked that if a hearing was to be held on 2/15, were we hoping for Board action on 2/16?

Dr. Rivera said he wasn't planning on that.

Commissioner Thompson asked what the timeframe was.

Dr. Rivera said that we have the policy, but if we were to change/amend it, then the decision to make the change needs to be done quickly to get the booklets out. The target was 3/1/06. If the Board doesn't want an amendment until Board action, then maybe the first week in March, but then there is a two week delay potential.

Commissioner Brennan asked if there were any other questions or comments. He thought that this had been very helpful.

Dr. Rivera said that we need to take a look at this policy every year and at other major ones. He feels good about this and the direction we are going in makes good sense. He thinks next year will be even more successful.

Commissioner Brennan asked if in the absence of Board action, would the percentage be 60%.

Commissioner Powell said that in the absence of a proposal to change the policy, if Dr. Rivera doesn't recommend change, then he'll proceed and 60/40 would go forward. She made one positive more comment regarding the 100% assigned using the .5 mile radius and the old boundaries.

Mr. Hofer indicated that sibling priority reached 100%; .5 mile priority reached 100%; but when using preference as a tie-breaker, the preference goes to the home school family.

Commissioner Powell said that there are probably not enough siblings in the system to trigger a loss of seat.

Dr. Rivera said that if you live in a home zone, there are not only 40% home seats, but 40% of non-home seats. By expanding the number of options, more kids get more choice. It's a win-win situation.

Follow up: If Dr. Rivera seeks to amend the policy, there will be a committee meeting the week of February 6th.

Adjournment:

Motion to adjourn by Commissioner Powell, Seconded by Commissioner Brennan. Adopted 2-0 with Commissioner Evans absent at 7:14 p.m.