



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents
FROM: Tony Lofrumento *Anthony Lofrumento Jr*
SUBJECT: Summary of the November 2014 Meeting

DATE: December 8, 2014

AUTHORIZATION(S): *J. B. G. Jr.*
Executive Summary

Issue for Decision

Review of the Summary of the November 2014 Meeting of the Board of Regents.

Proposed Handling

Approval of the Summary of November 2014 meeting.

Procedural History

This document summarizes the actions of the Board of Regents during the monthly meeting and is brought before the Board the following month for approval.

Recommendation

Approval of the Summary of the November 2014 meeting.

Timetable for Implementation

Effective December 16, 2014.

VOTED, that the Summary of the November 2014 Meeting of the Board of Regents of The University of the State of New York be approved.



**SUMMARY OF THE NOVEMBER 2014 MEETING
OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF THE STATE OF NEW YORK**

Held at the State Education Building

***Albany, New York
November 17 and 18, 2014***

***Anthony Lofrumento, Secretary
Board of Regents***

THE BOARD OF REGENTS

The Board of Regents of The University of the State of New York held a public session on Monday, November 17, 2014 at 9:00 a.m. pursuant to a call to duty sent to each Regent.

MEETING OF THE FULL BOARD, Monday, November 17th at 9:00 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
T. Andrew Brown
Josephine Victoria Finn

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Harry Phillips, 3rd, Wade S. Norwood and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 9:00 a.m.

PRESENTATION

Where are they Now Reports

Commissioner King and Ken Wagner provided a presentation on Postsecondary Enrollment in New York State (Attachment I).

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Monday, November 17th at 5:15 p.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
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Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Harry Phillips, 3rd, Wade S. Norwood and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 5:15 p.m.

PRESENTATION

East Ramapo: A School District in Crisis

Hank Greenberg provided the findings of his investigation into the East Ramapo School District (Attachment II).

Chancellor Merryl H. Tisch adjourned the meeting.

MEETING OF THE FULL BOARD, Tuesday, November 18 at 10:30 a.m.

Board Members in Attendance:

Merryl H. Tisch, Chancellor
Anthony S. Bottar, Vice Chancellor
Robert M. Bennett, Chancellor Emeritus
James C. Dawson
James R. Tallon, Jr.
Roger Tilles
Charles R. Bendit
Betty A. Rosa
Lester W. Young, Jr.
Christine D. Cea
Kathleen M. Cashin
T. Andrew Brown
Josephine Victoria Finn

Also present were the Commissioner of Education, John B. King Jr., Executive Deputy Commissioner, Elizabeth Berlin, Counsel, Deputy Commissioner for Legal Affairs, Richard J. Trautwein, and the Secretary, Board of Regents, Anthony Lofrumento. Regents Harry Phillips, 3rd, Wade S. Norwood and James E. Cottrell were absent and excused.

Chancellor Merryl H. Tisch called the meeting to order at 10:30 a.m.

ACTION ITEMS

**Charter Applications
BR (A) 1**

MOVED, that the Board of Regents approve each application in accordance with the recommendations contained in the summary table (see Appendix I).

**Summary of the October 2014 Meeting of the Board of Regents
BR (A) 2**

MOVED, that the Summary of the October 2014 Meeting of the Board of Regents of The University of the State of New York be approved.

Motion by: Regent Roger Tilles
Seconded by: Chancellor Emeritus Robert M. Bennett
Action: Motion carried unanimously.

PROGRAM AREA CONSENT ITEMS

P-12 Education

Petition of the City School District of the City of Geneva for Consent to Exceed the Constitutional Debt Limit BR (CA) 1

MOVED, that the Board of Regents hereby gives consent to the issuance of bonds and/or bond anticipation notes by the Board of Education of the City School District of the City of Geneva in an amount not to exceed \$659,000 for the acquisition of school buses and the issuance of such bonds and/or bond anticipation notes in excess of the constitutional debt limit of said school district.

Proposed Amendment of Section 100.18(b)(14) and 100.18(b)(15) of the Regulations of the Commissioner, Relating to Definition of Performance Levels for State Assessments and the Calculation of the Performance Index Based on the Student Performance Levels BR (CA) 2

MOVED, that paragraphs (14) and (15) of subdivision (b) of section 100.18 be amended, as submitted, effective December 3, 2014.

Proposed Amendment of Section 100.2(ee) of the Commissioner's Regulations, Relating to Academic Intervention Services (AIS) BR (CA) 3

MOVED, that paragraph (2) of subdivision (ee) of section 100.2 of the Regulations of the Commissioner of Education be amended, as submitted, effective December 15, 2014, as an emergency action upon a finding of the Board of Regents that such action is necessary for the preservation of the general welfare to ensure that the emergency rule adopted at the September 15-16, 2014 Regents meeting remains continuously in effect until it can be presented for adoption and take effect as a permanent rule.

Professional Practice

(Re)Appointments of Members to the State Boards for the Professions and (Re)Appointments of Extended Members to the State Boards for the Professions for Service on Licensure Disciplinary and/or Licensure Restoration and Moral Character Panels BR (CA) 5

MOVED, that the Regents approve the proposed (re)appointments.

**Report of the Committee on the Professions Regarding Licensing Petitions
BR (CA) 6**

MOVED, that the Regents approve the recommendations of the Committee on the Professions regarding licensing petitions.

**Appointment to the Committee on the Professions
BR (CA) 7**

MOVED, that the Board of Regents approve the roster of the Committee on the Professions, effective November 18, 2014.

**Regents Permission to Operate in New York State: Western Kentucky University
BR (CA) 8**

MOVED, that the Board of Regents extend the permission for WKU to operate in New York State in a limited capacity until May 31, 2017 to authorize WKU to have physical presence in New York City, which enables students in its online M.S. program in Speech-Language Pathology to meet with their respective WKU professors.

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent James C. Dawson
Action: Motion carried.

STANDING COMMITTEE REPORTS

Cultural Education

Regent Roger Tilles, Chair of the Cultural Education Committee, submitted the following written report. Your Committee on Cultural Education Committee had its scheduled meeting on November 17, 2014. In attendance were committee members: Regents Tilles, Dawson, Bendit, Rosa, Cea, and Brown. Absent: Regent Cottrell

In addition to CE Committee Members, in attendance were Regent Finn, Commissioner King, and Executive Deputy Commissioner Berlin

Items for Discussion

Regent Tilles welcomed everyone and opened the meeting.

New Shaker Exhibition

Museum Senior Planner Aaron Noble showed a brief video that introduced The State Museum's new exhibition, *The Shakers: America's Quiet Revolutionaries*. He provided a brief overview of the exhibit, which opened on November 15. The exhibit was organized in collaboration with four other museums that collect shaker artifacts.

State Museum Collection Policy (Action)

Museum Director, Mark Schaming presented the State Museums Comprehensive Collections Policy, required for accreditation by the American Alliance of Museums, to the Committee for their approval. There were several questions including:

- Was the policy shared with the Museum Advisory Council? The Museum Director responded that it was not shared with the Advisory Council.
- Will the Board of Regents periodically review the policy? The Museum Director and the Deputy Commissioner responded that the policy will be reviewed when changes are needed.
- Where does this policy fit into the context of other Board actions? The Museum Director responded that the policy is one of five actions that the Board will take regarding the Museum and that the actions will be presented piecemeal.
- Is this the first time the board has reviewed this policy? The Museum Director responded that this is the first time the board has ever reviewed a collections policy for the Museum.

Motion to approve: Made by Regent Dawson

Second of the motion: Made by Regent Brown

Unanimously approved.

New York State History Month Activities and Programs

State Historian Curator Robert Weible presented the 2014 November History Month activities from around the State. He remarked that History Month is established in law. Historian Weible showed the committee a web site that lists activities in institutions across the state and indicated that History Month activities are carried out by local government historians as well as organizations and institutions statewide.

New York State Paleo Indian Database

Jonathan Lothrop, Museum Curator of Archeology, gave a detailed presentation on research about the earliest Native Americans in New York State. He showed the committee a number of conclusions regarding settlement patterns of paleo Indians as well as the linkage between climate change and geologic changes that correlate with settlement patterns. Dr. Lothrop highlighted the value and role of projectile points that are collected from locations across the state to support the research and analysis.

Higher Education

Your Higher Education Committee held its scheduled meeting on November 17, 2014
Items not requiring action:

Overview of Teacher Candidate Placement Rate.

Your Committee received an overview of the pass rates for the educator certification examinations implemented in 2013, including the School Building Leader (SBL) Part I and Part II, Academic Literacy Skills Test (ALST), Educating All Students (EAS) test, and the edTPA.

Higher Education Program Approval and Registration.

Your Committee received an overview of the higher education program approval and registration standards in Commissioner's Regulations. The presentation included data regarding the number of program proposals and other applications submitted to the Office of College and University Evaluation since January 2014. Committee also discussed some of the challenges that colleges and universities in New York State are facing and how those challenges, and the changing landscape in which colleges and universities are operating, affect their ability to meet the current program registration standards.

P-12 Education

Your P-12 Education Committee held its scheduled meeting on November 17, 2014. All members were present, except for Regent Phillips and Regent Norwood, who were excused.

Action Items

Transition to the Regents Examination in Algebra I (Common Core) [P-12 (A) 1]

Your Committee recommends that clause (a) of subparagraph (ii) of paragraph 1) of subdivision (g) of section 100.5 of the Regulations of the Commissioner is amended as submitted, effective November 18, 2014, as an emergency action upon a finding by the Board of Regents that such action is necessary for the preservation of the general welfare in order to ensure that school districts and students are given sufficient notice to prepare for and timely implement in the 2014-2015 school year the provision providing, at the local school district's discretion, an additional opportunity for students receiving Algebra I (Common Core) instruction to take the Regents Examination in Integrated Algebra in addition to the Regents examination in Algebra I (Common Core) at the June 2015 test administration, and meet the requirement for graduation by passing either examination.

Proposed Addition of Subpart 154-3 of the Commissioner's Regulations [P-12 (A) 2]

Your Committee recommends that Subpart 154-3 of the Regulations of the Commissioner of Education relating to the establishment of criteria for determining whether a student with a disability shall take the statewide English language proficiency identification and criteria for exiting students with disabilities from identification as an English Language Learner, be added as submitted, effective December 3, 2014.

Charter Schools: Initial Applications and Charters Authorized by the Board of Regents [P-12 (A) 3] (Regent Rosa was not present for the vote on this item)

Your Committee recommends that the Regents find that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **Capital Preparatory Harlem Charter School** for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **New Ventures Charter School** for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **South Bronx Classical Charter School III** for a term of five years in accordance with §2851(2)(p) of the Education Law.

Your Committee recommends that the Regents find that the proposed charter school: (1) meets the requirements set out in Article 56 of the Education Law, and all other applicable laws, rules and regulations; (2) will operate in an educationally and fiscally

sound manner; (3) is likely to improve student learning and achievement and materially further the purposes set out in subdivision two of section twenty-eight hundred fifty of Article 56 of the Education Law; and (4) will have a significant educational benefit to the students expected to attend the charter school, and the Board of Regents therefore approves and issues a charter and provisional charter to the **Greater Works Charter School** for a term of five years in accordance with §2851(2)(p) of the Education Law.

MOTION FOR ACTION BY FULL BOARD

Madam Chancellor and Colleagues: Your P-12 Education Committee recommends, and we move, that the Board of Regents act affirmatively upon each recommendation in the written report of the Committee's deliberations at its meeting on November 18, 2014, copies of which have been distributed to each Regent.

MATTERS NOT REQUIRING BOARD ACTION

Instructional Technology and Computer-Based Testing [P-12 (D) 1] – The Committee discussed the increasing use of instructional technology to enhance instruction in classrooms and the Department's plan for a similar transition to computer-based testing for state assessment purposes. Computer-based testing for state assessments would offer a number of advantages, including the ability to make test questions even more instructionally relevant, more flexible administration options, better security, more embedded field test items and more timely return of test results. A panel consisting of representatives from BOCES, Regional Information Centers, districts, and schools presented information to the Regents relating to their use of computer technology for instruction and assessments, including readiness, benefits and challenges. Panel members included:

- **Dr. Donna DeSiato**, Superintendent, East Syracuse Minoa Central School District, Member, NYS Technology Policy and Practice Council
- **Theresa Gray**, Coordinator, Integrated Education Services, Erie 2 - Chautauqua Cattaraugus BOCES; Member, NY PARCC Education Leader Cadre
- **Glen Huot**, Director, Monroe Regional Information Center
- **Deborah Kavanaugh**, Principal, Pinewood Intermediate School, Mohonasen Central School District
- **Niket Mull**, Executive Director of Assessment, New York City Department of Education

School Participation in New York State Field Tests [P-12 (D) 2] – the Committee discussed proposed amendments to regulations relating to making explicit the requirement of school participation in field tests essential to the development of fair and valid New York State operational assessments for students in Grades 3-12. It is anticipated that the proposed amendment will be presented for adoption at the February 2015 Regents meeting.

Preschool Special Education Tuition Methodology Study [P-12 (D) 3] – the Committee discussed the Department’s work relating to issuing a study of preschool special education tuition methodologies and monitoring protocols. The Department’s Rate Setting Unit, Office of Special Education and STAC Unit are collaboratively leading the Department’s effort to integrate programmatic and fiscal considerations, conduct data analysis, engage stakeholders and prepare the study report. The study will describe the existing tuition methodology and monitoring protocols, including data analysis regarding fiscal trends, and discuss alternative reimbursement methodologies and monitoring protocols that could be applied to each of the three preschool program types for which tuition rates are set: Special Education Itinerant Services, Special Class Programs and Special Class in an Integrated Setting Programs. Staff will provide a summary of the contents of the preschool methodology study at the December Regents meeting.

The Board of Regents will take action on the following consent agenda items at their November 18, 2014 meeting.

- Petition of the Geneva CSD for Consent to Exceed the Constitutional Debt Limit.
- Regulations relating to the Definition of Performance Levels for State Assessments and Calculation of the Performance Index Based on the Student Performance Levels.
- Regulations relating to Academic Intervention Services.

P-12 Education/Higher Education Joint Meeting

Your P-12 Education Committee and Higher Education Committee held joint meetings on November 17 and 18, 2014

Items not requiring action:

Panel on Opportunity Programs.

Your Committee heard a presentation on the opportunity programs. A five member panel consisting of: Phyllis Breland, Director of Opportunity Programs (HEOP) at Hamilton College; Juan Duran and Raquel Knowles, former Collegiate Science and Technology Entry Program (CSTEP) students; Teneka Frost-Amusa, Esq., Associate Counsel, New York State Department of State, a former Liberty Partnerships Program (LPP) student and Taylor Blue Clarke, a current Science and Technology Entry Program (STEP) student discussed their individual educational journeys and how their experience(s) in an opportunity program(s) had a positive impact on their lives.

Proposed Amendments to Sections 80-3.6, 100.2(dd) and 154-2.3(k) of the Regulations of the Commissioner of Education Relating to Professional Development in Language Acquisition to Address the Needs of English Language Learners.

The proposed rule amends sections 80-3.6 and 100.2(dd) of the Commissioner's Regulations to implement the Part 154 changes. The proposed rule also amends section 154-2.3(k) to conform to sections 80-3.6 and 100.2(dd), as amended, and to clarify that administrators and holders of a level III teaching assistant certificate also be required to complete a minimum of 15 percent of the required professional development clock hours in language acquisition addressing the needs of ELLs and integrating language and content instruction for ELLs; consistent with its requirements for teachers. It is anticipated that the proposed rule will be presented for action at the February 2015 Regents meeting.

Strengthening Teachers and Leaders Effectiveness (STLE) Grant.

Department staff, Huntington UFSD and Greece CSD provided the Board with an update on how LEAs in rounds 1-3 of the STLE grant have progressed in their use of educator evaluation systems to develop, implement, or enhance a comprehensive systems approach to address student achievement needs and common talent management needs such as the recruitment, development, retention, and equitable access to effective teachers and school leaders. In addition, the final round of the STLE grants, Strengthening Teacher and Leader Effectiveness Dissemination Grant: Principal Leadership (STLE-D) was introduced

Professional Practice

Three members of your Professional Practice Committee met at the time scheduled for the Committee meeting on November 18, 2014. All committee members were present, except for Regent Phillips, Regent Norwood and Regent Cottrell who were excused. Chancellor Tisch, Regent Dawson, Regent Tallon, Regent Rosa, and Regent Cashin also attended. Due to the lack of quorum, no matters were voted upon.

Action Items

No Action Items were voted upon by the committee.

Matters Not Requiring Board Action

Your Committee discussed several topics of interest, including:

Deputy Commissioner's Report/Update [Oral Report] –

- Full Board Consent Agenda Items
 - Board Appointments
 1. 14 appointments and 4 reappointments to the State Boards for the Professions
 - Licensing Petitions/Conferrals of Degrees
 1. 1 Licensing Petition
 2. 25 requests for the conferral of the M.D. degree

- Committee on the Professions Appointment
 1. 7 appointments to the Committee on the Professions
- Permission to Operate
 1. Extension of permission for Western Kentucky University to operate in New York State

Nurse Family Partnerships [PPC (D) 1] - Renee Nogales, the Northeast Regional Program Developer for the Nurse-Family Partnership, presented information about the Nurse-Family Partnership program. Ms. Nogales explained the Partnership's programs in New York, as well as its work nationally and internationally. She provided an overview of the populations that have benefited from the program and of the successes and challenges of the program, and responded to questions from members of the Board. [PPC (D) 1]

MOVED, that the Committee Report be approved.

Motion by: Regent James C. Dawson
Seconded by: Chancellor Emeritus Robert M. Bennett
Action: Motion carried. (Regent Christine D. Cea recused herself from the vote on New Ventures Charter School in the P-12 Education Committee Report)

DISCUSSION

State Aid Discussion Update

Regent Tallon gave the Board an update on State Aid discussions.

ACTION ITEMS

State Education Department October 2014 Fiscal Report BR (A) 3

MOVED, that the Board accepts the October 2014 State Education Department Fiscal Report as presented.

Motion by: Regent James C. Dawson
Seconded by: Chancellor Emeritus Robert M. Bennett
Action: Motion carried

Regents 2015 Federal Priorities BR (A) 4

MOVED, that the Regents approve the federal priorities.

Motion by: Regent James C. Dawson
Seconded by: Regent James R. Tallon Jr.
Action: Motion carried unanimously

**Regents 2015 State Legislative Priorities
BR (A) 5**

MOVED, that the Regents approve the state legislative priorities.

Motion by: Regent Roger Tilles
Seconded by: Regent James C. Dawson
Action: Motion carried unanimously

**Regents 2015-16 State Budget Priorities
BR (A) 6**

MOVED, that the Regents approve the budget priorities as follows:

Eliminate Stand-alone Multiple Choice Field Testing, Reduce Testing Time, and Release More Test Questions	\$8.4 million
Higher Education Opportunity Programs	\$6.0 million
Enhancing the Achievement of English Language Learners	\$14.75 million
Early Learning Support	\$676,000
Adult Education – Workforce Preparation	\$5.0 million
Public Library Construction	\$2.8 million
State Aid Modeling	\$2.0 million
Erasure Analysis of Test Results	\$500,000

Motion by: Chancellor Emeritus Robert M. Bennett
Seconded by: Regent James C. Dawson
Action: Motion carried.

Chancellor Merryl H. Tisch adjourned the meeting.

Appendix I
NEW YORK STATE BOARD OF REGENTS CHARTER ACTIONS

Name of Institution	Program Area	County of Location	Description of Charter Action(s)
The Anthropology Museum of the People of New York	CE	Queens	Grant an absolute charter.
Behold!	CE	Columbia	Grant provisional charter for five years.
Buffalo Irish Genealogical Society	CE	Erie	Grant provisional charter for five years.
Crestwood Historical Society	CE	Westchester	Extend provisional charter for five years.
The Cultural Museum of African Art-The Eric Edwards Collection	CE	Kings	Grant provisional charter for five years.
Fulton Public Library	CE	Oswego	Dissolve charter and approval to distribute assets to the Fulton Public Library, a school district public library.
Hamilton County Historical Society	CE	Hamilton	Consent for a judicial dissolution.
Lansing Community Library	CE	Tompkins	Grant an absolute charter.
New York Museum of Skiing and Ski Hall of Fame	CE	Warren	Grant provisional charter for five years.
North American Fiddlers' Hall of Fame and Museum Institute	CE	Lewis	Extend provisional charter for five years.
The Town of Cobleskill Historical Society	CE	Schoharie	Amend charter to update IRS dissolution language.
Victor Free Library	CE	Ontario	Amend charter to: - Specify the number of trustees to be not less than five nor more than fifteen; - designate the library's service area to be coterminous with the Victor Central School District; - designate Commissioner as agent for service;

			<ul style="list-style-type: none"> - update IRS dissolution language, and - change the corporate name to Victor Farmington Library.
Waverly Historical Society	CE	Franklin	Grant provisional charter for five years.
Lakeside School	P12	Essex	Amend charter to specify the operation of a Pre-K through grade 3 Waldorf Education in a farm setting.
The STAR Program	P12	New York	Extend provisional charter for three years.
West Side Cooperative Preschool	P12	New York	Dissolve charter and approval to distribute assets to the Friends of Materials for the Arts; Bloomingdale School, P.S. 145; Grosvenor House YMCA Preschool and Third Street Music School Settlement, Inc.
Niagara University	HE	Niagara	Amend charter to add authority to confer the Master of Health Administration (M.H.A.) degree.

engage^{ny}

Our Students. Their Moment.

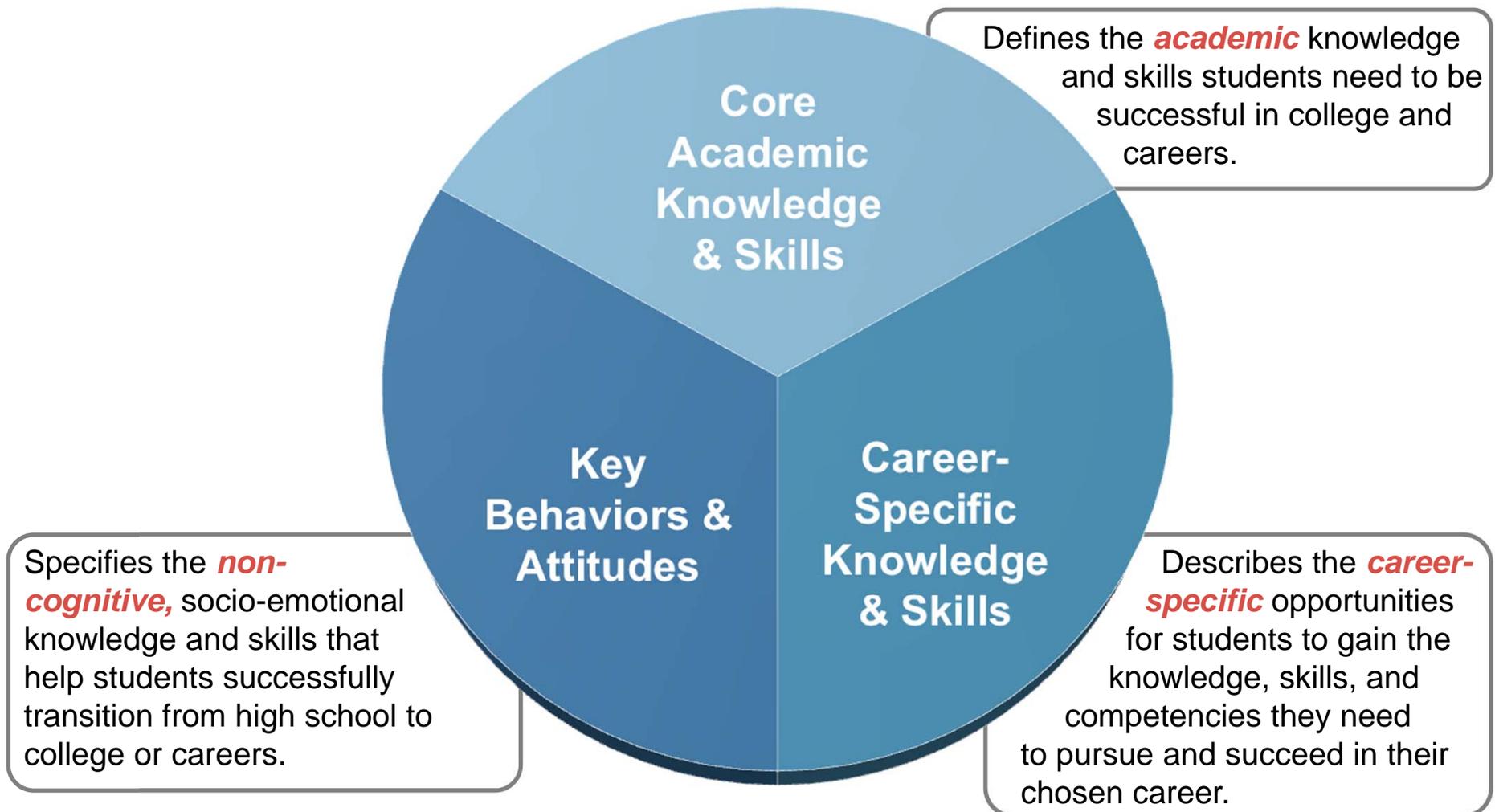
Where are They Now? Reports

Postsecondary Enrollment in New York State



EngageNY.org

Domains of College and Career Readiness



Completion vs. Readiness

New York's 4-year high school graduation rate is 74.9% for All Students. However, the percent graduating college and career ready is significantly lower.

June 2013 Graduation Rate

Graduation under Current Requirements (Completion)

	% Graduating
All Students	74.9
American Indian	62.2
Asian/Pacific Islander	80.6
Black	59.7
Hispanic	59.2
White	86.5
English Language Learners	31.4
Students with Disabilities	48.7

Calculated College and Career Ready* (Readiness)

	% Graduating
All Students	37.2
American Indian	21.3
Asian/Pacific Islander	57.2
Black	14.2
Hispanic	18.0
White	50.4
English Language Learners	5.9
Students with Disabilities	5.4

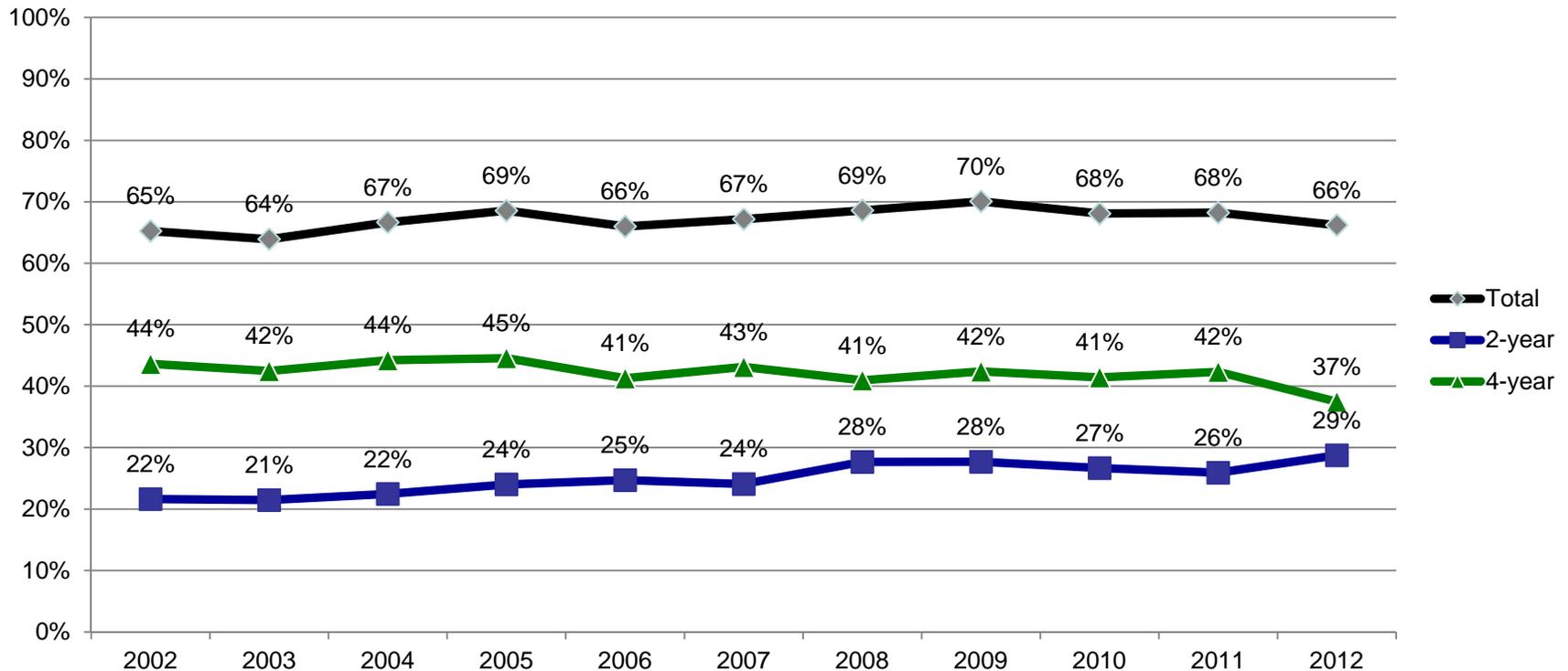
*Students graduating with at least a score of 75 on Regents English and 80 on a Math Regents, which correlates with success in first-year college courses.

Source: NYSED Office of Information and Reporting Services

Nationally, too few high school completers enroll in college within one year following graduation.

Nationally, in 2012, 66% of high school completers enrolled in two- or four-year institution of higher education in the fall immediately after completing high school.

- 37% of high school completers enrolled in a 4-year institution.
- 29% of high school completers enrolled in a 2-year institution.



Source: National Center for Education Statistics (NCES). Recent high school completers and their enrollment in 2-year and 4-year colleges: 1960 through 2012. http://nces.ed.gov/programs/digest/d13/tables/dt13_302.10.asp

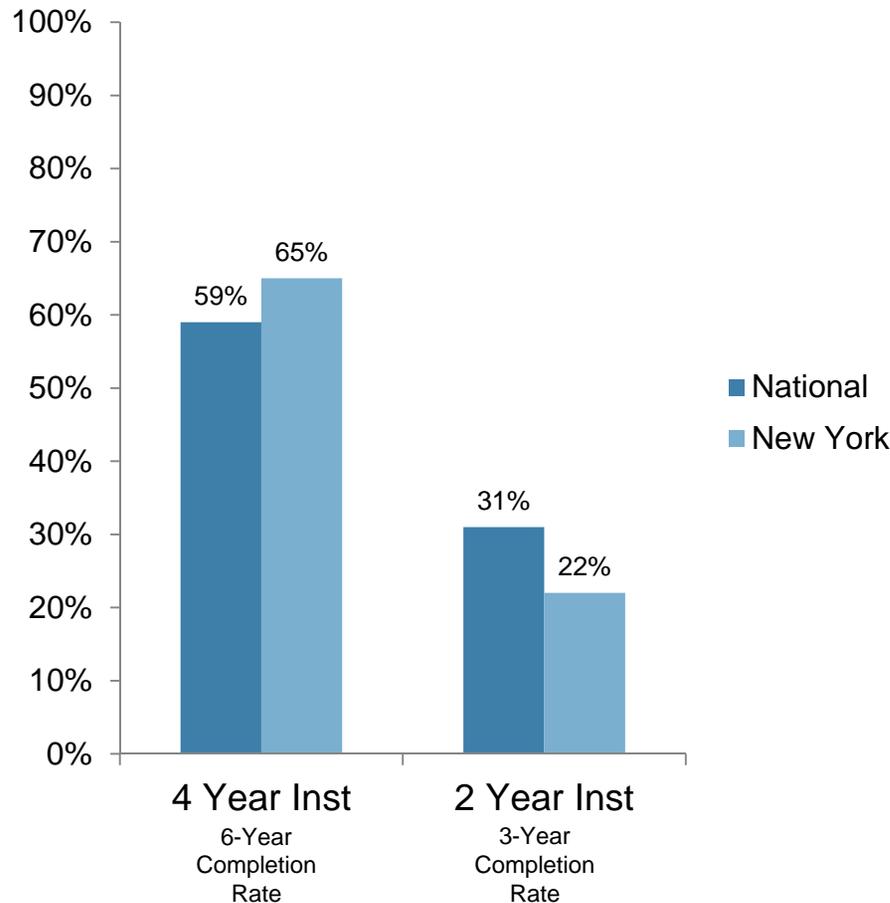
Nationally, too few college students persist in their college studies.

- ❑ The persistence rate is defined as the percentage of students who return to college at any institution for their second year.
 - ❑ Nationwide, of all students who started college in fall 2012, 68.7% returned to college at any U.S. institution in fall 2013.

- ❑ The retention rate is defined as the percentage of students who return to college at the same institution for their second year.
 - ❑ Nationwide, of all students who started college in fall 2012, 58.2% returned to the same institution in fall 2013.

Source: National Student Clearinghouse. Snapshot Report. First-year Persistence and Retention Rates, 2009 – 2012. Updated July 2014. <http://nscresearchcenter.org/snapshotreport-persistenceretention14/>

Nationally, too few college students actually complete a college degree.



- The 6-year completion rate is the percentage of first-time bachelor's-seeking students who complete a degree at a 4-year institution within six years of starting a degree program in Fall 2006.
- The 3-year completion rate is the percentage of first-time certificate or degree-seeking students who complete a degree at a 2-year institution within 3 years of starting a program in Fall 2009.

Sources: NCES, The Condition of Education, Institutional Retention and Graduation Rates for Undergraduate Students, Updated May 2014. http://nces.ed.gov/programs/coe/indicator_cva.asp
New York Data: NYSED Administrative Data for all Public, Independent and Proprietary 2- and 4-year institutions of higher education.

As new data become available, New York will continue to provide additional measures and reports on college readiness.

- ❑ High school course exit exams (Regents Exams) have been administered in New York since the late 19th century.
- ❑ Graduation rates and School Report Cards have been released since the late 1990s.
- ❑ Aspirational Performance Measures (APMs) have been posted since 2010.
- ❑ New “Where are They Now?” (WATN) reports provide information on college enrollment and, as more years of data become available, on college persistence and completion.

Until now, schools and districts did not have ready access to comprehensive information on whether graduates actually enrolled in college programs.

- ❑ Actual college enrollment may not match what students say they intend to do while still enrolled in high school.
- ❑ Follow up activities, such as alumni nights, do not provide comprehensive information.
- ❑ Where are they Now? reports utilize information from the National Student Clearinghouse, a nonprofit organization that provides services to approximately 3,600 colleges and universities across the country, representing approximately 98% of the nationwide student enrollment in public and private institutions*.
- ❑ Where are They Now? reports can be used by authorized school and district personnel to support local program review and planning.

* Sources: <http://www.studentclearinghouse.org/about/>. For a list of participating institutions, see http://www.studentclearinghouse.org/colleges/enrollment_reporting/participating_schools.php.

Although Where are They Now? reports can be used for local program review and planning, the reports may underestimate actual postsecondary enrollment for some schools.

- A small percentage of institutions do not participate in the National Student Clearinghouse or block student-level reporting.
- A small percentage of students enrolled in participating institutions block student-level reporting.
- Where are They Now? report results are based on matching National Student Clearinghouse postsecondary enrollment information with high school enrollment records. A small percentage of records may not match correctly.
- A school may have a higher rate of postsecondary enrollment than suggested by the Where are They Now? report if the school was unusually affected by these issues.
- The Department will explore options to supplement these reports with locally verified information on postsecondary enrollment.

There are a variety of reasons why students who intend to enroll in college do not enroll.

Summer Melt -

“As many as one in five high school graduates who have been accepted to and intend to enroll in college fail to matriculate anywhere in the fall semester as a result of unforeseen challenges they encounter in the summer.”

Challenges include:

- **Unmet need between financial aid and the full cost of attendance;**
- **Lack of awareness of the tasks, processes, and requirements necessary for attendance;**
- **Access to adults to help navigate obstacles;**
- **No internet access to complete online forms or class registration.**

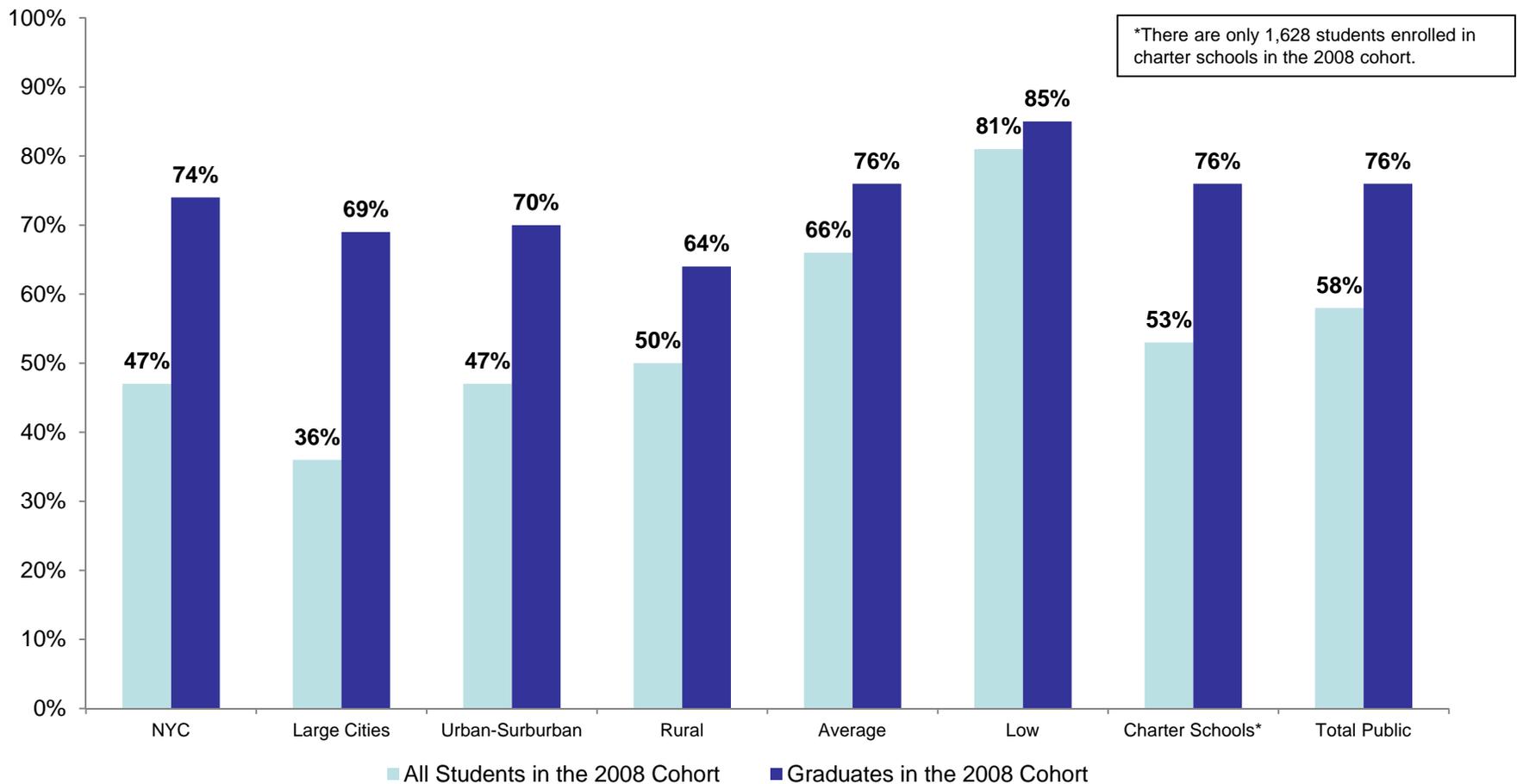
Source: Castleman, B., Page, L. (2014) *Summer Melt: Supporting Low Income Students Through the Transition to College*. Cambridge, MA. Harvard Education Press.

Statewide, WATN data indicate that too few New York students enroll in college within one year following their fourth year of high school.

Cohort (the year a student entered grade 9)	<u>Enrolled in college, as a percentage of students in the cohort</u>	<u>Enrolled in college, as a percentage of graduates in the cohort</u>	<u>Enrolled in college, as a percentage of graduates in the school year</u> (regardless of cohort)
2008 cohort, as of June 2012	58%	76%	71%
2007 cohort, as of June 2011	57%	75%	71%
2006 cohort, as of June 2010	57%	75%	Not Available

Data Source: Postsecondary enrollment data from National Student Clearinghouse and graduation and cohort records reported by public schools in the Student Information Repository System (SIRS).

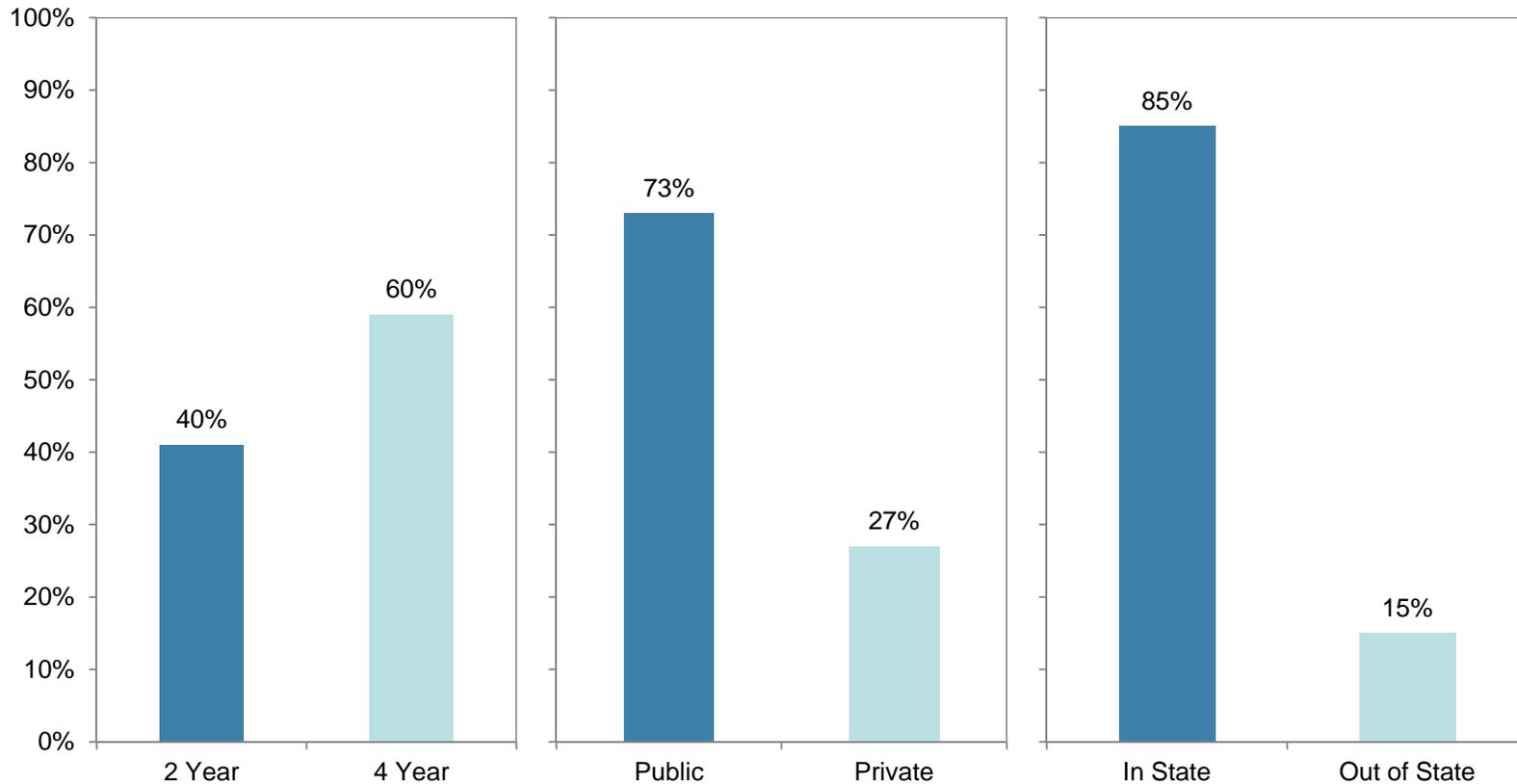
WATN data indicate that enrollment in college within one year following the fourth year of high school varies by Need/Resource group.



Data Source: Postsecondary enrollment data from National Student Clearinghouse and graduation and cohort records reported by public schools in SIRS.

WATN data indicate that most New York students who enroll in college within one year of their fourth year of high school enroll in a public, four-year program within New York.

**Postsecondary Enrollment by Institution Type
Graduates in the 2008 Cohort who Enrolled in Postsecondary**



Data Source: Postsecondary enrollment data from National Student Clearinghouse and graduation and cohort records reported by public schools in SIRS.

WATN data indicate that fewer than one-third of districts have greater than 80% of their graduates enroll in college within one year following graduation.

Percent of students enrolled in college within one year following the fourth year of high school	Enrolled in college, <u>as a percentage of the 2008 cohort</u>		Enrolled in college, <u>as a percentage of graduates within the 2008 cohort</u>	
	Count of Districts	Percentage of Districts	Count of Districts	Percentage of Districts
90-100%	3	0%	17	3%
80-89%	69	10%	166	25%
70-79%	110	16%	240	35%
60-69%	167	25%	170	25%
50-59%	168	25%	61	9%
40-49%	122	18%	18	3%
30-39%	27	4%	3	0%
20-29%	8	1%	2	0%
10-19%	1	0%	0	0%
0-9%	2	0%	0	0%

28% of districts have greater than 80% of graduates enroll in postsecondary within one year following graduation.

Data Source: Postsecondary enrollment data from National Student Clearinghouse and graduation and cohort records reported by public schools in SIRS. WATN school- and district-level data files can be found at <http://www.p12.nysed.gov/irs/pressRelease/20141117/home.html>. Percentages may not total to 100 due to rounding.

WATN data indicate that fewer than one-third of high schools have greater than 80% of their graduates enroll in college within one year following graduation.

Percent of students enrolled in college within one year following the fourth year of high school	Enrolled in college, <u>as a percentage of the 2008 cohort</u>		Enrolled in college, <u>as a percentage of graduates within the 2008 cohort</u>	
	Count of Schools	Percentage of Schools	Count of Schools	Percentage of Schools
90-100%	17	1%	46	4%
80-89%	135	12%	300	26%
70-79%	160	14%	362	31%
60-69%	224	19%	279	24%
50-59%	234	20%	113	10%
40-49%	191	16%	44	4%
30-39%	89	8%	10	1%
20-29%	63	5%	10	1%
10-19%	29	2%	2	0%
0-9%	27	2%	3	0%

30% of high schools have greater than 80% of graduates enroll in postsecondary within one year following graduation.

Data Source: Postsecondary enrollment data from National Student Clearinghouse and graduation and cohort records reported by public schools in SIRS. WATN school- and district-level data files can be found at <http://www.p12.nysed.gov/irs/pressRelease/20141117/home.html>. Percentages may not total to 100 due to rounding.

EAST RAMAPO:
A SCHOOL DISTRICT
IN CRISIS

NOVEMBER 17, 2014

Report of
Investigation

Henry M. Greenberg
Fiscal Monitor for
The New York State
Education
Department

INTRODUCTION

- On June 10, 2014, Commissioner John B. King, Jr. appoints a Fiscal Monitor.
- Broad charge is given.
- Review District's fiscal practices, conduct and history.
- Recommend ways State can ensure District:
 - Provides an appropriate education program; and
 - Properly manages and accounts for State and Federal funds received.



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

Commissioner of Education
President of the University of the State of New York
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Albany, New York 12234

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Twitter: @JohnKingNYSED
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June 10, 2014

Dr. Joel M. Klein
Superintendent of Schools
East Ramapo Central School District
105 South Madison Avenue
Spring Valley, NY 10977

Dear Dr. Klein:

As you are aware, representatives of the State Education Department ("Department") and the East Ramapo Central School District ("District") have met several times during the past year in an attempt to address the serious fiscal issues facing the District. For example, the District's current state of fiscal distress led to the enactment of Chapter 515 of the Laws of 2013 to provide the District with a substantial lottery advance in the amount of \$3.5 million. Although the District's 2014-2015 school year budget was recently approved by the voters, the Department remains concerned about the District's history of and continued signs of fiscal distress, particularly in light of the lottery advance and the fact that the District currently receives approximately \$20 million in federal funding.

As a result, it has become necessary for the Department to appoint a Fiscal Monitor to serve the District in an advisory capacity in order to ensure that the District is able to provide an appropriate educational program and properly manage and account for state and federal funds received. The Commissioner of Education has the responsibility of supervising all schools and institutions which are subject to the provisions of the Education Law, or any statute relating to education, and is required to, *inter alia*, "advise and guide the school officers of all districts and cities of the state in relation to their duties and the general management of the schools under their control" (Education Law §305[2]). Under Education Law §308, the Commissioner also has the power and duty to institute proceedings or processes necessary to properly enforce and give effect to any provision in the Education Law or any statute relating to the school system of the State or to any school district and to enforce any rule or direction of the Board of Regents (Regents). Pursuant to Education Law §215, the Regents, the Commissioner, or their representatives, may "visit, examine into and inspect" any institution in the University of the State of New York ("USNY") and any school or institution under the educational supervision of the State, and may require, as often as desired, duly verified reports providing such information and in such form as the Regents or the Commissioner shall prescribe. In addition, under the federal Education Department General Administrative Regulations ("EDGAR"), the Department must monitor the federal grants it administers and ensure that such grant funds are used in accordance with the terms of the grant program and all applicable laws and regulations (*see e.g.*, 34 CFR Parts 76 and 80).

BACKGROUND OF INVESTIGATION

- Met with current and former District officials, teachers, students, PTA leaders, community stakeholders, clergy and many others.
- Reviewed District records and responses to questions, State Education Department (“SED”) guidance materials and memoranda, relevant statutes and regulations, and other documents.
- Toured public and private schools, observed classes, and spoke with principals.
- Consulted local, state and federal officials.

DESCRIPTION OF DISTRICT

- Located in residential suburban area in Rockland County.
- Covers approximately 35 square miles.
- Encompasses Spring Valley, Monsey, Wesley Hills, New Hempstead, Chestnut Ridge, Suffern, Nanuet, New City & Pearl River.
- “High need, low resource” district.



A DIVERSE COMMUNITY

- Spring Valley – home to Ramapo and Spring Valley High Schools – is the mailing address for over 100 nationalities.
- 66.4% of its residents speak a language other than English at home.
- District embraces several Hasidic villages and hamlets in Rockland County.



A UNIQUE PUBLIC/PRIVATE SCHOOL DEMOGRAPHIC

33,000 School Age Children

Public School Population

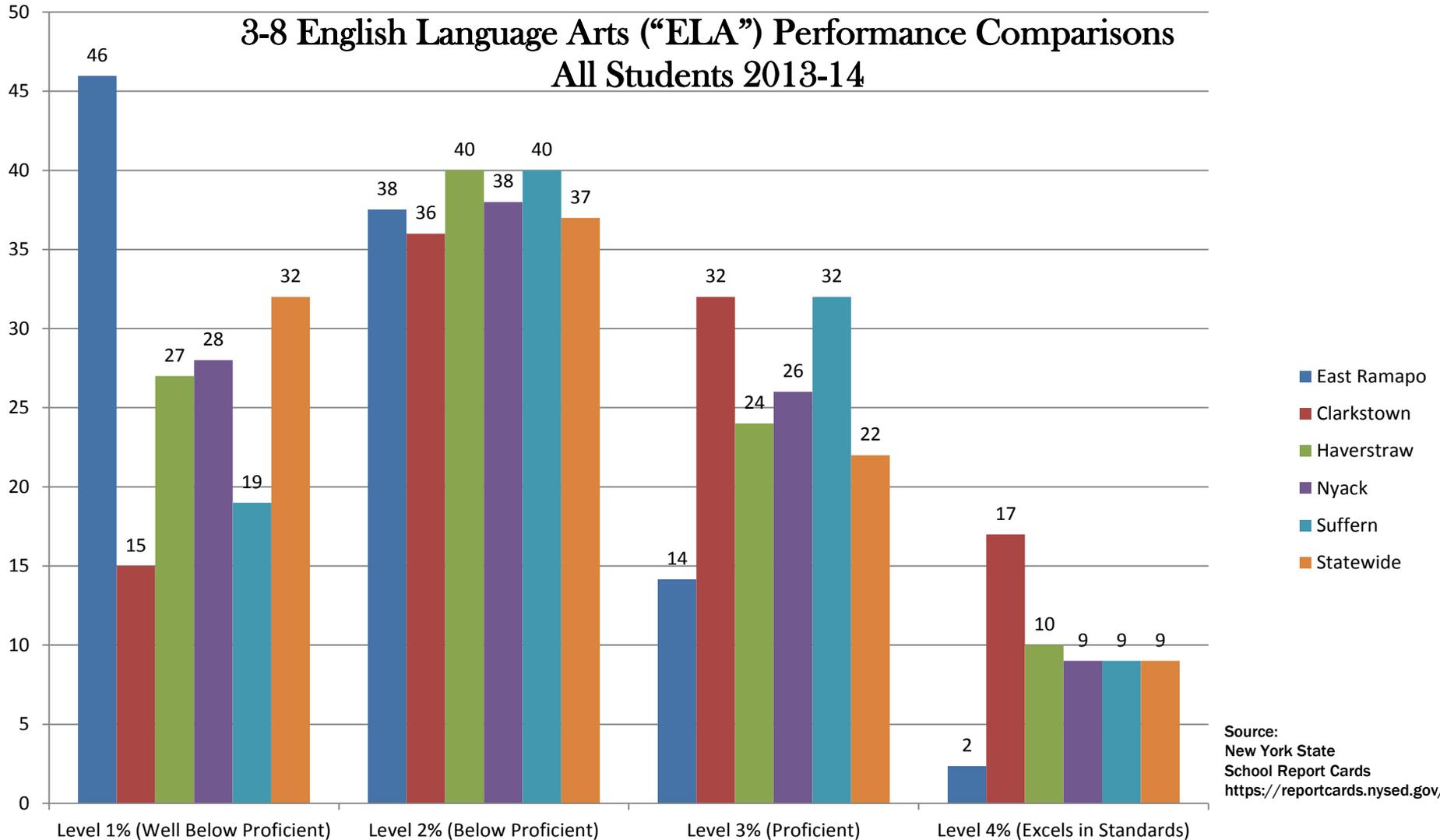
- 9,000 students attend public schools
 - 91% descend from African-American, Latino and Haitian backgrounds;
 - 78% qualify for free and reduced price lunches;
 - Growing numbers of English Language Learners (ELLs) and immigrant students.

Private School Population

- 24,000 students attend private schools
 - 23,778 in 52 Yeshivas; 8 other Yeshivas serve an unknown number of students;
 - Many have disabilities requiring special education services;
 - In 10 years there could be as many as 40,000 to 50,000 attending private school.

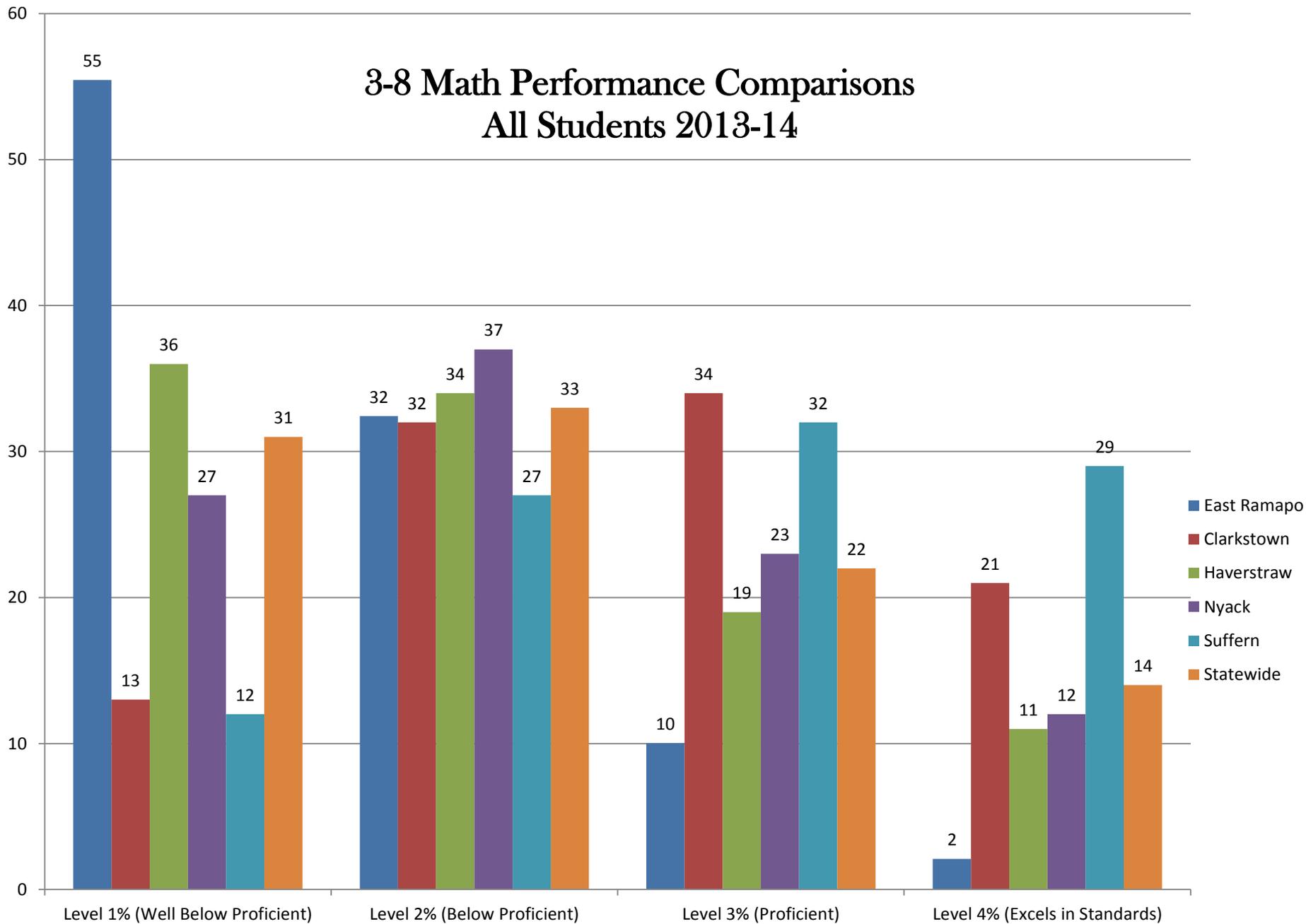
DISTRICT LAGS WELL BEHIND IN ACADEMIC PERFORMANCE

3-8 English Language Arts (“ELA”) Performance Comparisons All Students 2013-14



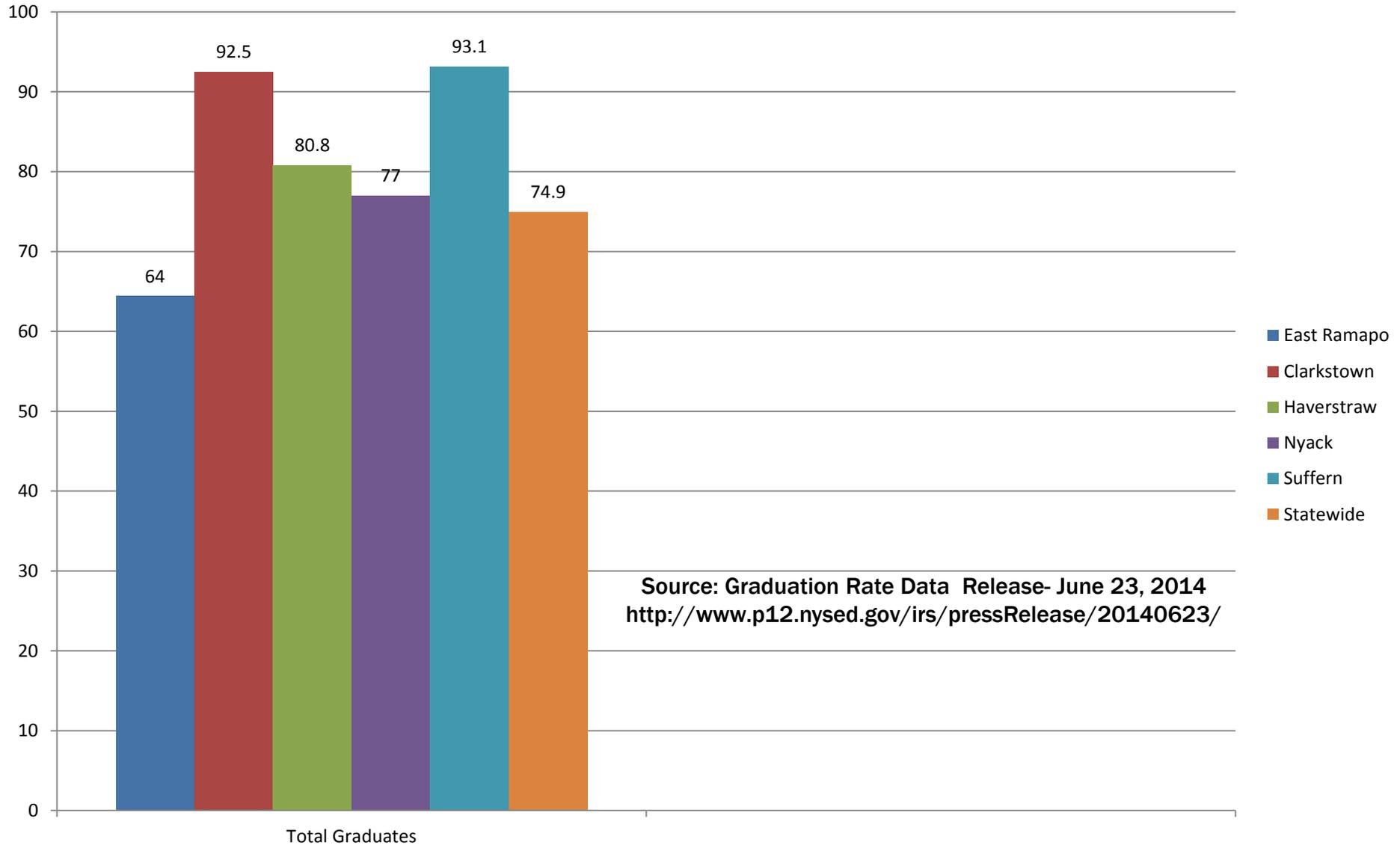
3-8 Math Performance Comparisons

All Students 2013-14



Graduation Rate Comparisons

All Students | 2009 Cohort | 4 Year Outcome (as of June 2013)



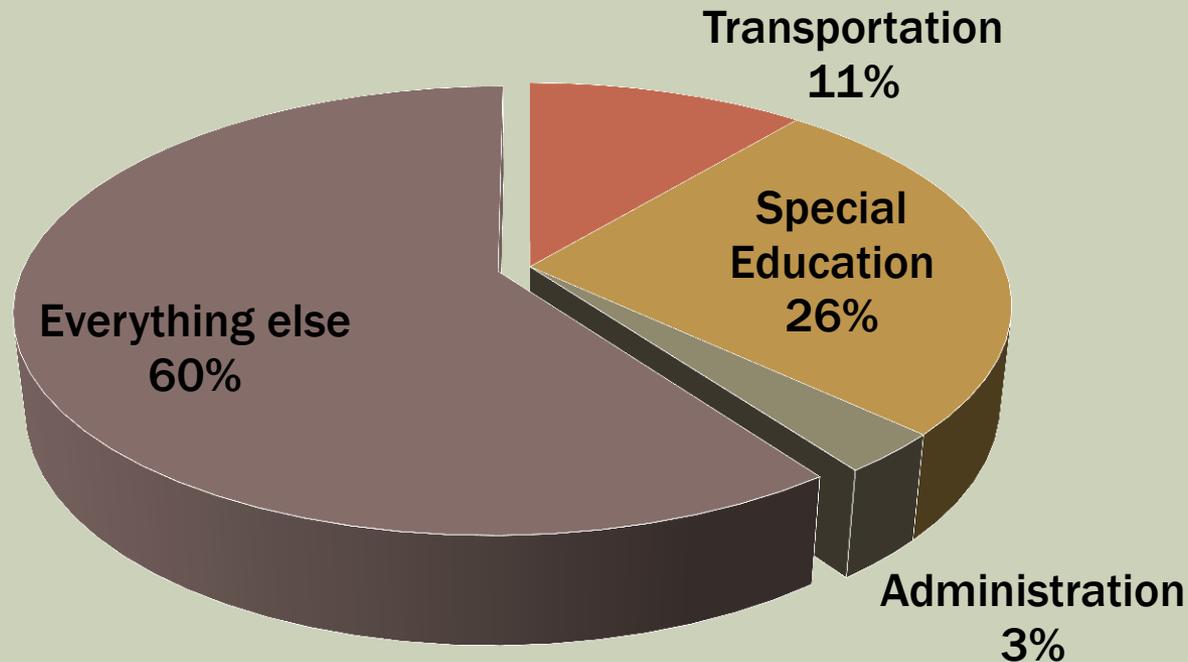
GOVERNANCE

- 9 members elected to the Board of Education by District voters for 3-year terms.
- Since 2005 Board majority comprised of members from private school community.
- 7 of 9 Board members today are representatives of the private school community.



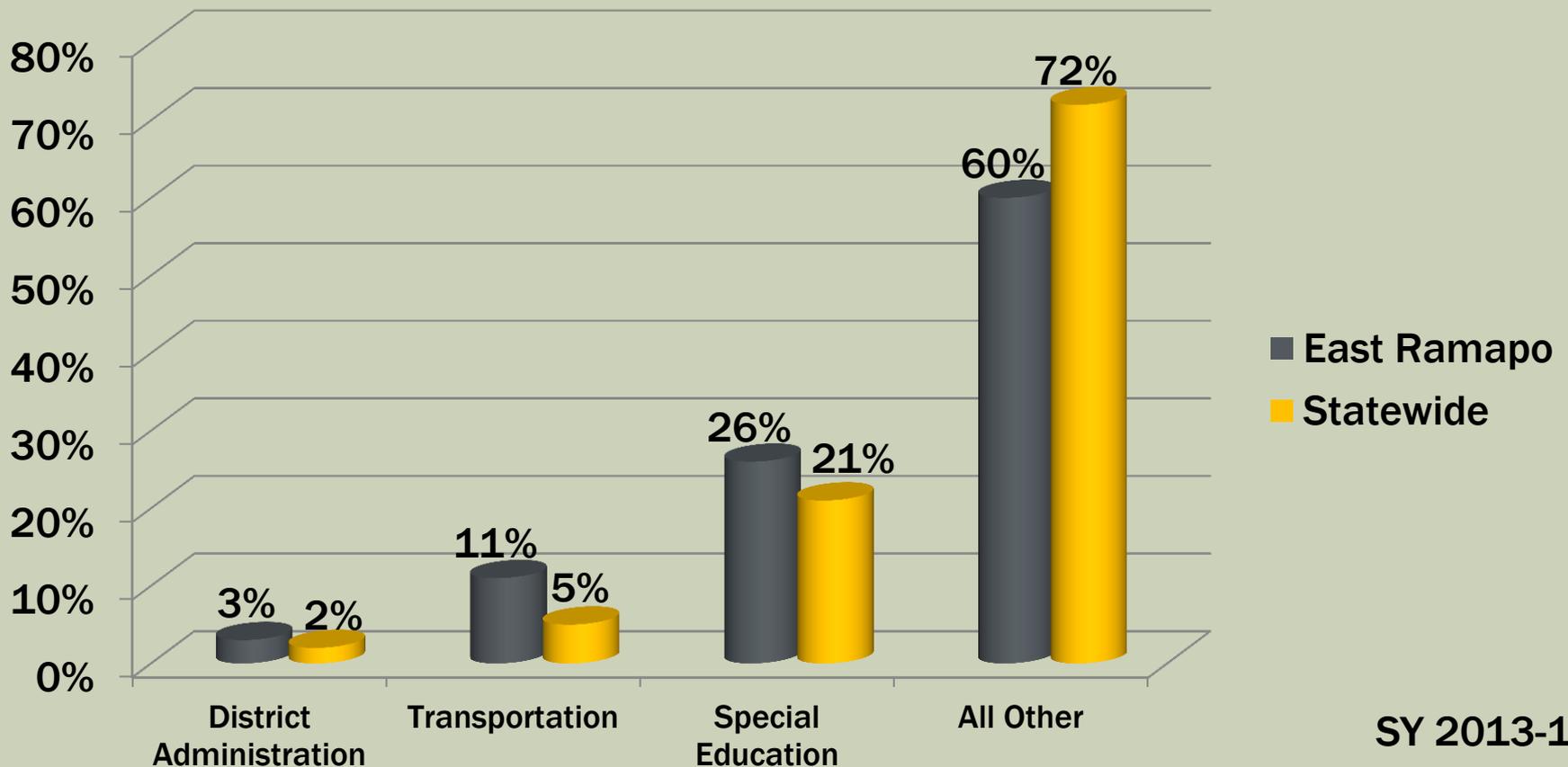
UNIQUE CONFIGURATION OF DISTRICT'S BUDGET

SY 2013 - 14



- 40% of budget consumed by transportation, special education and administrative costs, leaving 60% for everything else.

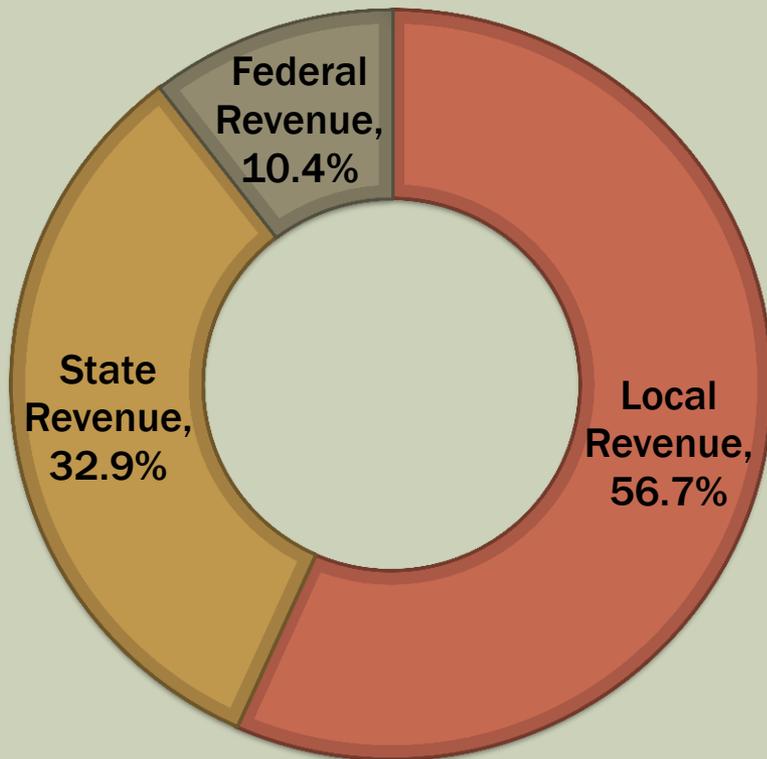
DISTRICT'S DISTRIBUTION OF EXPENDITURES COMPARED TO STATE AVERAGE



SY 2013-14

REVENUE SOURCES FOR DISTRICT

Revenue Sources for District's Budget



SY 2013-14

- District relies heavily on local revenue.
- Average district receives 40.4% of its revenue from the State, while the median is 48.2%.

TRANSPORTATION: BASIC FACTS

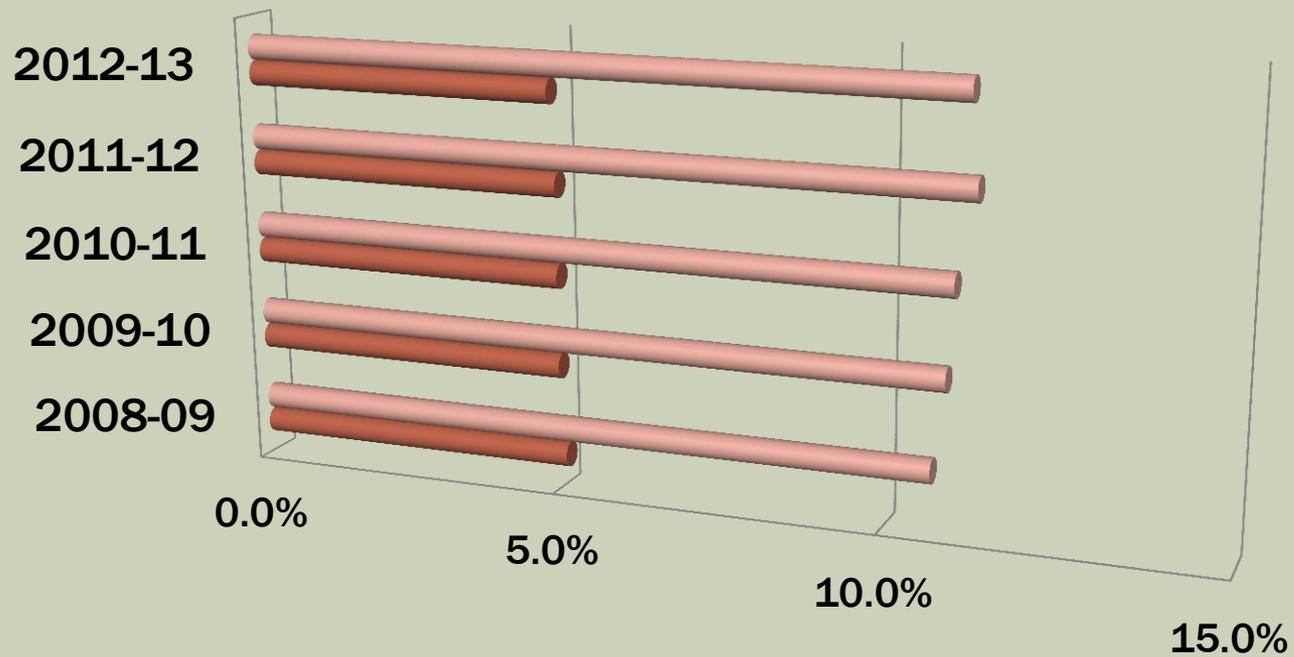
- Transport 9,000 students to public schools and more than 23,500 students to private schools.
- No mileage limitations on transportation for all K-12 students (“universal busing”).
- More than 300 active bus routes.
- More than 140 private school locations.
- Gender-segregated private school routes to Yeshivas.
- District’s aging bus fleet transports only 4,900 children; the balance are transported by contractors and private schools.

SOARING TRANSPORTATION COSTS

- 2006-07 to 2013-14 transportation costs increased by 48.1%.
- More than double the average statewide increase of 21.9%.
- Spending for private schools increased by 76.6%; statewide average increase was 24.1%.
- Population growth in private school community will result in additional transportation costs.



TRANSPORTATION AS A PERCENT OF TOTAL EXPENDITURES



	2008-09	2009-10	2010-11	2011-12	2012-13
East Ramapo	10.7%	10.9%	11.0%	11.3%	11.2%
New York State	5.1%	5.0%	5.0%	5.0%	4.9%

SPECIAL EDUCATION: BASIC FACTS

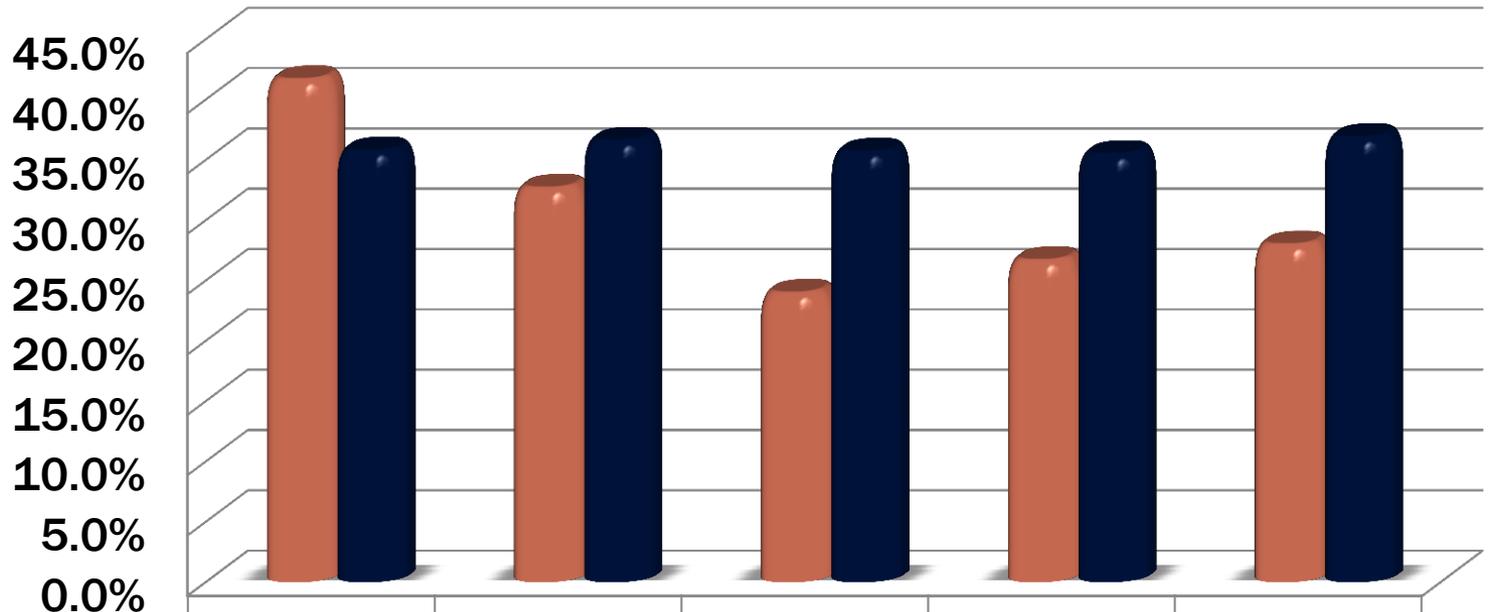
- Special education costs consume an enormous portion of District's budget.
- \$60 million for special education, serving 2,423 students.
- Private school students receive special education services in as many as 40 different yeshivas, private schools outside the District, and the Kiryas Joel Union Free School District.
- Based on enormous growth in private school population, special education costs will continue to grow.

ASPECTS OF DISTRICT'S SPECIAL EDUCATION PROGRAM ARE NONCOMPLIANT WITH STATE AND FEDERAL LAW

- District's special education program is a source of controversy, litigation and misunderstanding.
- District is under “enforcement action” by SED, which determined District engages in patterns and practices inconsistent with Individuals with Disabilities Education Act (“IDEA”) and related laws.
- District was found to have made placements in private schools when appropriate placements were available in public facilities.
- As a consequence, SED has withheld reimbursement from the District for unlawful placements.

DISTRICT RECEIVES LESS STATE/FEDERAL REVENUE FOR SPECIAL EDUCATION THAN OTHER DISTRICTS

Combined State and Federal Revenue as a Percent of Special Education Instructional Expenditures



■ East Ramapo
■ Statewide

	2008-09	2009-10	2010-11	2011-12	2012-13
East Ramapo	41.6%	32.6%	23.9%	26.6%	27.9%
Statewide	35.7%	36.5%	35.6%	35.4%	36.8%

DISTRICT IN CRISIS MODE FOR YEARS

- 5 School Board Presidents in 3 years.
- Public protests and rallies commonplace.
- Board meetings degenerate into verbal brawls, with the Board's attorneys berating students and parents.
- Critical audits by State Comptroller.
- Criminal charges arising from the sale of a closed school.
- District's troubles chronicled in local, state and national media.



INSTABILITY IN BUDGET-MAKING PROCESS

- Proposed budgets defeated 4 of the last 5 years and 8 of the last 11.
- Highest rate of budget rejection in the State.
- Private school community resistant to approving significant tax increases.

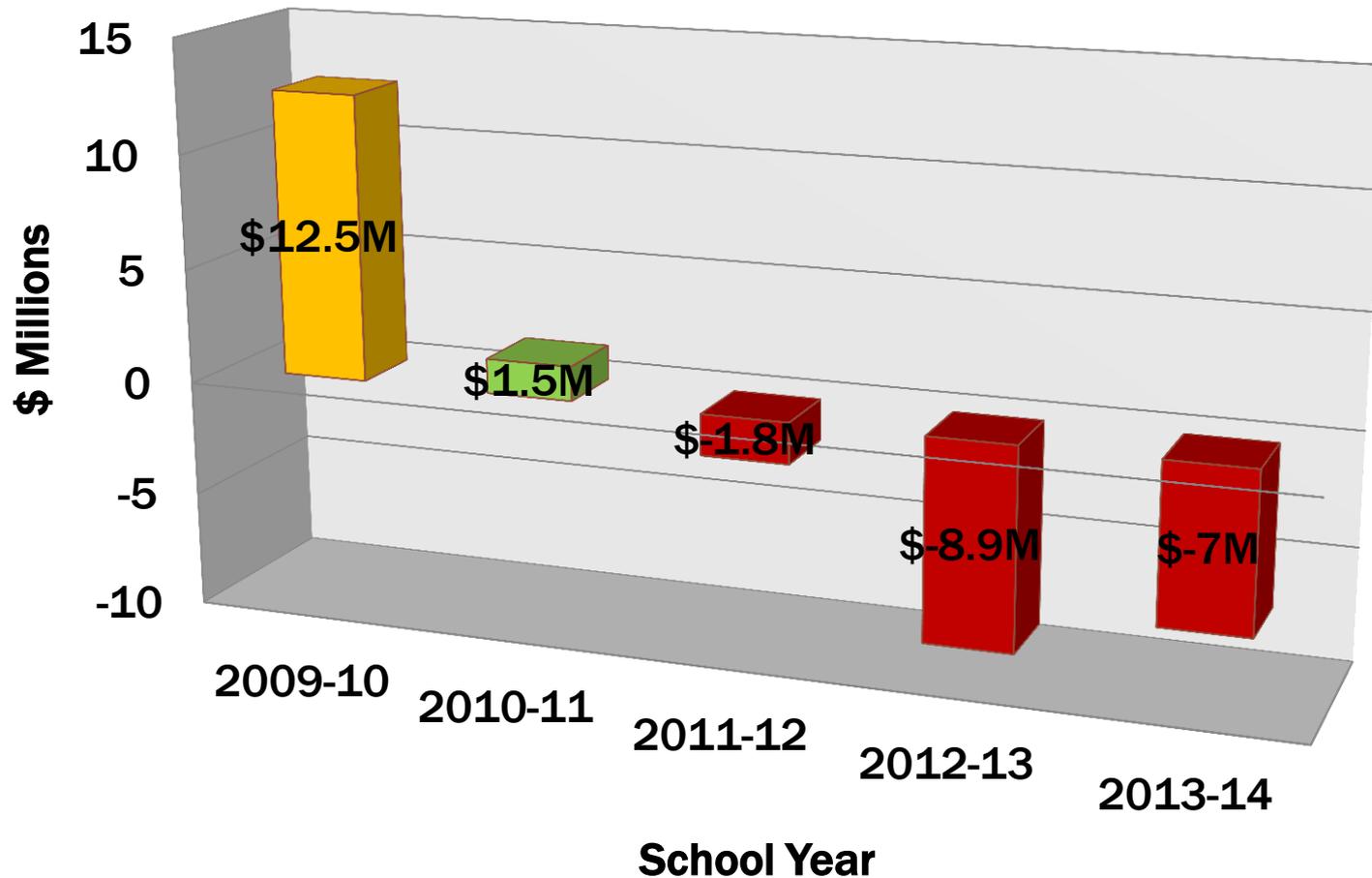
DISTRICT'S FISCAL AFFAIRS MISMANAGED FOR YEARS

- For 7 of the last 10 years District has operated at a deficit; on track to do so this year as well.
- Finances suffer from poor financial practices:
 - Unrealistic revenue projections;
 - Inaccurate budget estimates.
- Budget gaps routinely filled with “one shots.”
- In 2014, District rejected a badly-needed \$3.5 million advance on lottery funds from the State.
- No strategic, long-term plan or plans for the future.

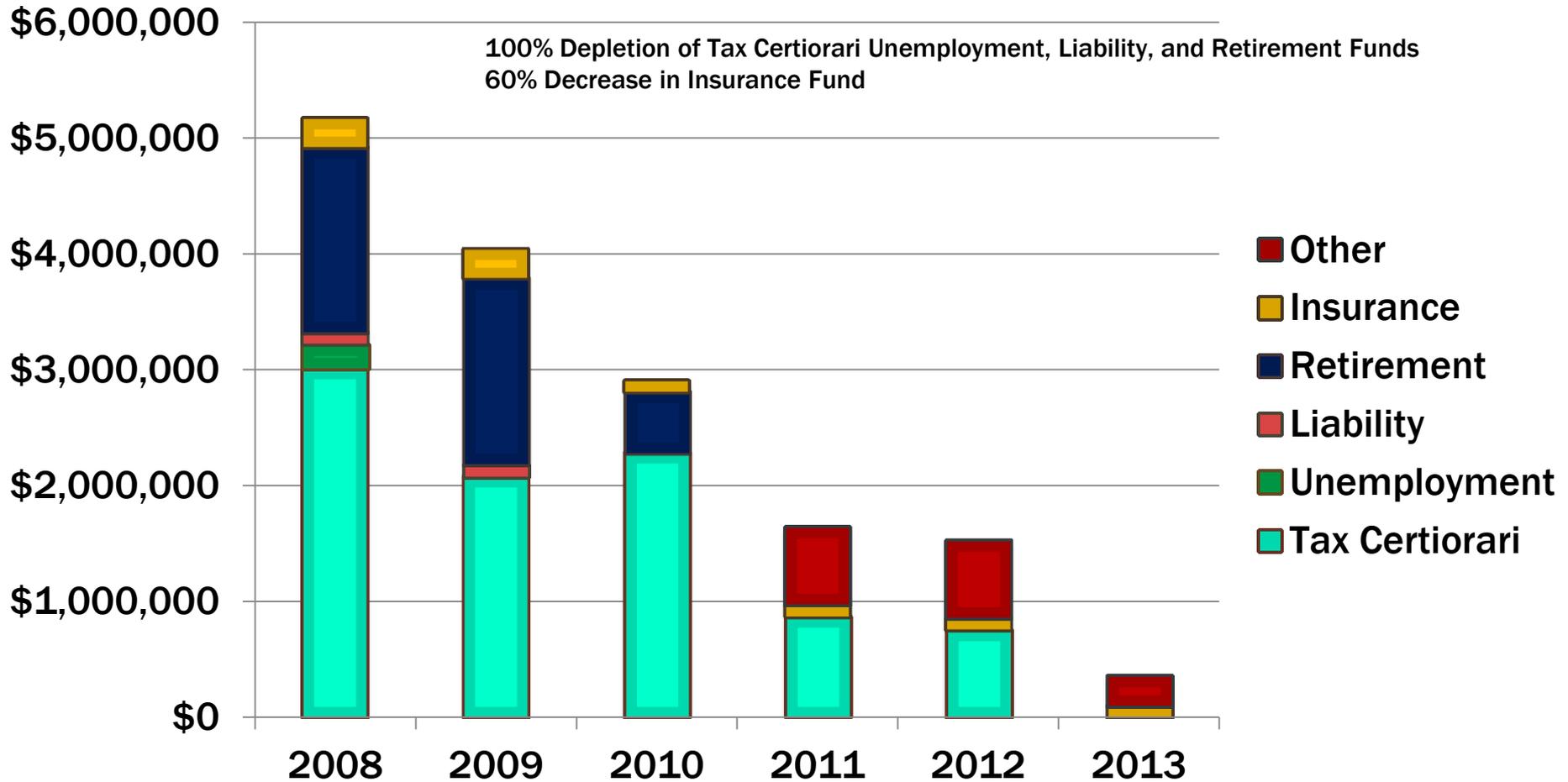
THE DISTRICT'S FINANCES TEETER ON THE EDGE OF DISASTER

- By any measure, District is fiscally impaired.
- Unreserved fund balance is a critical cushion to cover variances during the current and subsequent budget year.
- Allows District to cover:
 - Anticipated normal operating cash flow deficits;
 - Unexpected occurrences such as emergency repairs, costs and fluctuations in essential commodity costs and unanticipated shortfalls in estimated revenues.
- Without reserved funds, District's ability to manage its finances is at risk.

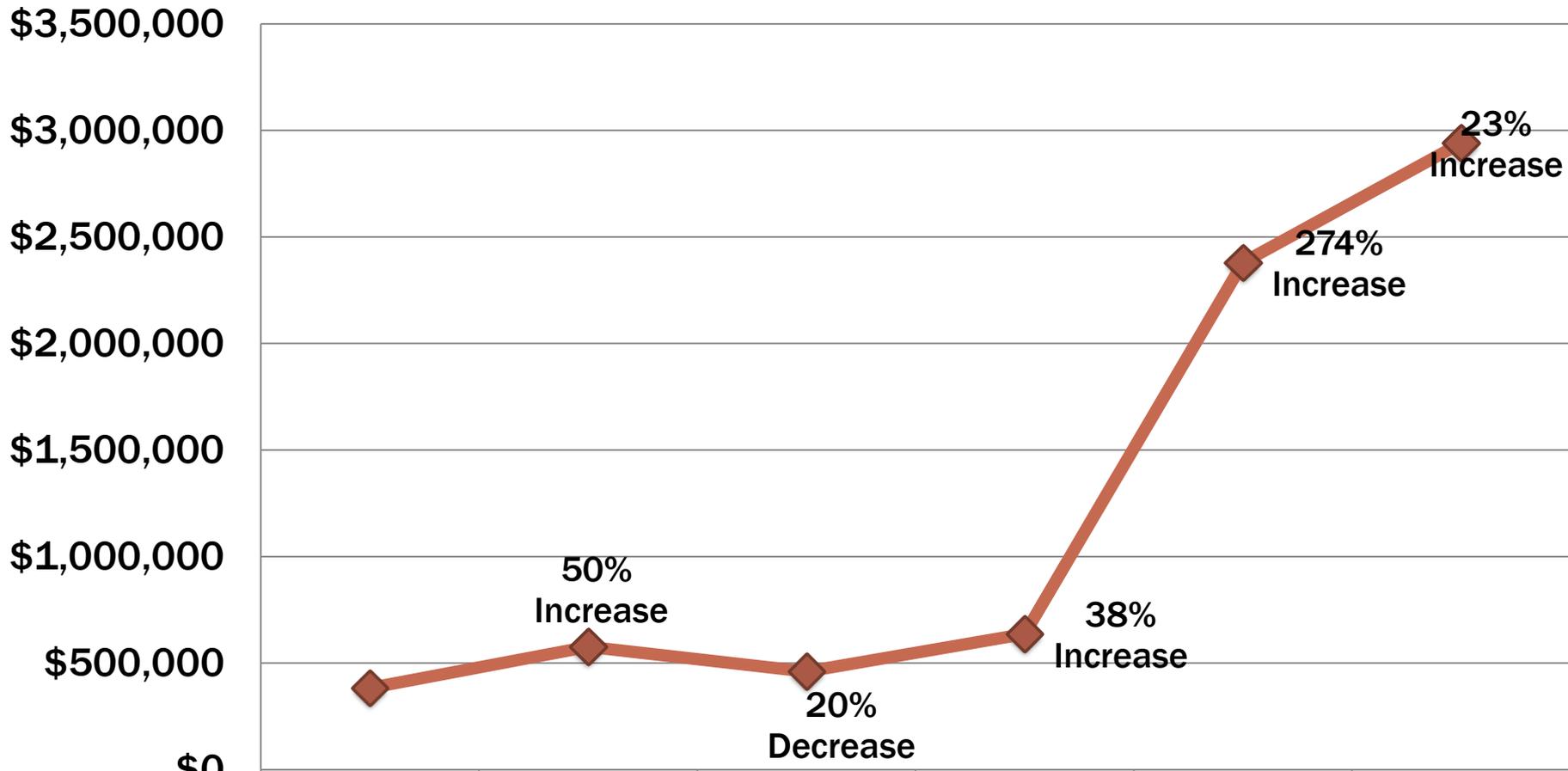
DISTRICT HAS DEPLETED ITS UNRESERVED FUNDS



RESTRICTED FUNDS DEPLETED AS WELL



EXCESSIVE SPENDING ON LEGAL FEES



◆ Amount Paid

2008-09

2009-10

2010-11

2011-12

2012-13

2013-14

\$383,071

\$576,450

\$460,170

\$636,107

\$2,379,715

\$2,940,381

WASTE OF PUBLIC DOLLARS

- In the face of fiscal crisis, from 2008-09 to 2013-14 District's legal fees rose over 668%.
- \$7.3 million paid to 13 law firms.
- District paid a single out-of-state law firm \$2,438,538 in 2013-14.

BOARD MISLED THE PUBLIC ABOUT ITS COUNSEL

- In 2009, Board hired a new law firm to serve as its primary counsel – a controversial decision at the time.
- Either with the Board’s approval or without objection, this firm’s attorneys have taken an aggressive and adversarial posture towards parents and students.
- In 2013, in the wake of a widely-publicized incident involving an attorney of the firm, Board announced it would replace the firm.
- Board indicated new counsel would be selected through a rigorous procurement process.
- This summer, however, Board reversed its decision and announced it would rehire the firm, sparking public furor and condemnation from elected officials.

BOARD FAVORITISM

- Most disturbing, Board appears to favor the interests of private schools over public schools.
- Evident in handling of budget crises.
- Beginning in 2009 Board made draconian spending cuts to public school programs and services in order to balance its budgets.

2009 – 2012 CUTS

■ Eliminated 400 positions:

- Teachers – 168.2 teaching positions (75 elementary and 93.2 secondary)
 - Teaching Assistants – 49 positions
 - 50% of Attendance Teachers
- All Social Workers
- Supervisors of Speech, OT and PT
- 3 Guidance Counselors
- All Deans
- All Department Chairpersons
- 2 Secondary Assistant Principals
- All Elementary Assistant Principals
- 3 Administrators in the District Office
- Civil Service – 88 positions (secretarial/clerical/Buildings and Grounds/Transportation)

■ Academic and programmatic cuts:

- Full Day Kindergarten reduced to one-half day
- Instrumental Music eliminated K-3
- Summer School eliminated K-12
- High School Elective (Business) eliminated
- All High School Electives reduced
- Athletics cut by 50%
- Transportation for Field Trips eliminated
- Extra-Curricular activities reduced by 50%

■ Other Cuts:

- Supplies and materials by 20%
- Professional Development by 75%
- Buildings and Grounds – Administrator
- Transportation – Administrator

2012 – 2013 CUTS

- Eliminated positions:
 - Supervisor of Technology
 - Director of Secondary Education
 - Teacher Training for Technology
 - Buildings and Grounds positions
 - Title I Summer Program
- Reductions:
 - Coordinator of Health (from full to part-time)
 - Clerical staff
 - Substitute teachers
- Froze purchases on supplies, materials and equipment

2013 – 2014 CUTS

- Eliminated 45 positions:
 - 15 Special Education Teachers
 - 16 Secondary Teachers
 - 2 Custodians
 - 2 Maintenance Workers
 - 2 Security Guards
 - 1 Bus Mechanic
 - 5 One-on-One Aides
 - 2 Nurses
- Eliminated Languages Other than English in the 7th Grade
- Cuts for Sports and Clubs and Central Administration

AT SAME TIME, MULTI-MILLION DOLLAR SPENDING INCREASES BENEFITED PRIVATE SCHOOLS

- As public school budgets were slashed, spending on programs benefitting private schools increased.
- Transportation spending grew every year from \$22 million in 2009-10 to \$27.3 million in 2013-14.
- Even the District concedes special education tuition costs increased by 33% from 2010-11 to 2013-14.
- No meaningful effort made to distribute pain of deep budget cuts fairly among private and public schools.

THE BOARD'S LACK OF TRANSPARENCY

- 
- Problem compounded by the Board's failure to conduct meetings in an open and transparent way.
 - New York's Open Meetings Law is intended to open the decision-making process of elected officials to the public.
 - Open Meetings Law applies to school board meetings where school district business should be open to the public. Public may only be excluded from properly convened executive sessions of the board.
 - Openness is supposed to be the rule, not the exception.

BOARD LACKS TRANSPARENCY



- In East Ramapo, however, Board routinely spends 60% to 70% of meetings (sometimes more) in executive session.
- Board also limits opportunity for public participation at Board meetings, by not allowing the public to speak until the end of meetings (e.g., after 10:00 or 11:00 p.m.).

DISTRICT LEADERS RESPOND POORLY TO CRITICISM

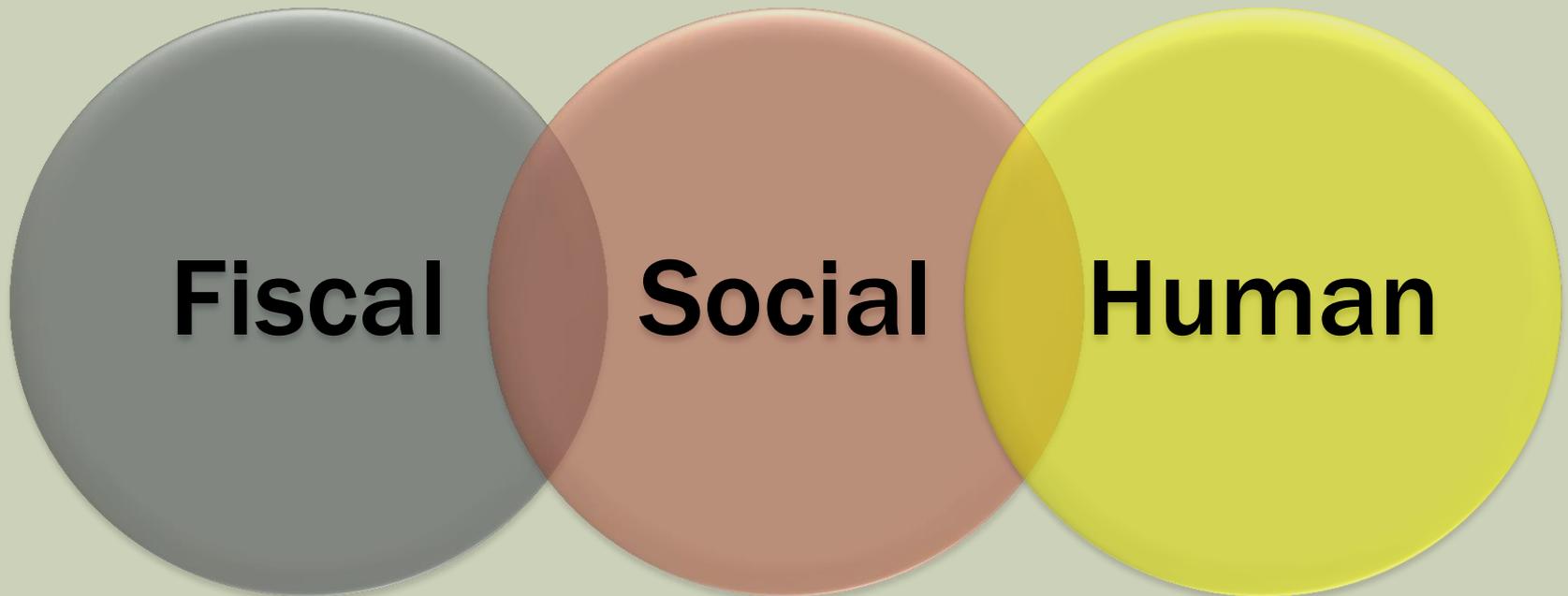
- District officials frequently resort to name-calling, attacking others' motives and integrity, when responding to criticism.
- Critics branded as anti-Semitic, “political opponents,” “deeply disaffected activists” and worse.
- Just since Fiscal Monitor’s appointment in June 2014, District officials have:
 - Accused Commissioner King of acceding “to the demands of bigots”;
 - Attacked leaders of the NAACP as “disturbingly disingenuous” and “feign[ing] ignorance.”
 - Dismissed parties who challenge District decisions as “politically motivated.”
 - Referred to immigrant students by saying “they want a free lunch, breakfast, and whatever else they can get.”
- Such rhetoric exacerbates tension and deepens the divide between public and private school communities.

PUBLIC SCHOOL COMMUNITY HAS LOST FAITH IN THE BOARD

- It will take years for the District's public schools to recover from the budget cuts of the last few years which are estimated at \$30 to \$40 million.
- In the meanwhile, students and parents have lost faith in the Board and feel that the Board does not understand their needs.
- Widespread perception that Board has turned the budget process into a zero sum game in which private schools always win at the expense of public schools.

RECOMMENDATIONS

THE DISTRICT'S PROBLEMS ARE EXTRAORDINARILY COMPLEX



MULTI-DIMENSIONAL PROBLEM REQUIRES MULTI-DIMENSIONAL SOLUTION

- No “easy fix.”
- Numerous approaches must be taken to find a sustainable pathway for progress.

**RECOMMENDATION 1:
REFORM DISTRICT'S
GOVERNANCE STRUCTURE TO
PROVIDE NECESSARY CHECK AND
BALANCE TO THE BOARD AND
SUPERINTENDENT THAT
PROTECTS PUBLIC SCHOOL
STUDENTS**

THE DISTRICT'S GOVERNANCE PROBLEM

- At the heart of the District's crisis is a governance problem stemming from:
 - Unique demographic mix between public and private school students and
 - Board composition that reflects and magnifies this demographic.
- Statutory and regulatory scheme for public school governance assumes board members understand vital role of public schools.
- East Ramapo turns existing statutory and regulatory structure on its head.
- Board is comprised primarily of persons from the private school community, with limited understanding of public school students and their families.
- As a result, public school needs have been given short shrift, especially in times of fiscal crisis.

PUBLIC EDUCATION IS A VITAL FUNCTION OF LOCAL GOVERNMENT

“Today, education is perhaps the most important function of state and local governments. . . . It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him [or her] for later professional training, and in helping him [or her] to adjust normally to his [or her] environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he [or she] is denied the opportunity of an education.”

Brown v. Board of Education of Topeka (1954)

PUBLIC EDUCATION IS A CONSTITUTIONAL RIGHT

“The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated.”

N.Y. State Const., Article XI, § 1

PRIOR REFORM EFFORTS INTENDED TO PROTECT PUBLIC SCHOOLS

■ Advisory Committee.

Last year, as a condition for receiving \$3.5 million in State lottery advance funds, which the Board rejected, the Legislature required the District to form an advisory committee (including parents and teachers) that would direct how the money would be spent.

■ Redistricting.

Partition territory to create a new public school district that better represents public school enrollment.

■ State Takeover.

Remove Board and have the State manage the District's affairs.

THE LAKEWOOD, NEW JERSEY MODEL

- The Lakewood School District in New Jersey is experiencing fiscal problems similar to East Ramapo.
- In Lakewood, there are reported to be 5,000 public school students and more than 25,000 other students, most of whom attend Orthodox Jewish private schools.
- In response to the problem in the Lakewood district, the New Jersey Department of Education exercised its statutory authority to appoint a state fiscal monitor, with power to override decisions of the local school board.

- The Lakewood Fiscal Monitor is empowered to:
 - Oversee (1) fiscal management and expenditures of funds; (2) operation and fiscal management of facilities; and (3) staffing;
 - Override superintendent and board actions;
 - Ensure development and implementation of strategic plan;
 - Attend all meetings of the board, including closed sessions; and
 - Meet with board to discuss past actions leading to the Fiscal Monitor's appointment and provide education and training.
- The Lakewood Fiscal Monitor must also act in a transparent way by reporting regularly to the public and New Jersey Department of Education.

EAST RAMAPO REQUIRES A GOVERNMENT CHECK AND BALANCE TO THE CURRENT BOARD AND SUPERINTENDENT

- Whatever governance reform the legislature and Governor ultimately adopt for the District, it must be one that protects the public schools from further abuses like we have seen in recent years.
- It is unthinkable that additional state funds should be granted to the District absent an enforceable mechanism which would ensure such funds are allocated fairly.
- At a minimum, there must be a vehicle to override, in real time, unreasonable decisions by the Board and Superintendent and ensure that the District conducts its affairs in a transparent fashion.

RECOMMENDATION 2:
INCREASE STATE FUNDING
TO DISTRICT ABOVE
CURRENT LEVELS

- Absent State intervention, it will be impossible for the District to achieve fiscal stability now or in the foreseeable future.
- District has no reserves and limited capacity to raise revenues through taxation.
- Private school population grows at an astounding rate and will place even greater stress on future budgets.
- Looking forward, more money will be required to pay transportation and special education costs for private school students, leaving less money for public school students' education.
- Without additional funds, District will be unable to meet the challenge of providing a public school education.

**Additional
State Funds
necessary
to:**

- Restore some of the \$30 to \$40 million in programmatic cuts that devastated public schools;
- Avert future budgetary calamities; and
- Put District on path to long-term fiscal stability.

RECOMMENDATION 3:
BOARD SHOULD UNDERGO
TRAINING TO ENSURE GREATER
TRANSPARENCY

- Board's systematic violation of the Open Meetings Law is legally indefensible and counter-productive. It breeds suspicion and distrust.
- Board should immediately participate in and complete a training session concerning the Open Meetings Law conducted by the staff of the Committee on Open Government and provide proof of same to the Commissioner.
- Board should also continue to participate in annual update sessions and trainings conducted by the staff of the Committee.

RECOMMENDATION 4:
BOARD SHOULD UNDERGO
DIVERSITY TRAINING

- Based on the District's unique demographic composition and the crisis the District is currently experiencing, tensions run high between the public and nonpublic school communities.
- Board should immediately participate in and complete diversity training aimed at increasing cultural awareness, knowledge and communication skills.

Diversity training will:

Enhance understanding of needs of the entire community;

Protect against civil rights violations;

Increase inclusion of different groups; and

Promote better teamwork.

RECOMMENDATION 5:
DISTRICT SHOULD UNDERGO SED
MONITORING REVIEW TO ENSURE
APPROPRIATE SERVICES FOR ELLS
AND IMMIGRANT STUDENTS

Given the District's growing ELL population and recent influx of immigrant students who need ELL services, SED should conduct a comprehensive monitoring review of the District's policies and procedures, including those related to registration and enrollment, to ensure that all students receive appropriate educational programs and services.

**RECOMMENDATION 6:
COMMUNITY LEADERS SHOULD
WORK TO BRIDGE THE DIVIDE
BETWEEN THE PUBLIC AND
PRIVATE SCHOOL COMMUNITIES**

- The crisis in the District is not just about budgets and money; it is also about hearts and minds.
- Public schools students and parents despair over the damage done to this once great school district.
- Private school parents feel that their children receive precious little from the taxes they pay to fund the public schools.
- There is not only a fiscal deficit in East Ramapo, but also a deficit in mutual understanding – a capacity to place oneself in the shoes of the other person.

THE WAY FORWARD

- The path to a brighter tomorrow requires mutual understanding, tolerance and empathy.
- Private school community needs to understand the heart-break, pain and anger that exists in the public school community.
- Critics of the Board must not blame its mistakes on an entire community of people who want only what is best for their children.
- Community leaders must act to heal the wounds that now exist.
- Common ground exists between the public and private school communities.
- In order to meet the immense challenges that face the District, both communities must come together, work together, and speak with one voice.