

**Appendix A: University of Rochester
Letter of Intent**

PRESIDENT

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May 6, 2014

John King, Jr.
Commissioner of Education and
President of the University of the State of New York
New York State Education Department
89 Washington Avenue
Albany, NY 12234

Re: Letter of Intent

Dear Commissioner King:

The University of Rochester (the "University"), primarily through its Center for Professional Development and Education Reform at the Warner School of Education, is interested in assisting the Rochester City School District ("RCSD") in substantially improving student achievement at East High School under the Restart Model. Specifically, the University submits this letter of intent (the "Letter of Intent") as its commitment to submit a proposal as EPO for East High School ("East") for the 2015-2016 academic year implementation, provided all the conditions articulated in this document are met.

Introduction

The University had considered the possibility of applying as an Educational Partner Organization (EPO) under Section 211-e of the Education law for the Request for Proposal (RFP) due on April 15, 2014. Due to the complexity of the issues presented, however, it was concluded that there was not sufficient time to engage in the in-depth analysis and planning required to prepare a well thought-out proposal during the twenty-one days afforded by the original deadline. We continue to believe, however, that East High School will not be well served under any of the options currently under consideration; therefore, we would like to offer a new alternative for RCSD and the New York State Education Department ("NYSED") to consider.

The alternative we are proposing involves (a) postponing to February 2015 a final decision about the options NYSED set for East in order to allow the time needed to prepare a quality EPO proposal, while in the meantime (b) enabling the University to lead some new initiatives in East during the 2014-15 school year that will immediately increase learning opportunities for East students and provide the opportunity to pilot and refine some innovations before they are included in an EPO proposal.

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In this scenario, the University would be interested in submitting a proposal as EPO for East. We have already identified and secured the participation of Dr. Stephen Uebbing (a full professor at the Warner School of Education with over 23 years of experience as a Superintendent of Schools, as well as experience as a school improvement consultant for Focus Schools and schools in restructuring including schools in Geneva, Medina and Batavia - see attached CV for additional detail) as the potential Superintendent for the proposed EPO and leader of the planning team, as well as the person who could lead the proposed 2014-15 innovations at East.

Given the significant commitment of effort and resources that planning an EPO proposal will require, however, the University is willing to invest in this process only if (a) there is a preliminary agreement in principle by all key parties about some fundamental conditions identified as necessary to the success of the project, based on research on school turn-around and what we currently know about East (particularly with respect to reaching agreements in principle with the four employee bargaining units), and (b) the 2014-15 school year can be used to pilot and refine some of the innovations to be included in the EPO proposal. The remainder of this letter articulates these conditions.

Timeline

To ensure sufficient time to complete the planning process, on the one hand, and to complete personnel hiring and other key initiatives needed to implement the plan by 2015-16 if approved, on the other hand, the following key deadlines must be met:

- RCSD reaches a decision about whether they support the conditions articulated in this Letter of Intent by May 7, 2014, and communicates this in writing to the University President.
- Each of the applicable bargaining units commits in writing to negotiate in good faith to reach an agreement in principle regarding the key employment-related terms and conditions necessary for the University to act as an EPO. Such agreement in principle must be reached by July 1, 2014.
- Subsequently, the University President will contact the Commissioner to present this Letter of Intent and to request the postponement of the current May 16, 2014, deadline for a decision on East.
- A new deadline to submit an EPO proposal is set for no earlier than December 15, 2014.
- NYSED final decision about the EPO proposals is communicated by February 1, 2015.

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Budget neutrality principle

The University expects the project to operate under the principle of budget neutrality. This means that:

- There is no expectation that the University will subsidize any part of the plan, and thus the budget put together as part of the EPO proposal will include all costs necessary to implement the proposed plan, including:
 - costs related to any staff needed to carry out the proposed activities (including University personnel's percentage of FTE devoted to specific project activities);
 - costs required to contract with other vendors for services included in the plan for which there is no internal capacity within either RCSD or the University (including selected consulting services from experts in specific areas of school turn-around).
- Planning and implementation costs incurred during the 2014-15 year (which cannot be covered in the EPO budget) will be covered by RCSD, including but not be limited to:
 - all planning costs, including costs associated with the work of Warner faculty involved in the process, services performed by third parties for professional development on school turn-around for the planning team, and travel costs for field trips and conferences for the planning team to learn about successful turn-around efforts;
 - costs incurred to implement preliminary initiatives at East, including providing leadership coaches to each member of the leadership team at East.

Conditions that need to be in place for 2014-15

Recognizing the urgency that led NYSED to decide that East High School could not continue in its current situation, we are committed to use the 2014-15 school year not only for planning but also as an opportunity to make some initial changes in East High School that can result in immediate benefits to its students as well as pilot and refine ideas for inclusion in the EPO proposal.

We have identified the following conditions as most critical:

- The current principal (Anibal Soler) is retained in his position for the planning year (2014-15) and states in writing his willingness to fully collaborate with the University in developing a plan for the EPO proposal and beginning to institute some significant changes – *as we believe that this level of continuity and commitment would be instrumental to engaging the participation and good faith of the school community in the planning process, and to effectively implement the changes suggested below.*

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- The East principal is given autonomy over the school schedule and flexibility in introducing new courses and other initiatives that may help students graduate on time; this should include, but not be limited to being able to:
 - create high-quality math and science non-Regents courses that can be offered as an alternative to graduating seniors;
 - approve Independent Study courses at the building level;
 - maintain and enhance CTE programming;
 - include common planning periods for teachers in the schedule;
 - add a 9th period credit bearing extended day (to offer students in grades 9-12 the opportunity to take an additional course for credit acceleration or credit recovery, and students in grades 7-8 the opportunity for additional intervention in math and/or literacy);
 - have its own building registrar, so that a schedule can be created and managed at the building level to include pilot initiatives;
 - hire additional social workers/counselors to address the most pressing socio-emotional needs of current at-risk students (*to begin to bridge the current gap from the recommended ratio for urban schools*);
 - offer a summer program that is specific to East High School students for summer 2014.
- No Distinguished Educator is appointed for East for the 2014-15 school year.
- The University will establish a planning team led by Dr. Uebbing and including both University and RCSD personnel. This planning team will also be charged to ensure the meaningful involvement of students, families and community members, as well as other key constituencies, in the planning process. Both the University and RCSD commit to provide the needed release time for members of the planning team to conduct a thorough needs analysis, to participate in relevant professional development and training, and to engage in a planning process leading to a quality EPO proposal by the established deadline.
- RCSD will give the planning team access to people and data as needed for the planning process (under the customary expectations of confidentiality), as well as open access to East. RCSD will also appoint a "liaison" in the Central Office who will be responsible to timely provide the requested information and/or access.
- All members of the East leadership team, including the principal, will be provided a leadership coach selected by Dr. Uebbing.
- RCSD provides the additional resources needed to support costs related to the planning activities (including professional development and travel) and the implementation of educational changes instituted during the planning year.

Foundational conditions to be included in the EPO proposal

Before the University can invest the considerable resources needed to prepare a viable proposal as EPO for East High School, we need to ensure that at least in principle (and pending approval from that relevant unions) RCSD is willing to support the following conditions that we plan to include in the EPO proposal:

- Sole authority in curriculum decisions, including that required for the development of a strong CTE program, within the constraints set by the Commissioner Regulations parts 100 and 200.
- Authority to seek waivers from the New York State Education Department without prior approval of the RCSD.
- Flexibility in scheduling, including changes in the start and end of the school day, extensions of the school day and year, etc.
- Authority to develop a new Code of Conduct.
- Ability to evaluate and potentially adjust total enrollment, including a commitment to limit the students transferred to East High School after October 1 of each year to new students who move to the general neighborhood – *to avoid disruptions caused by continuing changes in the student population after the school year begins.*
- Ability to include non-academic services that may be critical in meeting the physical and emotional needs of specific groups of students (*and, thus, necessary to put students in a position where they can productively engage in learning activities*).
- Using as a planning guide the Diagnostic Tool for School and District Effectiveness, which includes the following tenets:
 1. District leadership and capacity.
 2. School leader practices and decisions.
 3. Curriculum development and support.
 4. Teacher practices and decisions.
 5. Student social and emotional developmental health.
 6. Family and community engagement.
- Authority in staffing decisions (with the understanding that RCSD and the University will need to address the impact of these new requirements under the several collective bargaining agreements with the teachers and other employees, and a final agreement could only be obtained after each of the positions has been fully articulated as a result of the planning process); this will include:
 - Developing new job descriptions for teachers and other key staff positions – *to ensure that they include all the responsibilities needed to accomplish the proposed plan.*
 - At the start, having all the current staff, along with other interested candidates, re-apply for the positions articulated in the plan in conjunction with an MOU with the RTA – *in order to ensure that all new employees agree to accept employment under the new terms and conditions developed for the position they apply to, and they can perform according to the new expectations established for those positions.*

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- Having initial as well as future hiring decisions based on merit and fit considerations, using agreed-upon and clearly articulated criteria.
- Ability to develop staffing projections based on agreed upon factors (rather than just projected student-teacher ratios), with some flexibility to adapt to changing conditions and student needs
- Having explicit criteria and systems in place to fairly evaluate personnel's performance and discontinue personnel who are not meeting the expectations articulated for their position (after following due process).
- A commitment from the RCSD to provide financial support to institute best practice in instructional staffing.

Collective Bargaining Agreements

It is our expectation that the University and RCSD will seek accord with the various bargaining units for approval for new position descriptions and any other element of the EPO proposal requiring changes in the current collective bargain agreements. Therefore, the University's ability to submit an EPO proposal will be contingent on achieving a mutually acceptable agreement in each of these cases. As a result, the University has requested written commitment from all relevant collective bargaining units stating their willingness to negotiate in good faith regarding any necessary adjustments to its current collective bargaining agreement to fulfill the objectives of the EPO.

To date, the RCSD Board of Education has received such written commitments from three of the four collective bargaining units (BENTE {Non-Teaching Employees}, ASAR {Supervisors and Administrators} and RTA {Rochester Teachers}). The fourth unit, the RAP (Paraprofessionals) has not expressed any objection, and we expect that a letter will be submitted. We will work with the RCSD Board of Education to obtain a written commitment from all four of the collective bargaining units to work in good faith together to achieve the agreements in principle outlined below by the July 1, 2014 deadline.

In order to ensure the State Commissioner of Education that the pivotal conditions required by the University to proceed with an EPO proposal are being fulfilled, the University requires that, on or before July 1, 2014, each of the collective bargaining units reach a binding agreement in principle regarding the adjustments that will be necessary to its existing collective bargaining agreement with respect to the operation of East High School so that the objectives of the University as EPO can be achieved. In the discussions and negotiations with the collective bargaining units, the parties will consider similar precedents in New York such as All City High and Green Dot.

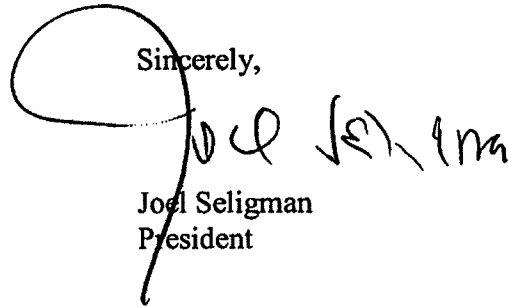
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To conclude, this Letter of Intent contains the University's plan to proceed with an EPO proposal should NYSED, RCSD and the collective bargaining units meet the stated terms and conditions.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Seligman". The signature is written in a cursive style with a large, looping initial "J".

Joel Seligman
President

JS/ps

Attachment

cc:

Van White, President of RCSD Board of Education

Bolgen Vargas, RCSD Superintendent

Raffaella Borasi, Dean, Warner School of Education

Gail Norris, University General Counsel

Steve Uebbing, Professor, Warner School of Education