

*Human Resources*

**Resolution No 2003-04: 887**

**By Member of the Board Evans**

Resolved, That, upon the recommendation of the Superintendent of Schools, the following named person be, and hereby is, assigned to the position shown, at the salary stated, effective December 1, 2002, with a probationary period ending November 30, 2005:

Mora, Jose, Director of Quality/Achievement for Bilingual and Hispanic Students, Central Office, \$88,188

**Seconded by Member of the Board Garcia  
Adopted 6-0 with Commissioner Bowers absent**

**Resolution No 2003-04: 888**

**By Member of the Board Evans**

Resolved, That, upon the recommendation of the Superintendent of Schools, the following named administrators, having satisfactorily completed the three years of probationary service allowed under State Law and required by the Board of Education, be, and they hereby are, granted permanent appointment, effective on the dates indicated, and be it further

Resolved, That, this resolution be adopted with the express reservation of the power in the Board of Education at any time to abolish these positions:

**DIRECTOR OF QUALITY/ACHIEVEMENT FOR BILINGUAL & HISPANIC  
STUDENTS**

Mora, Jose A., July 1, 2004

**PRINCIPAL**

Mascitti-Miller, Elizabeth, July 22, 2004

Rainey, Denise D., June 30, 2004

Thomas, Mary D., June 30, 2004

**Seconded by Member of the Board Garcia  
Adopted 6-0 with Commissioner Bowers absent**

**OTHER**

**Resolution No 2003-04: 889**

**By Member of the Board Brown**

WHEREAS, the County of Monroe has not agreed to continue provision of school health services to the Rochester City School District beyond June 30, 2004, and has issued layoff notices to its nursing staff, thus enforcing the unilateral determination it had made to discontinue school health services provided by it to City schools since 1958; and

WHEREAS, the District brought litigation for declaratory judgment and to enjoin the County from abandoning school health services to city schools, and is currently pursuing an appeal of a decision and order issued by the New York State Supreme Court to the Appellate Division, Fourth Department; and

WHEREAS, the City of Rochester has taken action on June 18, 2004 to amend the City Charter to reduce local funding to the District by Seven Million Dollars for the 2004-2005 fiscal year and is poised to enact budget resolutions on June 22, 2004; and has in communication from the Mayor suggested that the District pay for school nursing service directly, notwithstanding the aforesaid City funding reduction or the long-standing position asserted by the New York State Department of Education; and has not responded to the request for emergency aid made pursuant to Education Law §2576(6) under Resolution No. 2003-2004: 705 (March 25, 2004) for support for school nurses for the current year; nor has the City of Rochester agreed to resume direct responsibility prospectively for the school health services which it rendered through most of the Twentieth Century and had ceded to the County in 1958 as a part of the creation of the County Health Department; and

WHEREAS, it is neither safe for children nor a responsible exercise of the primary duty of the Board or Education, nor consistent with law to attempt to run summer school programs without provision for appropriate nursing services, and in the face of the precipitous actions of the County and City there is no reasonable way to provide such services without directly authorizing such funds; and

WHEREAS, a professional nursing service, whose employees have been providing some of the school nursing services to the District under a contract with Monroe County and are familiar with District needs and facilities, is ready and willing to meet the short term need for summer 2004, as well as ramp up services required in anticipation of the coming school year, while more permanent arrangements are developed and implemented by the District, now therefore, it is

RESOLVED, that the Board of Education of the Rochester City School District, while cognizant of the exception language of Education Law § 901 and of advisory letters from the New York State Education Department dated August 16, 1977 and December 29, 2003, hereby determines that a health and safety emergency exists with reference to providing appropriate health services during the 2004 summer school program; and it is further

RESOLVED, that the Superintendent of Schools or his designee be, and hereby is authorized to enter a consulting agreement with Sibley Nursing Personnel Service, Inc., of 1100 University Avenue, Rochester, New York 14607 to provide summer school services to include a medical director, SPED evaluation nurses, CSE Committee RN, a Registered Nurse Coordinator/Consultant, RN supervisors, Licensed Practical Nurses, school health aides and clerical support sufficient to serve the summer school programs of the District; and to perform such record review and related services prerequisite to the September 2004 opening of school for the period from June 28, 2004 through September 1, 2004, for a sum not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), funded by the Department of Planning, contingent upon the form and terms of the agreement having been approved by Counsel to the School District; and to simultaneously continue all efforts to confirm a permanent funding source for school health services, while developing a plan and potential contract(s) for services to be provided during the 2004-2005 school year.

**Seconded by Member of the Board Garcia**  
**Adopted 6-0 with Commissioner Bowers absent**