

ROCHESTER BOARD OF EDUCATION
Regular Business Meeting
July 21, 2005

Minutes

Attendance:

Commissioners Bowers, Brown, Evans, Porter, Powell and Thompson; Superintendent Dr. Rivera;
Absent: Commissioner Garcia (out of town)

President convened the meeting at 5:58 p.m.
Act of Reverence led by Commissioner Powell

Discussion:

Motion by Commissioner Powell to accept minutes of June 16, June 20, and July 7, 2005. Seconded by Commissioner Brown. Adopted 4-0 with Commissioners Evans, Garcia and Thompson absent.

Commissioner Thompson arrived at 6:00 p.m.

Speakers on an Agenda Item:

See List

Commissioner Evans arrived at 6:02 p.m.

Superintendent's Report:

Dr. Rivera's report included: Summer Activity, summer programs for students in grades 3-6, 7-8 and high school with more than 5,000 students in attendance; Charter School Student Recruitment Summer Outreach, the District is making personal visits to these families in an effort to enroll students prior to start of school; additional steps to improve Financial Management practices, will seek to make recommendations for improvements in policies, procedures and activities to the Policy Committee or other appropriate Board committee. Submitted a written report.

Commissioner Bowers asked if the August timeline was attainable.

Commissioner Brown stated he believes it will take more than one committee meeting to work through the number of recommendations that the Superintendent seeks to advance, so September initial discussion with the Board is more reasonable.

Dr. Rivera stated that some of these policy recommendations would take time. His goal is to keep things moving. He is OK with a September timeline, and meetings of the committee in the interim.

Committee Reports:

Finance Committee, Commissioner Powell, no report.

Policy Committee, Commissioner Brown, written report submitted.

Commissioner Brown read the proposed policy amendment to the audience. He stated that we are trying to be responsive to the many comments heard, one is the burial of the notice regarding "opt out" and the second is that we really do want to know parent's wishes on this matter.

Discussion on the proposal ensued.

Commissioner Thompson noted that there was a friendly amendment at the Policy committee that was accepted but is not represented in the section just read.

Commissioner Brown stated she is correct; but we will have to take it up as a friendly amendment when it was on the floor.

Commissioner Porter asked if the language meets the Federal guidelines.

Mr. Looby noted he did provide the Policy committee an opinion on that and made a request for clarity with the Department of Defense, which he expects to hear from them in advance of the August meeting.

Commissioner Bowers expressed concern about the Defense Department's ability to exercise objective advice on this one.

Mr. Looby stated the answer can really only come from a Federal Court. The Defense department will have a position; hoping they have issued some directives, or that it has already gone before a court somewhere in the country.

Mr. Looby stated this proposal is much improved over what we are currently doing. The only real area there is question around what the statute means as regarding the assumption of silence indicating a wish to opt out.

Commissioner Evans stated it shouldn't come to the case where we do not hear from a parent; we need to get to every parent and make them aware of the importance to complete the form; however, it is also important that we do not do anything to jeopardize federal funding.

Commissioner Porter suggested the District use aggressiveness similar to that around Charter Schools to reach parents on this issue as well.

Commissioner Powell stipulated that we have to rely heavily on successful implementation at the Administration level, so should the situation come where we need to reverse ourselves we can before punitive damage, but that the Board has made its position clear and that the community is aware that it was by force, not by choice.

Commissioner Thompson stipulated that it is important that we do not share information without the parents consent. If there is a risk that we will lose federal funds and we need to pursue a lawsuit regarding the interpretation of the law than that is the course we should pursue and hopefully that would forestall any withholding of federal funds. She supports seeking a clear interpretation of the law on this matter.

Commissioner Bowers concurred with Commissioners Powell and Thompson. He commended the committee for acting on some of the Board's collective interest and responding to community partners that spoke to the Board on this and their interest in moving forward on an issue which could lead to "stormy water".

Commissioner Powell wanted to note that this policy originally existed not because this Board is anti-war but because it addresses the issue of organizations that discriminate. She would like the Board to keep this in their thought processes because she doesn't believe the Board has ceased to be concerned about employers willingness to discriminate based on cultural norms.

Board Governance Committee, Commissioner Bowers, no report.

Quality Assurance Committee, Commissioner Thompson, no report.

Community and Intergovernmental Relations Committee, Commissioner Bowers, no report.

Consideration of Resolutions:

President Porter asked for a motion to adopt Resolution No 2005-06: 13-89. Motion made by Commissioner Evans, Seconded by Commissioner Powell.

Commissioner Bowers stated he needs to note a technical objection to a series of resolutions, Resolutions No 2005-06: 15-58. In response to questions submitted, he was told there wouldn't be an increase in administrative positions. There are three additional positions. As such he exercised his right to vote NO as a technical matter.

Dr. Rivera noted that there were additional administrators in the budget, primarily for elementary schools. Funds dedicated to the Wilson/Madison project would be used to support at least some of these. He stipulated that he will provide the more detailed information.

Commissioner Bowers also noted with respect to Resolution No 2005-06: 88, it is ironic that we have a special meeting two weeks ago to develop a plan for recruiting substitute paraprofessionals, now we are asked to approve a significant number of paraprofessional layoffs.

Ms. Giuffrida noted that the 3 administrators is neutral – one came from Workforce Prep and two came from Temporary Tutoring. She stated that we need to balance our need for numbers. It is very unpredictable area; one-to-one absences and needs for special education is what drives most of the needs for substitute paraprofessional workforce. If the District thought its layoff pool would be sufficient, they may end up short, so it is important to develop a substitute pool.

Commissioner Powell asked if the practice of layoffs costs the District for unemployment.

JG – we are self-insured, so District directly pays the cost.

WP has a cost analysis been done to see efficacy of laying off at this time versus holding onto them until September.

Ms. Giuffrida stated we are mitigating by waiting to lay them off until now rather than in June. Trying to give some consideration to the unpredictability that affects the employees and the schools.

Adopted:

Resolutions 2005-06: 13-14 adopted 6-0 with Commissioner Garcia absent.

Resolutions 2005-06: 15-58 adopted 5-1 with Commissioner Bowers dissenting and Commissioner Garcia absent

Resolutions 2005-06: 59-61 adopted 6-0 with Commissioner Garcia absent

Resolution 2005-06: 62 adopted 5-0 with Commissioner Thompson abstaining and Commissioner Garcia absent

Resolution 2005-06: 88 adopted 5-1 with Commissioner Bowers dissenting and Commissioner Garcia absent

Resolutions 2005-06: 63-87, 89: adopted 6-0 with Commissioner Garcia absent

President Porter asked for a motion to adopt Resolution No 2005-06: 90-114. Motion made by Commissioner Brown, Seconded by Commissioner Powell. Adopted 6-0 with Commissioner Garcia absent except Resolution 2005-06: 112 adopted 5-1 with Commissioner Bowers dissenting and Commissioner Garcia absent.

At this time, President Porter went back on the agenda to introduce Mr. Paul Burke to award the "Friend of Education" award to Mr. Arthur Rogers.

Dr. Rivera acknowledged the administrator appointments on tonight's agenda.

He also spoke a little about the change in secondary level administration. There have been discussions about this which yielded the sense that we needed greater focus on instruction. The idea of establishing an Academy Director that focuses on Instruction, working with each student to ensure achievement.

We would like greater gains in our secondary schools. With the focus on literacy, numeracy, and

accountability for each student will work well for us. This is not just promotions, what is behind this is big expectations from these individuals.

Commissioner Evans departed at 7:06 p.m.
Commissioner Bowers departed at 7:08 p.m.

Unfinished Business:

None

New Business:

Proposed Policy Amendment 1240.1
Discussion occurred as part of Policy committee report.

Speakers on Other Than an Agenda Item:

See list

Adjournment:

President Porter called for a motion to adjourn the regular business meeting. Motion made by Commissioner Brown, Seconded by Commissioner Thompson. Adopted 4-0 with Commissioners Bowers, Evans, and Garcia absent at 7:20 p.m.