# STATE OF NEW YORK

8321

2019-2020 Regular Sessions

# IN ASSEMBLY

June 13, 2019

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Education

AN ACT to establish the Rochester city school district empowerment act; and providing for the repeal of such provisions upon expiration thereof

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Short title. This act shall be known and may be cited as the "Rochester city school district empowerment act".

§ 2. Legislative intent. The legislature hereby finds the Rochester city school district has historically underperformed and is in need of intervention to improve the outcomes of all students in the district. In August 2018, the commissioner of education appointed a distinguished educator who conducted a review of the Rochester city school district and proposed a series of recommendations related to the areas of governance and leadership, teaching and learning, professional development, district operations, the education of students with disabilities and English language learners, and parent and community engagement. The distinguished educator has made it clear that the Rochester city school district needs support in improving the district's systems, structures and operations and addressing gaps in student services and academic performance.

§ 3. Definitions. As used in this act:

(a) "commissioner" shall mean the commissioner of education;

(b) "board of education" or "board" shall mean the board of education of the Rochester city school district;

(c) "superintendent" shall mean the superintendent of the Rochester city school district; and

(d) "school district" shall mean the Rochester city school district.

§ 4. Beginning in the 2020-21 school year, with funds available from the state, the superintendent, in consultation with the commissioner,

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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shall convert all schools that have been designated as comprehensive support and improvement schools by the commissioner to community schools to provide expanded health, mental health and other services to students and their families. Before the conclusion of the 2019-20 school year, the superintendent shall develop a strategic plan setting forth how the district plans to transform such schools into community hubs to deliver co-located or school-linked academic, health, mental health, nutrition, counseling, legal and/or other services to students and their families in a manner that will lead to improved educational and other outcomes. Nothing in this act shall preclude any school in the Rochester city school district from converting to a community school.

§ 5. Board member training. (a) In addition to the training required under section 2102-a of the education law, every member of the board of education shall annually complete a minimum of twelve hours of training on the roles and responsibilities of board members. Such training shall include education on ethics, public relations, cultural sensitivity and responsiveness, dispute resolution, governance, and the appropriate role of board members, the board president, and the superintendent.

(b) The curriculum used for such training shall be approved by the commissioner. Such curricula may be offered together as a single course or separately. The training required by this section shall be offered by providers approved by the commissioner. In approving providers for these trainings, the commissioner shall consider the potential provider's understanding of the educational environment, the roles of trustees and boards of education and boards of cooperative educational services, and the experience of the provider in delivering such training.

(c) Each board member of the school district shall demonstrate compliance with these requirements by filing with the district clerk a certificate of completion of such training issued by the provider. Actual and necessary expenses incurred by a board member in complying with the foregoing requirements shall be a charge against the school district.

§ 6. Powers and duties. (a) The board of education and the superintendent shall jointly develop written guidelines clearly delineating the powers and duties of such board of education and superintendent. The superintendent shall be the chief executive officer of the board of education and the school district educational system. As the chief executive officer, the superintendent shall execute all powers and duties authorized in this act, section 2566 of the education law, and any other applicable state law or regulations, including managing all pre-kindergarten, elementary, and secondary schools under the jurisdiction of the school district. The board of education shall execute only the powers and duties authorized in this act, article 52 of the education law, and any other applicable state law or regulation.

(b) In the event of a disagreement between the board of education and the superintendent or amongst members of such board, including but not limited to disagreements arising from a failure to adhere to the powers and duties established under paragraph (a) of this section, such board of education or superintendent shall initiate mediation. Such mediation shall be conducted by a mediator that is chosen from a mutually agreed upon list of qualifed mediators furnished by a community dispute resolution center under article 21-A of the judiciary law. Such list shall be established within 60 days of enactment of this act and renewed annually at the start of each school year. The superintendent and the board of education shall participate in good faith with any request for mediation.

§ 7. Strategic academic improvement plan. The board of education and superintendent shall develop a long term strategic academic improvement plan within 60 days from the enactment of this act. Such plan shall include a set of goals with appropriate benchmarks and measurable objectives to address areas where improvements are needed in the school district including but not limited to communication, the education of English language learners, the education of students with disabilities, professional development, and parent engagement.

§ 8. Rochester city school district children's advisory council. There is hereby established the Rochester city school district children's advisory council. The council shall provide advice and guidance to the superintendent with the mission of improving the educational outcomes of all students in the school district. The council shall meet at least once per month for the first year following the enactment of this act and thereafter at least three times annually and consist of seven members who shall be appointed by the district-wide Rochester city school district school-based planning executive committee. The members of the council shall be residents of the county of Monroe and include, but not be limited to, community groups and experts in child development, mental health, trauma informed learning, English language learners, students with disabilities, and culturally responsive teaching. No member of the council shall hold any elected public office or office in any political party. Members of such council shall serve a term of five years, and shall not be compensated for their service and may be reappointed. A vacancy occurring for any reason shall be filled by the district-wide Rochester city school district planning executive committee.

§ 9. Nothing in this act shall be construed to abrogate or affect any provision of a collective bargaining agreement pursuant to article 14 of the civil service law.

§ 10. This act shall take effect immediately, and shall expire on July 1, 2025 when upon such date the provisions of this act shall be deemed repealed.