



NEW HAVEN PUBLIC SCHOOLS
New Haven, Connecticut

NEW HAVEN BOARD OF EDUCATION MEETING

Monday, November 9, 2020

INFORMATION ONLY

The Superintendent approved the following Information Only items:

1. The Superintendent approved Amendment #1 to Agreement # 96291537 with Voiance Language Services, LLC for increased translations and telehealth translations due to Covid-19; to increase the funding of \$8,000.00 by \$4,000.00 to \$12,000.00.
Funding Source: ESSERF Grant **Acct. # 2550-6342-56694-0000**
2. Agreement with Dr. Brett Rayford to provide screening, triage, referral and mental health services to students attending New Haven Adult Education, from November 10, 2020 to June 30, 2021 in an amount not to exceed \$10,000.00.
Funding Source: State Adult Education Program **Acct. #2503-5014-56694-053**
3. Agreement with The Consultation Center to provide screening, triage, referral and mental health services, and topical seminars for students and staff at New Haven Adult Education, from November 10, 2020 to June 30, 2021, in an amount not to exceed \$10,000.00.
Funding Source: State Adult Education Program **Acct. # 2503-5014-56694-053**
4. Amendment #2 to Agreement #95736533 with Delta-T Group to decrease funding of \$11,700.00 by \$260.00 to \$11,440.00 and to change the Agreement start date from August 3, 2020 to August 10, 2020 to reflect a late start date and reduced funding amount.
Funding Source: School Readiness Program **Acct. #2523-6098-56901-0442**
5. Agreement with CREC Soundbridge to provide audiological maintenance service for hearing impaired students, from September 14, 2020 to June 30, 2021 in an amount not to exceed \$3,350.00.
Funding Source: 2020-2021 Operating Budget **Acct. #190-490-56694**
6. Agreement with Grinand Bare, LLC to provide training and support to HSC staff in the development and improvement of student leadership systems in keeping with the school's magnet theme, from November 9, 2020 to June 18, 2021 in an amount not to exceed \$18,000.00.
Funding Source: Magnet School Assistance Program **Acct. #2517-6262-56694-0066**
7. Agreement with 3Prime Web to provide maintenance and extension of the SRBI Web App system and support to the Reading Department for advanced and responsive Google App support, from November 9, 2020 to June 30, 2021 in an amount not to exceed \$15,000.00.
Funding Source: Alliance Program **Acct. #2547-6108-56694-0000**
8. Agreement with Collaborative Classroom to provide professional development sessions on implementation of Being A Writer and Making Meaning from November 9, 2020 to June 30, 2021 in an amount not to exceed \$8,000.00.

Funding Source: Alliance Program (Pending Receipt of Funds) **Acct. #**2547-6108-56694-0000

9. Amendment #1 to Agreement #95278563 with Lisa Swain to change account # from Head Start Program acct. #2532-5278-56694-0443 to Head Start Program acct. #2532-5278-55576-0443, with no change in funding amount.

Funding Source: Head Start Program **Acct. #**2532-5278-55576-0443

Drafts – 11/13/2017, 12/11/2017, 1/11/2018, 2/2/2018

Revised – 9 March 2018, 6/26/2020 Draft

New Haven Public Schools' Policy for Race & Equity – Page 1

Purpose

New Haven Public Schools (NHPS) students deserve respectful learning environments in which their racial and ethnic diversity is valued and contributes to successful academic outcomes. Through addressing racial equity, we affect the larger idea of diversity (Singleton).

This policy confronts the institutional racism that results in predictably lower academic achievement for students of color than for their white peers. Continuously working to eliminate our district's institutional racism will increase achievement, including on-time graduation, for all students, while narrowing the gaps between the highest- and lowest-performing students.

NHPS acknowledges that complex societal and historical factors contribute to the inequity within our school district. Nonetheless, rather than perpetuating the resulting disparities, NHPS must address and overcome this inequity, institutional racism and bias, providing all students with the support and opportunity to succeed.

Definitions

For the purposes of this policy the following terms shall have these meanings:

- A. "Educational equity" means (1) raising the achievement of ALL students, (2) narrowing the gaps between the lowest and highest performing students, and (3) eliminating the racial or cultural predictability and disproportionality of which student groups occupy the highest and lowest achievement categories (e.g. academic achievement, discipline, graduation rates). (Singleton)
- B. "Institutional racism" refers to the policies and practices within and across institutions that, intentionally or not, produce outcomes that chronically favor, or put a racial group at a disadvantage. Poignant examples of institutional racism can be found in school disciplinary policies in which students of color are punished at much higher rates than their white counterparts, in the criminal justice system, and within many employment sectors in which day-to-day operations, as well as hiring and firing practices can significantly disadvantage workers of color (Aspen Institute).
- C. "District staff" includes all employees, consultants, contractors, and vendors of New Haven Public Schools.
- D. "District partners" includes students, their families, and community partners of New Haven Public Schools.
- E. "Diversity" includes characteristics of persons including, but not limited to race, culture, color, Creed or religion, national origin, gender, mental and physical ability, age, marital status, family structure, citizenship status, sexual orientation, sexual expression or identity, economic status, veteran's status, and any other protected class in conformance with federal, state, and local laws.
- F. "District Equity Leadership Team" or DELT is a panel committee of district members and partners who are tasked with developing a Race and Equity Policy for New Haven Public School District and ensuring its implementation and progress monitoring.
- G. "District Equity Leadership Team Advisory Group" or DELT-Advisory is composed of members from various stakeholder groups in New Haven Public School District (e.g. Board of Education,

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New Haven Public Schools' Policy for Race & Equity – Page 2

Central Office, Administrators, Teachers, Staff, Students, Parents, Community, Clergy) and is tasked with reviewing the policies and actions of the DELT prior to and during implementation, in order to provide feedback to the DELT.

General Statement of Policy

1. ELIMINATE SYSTEMIC DISPARITIES

To interrupt systems and behaviors that perpetuate inequities, NHPS will:

- A. Invite and include people from all races and ethnicities to examine issues and find adaptive solutions, which address the root causes and systems, rather than technical solutions, which provide one-time, situational fixes;
- B. Develop the personal, professional, and organizational skills and knowledge of its employees to enable them to address the presence and role of racism; and
- C. Eliminate practices resulting in predictable differences in success (e.g. academic, discipline, attendance, standardized test scores, college enrollment) for any student racial group compared to peers.

2. ENSURE SYSTEMIC EQUITY

NHPS will implement and lead from a system-wide racial equity plan that stands on four critical pillars: Students at the Center; Culturally Relevant Leading, Teaching & Learning; Equitable Alignment of Resources, Systems & Structures; and Family & Community Engagement.

- A. **Students at the Center** – We will align all district priorities and resources to achieve equitable outcomes for all students by:
 1. Intentionally seeking and including students' multiple racial perspectives in the development and implementation of culturally appropriate and relevant curriculum, instruction, and assessment; and
 2. Ensuring a positive and academically rigorous school environment that engages all students.
- B. **Culturally Relevant Leading, Teaching & Learning** – We will ensure that racial equity guides all employee actions and leads to improved academic results for a racially and ethnically diverse and changing student population by:
 1. Attracting, recruiting, employing, supporting, retaining, promoting, and continuously developing a workforce of racially conscious and culturally proficient administrative, instructional and support personnel;
 2. Collaborating as teachers and administrators to ensure culturally proficient instructional practices, and culturally relevant curriculum and assessments;
 3. Eliminating practices that lead to the over- or under-representation of any student racial group (e.g. Advanced Placement courses); and
- C. **Equitable Alignment of Resources, Systems & Structures** – We will ensure that racial equity guides the alignment and allocation of resources, systems, and structures across

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Revised – 9 March 2018, 6/26/2020 Draft

New Haven Public Schools’ Policy for Race & Equity – Page 3

the district by:

1. Modeling racial equity in business practices;
2. Replacing inequitable operational practices with systems that support implementation of this policy; and
3. Focusing accountability systems and metrics on racially equitable results.

D. Family & Community Engagement – We will develop and implement equitable practices for and with our students, their families, and our community by:

1. Engaging family and community members with staff and students, district-wide and at school and program sites, in the development and implementation of culturally appropriate and effective partnerships between home and school; and
2. Inviting and including community members to bring multiple cultural perspectives to examining and solving issues that arise.

3. IMPLEMENTATION AND MONITORING

The Board directs the Superintendent and the District Equity Leadership Team to develop and implement a system-wide racial equity plan with clear accountability and metrics, which will result in measurable academic improvements for NHPS students. The Superintendent shall regularly report progress on the plan and outcomes.

LEGAL REFERENCES

U.S. Const. amend XIV, § 1 (Equal Protection) 20 U.S.C. § 1703 (Equal Educational Opportunity) 42 U.S.C. § 2000c et seq. (Desegregation) 42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964) 42 U.S.C. § 2000e-2 (Title VII of the Civil Rights Act of 1964) 25 U.S.C. § 452 et seq. (Johnson-O’Malley Act)

Connecticut General Statutes

46a-60 Discriminatory employment practices prohibited.

10-15c Discrimination in public schools prohibited. School attendance by five-year olds. (Amended by P.A. 97-247 to include "sexual orientation" and P.A. 11-55 to include "gender identity or expression")

10-153 Discrimination on account of marital status.

17a-101 Protection of children from abuse.

Connecticut State Board of Education "Position Statement on Culturally Responsive Education," adopted May 4, 2011

Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq. 29 CFR 604.11, EEOC Guidelines on Sex Discrimination.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq. 34 CFR Section 106.8(b), OCR Guidelines for Title IX.

Definitions, OCR Guidelines on Sexual Harassment, Fed. Reg. Vol 62, #49, 29 CFR Sec. 1606.8 (as) 62. Fed Reg. 12033 (March 13, 1997) and 66 Fed. Reg. 5512 (January 19, 2001)

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New Haven Public Schools’ Policy for Race & Equity – Page 4

20 U.S.C. 7905 (Boy Scouts of America Equal Access Act contained in No Child Left Behind Act of 2001)

Meritor Savings Bank. FSB v. Vinson, 477 U.S. 57 (1986)

Faragher v. City of Boca Raton, No. 97-282 (U.S. Supreme Court, June 26, 1998)

Gebbs v. Lago Vista Indiana School District, No. 99-1866, (U.S. Supreme Court, June 26, 1998)

Davis v. Monro County Board of Education, No. 97-843, (U.S. Supreme Court, May 24, 1999.)

The Vietnam Era Veterans' Readjustment Act of 1974, as amended, 38 U.S.C. 54212

Title II of the Genetic Information Nondiscrimination Act of 2008

The Americans with Disabilities Act as amended by the ADA Amendments Act of 2008

Public Law 111-256

Meacham v. Knolls Atomic Power Laboratory 128 S.Ct. 2395, 76 U.S.L.W. 4488 (2008)

Federal Express Corporation v. Hollowecki 128 S.Ct. 1147, 76 U.S.L.W. 4110 (2008)

Kentucky Retirement Systems v. EEOC 128 S.Ct. 2361, 76 U.S.L.W. 4503 (2008)

Sprint/United Management Co. v. Mendelsohn 128 S.Ct. 1140, 76 U.S.L.W. 4107 (2008)

Sources

Singleton, Glenn. *Courageous Conversations About Race: A Field Guide for Achieving Equity in Schools*. 2nd Ed., Corwin, 2014.

Saint Paul Public Schools. Racial Equity Policy (101.00). Saint Paul, MN. 2008.

CABE Policy Services. Equity and Diversity Policy Sample (0523). Wethersfield, CT. 2015.



NEW HAVEN PUBLIC SCHOOLS

Operations Memorandum

To: New Haven Board of Education Finance and Operations Committee
From: Michael J. Pinto, COO
Date: October 28, 2020
Re: F&O Agenda Item Request/Approval
Agreement with City of New Haven Corporation Counsel

Contractor Name: City of New Haven Corporation Counsel

Contractor Address: 165 Church Street, 4th Floor, New Haven, CT 06510

Is the contractor a Minority or Women Owned Small Business? N/A

Renewal or Award of Contract/Agreement? Memorandum of Understanding

Total Amount of Contract/Agreement and the Hourly or Service Rate: \$30,000.00.

The cost represents approximately Thirty-five percent of the salary line item for a new staff attorney position created in the Office of the Corporation Counsel to be assigned to Board of Education matters.

Contract or Agreement #: N/A

Funding Source & Account #: Operating Budget 190-47700-56696

Key Questions: (Please have someone ready to discuss the details of each question during the Finance & Operations meeting or this proposal might not be advanced for consideration by the full Board of Education):

1. What specific service will the contractor provide:

The attached Memorandum of Understanding (MOU) between the New Haven Board of Education and the Office of the Corporation Counsel provides for the Office of Corporation to provide dedicated staff attorney time to the Board of Education and NHPS for legal matters as may arise that affect the BOE/NHPS.

2. How was the contractor selected? Quotes? RFP? Sealed Bid or Sole Source? Please describe the selection process including other sources considered and the rationale for selecting this method of selection:

N/A. Under the MOU, the Office of the Corporation Counsel will provide staff counsel to the BOE/NHPS.

3. If this is a renewal with a current vendor, has the vendor's performance been satisfactory under the existing contract or agreement?

The MOU formalizes the agreement made between former Superintendent Carol Birks and former Corporation Counsel John Rose for the 2020-21.

4. If this Contract/Agreement is a Renewal has cost increased? If yes, by how much?

The contribution of \$30,000.00 to the support the staff counsel assigned to BOE matters is unchanged. This is same annualized contribution made in FY2019-2020. The actual contribution was pro-rated because the staff position was not filled until one-third of the way through the fiscal year.

5. If this Contractor is New, has cost for service increased from previous years? If yes, by how much?

There is no change in the current year to the cost of services provided

6. Is this a service existing staff could provide? Why or why not?

This contribution is an investment in building internal City/BOE legal capacity. Although the Board of Education is the largest City department by a large margin, there had been no staff counsel dedicated to providing regular legal support to the BOE/NHPS prior to Birks-Rose agreement and the subsequent the hiring of Atty. Elias Alexiades.

The MOU provides for staff counsel from the Office of the Corporation Counsel to address Board of Education and NHPS legal matters without resort to enlisting outside counsel on all matters. Although the contribution constitutes approximately thirty-five percent of the salary line-item for the position, more than ninety percent of the position time to date has been dedicated to BOE matters.

The salary allocation is drawn from the BOE outside counsel budget line-item. This directly reduces the amount of money spent by the BOE on outside counsel and is a highly cost-effective management of the Board's general fund budget.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU"), effective as of November ____ 2020 (the "Effective Date"), is entered into between the City of New Haven, acting by Patricia King, its Corporation Counsel, duly authorized (hereafter "the City"), and the New Haven Board of Education (hereafter "BOE"), acting by Dr. Ilene Tracey, its Superintendent, its duly authorized representative.

The purpose of this MOU is to memorialize the parties' respective rights and obligations concerning the contribution of the BOE towards the salary of one Assistant Corporation Counsel in the Office of the Corporation Counsel designated to work primarily on legal matters for the BOE.

WHEREAS, the City, through Attorney John Rose, then Corporation Counsel, and the BOE through Dr. Carol Birks, then Superintendent, entered into an agreement effective for FY 2019-2020 that the BOE would contribute \$30,000 from its outside counsel budget towards the salary of one Assistant Corporation Counsel to be assigned to work primarily on legal matters for the BOE; and

WHEREAS, the BOE pursuant to the aforementioned agreement during FY 2019-2020 contributed a prorated amount of \$20,000 from its outside counsel budget towards the salary of an Assistant Corporation Counsel hired in October 2019 by the Office of Corporation Counsel to be assigned to work primarily on legal matters for the BOE; and

WHEREAS, this agreement was reflected in the budget for Fiscal Year 2020 – 2021 by an allocation of \$30,000 in BOE outside counsel funds towards this position as part of the Corporation Counsel budget, approved by the Board of Alders;

NOW THEREFORE, the City and the BOE wish to memorialize their agreement in writing and hereby agree as follows;

1. For purposes of this MOU, the BOE ratifies the transfer of \$30,000 of its outside counsel budget for FY 2020-2021 towards the salary of an Assistant Corporation Counsel assigned to work primarily on BOE matters;
 - a. The BOE agrees that it shall contribute at least \$30,000 every year to such a position.
 - b. The BOE further agrees to increase this contribution by 35% of any increase in annual salary for the Assistant Corporation Counsel position in future fiscal years without need for a written amendment to this agreement.
2. The parties agree that the Assistant Corporation Counsel assigned to the BOE shall remain at all times for supervisory and administrative purposes under the Office of Corporation Counsel.
3. Should a conflict arise between the City and the BOE in connection with the

work of the Assistant Corporation Counsel assigned to the BOE, the parties agree to work together to resolve the any conflict.

4. Either party may terminate this MOU, with or without cause, on sixty (60) days prior written notice.
5. Any notices required or permitted by this MOU or by the parties' relationship shall be given in writing, or by electronic mail or facsimile addressed to:
 - a. The Corporation Counsel for the City of New Haven, 65 Church St. New Haven, CT 06510; or at such other address as the City shall designate in writing.
 - b. Superintendent, New Haven Board of Education, 54 Meadow Street, New Haven; or at such other address as the BOE shall designate in writing.
6. This MOU constitutes the entire understanding between the City and the BOE with respect to the subject matter hereof and merges all prior and contemporaneous communications, written and oral. This MOU shall not be modified except by a written instrument signed by both parties.

CITY OF NEW HAVEN

BY: _____

Patricia King
Corporation Counsel, City of New Haven
Duly Authorized

BOARD OF EDUCATION

BY: _____

Dr. Ilene Tracey,
Superintendent of New Haven Public Schools
Duly Authorized