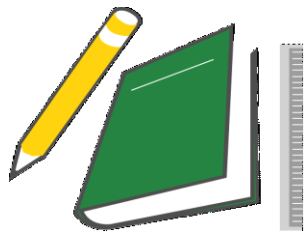


RECEIVERSHIP SCHOOLS



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Receivership Background

A Receivership School law was proposed by the Governor in his Budget proposal this year. The enacted provisions provide for school receivers in “Priority Schools”.

Priority Schools are the bottom five percent performing school buildings in the State and are used for compliance with the State’s NCLB waiver.

There are 144 schools currently on the Priority School list for 2015-16 in 17 school districts.

2

Receivership Schools

There are two types of Receivership schools

“Persistently Struggling” schools - 20 schools on an accountability list for 10 or more years. Rochester has four “Persistently Struggling” schools

“Struggling” schools - 124 schools which have been Priority Schools for three years. Rochester has ten “struggling” schools.

A new list of these schools will be produced by SED in February 2016 based on Spring 2015 test results.

3

Receivership Schools

Superintendents in districts with Receivership Schools become “School Receivers” beginning with the 2015-16 school year once an improvement plan is approved.

A Receivership school must show “demonstrable improvement” in order to avoid an “External Receiver” from being appointed.

In “Persistently Struggling” schools that improvement must come in one year.

In “Struggling” schools that improvement must occur in two years.

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Receiver Powers

School Receiver (Superintendent Receiver)

- Vested with the powers of an External Receiver
- Has one or two years to improve performance
- May supersede decisions of the BOE, except decisions related to his/her employment
- At the end of the year the Commissioner must decide:
 - Whether to remove the school from the list of Receivership schools;
 - To continue to operate the school under the Superintendent Receiver; or
 - Place the school under an External Receiver (schools designated as “struggling” have one more year.)

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Receiver Powers

External Receiver

- Appointed by the district with the approval of the Commissioner
- SED will maintain a list of approved External Receivers, districts may still submit their own choice for approval
- Is an ex-officio member of the Board of Education
- May be a non-profit, another school district or an individual with experience in improving school performance
- Will manage and operate all aspects of the school
- Must create a school intervention plan based on a community schools model

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Receivership Plans

School intervention plan must be based on stakeholder input, recent diagnostic reviews and:

- Address the social service, health and mental health needs of students
- Provide a safe and secure learning environment
- Provide greater access to CTE programs
- Address the achievement gaps
- Address school climate
- Include a budget for the plan
- Include a full-time person to develop the community schools model

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Receivership Plans

Community Engagement Team

The district must establish a Community Engagement Team to solicit input and develop recommendations for the intervention plan. Membership must include:

- Principal
- Teachers
- Other school staff
- Parents
- Students (grades 6 and above)

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Receivership Plans

The plan must include measureable goals for improving:

- Student attendance
- Student discipline
- School safety
- Student promotion
- Graduation rate
- Drop out rate
- Student achievement and growth
- Achievement gaps

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Receivership Staffing

The Receiver may in the Receiver School

Abolish all positions and require staff to re-apply

- Staffing committee to determine if those re-applying are qualified comprised of the Receiver, 2 members appointed by the Receiver and 2 members appointed by the union
- Any teacher with 2 ineffective ratings is not qualified to be re-hired
- At least 50 percent of positions must be filled with the most senior staff determined by the committee to be qualified
- Teachers not re-hired have no bumping rights in the district
- Teachers not re-hired are placed on a Preferred Eligibility List (PEL)

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Receivership Staffing

The Regulations provide a process by which the staffing changes may occur.

First, a receiver must undertake a school needs assessment and how planned abolishment of positions will improvement student performance.

Second, the employee and their union must be given 90 school days notice of an abolishment of any position and the basis for the abolishment.

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Receivership Staffing

Third, a notified party has 14 school days to request a reconsideration of a proposed action.

Fourth, this process may only occur once unless the receiver obtains approval of the State Education Commissioner.

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Receivership Bargaining

Teachers may be asked to negotiate a new bargaining agreement for the Receivership school - this would not affect the contract for other buildings in the district.

- The bargaining agreement must be reached in 30 school days and then ratified within 10 days by the local.

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Receivership Bargaining

Potential Collective Bargaining Issues

- Length of day
- Length of year
- Professional development
- Class size
- Changes in program, assignments and teaching conditions

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Receivership Bargaining

- The Receivership agreement must provide for at least a proportionate increase in compensation where the day or year is extended.
- If an agreement is not reached, the Commissioner determines outstanding provisions after a short arbitration process.

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Receivership Timeline

- The Receivership powers currently exist in 8 of the 14 affected buildings in Rochester. This authority is temporary (expires on 10/13/15) and is based on use of existing school improvement plans.
- Permanent Receivership authority will be granted only after SED approves a final improvement plan which will include Community Engagement Team input.

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