

ROCHESTER BOARD OF EDUCATION

Business Meeting

August 27, 2020

MEETING HELD VIA ZOOM

Board Members in Attendance: President Van Henri White, Vice President Cynthia Elliott, Commissioner Ricardo Adams, Commissioner Amy Maloy, Commissioner Beatriz LeBron, and Commissioner Willa Powell

Board Members Absent: Commissioner Natalie Sheppard

Administration and Board Officers in Attendance: Superintendent Dr. Lesli Myers-Small, Superintendent Shaun Nelms, Deputy Superintendent Genelle Morris, Deputy Superintendent Melody Martinez-Davis, and other Cabinet members, State Monitor Dr. Shelley Jallow, Chief Counsel Karl Kristoff and District Clerk Marisol O. Ramos-Lopez.

President White called the meeting to order at 6:36 p.m.

I. Act of Reverence and The Pledge of Allegiance

II. Acceptance of Minutes: July 23, 2020 Business Meeting; July 23, 2020 Public Hearings for Citizen and Science Academy of Rochester, Innova Girls Academy, and Rochester Excellence Academy Charter Schools; July 28, 2020 Special Meeting; and July 30, 2020 Special Meeting; Moved by Commissioner Adams. Seconded by Commissioner Maloy. Adopted 6-0 with Commissioner Sheppard absent.

III. Speakers:

1. Clara Washington, Parent, In-person learning option for Special Education Students;
2. LaDonna Fleming, Parent, Servicing Special Education Students;
3. Sheila Eagan, Staff, ENL Services;
4. Cory Lynn Riemer, Staff, Budget Cuts.

Comments submitted in writing by:

1. Joyce Porzi, Community, Budget
2. Johanna Cummings, Community, Layoffs
3. Daivd Worl, Community, Budget
4. Julia Clayton, Community, Layoffs
5. Jody Nagle, Staff, Budget
6. Victoria Bolton, Staff, Budget
7. Amy Schramm, Staff, Budget
8. Marla DeLario-Brown, Staff, Budget
9. Ashley King, Staff, Budget
10. Sarah Clayton, Staff, Layoffs

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IV. Advisory Council Reports: No reports.

V. Board Reports:

Policy Committee – President White reported that the Committee met as a Committee of the Whole via Zoom Video Conferencing on Tuesday, August 4, 2020:

- Superintendent Myers-Small provided a brief update on the Code of Conduct (Policy 1400) recommendations thus far. She noted her acceptance of many of the revisions suggested by the School Climate Advisory Committee (SCAC) and indicated an intention to further address concerns like term limits for long term suspensions throughout the Code of Conduct review process. Starting in September, Policy Committee meetings will feature discussions between the Board and District Administration aimed at determining which recommendations will be finally accepted by the Board. The next policy meeting will begin with a review of the first 25 recommendations in participation with the SCAC. Each subsequent Policy meeting, will feature a discussion on the next set of recommendations (5-10 at a time) until completed. There are approximately 53 recommendations. As a reminder, the public will be able to weigh in on any changes to the Code of Conduct before a revised version is adopted. This will be done via a public hearing once policy discussions are completed and the newly revised version is drafted.
- The August Policy Committee meeting also featured a discussion on the need for updates to the Student Attendance Policy (Policy 5100) given the concerns raised by moving to a distanced virtual learning model during the Covid-19 pandemic. Though the Committee was advised that policy changes were not a concern at this time, changes to the Superintendent’s regulations may be imminent. The Committee will await any updates in this regard from District Administration.
- The Committee presents several policy proposals this evening for adoption. Each of these proposals have been presented to the Board previously as an Informational Item and Discussion Item:
 - Code of Ethics Policy (Policy 2160) - updates regarding the new Conflict of Interest provisions.
 - Code of Ethics Policy (Policy 2160) - updates regarding the Standards of Conduct section [Appendix A]
 - Board Bylaws (Policy 2160)- updates regarding the date of Board Business Meetings
 - One policy proposal is presented this evening for adoption without being previously reviewed in committee or via discussion item. This policy change will require a motion to suspend the provisions of the Formulation, Adoption and Amendment of Policies Policy (Policy 2410)
 - Board Bylaws (Policy 2160)- updates regarding the addition of the ESA Committee

Commissioner Sheppard left the meeting at 6:45 pm.

Finance and Resource Allocation Committee – Commissioner LeBron provided the Finance Report.

➤ The Finance Committee recommends the approval of:

- The District’s (unaudited) July 2020 Financial Report
- The Apr-Jun 2020 Change Order Report

Moved by Commissioner Adams. Seconded by Commissioner Maloy. Adopted 6-0 with Commissioner Sheppard absent.

➤ The Finance Committee discussions during the August meeting focused on a variety of topics and several discussions were entertained:

- The most important presentation of the evening was the shared by Superintendent Myers-Small and CFO, Carleen Pierce on the “Current Budget and Financial Status” of the District. This presentation provided a brief analysis of RCSD’s Budget gap by detailing areas of concern and the estimated impact of each. Major items include a 20% state aid reduction, and the impact of loss of funding for transportation aid, food service, and the Quality Urban School Bond. Other items of concern raised included the fiscal impact of funding concerns related to BOCES services, the City MOE/Revenue Anticipation Note and staffing, to name a few. In response, CFO Pierce advised the Committee about several action steps that the District would take to immediately address the concerns named. These actions steps features stopgap changes (like a 20% budget reduction to departments and schools, and staffing changes), implementation of internal controls (like the cost analysis of contractual agreements and collective bargaining unit agreements), as well as conducting a review of fiscal practices and commitments and creating new opportunities for greater fiscal oversight. The Finance Committee will continue to receive updates on the District’s financial status as a standing agenda item in upcoming meetings.
- The Committee also discussed the review of Policy 6745: the Authorization of Contracts Policy, and the actions the Board could take to provide further scrutiny of contract agreements with the District
- Finally, the Committee was appraised of the preview financials meetings and about the upcoming Finance PD plan

Note: The next Finance Meeting will feature a presentation on the Finance PD schedule and will also begin discussions on budget priority development

Governance Committee –

The Governance Committee met as a Committee of the Whole on Tuesday, August 11, 2020:

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Topics discussed during that meeting included:

- The Board Committee Structure and the amendment of Board Bylaws to include the addition of the Committee on Excellence in Student Achievement and to add the Governance Committee to a monthly meeting schedule, rather than the bimonthly schedule it currently follows, as recommended by State Independent Monitor Dr. Shelley Jallow.
- An update on the DE Report by Superintendent Myers-Small.
- A discussion on the Board Retreat focused on Goal Setting for both the Board and Superintendent that took place this past Tuesday and was facilitated by Sherry Johnson from the Monroe County School Board Association. Further discussion on the goals will take place at the next Governance Committee Meeting.

VI. Superintendents Report:

Superintendent Myers-Small provided an update on the Remote Learning; Parent and Staff Forums; Academic Continuity of Instruction Plan; District Finances; Pre-k Enrollment; Student Recognition of Tatiyana Spencer; and presented the District's Strategic Plan.

Superintendent Nelms provided an update on Reopening for Parents/Families; School Supplies and Technical Needs; Staff PD; presented on Culturally Relevant and Responsive Pedagogy; the and offered the services of the Technical Assistance Center at East;

VII. Consideration of Resolutions

Resolution No. 2020-21: 137: Motion to adopt made by Commissioner LeBron. Seconded by Commissioner Maloy. Adopted 5-1 with Commissioners LeBron dissenting and Commissioner Sheppard absent.

Resolution No. 2020-21: 146: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 152a: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Fails 2-4 with Vice President Elliott and Commissioners LeBron, Maloy, and Powell dissenting and Commissioner Sheppard absent.

Commissioner Sheppard rejoined the meeting at 8:09 p.m.

Resolution No. 2020-21: 152b: Motion to adopt made by Commissioner LeBron. Seconded by Commissioner Maloy. Fails 2-4 with Commissioners LeBron, Maloy, Powell, and Sheppard dissenting and Vice President Elliott unable to vote due to technical difficulties with Zoom.

Resolution No. 2020-21: 152c: Motion to adopt made by Commissioner LeBron. Seconded by Commissioner Maloy. Adopted 6-1 with Commissioner Sheppard dissenting.

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Resolution No. 2020-21: 153: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner LeBron dissenting.

Resolution No. 2020-21: 155: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner LeBron dissenting.

Resolution No. 2020-21: 156: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 157: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 158: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 159: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

A motion to TABLE Resolution 160 until September 1, 2020 was made by Commissioner Maloy. Seconded by Commissioner LeBron. Motion carried 6-1 with Commissioner Powell dissenting.

Resolution No. 2020-21: 162: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner LeBron dissenting.

Resolution No. 2020-21: 164: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Vice President Elliott dissenting.

Resolution No. 2020-21: 165: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 167: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 168: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 169: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 170: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 172: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 174: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 176: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 165: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

A motion to TABLE Resolutions 179, 180, and 181 was made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 7-0.

Resolution No. 2020-21: 182: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 183: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 184: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 185: A motion to AMEND the third Whereas of Resolution 185 and correctly reflect the name of the corporation as Ferraulo Plumbing and Heating was made by Commissioner LeBron. Seconded by Commissioner Powell. Motion Carried 7-0.

Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 186: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

Resolution No. 2020-21: 187: Motion to adopt made by Commissioner Maloy. Seconded by Commissioner LeBron. Adopted 6-1 with Commissioner Sheppard dissenting.

A motion to TABLE Resolution 195 until September 15, 2020 was made by Commissioner LeBron. Seconded by Commissioner Maloy. Motion carried 7-0.

Resolution No. 2020-21: 198: Motion to adopt made by Commissioner Adams. Seconded by Commissioner Maloy. Adopted 6-1 with Commissioner LeBron dissenting.

Resolution No. 2020-21: 200: Motion to adopt made by Commissioner LeBron. Seconded by Commissioner Adams. Adopted 7-0.

Resolution No. 2020-21: 201: Motion to adopt made by Commissioner LeBron. Seconded by

Commissioner Adams. Adopted 6-1 with Commissioner LeBron dissenting.

Commissioner Sheppard left the meeting at 9:53 p.m.

Resolution No. 2020-21: 203: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 204: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 205: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 206: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 207: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 208: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 209: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 5-0 with Vice President Elliott abstaining and Commissioner Sheppard absent.

Resolution No. 2020-21: 210: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 211: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 212: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 213: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 214: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

A motion to TABLE Resolution 215 until September 1, 2020 was made by Commissioner Powell. Seconded by Commissioner LeBron. Motion carried 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 216: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

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Resolution No. 2020-21: 217: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 218: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 219: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 220: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 221: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 6-0 with Commissioner Sheppard absent.

Resolution No. 2020-21: 222: Motion to adopt made by Commissioner Adams. Seconded by Vice President Elliott. Adopted 7-0.

VIII. Unfinished Business from Previous Meeting – None

IX. New Business:

Board Committee Structure – Committee Meetings Calendar

District Clerk Ramos-Lopez presented the calendar that incorporates the new Excellence in Student Achievement Committee and has the Governance Committee move to a monthly rotation.

- X. Motion to enter into Executive Session** at 10:51 p.m. to discuss the appointment of a specific individual and have a confidential conversation with Counsel seeking legal advice made by Vice President Elliott. Seconded by Commissioner Powell. Motion carries 6-0 with Commissioner Sheppard absent.

Commissioner Sheppard rejoined the meeting at 11:01 pm.

Motion to exit Executive Session at 12:44 a.m. made by made by Commissioner Powell. Seconded by Commissioner Maloy. Motion carries 7-0.

Motion to adjourn at 12:49 a.m. made by made by Vice President Elliott. Seconded by Commissioner LeBron. Motion carries 7-0.