



**PROCEEDINGS OF THE BOARD OF EDUCATION**  
**May 5, 2009**  
**7:00 p.m.**

**Albany High School**

**PRESENT:** Barbara Gaffuri, President  
Melissa Mackey, Vice President  
Judy Doeschate, Secretary  
Dr. Mark Barth  
Rose Brandon  
Daniel Egan  
Wayne Morris  
Dr. Eva Joseph  
Dr. Tresa Diggs  
Bill Hogan  
Linda Jackson-Chalmers  
Linda Rudnick

**ABSENT:** None

**2009-2010 BUDGET HEARING**

The City School District of Albany 2009-2010 budget was framed as something moving into unchartered waters. The district was confronted with financial challenges unlike anything seen before. As the district sought to develop this budget the focus was on the Mission, which comes directly from the Strategic Plan and very clearly on the students. As the district moved forward in the budget process the focus was very much on programs and services for the students in the district. Students first! With that in mind, despite tremendously significant budget-to-budget reductions, the district has maintained nearly all programs and services to students have been maintained. This was something that the board deliberated very hard about and it was all about scaling back, doing more with less, providing a very strong budget in relation to maintaining programs and services for our students. The proposed budget for 2009-2010 is approximately \$3 million less than the budget the district is operating in this year. The total spending being proposed in the budget is \$203,840,950, which is \$2,900,538 below the current budget. Tax levy increase is 2.55%.

The district continues to maintain strong programs with comprehensive educational programs at all levels including a comprehensive high school program complimented by a variety of offerings and pathways to graduation. The district will continue small class sizes, early childhood development, strong core curriculum in literacy development and mathematics, music and art enrichment at all grade levels, investment in high quality teachers through professional development, a full continuum of special education services, full complement of student support services through Academic Intervention Services (AIS), Pupil Personnel Services, full service schools, and comprehensive health services. Maintaining strong programs continues with a comprehensive high school program offering elective opportunities including a wide range of AP courses, the International Baccalaureate Program, the Career Academy and the Career Explorations Program. Alternative education opportunities include the high school preparation program at Harriet Gibbons High School, the Abrookin Extended Day Program and the High School Transition Program.

In terms of maintaining programs, next year the district is required to commit and continue Maintenance of Effort for the Contract for Excellence. \$2.37 million of the budget is designated to maintaining the district's Contract for Excellence services that include professional development, Pre-K expansion, instructional coaches, full service school at Hackett Middle School, ESL teacher at Albany High School, TOPS at Philip Livingston, value added training and supplemental materials.

There are new items in the budget for next year, investing in the future, The Academy of Engineering, one of 33 high schools in the United States will be initiated in 2009-2010, and the District's Comprehensive Strategic Plan will focus on the redesign of Albany High School and rethinking alternative education. The completion of the first phase of the Facilities Project will include Giffen Memorial Elementary, Thomas O'Brien Academy of Science & Technology and Arbor Hill Elementary School.

**Program changes:**

- Elementary Foreign Language  
Eliminating instruction in grades K-5  
Doubling instruction in all grade 6 classrooms  
Savings: \$243,000.
- Restructuring Special Education Services  
More direct instruction to students – co-teaching model as well as providing  
Direct consultant teacher and resource room support.  
Savings: \$643,600

A comprehensive review of Federal Stimulus Funding for Stabilization, Title I and IDEA was presented. Planned savings and reductions include the elimination of the middle school program at Philip Livingston Magnet Academy (PLMA) (\$1.8 million), relocating the Adult Learning Center (ALC) to the Livingston Building (\$175,000), staff reductions of 113.6 FTE's (\$6.2 million) (This includes above-mentioned staff reductions from PLMA and ALC). Revenue sources and allocation of resources were reviewed, along with preliminary estimated taxes for 2009-2010. A review of staff reductions was reviewed along with changes in revenues for 2009-2010.

**Allocation of Resources:**

- Program 63.5%
- Charter Schools 12.8%
- Capital 16.3%
- Administrative 7.4%  
(includes expenses relating to the Board of Education and Central Administration  
(Superintendent, Business Office, Human Resources, Communications, Auditing,  
Legal, Insurance, Assistant Superintendents, Principals, Directors and Supervisors).

Revenue Sources for 2008-2009

- Property Taxes 50.1%
  - State Aid 41.3%
  - Fund Balance 1.7%
  - Other Sources 6.9%
- (payments in lieu of taxes, utility taxes, day school tuition, health services to other district, interest income and other miscellaneous items)

If the budget is not approved by voters, the District has three options: Put the same budget up for a re-vote; present a revised budget for voter consideration or adopt a contingency budget. A contingency budget restricts the use of school buildings by community groups (groups would be required to pay a charge for the use of the building), eliminates student supplies, equipment and non-union raises and the district's proposed budget for 2009-2010 is \$7.9 million under the state calculated contingency cap. However, the district's contingency budget cannot exceed its adopted budget. The presentation concluded with a listing of the polling locations, noting new locations.

**PUBLIC COMMENT**

1. Mary Sloan addressed the board regarding the elimination of foreign language in grades K-5, asking that the board reconsider this decision. Research shows that children learn foreign languages faster when they are exposed to languages at an early age.
2. Maria Harple addressed the board regarding the elimination of foreign language in grades K-5, and the dismantling of the magnet program. The decision to eliminate the foreign language program from the elementary schools no longer makes ASH unique.
3. Martine Stapleton addressed the board relative to the foreign language program. Spanish the spoken language and more importantly the culture will no longer be offered. How sad for the children of Albany.
4. Mark Mishler, Co-President of the City Council PTA addressed the board relative to the foreign language program, advising that the City Council PTA does not support the elimination of this program or lay-offs of teachers or any staff having contact with students. Despite this disagreement, the City Council PTA agrees it is much better for students for the budget to pass. If the budget fails, the contingent budget would present the risk of significant restrictions. Voting no on the budget will not mean the restoration of the foreign language program.
5. Hope Thomas/Lakeesha Weaver addressed their disappointment in the decision to eliminate the foreign language program in the elementary schools.
6. Marlin Anderson addressed the board regarding the budget. We have to come together as a community and get our priorities together. What is more important here, education or the perks of a successful school system?
7. Michael Brown addressed the board regarding the foreign language program. Children learn better at a younger age. Tax increases occur every year and they are overloading the taxpayers. The board should look at teacher contracts to save money.
8. Naomi Roberson addressed the board regarding the elimination of foreign language in the elementary schools. Foreign language programs not only teach language, they teach culture.

9. Ellie Newberg addressed the board regarding the elimination of foreign language in the elementary schools. It is important to learn about other places.

10. Leah Golby addressed the board regarding the elimination of foreign language program in elementary schools. Keep Albany on the cutting edge by maintaining the foreign language program.

11. Annette DeLavallade addressed the board regarding the Safe Schools Principal, his cooperation and caring for the students in the district. He is doing a terrific job, why is the district planning to move him to another position.

12. Robert Malerba addressed the board regarding fairness, equity, equality. There is a middle ground where there is an importance to the elementary foreign language program. This program should be shared across the district.

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### **BOARD OF EDUCATION MEETING**

#### **Call to Order:**

- Meeting was called to order at 7:00 p.m. All present joined in the Pledge of Allegiance.
- Members of the audience were welcomed and thanked for taking the time to attend the meeting.
- The Mission Statement was read.

Mrs. Gaffuri noted the board would adjourn from this meeting to reconvene in executive session for the purpose of particular personnel.

#### **SUPERINTENDENT'S REPORT**

• Three district teachers have earned the prestigious National Board Certification. They are Dr. Margaret Fuller, Montessori Magnet School, Mrs. Elizabeth Nigro-Cushing, North Albany Academy and Mrs. Betsy Tanenhouse, Thomas O'Brien Academy of Science & Technology. They are among 93 teachers statewide this year to earn National Board for professional teaching standard certification and they join just 880 teachers statewide. Albany has 2 teachers already certified, Mrs. Connie Blair and Mrs. Rita Floss. This is a very demanding process.

Congratulations!

• Congratulations go to three Albany High Seniors for their selection as 2009 Scholars by the Capital Region Scholars Recognition featured in the Times Union this past week. Rachel Barnas, Ruth DeGannes and Jake Valentine. Selection is based on leadership, scholarship, citizenship and service. In turn, each student identifies a teacher who has had the most significant influence on the student and all three selected Tom McGurn, who is a social studies teacher at Albany High School. The district continues to be appreciative and proud of Mr. McGurn's excellent teaching and positive influence on students.

- Congratulations to Jolan Scott, who was recognized this evening on Channel 13 for the Dunkin Donuts Athlete of the Week, highlighted on the 6 o'clock news. Jolan is a senior scholar athlete who is planning on attending Susquehanna College next year and play football.
- Tomorrow there will be a press conference at Albany High at 1:00 p.m. A senior, Michael Hughes will sign a national letter of intent to play baseball at Coastal Carolina University, a nationally ranked university. Michael will be studying physical education. This is the first Albany High student to receive a Division I Baseball Scholarship of that level. Congratulations to Michael.
- Congratulations to our Student Board Liaison, Ocasio Willson, for giving Albany Schools recognition on National Public Radio on Sunday, April 19<sup>th</sup>. Mr. Willson spoke about Albany High Students talking about "baracking" since the presidential election. Ocasio will be attending Vassar College next year, majoring in economics and political science. Ocasio is also on the wait list for Harvard and Columbia.

### **OPPORTUNITY FOR PUBLIC COMMENT**

1. David Becker addressed the board regarding the education crisis and referred to the Harlem Children's Zone as a possible solution. President Obama was so impressed with the model that he is committed to replicating this model in at least 20 cities throughout the United States in what will be known as Promise Neighborhoods.  
The new superintendent should have a demonstrated commitment to achieving educational justice for students of all races and classes. That person should be bold, progressive and courageous and be willing to commit to doing whatever it takes to foster the educational success of every child in the City of Albany.
2. Kim Wilkins, Principal of Myers Middle School, addressed the board relative to the success of the National Urban Alliance. This has allowed professional development embedded in the day for our teachers. It's the few times that the staff has seen instructional practices that go across subject from art, music, PT, science as well as math and English.
3. Karen Hauth continued with comments related to the success of the NUA at Myers Middle School, reading statements from other teachers and staff members. NUA strategies keep students engaged and motivated to learn.
4. Gary Newark addressed the board regarding NUA, noting that in his own professional development, using a few of the strategies he learned from NUA, a number of his students have increased their grade points over ten points in ELA and science.
5. Stephen Costello addressed the board regarding Tim Fowler, Principal of Thomas O'Brien Academy of Science & Technology. Under the guidance of Tim Fowler, TOAST is a better school. Mr. Fowler does everything in his power to make sure that the issues related to swing space are addressed quickly and confidently. Students are thriving and test scores are up.
6. Michelle Bridgewater, Assistant Director of Special Ed and also an Albany resident addressed the board regarding the NUA. The strategies and techniques delivered by NUA are grounded in research. They build upon student strengths by acknowledging our student's intelligence and capacity for learning complex skills and ideas. Students and teachers at every level have an opportunity to master learning strategies that enhance their ability to problem solve and think critically in a culturally responsive manner.

7. Barbara Smith addressed the board regarding the elimination of the foreign language program, urging the board to reconsider the restoration of the program. Ms. Smith also requested that the community be a full partner in the superintendent search process.
8. Beverly Padgett addressed the board regarding educational success of every child in the District. The Board of Education must assume its leadership role more assertively and with greater dedication as guardians of education excellence and equity.
9. John Cutro addressed the board regarding the superintendent search. It is very important that the search be national and that it be connected with individuals who understand what has been done in Harlem through the Harlem Children's Zone.
10. Edith Leet addressed the board regarding the elimination of the foreign language program, urging the board to reconsider this elimination. Supporting volunteer services will allow the district to do more with less.
11. Mark Mishler addressed the board regarding the superintendent search. Noting that there must be substantial and meaningful involvement on the part of parents, community members, teachers and staff in the process from the beginning. The involvement should be multifaceted, including participation in focus group discussions, review of resumes, interviews and follow-up interviews with candidates and evaluation of final candidate. The search should not be rushed.
12. Marlin Anderson addressed the board regarding the lack of media at this particular meeting. People need to bring this to the attention of the media. Relative to the superintendent's search, look nationally and think locally.

#### **STUDENT REPRESENTATIVE REPORT**

Ocasio Willson presented a petition signed by students at Albany High asking that Styrofoam trays be replaced with washable, reusable pieces in the cafeteria at Albany High School. The use of Styrofoam trays creates needless waste. Reusable equipment is environmentally responsible, reduces carbon footprint and saves money.

#### **ROUTINE CONSENT ITEMS**

Mr. Morris made a motion to amend the Routine Consent items to include the 2009-2010 Management Confidential salaries. Ms. Doesschate seconded the motion.

The board voted 6 ayes and 1 abstention. Mr. Egan abstained.

Motion passed.

Routine Consent Items were presented as follows: Proceedings of Meetings, March 31, April 6, April 7, and April 23, 2009; Resignations; Discontinuance of Services; Leave of Absence; Appointments (Civil Service, Itinerant Substitutes, Miscellaneous, Probationary Extensions, Tenure Appointments; and Emergency Conditional Appointments); Attendance at Conferences, Treasurer's Report; Budget Transfers under \$10,000, Budget Transfers over \$10,000, Revenue Status Report – 3/31/09, Appropriation Status report 3/31/09, Real Property Tax Adjustments, Award of Bids; Central Treasurer's Report for Extra Classroom Activity Fund; Committee on Special Education, Subcommittee on Special Education, Committee on Pre-School Special Education; Appointment of Voting Inspectors; Appointments to Preschool Special Education Committee; Authorization to Enter Into Contracts, Disposal of Assets, Field Trips and Management Confidential Resolution.

Corrections to the proceedings were presented as follow:

March 31, 2009 – Page 5 the 4<sup>th</sup> bullet should read “In terms of energy costs, a suggestion was made to encourage each building to conserve energy costs, allowing schools to retain a portion of the savings realized through conservation for school related expenses.

April 6 – Page 2 strike “All current educational programs were identified and evaluated, along with delivery of services”. “Staff members have reviewed and evaluated all current educational programs and delivery of services.”

April 23 – under marching band discussion it should be noted that the marching band director has known since July, 2008 that the band was chosen to go to Washington, D.C. yet the board is receiving this funding request one month before the trip.

Dr. Barth asked that Attendance at Conferences (Superintendent “All American City Delegation”) be set aside. Ms. Doesschate asked to set aside the April 6 proceedings.

Ms. Doesschate made a motion to approve Routine Consent Items absent those items set aside. Mr. Morris seconded the motion.

The board voted 6 ayes and 1 abstention. Mr. Egan abstained.  
Motion passed.

April 6, 2009 proceedings were presented for approval. Ms. Doesschate noted the confusion related to number of Special Education Teacher reductions was not reflected in these proceedings, yet clarification was provided in the April 7, 2009 proceedings. On page 6, the motion should reflect “restore foreign language” and strike “all 6<sup>th</sup> grade students” insert “the Magnet Schools”. Ms. Doesschate noted she was the only one in favor of this motion. The vote was 1 aye and 6 nays. Motion failed. Ms. Doesschate made a motion to approve these proceedings with changes. Mr. Egan seconded the motion.

The board voted unanimously (7-0) to approve the proceedings as corrected.  
Motion passed.

Attendance at Conferences (Superintendent “All American City Delegation”) was presented for approval. Ms. Doesschate made a motion to approve that conference. Ms. Mackey seconded the motion. Dr. Barth suggested that the vote on this conference be tabled, noting the message of this meeting this evening is to rally around a very carefully crafted budget and the best way to demonstrate the unity between the district and the city government is to rally around the school budget first. Dr. Barth noted it is premature for the Superintendent of Schools to join this conference at this point. It was noted that the absence of participation at this conference gives the impression that the district does not support the city. This is another opportunity for the district to be in the spotlight in a national competition. There are also teachers attending this conference.

The board voted 4 ayes, 2 nays (Mr. Egan and Dr. Barth) and 1 abstention (Mrs. Brandon).  
Motion passed.

**FACILITIES PROJECT REPORT**

**Action Items Related to the Facilities Project**

**Approval of Change orders**

Change orders for Hackett Middle School, New Scotland Elementary School, Thomas O'Brien Academy of Science & Technology (TOAST) and Giffen Memorial Elementary School were presented for approval. Ms. Mackey made a motion for approval. Mr. Morris seconded the motion. In response to an inquiry regarding the district recovering expenses incurred by the asbestos abatement issue at TOAST, Mr. Gifford advised the expenses are not excessive. Mr. Honeywell advised that contract negotiations allowed for a 2% contingency. Over that amount the contractor is accountable. A request for a complete tally of the project was referred to executive session.

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

Motion passed.

**Contracts for Renovations at Giffen Memorial Elementary School and Thomas O'Brien Academy of Science & Technology**

Contracts were presented for approval. Mr. Morris made a motion for approval of contracts for these two schools. Ms. Mackey seconded the motion. Mr. Gifford advised this is the contract related to the TOAST project for the additional asbestos abatement and floor repair due to the conditions presented by earlier abatement. Ms. McMordie reviewed the individual contracts. These items were put out to bid rather than through change order, resulting in savings on the projects.

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

Motion passed.

**ACTION ITEMS**

**Board Member Election Resolution**

The following resolution was presented for approval.

**Resolution of the Board of Education of the Albany City School District  
Regarding the Election of Board Members and Requesting Legislative Action**

WHEREAS, the Albany City School District is the only small city school district or common school district in New York State that is required by law to hold its elections for members of the Board of Education at the same time as the general election in November; and

WHEREAS, Education Law Articles 53 and 41 provide that all other small city school districts and common school districts in New York State shall have their elections for members of the Board of Education on the third Tuesday in May; and

WHEREAS, the third Tuesday in May is the same day established in law for eligible voters of each school district to vote on the proposed school district budget; and

WHEREAS, the Albany City School District is also required to hold a public vote on the proposed school district budget on the third Tuesday in May and would not be required to expend additional funds to hold the elections for members of the Board of Education on the third Tuesday in May; and

WHEREAS, the statutory provisions applicable to the Albany City School District School board elections are located in several different sections of the Education Law (See Ed Law sections 2502, 2601, 2601-a, 2602, etc.) that create unnecessary confusion; and

WHEREAS, the inclusion of candidates for the Board of Education on the general election ballot is inappropriate because such candidates are not allowed to be affiliated with any political party for the purposes of such elections; and

WHEREAS, in the 2008 general election confusion was caused by the initial placement of the candidates for the Board of Education on the ballot in a manner that inaccurately suggested certain candidates were endorsed by certain political parties; and

WHEREAS, the inclusion of candidates for the Board of Education on the general election ballot routinely results in such election being located in obscure portion of the ballot that has resulted in voters forgetting to vote for candidates for the Board of Education although they had intended to; and

WHEREAS, school board candidate names can be placed on the May ballot for the school budget in a prominent position without the potential for it appearing that any of the candidates have been endorsed by any political party; and

WHEREAS, the school calendar year runs from July 1<sup>st</sup> to June 30<sup>th</sup> and it makes sense to have the same Board of Education serve throughout the school year to provide consistent direction to the school district and its employees; and

WHEREAS, new members of the Board of Education have consistently found it difficult and unrealistic to begin their terms on January first, in the middle of the school year when the Board needs to immediately embark on development of school district's budget – one of the most demanding and important functions performed by any Board of Education; and

WHEREAS, if members of the Board of Education of the Albany City School District were elected at the same time as all other members of Boards of Education in New York State, they would be able to receive proper orientation and acquire experience that would enable them to function more effectively as board members and be confident in their contributions in the development of the district's budget; and

WHEREAS, there is no reasonable basis for the current distinction between the timing of the election of the members of the Board of Education for the Albany City School District and all other Boards of Education in the State of New York; and

WHEREAS, it would be in the best interests of the residents of the Albany City School District to have a Board of Education composed of members who have had an opportunity to become fully familiar with the internal workings of the Albany City School District before such members are asked to address challenging budgetary matters,

NOW, THEREFORE, be it resolved, that the Board of Education of the Albany City School District does hereby find that it is in the best interests of the residents of the Albany City School District to change all relevant provisions of the Education Law to require that the election of members of the Board of Education for the Albany City School District be held at the same time as the vote on the proposed budget for the Albany City School District budget; and

THAT, the President of the Board of Education, through the Clerk for the Board of Education, immediately transmit this resolution to Assemblyman Ronald Canestrari, Assemblyman Jack McEneny, and Senator Neil Breslin asking them to introduce legislation that would:

- Change all relevant provisions of the Education law to change the date of the election of members of the Board of Education for the Albany City School District to be consistent with all other small city school districts and common school districts and common school districts throughout the State of New York; and

- Change the terms of members of the Board of Education for the Albany City School District so that the terms of members begin on July 1<sup>st</sup> immediately following the election of such Board member and end four years later on June 30<sup>th</sup>;
- Provide for an appropriate transition mechanism that preferably would shorten the terms of all current serving Board members to three and one half years and change the date of election of members of the Board of Education for the Albany City School District in May immediately following the effective date of such legislation, or in the alternative, would reduce the terms of all members of the Board of Education for the Albany City School District elected at the general election after the effective date of such legislation to three and a half years for the four years immediately following the passage of such legislation and provide that the change in the date of election of all members of the Board of Education shall be effective four years following the effective date of such legislation; and
- Establish an effective date that shall be ninety days after such legislation shall be signed into law.

THAT, the President of the Board of Education send this resolution to the Mayor of the City of Albany and all members of the Albany City Common Council asking them to support this resolution; and

THAT, the Board of Education authorizes and directs the Superintendent of the Albany City School District to undertake all activities that are necessary and proper in furtherance of the enactment of such laws, rules and regulations that are consistent with this resolution.

Mr. Egan made a motion for approval. Dr. Barth seconded the motion. Concern was noted relative to the composition of the board and how to garner better representation on the board from other communities and that the school board election would become more about the school budget vote and that some communities might not actively participate in the May vote in the way that they would in the November vote.

Discussion followed regarding the increased voting in November based on what is on the ballot. The possibility of increasing voter participation in budget votes was also noted along with the opportunity for new board members to become oriented and complete fiscal training through the summer in preparation for the budget process which typically takes place immediately following a November vote. Attracting candidates from around the city is an important detail. Public engagement like we saw on middle school enrollment might be a way of generating interested board candidates. Mr. Morris made a motion to table the vote pending data from the Board of Elections regarding voter turnout in individual ward locations. Ms. Mackey seconded the motion. Following additional discussion on the vote, Mr. Morris withdrew the motion to table. Ms. Mackey agreed to withdraw the motion. The board voted on the resolution as presented.

The board voted 6 aye, 0 nays and 1 abstention. Mr. Morris abstained.

Motion passed.

### **Math Textbook Adoption**

Adoption of the HSP Math (Houghton Mifflin Harcourt School Publishers, 2009) textbook series for K-5 mathematics was presented for approval as recommended. Ms. Mackey made a motion for approval. Ms. Doesschate seconded the motion.

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

Motion passed.

**BOARD COMMITTEE REPORTS**

Comment was made that the approval of the Volunteer Policy has not been brought forward to the public at large and questioned the next steps. It was noted that this issue has been delegated to administration to develop an implementation plan during the summer.

**BOARD MEMBER ITEMS**

None

**Adjournment**

Mr. Egan made a motion to adjourn and reconvene in executive session for discussion of particular personnel. The board would not be reconvening in public this evening. Mr. Morris seconded the motion. The meeting was adjourned at 10:00 p.m.