

ROCHESTER BOARD OF EDUCATION
Policy Review and Development Committee Meeting

February 2, 2017

MINUTES

Attendance

Commissioners – Commissioner Powell (Chair); Commissioners Cruz, Hallmark, Adams (arrived 6:11PM), and White (arrived 6:15PM)

District Staff – Karl Kristoff, General Counsel; Dr. Robin Hooper, Executive Director of Early Childhood Education; Andrew MacGowan, Project Administrator

Board Staff – Debra Flanagan

Commissioner Powell called the meeting to order at 6:08PM.

I. Welcome and Introduce New Parent Representative to the Policy Committee

Debra Flanagan reported meeting twice with Carla Harris, the new Parent Representative to the Policy Committee. She stated that Ms. Harris first came to her office to accept the invitation to serve on the Committee. Ms. Flanagan indicated that the second meeting with Ms. Harris was essentially an orientation to describe the work of the Policy Committee, the legal framework for Board policies, process for adopting policies, and locating policy- and Committee-related information on the District website.

Later in this evening's meeting, Commissioner Cruz stated that Ms. Harris had sent an email to all Committee members, apologizing for her absence.

Commissioner Powell read Ms. Harris' email aloud, in which she explained that she had mixed up the meeting dates and also needed to care for her ill children.

II. Review Minutes of January 10, 2017 Policy Committee Meeting

Motion by Commissioner Cruz to approve the minutes of January 10, 2017 Policy Committee Meeting. **Adopted 2-0.**

Commissioner Powell commended Board staff for the comprehensive nature of these meeting minutes, particularly in capturing the many different issues and nuances related to the Day Care policy (4324.1). She described the most critical factors as the decrease in teen births over the years, high entry costs for providing child care, and reductions in County subsidies for day care. Despite the approximately 75% decline in teen births in recent years, Commissioner Powell asserted that the cuts to day care subsidies and escalating costs have also restricted the

availability of child care services. For these reasons, the net impact and current need for child care services among RCSD students is not known.

Commissioner Hallmark reported that she recently visited a secondary school to which she is a liaison. During the course of this visit, the principal informed her that two students who were pregnant had applied to the Young Mothers' program, but were denied. Commissioner Hallmark noted that the rationale for denying their entry into this program was unknown, and requested that this issue be followed up with the Administration.

Commissioner Adams recalled seeking clarification from the Administration about entrance requirements for various District programs. She reported being assured that school and program administrators do not have the discretion to admit or deny entrance into programs.

Commissioner Cruz expressed concern about the apparent lack of an appeals process to request reconsideration of the decision to deny entry into the program for these students, or at least to provide a rationale for the denial.

Karl Kristoff pointed out that the school principal should speak with the School Chief about the situation, as School Chiefs should be their first point of contact when questions or issues arise.

Commissioner Adams noted that further investigation may be needed to determine whether there have been problems with School Chiefs responding to school principals' concerns.

Action Item: Board staff will request information from the Administration regarding:

- 1. The rationale for denying entrance into the Young Mothers' program for two students who were pregnant; and**
- 2. Clarification regarding the extent to which administrators have discretion in admitting students into District programs**

With respect to the discussion in the January 2017 Policy Committee meeting about collecting tuition payment from foreign exchange students, Commissioner Powell noted that she recently attended a play at the School of the Arts and two of the leading roles were enacted by foreign exchange students. She stated that these roles therefore were not available to Rochester resident students. Commissioner Powell emphasized the importance of the Board establishing priorities with respect to foreign exchange students, who are not paying tuition at this point and receiving the best that the District has to offer.

Mr. Kristoff observed that a sample policy regarding foreign exchange students was presented in the January 2017 Policy Committee meeting, and tabled until he began his position as General Counsel for the District. He requested a copy of this sample policy.

Action Item: Board staff will send Mr. Kristoff the sample policy from the New York State School Boards Association regarding admitting foreign exchange students in school districts.

Mr. Kristoff inquired about the Policy Committee's use of the New York State School Board Association (NYSSBA) policy update services. Debra Flanagan replied that the Board of Education has been subscribed to these services for the last 6-7 years to keep current with changes in law and regulation.

Mr. Kristoff asked about the process and responsibility for following up on policy changes indicated by the NYSSBA updates.

Commissioner Powell stated that the members of the Policy Committee have relied on the General Counsel to follow up on changes in law and regulation, including notifying Committee members and presenting sample and draft policies.

Action Item: Board staff will contact the New York State School Boards Association to request that Mr. Kristoff be added to the email distribution list for the quarterly policy updates.

Commissioner Cruz added that Committee members may request legal review or opinion, which is also coordinated through Board staff.

III. Update regarding Day Care policy (4324.1)

Dr. Hooper pointed out that the term "day care" is no longer used, and has been replaced by "child care". She suggested changing the title of this policy.

Commissioner Powell commented that much more is at stake than the title of the policy. She noted that the central question is whether to rescind the Day Care policy altogether because it is no longer implemented, or to revise it to pertain specifically to the child care needs of students in the Young Mothers' program.

Mr. MacGowan stated that Commissioner Hallmark's report about students being denied entry into the Young Mothers' program argues for retaining the policy.

Commissioner Powell explained that the District budgets for 80 students in the Young Mothers' program, but hasn't actually had that level of enrollment for quite some time. She recalled that students were promised several times in the past that they had the option to remain in the program until graduation, if they chose. Commissioner Powell clarified that this option could be offered because of dual enrollment in a "home school" and in the Young Mothers' program. She stated that she has not seen evidence that this promise has been fulfilled, even if students asked to stay in the program. Commissioner Powell reported that most students she has met when visiting the Young Mothers' program indicated that they would like to remain in the program, but she did not know whether this option was actually made available to them.

Commissioner Hallmark inquired about the length of time that students are allowed to remain in the Young Mothers' program.

Commissioner Powell clarified that former superintendents had promised to allow students to stay in the program as long as they wished, through graduation. She stated that different program administrators have had different philosophies with respect to student retention. Commissioner Powell noted that some of the administrators of the Young Mothers' program wanted to minimize the number of students, even to the point of beginning the school year without any students enrolled. She stated that she does not understand this approach because it impedes scheduling and planning, but this has been the situation year after year.

Commissioner Powell reported that approximately half of the students are enrolled in the Interim Health Academy, which serves students who tend to be school-avoidant because of bullying and/or mental health concerns. She noted that these students have experienced the same approach of being pushed back to their home school each year and having to be reassigned again to the program to meet their needs.

Commissioner Powell stated that Young Mothers had been a separate program serving pregnant teens and teen mothers, but was restructured at some point to combine with the Interim Health Academy. Mr. MacGowan recalled that these two programs were merged approximately a decade ago. He reported that by all measures, Young Mothers' was a highly successful standalone program and this is the reason it has been sustained over the years, despite a previous administration's efforts to eliminate it. Mr. MacGowan pointed out that the program had excellent leadership at that time, but he acknowledged not having information about the current situation.

Commissioner Powell recollected that the Young Mothers' program had a great partnership with the YWCA. Dr. Hooper reported that the YWCA still has a program to support and assist teen and young mothers.

Dr. Hooper reported discussing with the Accountability Chief the request from the Policy Committee to conduct a survey of students in the Young Mothers' program to assess their child care needs. She added that Dr. Giamartino (Accountability Chief) is currently shepherding this request through the Internal Review Board (IRB) process. Mr. MacGowan reported that "passive parental consent" will have to be obtained to conduct the survey with students. He explained that parents will be informed that the survey is being conducted anonymously and of their option to decline consent for their child to participate.

IV. Review and Discuss Preschool Education Programs Policy (4320.5)

Ms. Flanagan pointed out that review of the Preschool Education Programs policy is a follow-up item from the December 2016 Policy Committee meeting. She recalled that Commissioner Powell questioned whether the version of this policy that is posted on the District website is the most current. Ms. Flanagan reported that after further investigation, it was found that the Policy Committee had approved revisions to the Preschool Education Programs policy in 2014 and the revised policy was presented to the full Board as an Information Item and Discussion Item. However, the policy changes were never adopted because a resolution was not written for the Board to vote on policy adoption. Ms. Flanagan explained that this occurred at a time when there was a change in staff support for the Policy Committee. She noted that the members of the

Policy Committee decided in the December 2016 meeting to review this policy again because of the likelihood that additional changes would be needed.

Commissioner White referred to a provision in the proposed Preschool Education Programs policy that states that the Board of Education supports programs that “give priority to low-income families, but are also capable of encouraging the participation of the whole community (e.g. ELL, Special Education, people of color)”. He questioned the rationale for including “people of color” in this provision, particularly since the vast majority of District families and students are of color and would be included in the reference to “the whole community”.

Commissioner White stated that specifying inclusion of families of English-Language learners and students in Special Education is understandable because these students have specific needs and greater outreach may be needed to foster participation by these families. He declared that he didn’t see the necessity for including students or families of color because they comprise the majority of the school district.

Dr. Hooper suggested a different interpretation of this provision, specifically in the shift from a targeted PreK grant to Universal PreK for four-year-old children. She pointed out that UPK enables all families to enroll their child in PreK, whereas the targeted program required that at least 80% of the PreK students be eligible for free or reduced-price meals (i.e. low income).

Mr. Kristoff pointed out that if the intent is to ensure that specific historically underrepresented groups are included, the policy should state “including ELL and Special Education”, rather than “e.g.” because this term indicates that these groups are simply examples.

Andy MacGowan noted that the reference to the “Follow Through” program should be deleted because this program is no longer in existence. He added that support should be sustained for PreK students “by ensuring the successful transition to kindergarten” and “to reinforce the gains achieved in preschool”.

Commissioner Adams recognized the need to focus on students with “educational deficiencies”, but emphasized the importance of also preserving the developmental gains attained by other students. Mr. MacGowan questioned whether the reference to students with “educational deficiencies” is needed. Commissioner Adams asserted that this reference is needed to ensure that differentiated instruction and supports are provided to assist *all* students with the transition to kindergarten.

Robin Hooper expressed concern about the provision regarding providing a “variety of program options with respect to curriculum, length of day, staffing and parent involvement”. She reported that the District was cited in a review by the NYS Education Department for not having a uniform PreK curriculum. Dr. Hooper explained that considerable effort has been made to enhance the consistency of the curriculum throughout the program, and she recommended that this part of the provision be deleted.

Commissioner Hallmark reported hearing that the NYS Education Department recently placed a hold in implementing K-2 standards. Dr. Hooper responded that she also received this same information, and has learned that a group of 30 individuals are currently reviewing and considering revision of these standards.

Commissioner Cruz inquired about the impact of the State’s suspension of K-2 standards on the work that has been performed in the District to rewrite the K-2 curriculum. Dr. Hooper pointed out that the curriculum is aligned to the standards, so changes in the standards will directly affect the District’s work in rewriting the curriculum. She added that further revision and curriculum writing may be required in light of the revised State standards.

Commissioner Adams conjectured that the principals that have been driving revision of the K-2 curriculum locally are probably consistent with the forces leading the NYS Education Department to suspend the K-2 standards. She stated that the NYS Education Department probably realized the validity of the concerns that had been raised about these standards by professional educators.

Commissioner Powell concurred that the reconsideration of NYS standards was largely due to concerns articulated to the NYS Education Department about the existing standards not being developmentally appropriate for children at the K-2 level. She agreed with Commissioner Adams’ assessment that the District is probably at the forefront of these changes by creating their own K-2 curriculum that is developmentally appropriate.

Dr. Hooper referred to the commitment contained in the policy to provide “quality programs for all 4-year-old preschoolers”, which has been the long-term goal of the PreK program. She reported that current capacity in the PreK program is limited, particularly with the switch from half-day to full-day programs. Dr. Hooper noted that 34 students (equivalent of two classrooms) are currently waiting for openings in the full-day program. She explained that there are two half-day integrated programs for children with special needs, both of which have openings for general education students. Dr. Hooper stated that the families of most general education students need a full-day program, and those with some flexibility have placed their child in one of these half-day programs while waiting for an opening in the full-day program. She pointed out that an integrated program cannot be provided without general education students. Dr. Hooper added that the two half-day integrated programs cannot be collapsed because there would not be sufficient capacity for children with special needs.

Commissioner Powell inquired about available capacity in the PreK program with community-based providers. Dr. Hooper reported that the community-based providers are also full because students are placed as soon as a vacancy arises.

Dr. Hooper asked Committee members whether the Board of Education would like to maintain the same philosophy in the policy of serving all four-year-old children in the community. She stated that while the PreK program has space to accept more students, availability is only in the half-day program and the majority of families need a full-day program. Dr. Hooper noted that this is the reason that 34 students (2 classrooms) are currently on the waiting list for UPK in the middle of the school year. She added that approximately 200 three-year-old children are currently on the waiting list for the EPK program.

Dr. Hooper explained that these capacity issues have led to questioning the statement in the Preschool Education Programs policy that all four-year-old students will be accepted in the UPK program. She discussed the advantages of being considered “fully implemented”, specifically that the NYS Education Department will not reduce funding for UPK if there is a dip in

enrollment from one year to the next. “Fully implemented” is defined as acceptance of all four-year-old children who apply for admittance to the UPK program. Dr. Hooper cited recent changes in the NYS funding formula for Pre-K, expressing concern about the program implications. She reported recent testimony by the Mayor of New York City, indicating that the City will lose 3400 seats and \$34M in the PreK program under the new formula. Dr. Hooper reported that the Governor’s proposed 2017-18 budget maintains the same level of funding for the RCSD PreK program, but additional seats may be required to be filled (i.e. reducing the amount of funding per pupil).

Commissioner Adams expressed concern about maintaining current capacity in the PreK program, urging her colleagues against closing schools or eliminating transportable classrooms. She stated that the quality of the RCSD PreK program has drawn families to the District and serves as a critical entry point, counteracting the drain from charter schools. Commissioner Adams emphasized the importance of the Board’s resolution directing the Superintendent to conduct an assessment of RCSD facilities’ capacity, particularly in meeting the needs of students and in accommodating programming.

Commissioner Powell pointed out that two-thirds of children in the PreK program are with community-based providers, so these families do not perceive a connection with the District. She agreed that each elementary school in the District should have a PreK component to provide an equal opportunity for families and children to develop connections to schools. Commissioner Powell added that this is problematic in smaller schools with limited physical capacity.

Commissioner White observed that a number of critical areas in the District are affected by the Preschool Education Programs policy, such as enrollment, parent engagement, NYS funding, standards, and curriculum. He suggested adding a requirement to the policy for an annual evaluation to monitor program quality and efficacy.

Commissioner Adams suggested using the annual evaluation report from the Rochester Early Childhood Assessment Partnership (RECAP) because this evaluation is very comprehensive and rigorous, far exceeding NYS requirements. Mr. MacGowan added that the RECAP evaluation is performed annually and many of the measures are required under NYS grants. Commissioner Adams pointed out that the RECAP evaluation methods could also be used in the early elementary grades, which would provide a consistent basis for assessment and offer meaningful feedback to teachers.

Commissioner Powell reported that she has requested the Administration to provide boilerplate language regarding evaluation reports to ensure consistency in these requirements. She stated that Board staff maintain a list of policies that require reporting to the Board, and a reporting standard is needed that can be embedded in policies.

Action Item: Board staff will forward to General Counsel the list of policies requiring reports from the Superintendent to the Board.

Ms. Flanagan explained that the former General Counsel determined the specific staff member responsible for each report and the deadline for providing it to the Board. She pointed out that the reporting workload has not been evenly distributed throughout the year, noting that no

reports are due from January to June and many are due in August. Ms. Flanagan stated that she contacted the Chief of Staff to request reconsideration of the due dates for these policy deliverables to more equitably distribute the work throughout the year and to correspond to the District operations related to the policy.

Action Item: Board staff will draft the changes recommended in this evening’s meeting to the Preschool Education Programs policy (4320.5), distribute the draft to Committee members to ensure that recommendations have been captured accurately, and then forward to the General Counsel for review from a legal perspective.

V. Status of Policy Committee Request to Conduct a Survey of Students in the Young Mothers’ Program

Commissioner Powell observed that this item was briefly discussed earlier this evening, and the request has been approved by the Administration.

Mr. MacGowan reported that Dr. Giamartino, himself, and other District staff will be involved in crafting the survey and analyzing the results.

VI. Review Proposed Revisions to Board Bylaws (2300)

Commissioner Powell announced that this agenda item has been postponed until the next Policy Committee meeting to allow the Board Governance Committee to finalize their recommendations for revision and enable General Counsel to review the policy proposal. She inquired about legal requirements regarding the timing of the Board’s Annual Organizational Meeting. Mr. Kristoff replied that his research revealed that there is a specific provision in the law that applies to Rochester, and the current Board Bylaws are in compliance with this requirement. He added that he is currently reviewing a draft revision submitted by the Board Governance Committee.

VII. Policy Deliverables

A. Pathways to High School Success policy (4090)

Ms. Flanagan explained that the Pathways to High School Success policy was evaluated in June 2016 and specific revisions were recommended, but this was done under the previous administration. She stated that the current Administration has requested additional time to review and consider the evaluation and policy recommendations. Ms. Flanagan reported that the Chief of Staff indicated that they will be ready by the next Policy Committee meeting.

Commissioner Powell stated that she is interested in obtaining feedback from Mr. Kristoff about this policy because it provides flexibility for students to follow alternate paths to graduation (i.e. 3-year and 5-year paths), neither of which are recognized by the NYS Education Department when assessing school/student performance or determining accountability designations.

B. Multicultural/Global Education policy (4350)

Ms. Flanagan announced that the Administration has requested additional time to review the Multicultural/Global Education policy until a new Director of African – African American Studies has been selected and has had an opportunity to examine it.

Commissioner White pointed out that the Superintendent has had to hire top level staff at a difficult time, which is why some of these positions have been vacant (i.e. Director of African – African American Studies). He asked his colleagues to keep this in mind, as the timing hiring has interfered with the Superintendent's ability to respond to Board requests to some extent.

VIII. Additional Follow-Up Items

Commissioner Adams expressed concern about following up on the recommendations of the Wellness Committee regarding revisions to the Wellness policy (5405). She stated that the notes and recommendations from the Wellness Committee were provided to Mr. Carling, as the previous Acting General Counsel. Commissioner Adams also noted that the State has made changes recently regarding the composition of school district Wellness Committees, further compelling review of this policy.

Action Item: Board staff will follow up with Mr. Carling to find out the current status of the Wellness Committee recommendations for revising the Wellness policy (5405), and add this to the agenda for the next Policy Committee meeting.

Meeting adjourned at 7:24PM.