



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

TO: P-12 Education Committee

FROM: Charles A. Szuberla, Jr. *Charles A. Szuberla Jr.*

SUBJECT: Update on East Ramapo Central School District

DATE: July 13, 2015

AUTHORIZATION(S): *MaryEllen Elin*

SUMMARY

Issue for Discussion

The Board of Regents will be provided with an update on the East Ramapo Central School District (ERCSD) as it relates to the report issued by Henry M. Greenberg as well as New York State Education Department monitoring.

Proposed Handling

This issue will come before the P-12 Education Committee for discussion at the July 2015 Regents meeting.

Background Information

The following provides a status of the recommendations contained within the report, *East Ramapo: A School District in Crisis* issued by Henry M. Greenberg.

Recommendation 1: Reform District's Governance Structure to Provide Necessary Checks and Balances to the Board and Superintendent that protect Public School Students

Status

- Recognizing that statutory changes would be critical to implement several of Mr. Greenberg's recommendations, the Chancellor and then-Commissioner King wrote to the Governor and leadership of the Legislature to state that legislative action was immediately necessary to protect the District's public schools; ensure fair and transparent decision-making; prevent further budgetary crises; and place the District on a path to long-term fiscal stability.

- The Chancellor, Members of the Board of Regents, Commissioner and SED staff have routinely participated in discussions with the executive chamber, legislators and staff to discuss viable, meaningful legislation to address this issue.
- The Assembly passed the comprehensive East Ramapo Oversight Bill (A5355-A sponsored by Assemblymembers Jaffee and Zebrowski), supported by SED, on June 11, 2015 by a vote of 80-60. On June 14, 2015, Senator Carlucci introduced a bill (S5974-A) that was rejected by the Assembly and the vast majority of the public school community within the district because it would largely retain the status quo and failed to provide meaningful checks and balances to protect public school students as recommended by Mr. Greenberg's report.
- The Senate adjourned before acting on the Assembly bill and consequently, no statutory action was enacted to address the situation in East Ramapo. It is extremely unlikely that any legislative action would occur before the next session begins in January 2016.

Next Steps

- The Department will continue to advocate for legislation to reform the district's governance structure to provide necessary checks and balances to protect public school students.

Recommendation 2: Increase State Funding to District Above Current Levels

Status

- The District's 2015-2016 budget passed in May reflects a state aid increase of \$5.8 million, a 9% increase over the 2014-2015 budget.
- The East Ramapo school district has been allocated \$6.1 million from the Smart Schools Bond Act allocation. This funding can be used to improve instructional services by providing access to classroom technology (i.e., whiteboards, computer servers, desktops, laptops) and high-speed internet connectivity; add classroom space to expand high-quality pre-kindergarten programs; and install high-tech smart security features in schools (i.e., video surveillance, emergency notification systems).
- The district did not access \$3.5 million lottery "Spin Up" funds made available in Chapter 515 of the Laws of 2013.

- A provision in the oversight legislation introduced by Senator Carlucci (S5974-A), if enacted, would have provided the district with an annual \$5 million academic improvement grant to supplement other state aid received by the district.¹

Next Steps

- Department staff will continue to monitor the district's budget.

Recommendation 3: Board Should Undergo Training to Ensure Greater Transparency

Status

- In January 2015, the Board of Education and Superintendent participated in Open Meetings Law training provided by Robert Freeman, Executive Director of the NYS Committee on Open Government.

Next Steps

- The Department will assist in facilitating further Open Meetings Law trainings if needed.

Recommendation 4: Board Should Undergo Diversity Training

Status

- The Board of Education and Superintendent participated in diversity training provided by the Anti-Defamation League on March 17, 18 and 19, 2015.

Next Steps

- The Department will continue to monitor the Board's actions regarding respect of diversity.

Recommendation 5: District Should Undergo SED Monitoring Review to Ensure Appropriate Services for ELLs and Immigrant Students

Status

- The district was identified as part of the joint SED/Office of the Attorney General review of enrollment policies and practices as they relate to unaccompanied minors.
- The Office of Bilingual Education and World Languages (OBEWL) conducted a site visit to East Ramapo Central School District regarding potential Part 154 violations on December 19, 2014, and issued a report of violations to the district on February 25, 2015. OBEWL then conducted a follow up site visit to the district

¹ The district did not access the \$3.5 million "spin-up" funds for the 2013-2014 school year made available in the 2013-2014 enacted budget.

on March 11, 2015 to discuss issues for follow up. On March 20, 2015, OBEWL received the first draft of a Part 154 Corrective Action Plan (CAP) from the district, and subsequently OBEWL has been working with the district to revise and improve the draft CAP. Some critical violations OBEWL identified in the district are a failure to open and maintain sufficient numbers of Bilingual Education programs, and failure to provide all English Language Learners (ELLs) with access to the core curriculum and a pathway to graduation.

- ERCSD is part of the SED ELL leadership institute that OBEWL runs with City College and Stanford in order to support districts in providing better services to ELLs.

Next Steps

- The Department will continue to provide technical assistance and monitor the district's programs and services for ELLs.

Recommendation 6: Community Leaders Should Work to Bridge the Divide Between the Public and Private School Communities

Status

- The Department is not aware of progress in this area to date. In fact, OBEWL's Part 154 monitoring visit (see Recommendation 5 above), documented evidence of a continuing lack of cultural competency by the district's superintendent, which, at best, indicates a failure to understand the background and needs of the district's ELL community.

Next Steps

- The Department will continue to recommend that community leaders should work to bridge the divide between the public and private school communities.

The following are additional activities or matters to note in regards to the East Ramapo Central School District:

Office of Special Education

- To address the State's finding that the District had engaged in a pattern or practice of placing students with disabilities in private day schools when appropriate placements were available in public settings, NYSED required paper submission of applications for State reimbursement of certain private school placements throughout the 2014-2015 school year. Beginning with the 2015-2016 school year, finding that the majority of applications submitted were approved by NYSED for State reimbursement, the Department will inform the East Ramapo Central School District that this requirement will be discontinued, but the Department will continue to monitor the District's special education placement practices.

- In 2015, the State notified the District that its data shows significant disproportionality by race/ethnicity in the incidence, duration and/or length of disciplinary actions, including suspensions and expulsions of students with disabilities. As a result, the State will require the District to complete a self-review of the District's policies, procedures and practices relating to individual evaluations of students with disabilities; individualized education program (IEP) development and implementation; behavioral intervention plans; manifestation determinations; general procedures for disciplinary removals; and interim alternative educational settings and provision of instructional services. The District is working with the State's Technical Assistance Center on Disproportionality on root cause analysis.
- In 2014, the Office of Special Education conducted a monitoring review and found noncompliance in the areas of IEP development, certification of bilingual related services providers, certification of special education teachers providing bilingual special education services, and evaluation of students whose native language was other than English. The District has made progress to establish Yiddish bilingual special education classes and employ appropriately qualified special education bilingual personnel; and has demonstrated meaningful progress in the correction of the other identified noncompliance.
- In the 2015-2016 school year, the Office of Special Education will conduct another monitoring review relating to issues raised by East Ramapo teachers, including but not limited to allegations of inadequate space for instruction, and teachers and paraprofessionals being pulled from classroom instruction for other duties.

Office of Accountability

- SED has preliminarily identified four schools in the district as Local Assistance Plan (LAP) schools based on 2013-2014 school year data. All four schools have been identified in math for the performance of English language learners, and three of the four schools have also been identified for performance of Hispanic students in math, and two of the four schools for low-income students' performance in math. Two the four schools have also been identified for the performance of Hispanic students in ELA. While based on 2013-2014 school year data none of the schools in the ERCSD are among the very lowest performing in the state (i.e., at the Priority School level), there were several schools in the district that were among the lowest performing (i.e., at the Focus School level) for students with disabilities and in some cases either low-income and/or English language learners. Whether any of these schools will be newly identified as Priority or Focus will be decided once 2014-2015 school year data is available.

- In June 2015, the office conducted a review of the district using the Diagnostic Review of School and District Effectiveness. The preliminary draft report rates the district “Stage 1” (which is equivalent of “Ineffective”) on all statements of practice. This is extremely rare for a Focus District, where typically at least a few statements of practice are rated “Stage 2,” which is the equivalent of “Developing.”

Office of Educational Management Services

- It appears that the district continues to work on stabilizing the budget as evidenced by the following:
 - Review of the budget shows that transportation costs continue to grow. Other areas have limited growth.
 - Every one of their transportation contracts for 2014-2015 was re-bid. SED staff provided technical assistance during the rebid process, and the contracts were reviewed and approved by the Office of Educational Management Services. There are fewer vendors than there were.
 - The district also has begun reviewing bus runs for students attending nonpublic schools and eliminating transportation for students who attend nonpublic schools outside the 15-mile limit.

Recommendation

Department staff will continue to monitor the district’s programs for compliance with applicable laws and regulations, and its budget in order to identify opportunities for greater efficiencies.