

**ROCHESTER BOARD OF EDUCATION**  
**Regular Business Meeting**  
**October 20, 2005**  
**Minutes**

**Attendance:**

Commissioners Bowers, Evans, Garcia, Powell, and Thompson; Superintendent Dr. Rivera  
Absent: Commissioners Brown and Porter

Vice President convened the meeting at 7:12 p.m.

Act of Reverence led by Commissioner Powell.

**Discussion:**

Motion by Commissioner Evans to accept minutes of September 15, 2005. Seconded by Commissioner Powell. Adopted 5-0 with Commissioners Brown and Porter absent.

**Speakers on an Agenda Item:**

See List

**Superintendent's Report:**

Dr. Rivera asked Tim Wagner (former principal at School #22) and Ms. Spino to join him in memory of Scott Spino (former teacher at School #22 who passed away last year). Over the past several months, I have had an opportunity to learn much more about Scott and his contributions. Not only was he a dedicated, outstanding teacher, but he was a teacher leader, member of SBPT, RTA representative, coach for Pop Warner football, working toward Administrator certification; very involved in all aspects of our children's lives. He was what I would call a "dream teacher". Because of that, in my conversations with Dr. Urbanski, we have agreed to go forward and establish an award recognizing a teacher in the District who exemplifies the kind of characteristics that Scott demonstrated. This will be an annual award.

Dr. Rivera's report: We are set for significant district-wide progress; have to do a better job of ratcheting up teaching performance in our schools and standards of learning for students; new focus on culture change; Higher expectations are a must for our students, and what happens in the classroom has to mirror that. Must have best trained dedicated leaders we can in our schools; prepared teachers, trained staff; and support schools as they role out "7 attributes". Moving in the direction of getting out of the "dark ages of technology"; made and will be making big investments in technology. We want to ensure our students are on grade for reading when they leave third grade; at seventh grade students must be on level.

New focus on culture change: diversity will require major culture change, to become an organization that embraces core values; inclusiveness. We will be addressing this very seriously. RCZ is a comprehensive strategy to rally the community to support students and families. Customer Service center to better serve parents and be more responsive to the issues they bring to us; not just through the center but this is a value we want to bring to schools to better serve parents. We will establish a culture in our workforce that is more reflective and responsive to our community.

There will be greater focus on school and student achievement. We will set specific targets for high school graduation rates; AP and Honors courses (more students participating in); and elementary and high school attendance.

Fiscal Management: we will implement internal and external recommendations to improve controls; develop a facilities modernization plan; and a technology plan.

We will be working with ASAR, BENTE, RAP, and RTA to develop formal contract school process.

Budgeting: we will establish an inclusive process, including online availability of the proposed budget; and program based budget implementation.

What does an exemplary District look like? The level of detail provided today is much more than I have done in years past around my goals.

Written report on file.

Commissioner Powell noted that there is as yet no such thing as an exemplary district, just schools at this point. If we can achieve this, then would have achieved something great indeed.

Commissioner Thompson noted that she appreciates progress making and optimistic about future of District.

Commissioner Evans is particularly interested in and hearing more about the culture change that is referenced in the report.

### **Committee Reports:**

Finance Committee, Commissioner Powell, written report. Will be continuing to monitor program based budgeting development; will be phasing in over two years. Committee recommends approval of Resolutions 310, 333, 334, 330, and 331.

Motion to accept monthly financial reports by Commissioner Thompson, Seconded by Commissioner Evans. Adopted 5-0 with Commissioners Brown and Porter absent.

Motion to accept the Quarterly Student Activity Fund Report by Commissioner Powell, Seconded by Evans. Adopted 5-0 with Commissioners Brown and Porter absent.

Quality Assurance Committee, Commissioner Thompson, written report. We may want to review the attendance standard as a Board and recommend a higher rate. The QA requested various pieces of additional data which will be provided prospectively.

Update on JROTC: data gathering is nearing completion; students have been surveyed and responses are being compiled; scheduled work session for November 14<sup>th</sup>; a report will be rendered to QA committee following.

Commissioner Thompson asked to have the following included in the record: She is disappointed that the data request on the processes and procedures of the Human Resources department does not have sufficient support by colleagues on QA committee or Board leadership to allow that request to go forward. She stated that she looks forward to the day when the Board is more proactive about acquiring and studying information about District functions instead of finding ourselves with our backs against the wall scurrying around to respond to investigations that could have been avoided, trying to rectify problems that would not have grown from mole hills into mountains if we had been more diligent. The information requests that I have outlined in my proposal are not just the business of the administration. They would go a long way toward helping the Board understand, explain, challenge, and possibly defend how we do business related to HR. I do not think HR is a cesspool of problems, but I think due diligence requires us to do more in this area. I will continue to revamp the request to see if eventually enough support can be gained from my colleagues.

Community and Intergovernmental Relations Committee, Commissioner Evans, written report.

Motion to approve the 2006 Legislative Agenda by Commissioner Evans, Seconded by Commissioner Bowers. Adopted 5-0.

Commissioner Powell noted that in her years on the Board she has never seen a more capable, achieving individual in charge of the Community and Intergovernmental Relations committee. I think that you have prioritized these and put them in order of what you want to accomplish, in this particular instance I will accept a list that is 13 bullet points long. Commissioner Evans is doing an outstanding job.

Policy Committee, Commissioner Brown, no report.

Board Governance Committee, Commissioner Bowers, written report.

Motion to approve BOE goals for 2005-06 by Commissioner Bowers, Seconded by Commissioner Evans. Adopted 5-0.

Commissioner Powell has some concerns she would like to add to list, but not prepared to address at this time. Can we leave the door open to add?

Commissioner Bowers stated that as long as support from four members, appropriate to submit at some future date under New Business.

#### **Consideration of Resolutions:**

Vice President Garcia asked for a motion to adopt Resolution No 2005-06: 260-299. Motion made by Commissioner Powell, Seconded by Commissioner Evans. Adopted 5-0 with Commissioners Brown and Porter absent except 286 and 287 which are adopted 4-1 with Commissioner Bowers dissenting and 284 and 285 which are adopted 4-0 with Commissioner Garcia abstaining due to family relationship.

Vice President Garcia asked for a motion to adopt Resolution No 2005-06: 300-332 and 334-342. Motion made by Commissioner Thompson, Seconded by Commissioner Powell. Adopted 5-0 with Commissioners Brown and Porter absent except for Resolutions 315, 321, 322, 332, and 334 which are adopted 4-1 with Commissioner Bowers dissenting.

Commissioner Bowers requested Resolution 333 be voted on separately as he had some points he would like to raise. This request was granted.

Motion to approve Resolution 2005-06: 333 made by Commissioner Powell, Seconded by Commissioner Evans.

Commissioner Bowers stated concerns about this particular technology. It could open up the work place to a breach of workplace privacy and confidentiality we have not known in the past. My specific question had to do with the potential that servers could be programmed to perform recording of telephone conversations. While servers may not come that way and ours may not be programmed that way, the technology does exist and hardware is available to do this. While it is not the standard protocol to do this, servers can be updated and adapted to do this. This was confirmed by two experts. An article was shared with me today that further raise my concerns. He cited several portions of the article. Can be more readily accessed by hackers; higher probability of getting intelligence information through this means than through traditional phone systems. He does not request that scratch the notion that this may be useful technology, but rather table this until staff and outside experts that will not profit from this can establish that our districts cannot and will not be made capable of doing this. Otherwise, I think this Board is acting irresponsibly if approve, even if just for an RFP, because we could be opening up major privacy gap that is more dangerous than our cell phones.

Commissioner Garcia is supporter of bringing in new technology. Does not believe we need to scrap the resolution, but rather bring in your concerns.

Commissioner Bowers motioned to table the resolution. Hearing no second, the motion dies.

Commissioner Thompson asked if there was someone present who could address these concerns.

Mr. Greene stated that he appreciates Commissioner Bowers's concerns. He has had experience in using these systems in government and private companies. A local law firm implemented in 2002 because they were concerned regular telephone reception had greater exposure to interception. His experience is that the risk is not any greater than the risk we experience with are data servers. The District has aggressive security in place; adding security he is not at all concerned. He feels confident we can prevent what could possibly happen. Can only assure you will be as vigilant with that implementation as we are with our data network. He noted that the US troops in Iraq use this as their sole means of communication.

Commissioner Bowers asked if Mr. Greene was prepared to say tonight that server cannot be adapted.

Mr. Greene stated that exposure with VoIP is not more than what exists with regular telephony. It is more difficult to intercept, and to program a server to do what you are suggesting without being detected. I think the exposure is less. Our vigilance would absolutely let us know if someone made such an attempt.

Commissioner Bowers stated that is if one assumes that motivation is not coming from inside. To modify the server would be something coming from inside the organization; not speaking to attacks from outside.

Mr. Greene stated that the District has a monitoring procedure in place so that multiple people cross-check each other regarding access as far as the activities that occur within that server; but acknowledged there could be multiple collusion, cannot guarantee against it.

Commissioner Bowers asked if he was aware of how easy it may be to hide if even someone was having their email redirected to another account, which is happening? He stated that all District security can be breached now. Given that, he cannot believe that VoIP couldn't be as easily breached as our current email/data system.

Mr. Greene stated that the pieces of data that represent an individual phone call mixed with others if virtually impossible to identify in and of itself and then to reconstruct a specific phone call.

Commissioner Evans appreciates Dr. Bowers's concerns and stated that what we are hearing today from Mr. Greene is that he is making assurances to this Board that the District will do everything possible to ensure security is not breached. I believe in NYS it is illegal to tape conversations.

Mr. Looby noted it is illegal to tape without permission from one party.

Commissioner Powell stated that if it be the will of the Board to pursue a policy specifically prohibiting such capture of telephone conversations using VoIP technology, I would be pleased to take to Policy committee and develop it. In response to Commissioner Bowers's concerns, all technology we use today initially came with risk.

Roll Call Vote:

Commissioner Thompson – yes

Commissioner Evans - yes

Commissioner Powell – yes

Commissioner Bowers - no

Commissioner Garcia – yes

Adopted 4-1 with Commissioner Bowers dissenting and Commissioners Brown and Porter absent

**Unfinished Business:**

None

**New Business:**

Commissioner Thompson noted that she will be delivering a memo to Dr. Rivera and asked to read it into the record regarding Bob Duffy's attendance on a RCSD trip.

Commissioner Bowers stepped out at 8:35 p.m.

Motion to extend the meeting by Commissioner Powell, Seconded by Commissioner Evans. Adopted 4-0 with Commissioner Bowers away from his seat.

Commissioner Garcia noted that this is not Board business.

Commissioner Thompson stated that it is and has proper place and we will just disagree on this.

Commissioner Bowers returned at 8:38 p.m.

Commissioner Powell stipulated that she believed it was the prerogative of the Chair to rule in order.

Commissioner Thompson asked for a ruling from the Parliamentarian.

Mr. Looby stated that the Chair is in order to determine whether or not it is Board business. New Business is geared toward items that are for action or deliberation by the Board.

Commissioner Thompson asked for the appropriate place on the agenda if any to do this.

Mr. Looby stated that it could come through a committee or in the context of a committee report.

**Speakers on Other Than an Agenda Item:**

Commissioner Powell stepped out at 8:43 p.m.

See list

Commissioner Powell returned at 8:45 p.m.

Dr. Rivera thanked all the speakers. He stated that it heightened his own awareness and concern about some issues we as a District need to confront. We are going to begin on November 10<sup>th</sup> to develop the awareness of not tolerating instances of discrimination and begin to create greater awareness for diverse people within our organization; and following up with some very specific training and clear guidelines for our staff. As the culture change committee goes forward would like to ensure stay connected with the Board's GLBT taskforce. We will be on the case and you can hold us accountable.

Commissioner Bowers made a request of his colleagues in response to this – noting he has 10 weeks left on the Board by his own choice. The Board graciously let him chair the taskforce and he appreciates this; he noted the support of Commissioners Powell and Thompson. One request is to have this work continued. He will provide a copy of authorizing resolution to each member.

Commissioner Garcia encouraged him to discuss with Commissioner Porter re how to proceed.

Commissioner Powell raised the issue regarding health curriculum, which was raised years ago. To have a curriculum that is inclusive.

**Adjournment:**

Vice President Porter called for a motion to adjourn into Executive Session for the purpose of discussing matters related to contract negotiations. Made by Commissioner Powell, Seconded by Commissioner Bowers. Adopted 5-0 at 9:19 p.m. with Commissioners Brown and Porter absent.

Executive Session convened at 9:25 p.m.  
Commissioner Thompson departed at 9:26 p.m.

Dr. Rivera stepped out at 9:39 p.m.; returned at 9:47 p.m.

Reconvened in public session at 9:55 p.m.

Motion to adjourn by Commissioner Evans, Seconded by Commissioner Bowers. Adopted 4-0 at 9:56 p.m. with Commissioners Brown, Porter and Thompson absent.

**Action Item:**

- Question raised by Commissioner Thompson (QA report): We talked about a web-based centrally supported resources management system. Is that the textbook and library system I read about in my material? If it is, how is that going to align with the work this committee is doing? If going to have software system that is going to manage textbooks and materials, what will the panel of parents, students and staff – what will they be doing and how will that work align with that system?

Dr. Rivera asked to provide response to full Board on Friday, October 21, 2005.