

ROCHESTER BOARD OF EDUCATION

Special Meeting Minutes

November 1, 2018

Minutes

Board Members in Attendance: President Van Henri White, Vice President Willa Powell, Commissioner Cynthia Elliott, Commissioner Melanie Funchess, Commissioner Elizabeth Hallmark, Commissioner Beatriz LeBron, and Commissioner Natalie Sheppard.

Board Members Excused: None.

Administration and Board Officers in Attendance: Chief of Human Capital Initiatives (HCI) Harry Kennedy, Senior Director of HCI Anne Brady, General Counsel Karl Kristoff, Distinguished Educator Jaime Aquino, and District Clerk Shanai Lee.

I. President White convened the meeting at 6:00 p.m. He opened the meeting and introduced Rev. Judith Davis who was invited by members of the Board to participate in the meeting, including the executive session portion of the meeting when the Board anticipated discussing matters related to the employment of a specific person.

II. Speakers Addressing an Agenda Item: No speakers were present.

III. Discussion and Consideration of Resolutions:

Motion to adopt **Resolution No. 2018-19: 394** was made by Commissioner Hallmark, seconded by Commissioner Funchess. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 395** was made by Commissioner Hallmark, seconded by Commissioner Funchess. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 396** was made by Vice President Powell, seconded by Commissioner LeBron. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 397** was made by Vice President Powell, seconded by Commissioner Funchess. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 398** was made by Commissioner LeBron, seconded by Commissioner Funchess. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 399** was made by Commissioner LeBron, seconded by Commissioner Hallmark. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 400** was made by Commissioner Hallmark, seconded by Commissioner Funchess. Adopted 7-0.

Motion to adopt **Resolution No. 2018-19: 401** was made by Commissioner Funchess, seconded by Commissioner LeBron. Adopted 7-0.

President White opened the floor for discussion.

Commissioner Hallmark spoke about how the report of the Distinguished Educator was disseminated to members of the Buffalo Board of Education and the Buffalo community. She stated that members of the Buffalo Board were allowed to review the report of the Distinguished Educator prior to the report being released publicly. She concluded by stating that the Board should ask NYSED Commissioner MaryEllen Elia for the same concession. Vice President Powell agreed noting that the Board should have the opportunity to review the report of Distinguished Educator Jaime Aquino in advance of public release.

Commissioner LeBron stated that the appointment of the Distinguished Educator assigned to Buffalo Public Schools was under the administration of the former NYSED Commissioner John King. She added that she anticipates that Commissioner Elia will follow the same process used in the release of the Distinguished Educator report assessing the Hempstead Union Free School District.

Dr. Aquino stated that Commissioner Elia met with Board members individually before the appointment of the Distinguished Educator and asked if the Board was made aware of how the report and recommendations would be released. President White responded that the Board had only been informed of the role and responsibilities of the Distinguished Educator.

Commissioner Sheppard stated that she would support sending a letter to Commissioner Elia requesting review of the report prior to public release. Commissioner Funchess agreed, noting that the Board should be able to review the report prior to public release. Commissioner Elliott indicated no preference in reviewing the report prior to or at the time of public release. Dr. Aquino requested clarification on whether or not such correspondence would be subject to the Freedom of Information Law for public availability. Mr. Kristoff mentioned that the letter could be withheld as an inter-agency communication, except to the extent that it contains certain data, final agency policy or instructions that affect the public.

ACTION: President White requested that Dr. Lee draft a letter to NYSED Commissioner MaryEllen Elia requesting that the Board be granted the opportunity to review the report of the Distinguished Educator prior to its public release.

President White opened the floor for discussion of the superintendent search process referencing a proposed process where each Board member would be asked to appoint two (2) community members to an advisory search committee. He added that the proposed advisory committee would be charged with 1) reviewing responses to the RFP for the executive search and making recommendations to the Board for consideration; 2) soliciting comments and seeking recommendations from the Rochester community regarding the attributes and qualifications desired in the Superintendent of Schools; 3) reviewing the desired attributes and characteristics of the Superintendent candidates as identified by stakeholder groups; 4) preparing a recommendation of the desired attributes and characteristics of the superintendent candidate for consideration by the Board; 5) screening all nominations and applications based on the attributes and characteristics identified; 6) submitting to the Board the names of five (5) candidates but in no case less than three (3) in unranked, alphabetical order who best embody the preferred attributes and characteristics of the Superintendent of Schools; and 7) maintaining strict

confidentiality during all points of this process. Members of the Board commented on the proposal and past practices of the Board in engaging the public in superintendent search processes. Commissioner LeBron suggested that the Board proceed with a closed process until finalists are determined. It was decided that the Board would await advice from the selected superintendent search firm before empaneling an advisory body to assist with the superintendent search process.

President White discussed interim candidates by asking if the Board would be in favor of allowing the interim superintendent to apply for the permanent superintendent position. Commissioner LeBron stated that she would not be in favor of the interim being able to apply for the permanent superintendent position. Dr. Aquino noted that it is commonly perceived that if interim candidates are able to apply for permanent superintendent positions, other candidates may be reluctant to apply. Commissioner Elliott added that the Board has had difficulty in attracting candidates. Commissioner Funchess stated that the Board should be forthright in decisions concerning the District's leadership. Commissioner Elliott underscored the Board's responsibility to the community in noting that she would like the search for a permanent superintendent to be an open process with community input into the selection of a permanent superintendent. Commissioner Sheppard stated that the interim superintendent should be able to proceed with collective bargaining negotiations and budgetary decisions. Commissioner LeBron emphasized the District's fiscal standing, and urged the Board to hold the interim and/or permanent superintendent accountable for proposing and executing a plan to address the District's fiscal concerns. In discussing the characteristics of the interim superintendent, Commissioner Elliott asked the Board to consider whether or not the candidate should be embedded in the community. President White, Vice President Powell, Commissioner Funchess, Commissioner Hallmark, and Commissioner LeBron indicated that they would prefer that the interim superintendent not be allowed to apply for the permanent position. Commissioner Sheppard stated that the interim superintendent not be allowed to apply for the permanent position. And, Commissioner Elliott indicated that she would consider the will of the Board.

President White cautioned the Board in allowing the interim superintendent to apply for the permanent position. Rev. Davis noted that if the interim superintendent is allowed to apply for the permanent position and made permanent, the community would not have input into the selection process. President White clarified that the interim superintendent would still have to participate in a public search process. He stated that the Board should be straightforward with candidates and not waver on their position. Dr. Aquino agreed and underscored the point. He added that the Board consider whether an interim could be hired for a longer period of time to allow the new Board, after the coming election, to select the permanent superintendent.

IV. Motion to enter into executive session to discuss matters related to the employment of particular persons was made by Commissioner LeBron and seconded by Commissioner Funchess at 7:03 p.m. Motion carries 7-0.

V. Motion to reconvene into open session made by Commissioner LeBron and seconded by Commissioner Funchess at 8:07 p.m. Motion carries 7-0.

Members of the Board discussed the request for proposal process and selection of a search firm. Dr. Lee facilitated a review of a draft request for proposal to be disseminated to

superintendent search firms, amended with edits by Dr. Aquino.

ACTION: President White requested that Dr. Lee forward the amended, draft proposal be forwarded to General Counsel Karl Kristoff, for review and necessary final edits.

VI. Motion to adjourn made by Commissioner Funchess at 8:38 p.m. Seconded by Vice President Powell. Motion carries 7-0.