

PROCEEDINGS OF THE BOARD OF EDUCATION
November 7, 2007
7:00 p.m.

Albany High School

PRESENT: Teneka Frost, President
William Barnette, Vice President
Wayne Morris, Secretary
Dr. Mark Barth
Judy Doesschate (Arrived @ 7:30 p.m.)
Barbara Gaffuri
Jackie Jenkins-Cox

Dr. Eva. Joseph
Jeffrey Honeywell
Dr. Joseph Dragone
Linda Jackson-Chalmers

ABSENT: None

Call to Order:

Ms. Frost called the meeting to order at 7:10 p.m. All present joined in the Pledge of Allegiance. Ms. Frost welcomed the members of the audience and thanked them for taking the time to attend the meeting. Ms. Frost congratulated Melissa Mackey on her unofficial victory in the recent election. Ms. Mackey will take her seat on the Board of Education at the January 2008 board meeting. The community was very fortunate to have two very highly qualified candidates for the position.

SUPERINTENDENT'S REPORT

- Dr. Joseph noted last week the Associated Press released the results of a study that it sponsored with Johns Hopkins University on high school drop out rates that referred to certain high schools across the nation as "Drop Out Factories". The district was certainly dismayed and disappointed by this report listing Albany High School. Primarily, the New York State Education Department formula for reporting a valid drop out rate is what the district uses. Using that formula and following all the protocols and parameters, Albany High School's drop out rate for 2005-2006 is 4% compared to the state average of 10.9%. This is the statistic that the district reports that is considered valid and it is the one that the district is held accountable to. The Associated Press study did not consider some very important factors that the district uses in considering drops outs and that the New York State Education Department includes in its formula; students who take longer than 4 years to graduate, those who completed GED course, students who transfer to another school and receive a diploma there, students with disabilities who are candidates for an IEP diploma. Dr. Joseph noted the greatest concern with respect to that classification or that label is that using results for the sole purpose of attaching a derogatory label to a school, rather than offering solutions to problems that we work so hard to resolve is careless and irresponsible.
- A number of people have spoken about the Code of Conduct in the past weeks. The City Council PTA is still working to provide feedback to the district for consideration. This issue remains an ongoing process.

- Dr. Joseph advised there is a Facilities Subcommittee meeting scheduled for tomorrow morning. The committee will be considering concerns express about the landscaping at Myers Middle School as well as follow-up on the public use of the pool. That commitment is still there and the district is working toward making that pool available to the public.
- A full-day training session for Philip Livingston and Hackett faculty with National Urban Alliance is scheduled for Saturday November 17th.
- The National Honor Society at Albany High School will be inducting students into the National Honor Society on Wednesday, November 14th at 7:00 p.m. All are welcome to attend the ceremony.
- Dr. Joseph introduced Mr. William Griffin whose appointment as Internal Auditor is on the agenda this evening.
- This year is the first time that the Albany High Boys Soccer team has reached the boys section two soccer finals since 1983. The team played a great game. They lost a match with Niskayuna 1-0 in the last fourteen minutes of the game. Niskayuna survived as the champions. It was a proud loss.

Ms. Frost advised there is an addendum to the agenda. Mr. Barnette made a motion to amend the agenda to include additional items under routine consent, resignations/agreement, appointments and an additional action item for a public hearing on charter schools. Ms. Frost noted additional Emergency Conditional Appointments have been distributed to board members. Ms. Jenkins-Cox seconded the motion.

The board voted unanimously (6-0) to approve the motion.

Motion passed.

Mr. Morris requested that the agenda for the Facilities Subcommittee include the roof at Myers. Dr. Joseph noted that would be included.

Mr. Frost advised Ms. Doesschate was delayed on a train from New York City this evening and would be joining the meeting as soon as she is able.

STUDENT REPRESENTATIVE REPORT

Student representative was not present. No report was given.

PUBLIC COMMENT

1. Joe Klein addressed the board regarding the Dual Language Pre-K program.
2. Lisa Ternullo addressed the board regarding landscaping issues around Myers Middle School and public use of the swimming pool.

INFORMATION ITEM

Strategic Planning

Dr. Joseph provided an update on the Strategic Planning Process. Dr. Joseph noted the board agreed to keep this item high on the board's agenda, staying abreast of the preparations for this process. Dr. Joseph advised the board was provided with a presentation from the two SoarPoint Associates, providing a general summary of what will occur during the three-day work session.

The workshop will take place on November 29th (12 noon – 8 pm), November 30 and December 1st (8 am – 4 pm). The schedule has been structured to minimize the amount of time from work for participants in the workforce. SoarPoint Associates are the consultants who will be facilitating the process. Board members reviewed a listing of identified groups that will be part of the strategic planning team. The consultants have recommended a team consisting of 25 members. Team will develop the strategic direction during the workshop. The process will then continue with groups that will develop action plans based on the strategic direction. At the recommendation of Ms. Jenkins-Cox, the board member elect will be invited to participate in this process. Members selected to participate in some instances also hold other titles and/or positions that will serve to broaden shared perspectives.

Board members expressed concern that there is no support staff listed and requested that someone from the support staff be included on this committee. Dr. Joseph noted the board has had discussions related to the development of this team. Dr. Joseph noted she has had discussion and she is working with the template that was agreed on. Dr. Joseph noted she has had a conversation with the support staff leader and indicated how this body was being comprised and that as the group expanded there would be room for participation. Following discussion Ms. Frost advised the district would try to stay with the twenty-five member composition including the addition of the support staff representative.

2007-2008 Staffing Report

Dr. Joseph noted Ms. Jackson-Chalmers has compiled a report similar to previous reports on staffing. The report indicates the district continues to move toward greater goals in terms of staffing, related to quality of staff and diversity. Overall staffing figures were presented, comparing 2005-06, 2006-07 and 2007-08, broken down by teachers/faculty, teaching assistants/aides, administrators and support staff; overall staff by ethnic code, teacher recruitment measures, applicant diversity by ethnicity, administrators by ethnic code, minority teachers/faculty at the elementary level, minority teachers/faculty at the secondary level, SED/SAR statistics for public school district for Albany, Schenectady, Rensselaer and Saratoga County and statistics for the big five cities of Syracuse, Buffalo, Rochester, Yonkers and New York City. Strategies for the 2006-2007 school year and Strategies for the 2007-2008 school year were also reviewed.

The district continues to show steady progress in minority recruitment over the past couple of years. Historically the district waits until the conclusion of the budget process before hiring, which presents a challenge in hiring highly qualified teachers. The district's best effort at teacher recruitment is not outside of our community. The district will continue to do the teacher recruitment fairs that are available, if it is advantageous. The district will also expend energies on supporting teaching assistants and encouraging young people to become teachers and then come back to the community. Ms. Jackson-Chalmers noted the district needs to look at what supports

can be put in place to retain the teachers that the district has. In order to get the critical mass, the district needs to continue to develop the means through our own community.

Mr. Barnette noted observations in reviewing the report that teachers are slightly more than half of the workforce in the district, but only 131 of 875 are classified in the minority category. Instead of looking at the whole number, the district needs to focus on who sees the kids and who do the kids see most. In looking at the teaching assistant, it was interesting that teaching assistants and aids are 15% of the workforce and yet 46% of that category is minority. The district needs to keep these figures in mind as it looks at disparities. Enrollment projections indicate that people of Spanish decent are a growing population in the community. That should also be kept in mind as the district looks at its workforce.

The district needs to be looking at developing a diversity plan that set forth what kind of retention strategies would be implemented in terms of reaching targets. The diversity plan should also be shared not only with central administration. It should also be shared with the SDM teams, and the people who are actually recruiting and interviewing to make sue the district has a fair process so that the minority community is not excluded unfairly. The district needs to look at a more comprehensive plan whereby progress can be measured and something that can be shared with the district in letting them know that the board is making a firm statement, not just setting a goal, having strategies that are going to be implemented and supported by resources to increase the goal. Ms. Frost advised she would like to see a more developed comprehensive diversity plan to be shared with the board at some time in the near future.

ROUTINE CONSENT ITEMS

Ms. Frost presented the Routine consent Items, including Proceedings of Meeting, October 2, 2007 and October 18, 2007, Resignations/Agreement, Position Vacated, Abolish Positions, Leaves of Absence, Transfers, Appointments (Probationary, Regular Substitutes, Miscellaneous, Civil Service, Civil Service Permanent), Emergency Conditional Appointments, Treasurer's Report, Central Treasurer's Report for Extra Classroom Activity Fund, Budget Transfers over \$10,000, Budget Transfers under \$10,000, Budget Status Report, Real Property Tax Adjustments, Committee on Special Education, Subcommittee on Special Education, Committee on Pre-School Special Education, Contracts for Grants and Special Projects (Universal Pre-K Services) Albany Community Partnership (Head Start), Albany Jewish Community Center, Arbor Park Child Care Center, Inc. Boys and Girls Club of Albany. (Supplemental Educational Services) ArtPartners/Tsehaya & Co., Catapult Online, Leaner First, National Association for Advancement of Colored People (NAACP) Albany Branch, Reigning Life Family Church, Siena College. (Miscellaneous) Girls Incorporated of the Greater Capital Region, and Attendance at Conferences, Memoranda of Agreement (2007-2008 School Calendar, Painter's Union Contract); Withdrawal of Contract (Ken Gifford) and Approval of Contract (Armlin Damon Associates)

Mr. Barnette made a motion to approve routine consent items as presented. Ms. Jenkins-Cox seconded the motion. Mr. Barnette requested that the proceedings of meetings and contracts for grants and special projects for Universal Pre-K services be set aside. Mr. Morris requested that Emergency Conditional Appointments be set aside.

The board voted 5 ayes and 2 abstentions to approve the motion absent those items set aside.

Mr. Barnette and Ms. Jenkins-Cox abstained.

Motion passed.

Ms. Frost presented the proceedings of October 2 and October 18, 2007 for approval. Motion was made by Mr. Barnette and seconded by Mrs. Gaffuri. Mr. Barnette requested clarification on the proceedings of October 2, 2007 and October 18, 2007 reflect that the reason for his absence on October 2nd and Ms. Frost's absence on October 18th reflect that they were out of town on business.

Dr. Barth asked that the proceedings be set aside for revision to include reference to board member's participation in discussion on the Attendance Policy or the Code of Conduct. Minutes should reflect how the board proceeds and how the board discharges its responsibility.

The proposal is to table these proceedings to the next meeting to give Ms. Cutting an opportunity to reflect those ideas in the minutes from here. Dr. Barth made a motion to table the proceedings from October 2 and October 18, 2007.

Mr. Barnette noted as a point of order that would require Mr. Barnette, who made the original motion to approve the proceedings to withdraw the motion. Mr. Barnette advised he is willing to do that. Mrs. Gaffuri, who seconded the motion, also agreed.

Board members noted that board proceedings have been more extensive and the board requested that they be scaled down. A suggestion was made to have a discussion, possibly the Policy Committee to establish guidelines for recording proceedings

Dr. Barth made a motion to table these proceedings. Mrs. Gaffuri seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Ms. Frost presented Emergency Conditional Appointments for approval. Ms. Jenkins-Cox made a motion for approval. Mr. Morris seconded the motion. Mr. Morris asked for an explanation of the Emergency Conditional Appointments. Dr. Joseph noted typically there a number of Emergency Conditional Appointments for employees who have been hired, pending results of finger printing. Ms. Jackson-Chalmers advised every employee in the district has to submit finger printing. The Emergency Conditional Appointment allows the district to start employees as soon as possible, when needed.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Ms. Frost presented the contracts for Universal Pre-K for approval. Mr. Barnette made a motion for approval. Ms. Jenkins-Cox seconded the motion. Mr. Barnette noted there have been several discussions relative to Universal Pre-K and the expansion of that service. Mr. Barnette asked if the district is investigating the possibility of establishing a Pre-K program for the Dual Language Program. Dr. Joseph noted there have been extended conversations internally. Ms. Rudnick and Dr. Joseph met with the dual language support group to discuss providing a program at Delaware Community. Mr. Barnette suggested before the legislature starts negotiating for next year, if the district has something in the pipeline it might influence the continuation of enhanced funding for next year. The board voted unanimously (7-0) to approve the motion.

Motion passed.

FACILITIES PROJECT REPORT

Action Items Related to the Facilities Project

Change Orders

Ms. Frost presented change orders for the Hackett Middle School and School 19 projects. Dr. Joseph advised this is a standard item, important, nonetheless. Mr. Gifford advised these are standard change orders. The Hackett project is slightly ahead of schedule. School 19 is right on schedule. Ms. Doesschate made a motion to approve change orders. Mrs. Gaffuri seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

ACTION ITEM

2006-2007 Budget Development Calendar

Ms. Frost presented the 2008-09 Budget Development Calendar. Ms. Jenkins-Cox made a motion to approve the calendar. Ms. Doesschate seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Policies

Ms. Frost advised she had a request to act on each policy individually.

Policy #5280 Interscholastic Athletics

Mr. Barnette made a motion to approve the policy. Mr. Morris seconded the motion. Mrs. Gaffuri made a motion to amend the policy to read, along with Interscholastic Athletic, all Extracurricular Activities. Mr. Barnette advised he would not accept the amendment based on the fact that this policy has been discussed by the board many times and it has been the topic of discussion for the Policy Committee several times, including a spirited discussion at the last Policy Committee, after which, the majority of the committee agreed to bring the policy to the board for action. In the spirit of the intent of the committee to bring this back to the board for action, the motion will not be withdrawn. The motion was motioning that we act on what the committee brought to the board.

Mrs. Gaffuri advised she was not presenting a friendly amendment. The request was a motion to amend the policy to include extracurricular activities to the policy. Ms. Doesschate seconded the motion. Mr. Barnette advised he would not be supporting the motion based on previous discussion. In addition, the motion to add extracurricular activities into this policy in effect will limit the ability of the board to act on what is before the board tonight because the motion states add extracurricular activities into this policy. It does not specify what that would be.

Ms. Doesschate advised the reason she seconded the motion is because she thought it deserved some discussion. Ms. Doesschate advised she favors coming up with a similar policy for extracurricular activities. Ms. Doesschate advised another thought is to amend the policy to have a sunset and in the meantime ask the district to come forward with recommendations regarding other activities and having a similar kind of policy. Ms. Doesschate advised some of the penalties in this policy would have to be modified substantially, etc. because this is specific to athletics. Ms. Doesschate advised she is willing to support this with some sort of timeframe for the issue to be addressed with regard to other activities.

Dr. Joseph advised the implications of adding all extracurricular activities are not that simple. Recommendation is to keep the issues separate at this juncture. Dr. Joseph advised she would recommend that the board move ahead. There has been a continued expressed commitment to developing a policy for all extracurricular activities. If that policy is developed and the athletic piece becomes part of the extracurricular policy, the board at that time can replace the Athletic policy. Dr. Joseph noted the district has made that commitment to develop a policy for all other extracurricular activities and look toward this policy being adopted in the here and now because the work on this one has already been completed and its important for the athletic program.

Mr. Barnette noted the board agreed that a draft policy addressing all extracurricular activities would be developed and presented to the Policy Committee in January.

Mrs. Gaffuri noted she values this policy for our athletes and she supports it completely for our athletes. However, the intent that is this policy for athletes in relationship to the Code of Conduct, keeping them safe, preventing injuries, good judgement, mature judgement, self discipline, self control, should be applied to all students. Mrs. Gaffuri advised she would not support this policy, excluding other students.

Dr. Barth noted case law is firm on an athletic code of conduct. That's not so in clubs. This policy emerged with great investment from the coaches who are the advisors of these teams. Presently advisors to extracurricular clubs have not had input into this policy. Ms. Ryan, the Athletic Director advised this policy is a work in progress. Dr. Barth advised he is inclined to see how this works, while the district simultaneously investigates the feasibility of doing the same thing for clubs in the school. Ms. Frost asked for a vote on the motion to amend to add extracurricular activities.

The board voted 1 aye and 6 opposed.

Ms. Frost, Mr. Barnette, Ms. Jenkins-Cox, Dr. Barth, Ms. Doesschate were opposed.

Motion failed.

On the motion to approve the policy,

the board voted 6 ayes and 1 opposed. Mrs. Gaffuri was opposed.

Motion passed

Ms. Frost advised, at the request of the board, Policies 8832, 8332R and 8334 have been reviewed and approved by the district auditors, prior to presentation to the board for approval.

Policy #8332 District Cell Phones & 8332R District Cell Phones Regulations

Ms. Frost presented the policy and regulations for approval. Ms. Jenkins-Cox made a motion for approval. Mr. Morris seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Policy #8834 District Issued Credit Cards

Ms. Frost presented the policy for approval. Dr. Barth made a motion for approval. Ms. Jenkins-Cox seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Policy #9170 Reimbursement for District Meals and Refreshments

Ms. Frost made a motion for approval. Mrs. Gaffuri made a motion for approval. Mr. Morris seconded the motion.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

Public Hearing on Charter Schools

Ms. Frost presented the following resolution for approval:

PUBLIC HEARING RESOLUTION

WHEREAS, the City School District of Albany (“School District”) has been notified by the New York State Education Department (“SED”) of the receipt of requests by the Board of Regents or the Trustees of the State University of New York from the Brighter Choice Charter School for Boys, Brighter Choice Charter School for Girls, Achievement Academy Charter School, Albany Preparatory Charter School, and New Covenant Charter School for amendments and/or revisions to their charters; and,

WHEREAS, Education Law Section 2857(1) and Section 119.4 of the Regulations require the School District to hold a public hearing to solicit comments from the community in connection with such applications and SED has informed the School District that it must hold such hearing.

IT IS HEREBY RESOLVED:

1. A public hearing shall be held on November 20, 2007 from 7:00 p.m. to 8:00 p.m. at the Myers Middle School consistent with the obligations of the School District under the above law and regulation.
2. Board Counsel is designated by the Board of Education to conduct and hold such public hearing.
3. The Superintendent of Schools shall cause notice of the public hearing to be published in the official newspapers of the School District for a minimum of five days preceding the date of the public hearing. A copy of the public hearing notice shall be provided to SED.
4. The public hearing shall be conducted in a manner to reasonably afford members of the community the opportunity to provide public comment on the above charter applications. Consistent with such expectation, the public hearing shall generally be guided by the following parameters, which may be adjusted by the individual conducting the public hearing as he or she may best reasonably determine. The public hearing shall last one hour. Each speaker shall be afforded a maximum of three minutes to present any comments. No stenographic record of the public hearing is required nor will one be maintained. Any individual wishing to have his/her comments submitted as part of the public hearing record shall submit such comments in writing to the facilitator of the public hearing at the time of the public hearing. No comments, written or otherwise, shall be considered or accepted after the public hearing is closed.

5. On the first business day following the public hearing, the Superintendent of Schools shall provide written notification to both the charter school charter entities and SED that the public hearing was held, along with the date and time of hearing.

6. Within fifteen business days of the public hearing, the Superintendent of Schools shall submit copies of any and all written records or comments generated from the hearing to the charter school charter entities and SED.

Ms. Jenkins-Cox made a motion for approval. Mr. Barnette seconded the motion. Mr. Barnette noted this is an action required by SED regulations. The resolution fulfills the district regulatory obligation.

The board voted unanimously (7-0) to approve the motion.

Motion passed.

DISCUSSION ITEM

2006-2007 Financial Statements

Dr. Joseph introduced Mr. James Cusack and John Criscone from Cusack & Company who presented the 1006-07 Financial Statements. Mr. Schruers advised the independent audit was completed and reviewed with the Audit Committee. Mr. Cusack advised all reports have been filed timely with New York State. They have issued unqualified opinions on the reports. Mr. Cusack advised the accounting system and personnel are very well organized. There was substantial testing of internal controls. Mr. Cusack advised details of the Audit were reviewed with the Audit Committee.

Mr. Barnette requested a clarification of the term unqualified opinion. Mr. Cusack advised in accordance with generally accepted accounting principles, an unqualified opinion means that the audit firm has no qualifications, no issues in terms of how the district has accounted and report transactions. Mr. Cusack further noted that an unqualified opinion is the highest level of assurance on the district's financial statements. Mr. Cusack advised the unqualified opinion was issued on all the district reports. Ms. Frost this item would be placed on the next agenda for approval.

Transportation Services

Dr. Joseph the contract with Durham School Services, the district's primary transportation service provider ends on June 30, 2007. This year the district would be exercising options in terms of continued services. Durham School Services has made a proposal to the district, which has been reviewed by Mr. Schruers and Mr. Verrigni, Director of Transportation. This extension is being presented to the board this evening for review. Mr. Schruers advised it is recommended that the contract with Durham School Services be extended for an additional three years. The district has contracted with Durham for a number of years and has extended the contract in prior years.

Mr. Schruers also noted that the legislation allows the district to extend contracts. The proposal states contract increases would be capped either at the CPI increase, or 4%, whichever is lower. The contract proposal is to extend for three years at those terms. Mr. Schruers advised the CPI increase scheduled for the 2007-2008 year would be negated with the extension of the contract, which represents a saving to the district of \$156,303. At the end of the three-year period the district would have an option to extend the contract by mutual consent for an additional two-years at the same terms.

The contract provides some additional options including a wheelchair vehicle for transportation of students with disabilities. They would also provide on their new buses digital cameras to address security issues. Mr. Schruers advised the recommendation is to go forward with this contract extension in consideration of safety and financial issues and the relationship that district has developed with Durham. Board comments included the lack of transparency or a notice for letters of interest from other vendors, noting that the legislature allows for this extension. A member of the Audit Committee advised the committee members discussed this issue in considering the recommendation to extend the contract.

BOARD COMMITTEE REPORTS

Mr. Barnette advised the Policy Committee met and started review of the Affirmative Action Policy and are recommending further discussion in the context of the strategic planning discussion in terms of diversity and talent management. Mr. Barnette advised the Policy Committee has received draft policies for the second phase of policy review.

BOARD MEMBER ITEMS

The board discussed a quorum for the November 15, 2007 meeting. Several board members are not available on that date. Those with potential conflicts will contact the district office with that information. Following discussion it was agreed that the meeting remains scheduled for that date.

Mr. Morris requested an update of the reading program as a future agenda item. Dr. Joseph encouraged board members to forward agenda items to her attention so that those items can be scheduled on future agendas.

Ms. Frost noted the recent article in the Times Union on the Contract for Excellence, advising that a number of people were very upset by the information that Albany received one of the biggest increases in state aid to address some of the real needs in the district, that was used to fund charter schools. Ms. Frost suggested a response to that article and requested that the district prepare talking points to respond to inquiries related to this situation. Dr. Joseph advised the district has received more comments to this article than anything the district tried to elicit last year. Dr. Joseph advised she has already had meetings through the Small City School Association with the official from the Senate Finance Committee, Paul Frances from the Division for Budget and the Deputy Secretary for Education. Dr. Joseph advised this is an opportunity for the district to be recognized as having needs that are not being met for those kinds of financial issues. Dr. Joseph noted it is becoming more recognized that Albany stands alone. Board members agreed to move forward with this effort. Talking point information will be emailed to board members.

Adjournment

Mr. Morris made a motion to adjourn. Ms. Jenkins-Cox seconded the motion. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Catherine L. Cutting
Clerk of the Board