

**SPECIAL MEETING  
NOVEMBER 5, 2012**

**HEMPSTEAD PUBLIC SCHOOLS  
BOARD OF EDUCATION  
SPECIAL MEETING  
NOVEMBER 5, 2012  
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the A..B.G.S. middle school teachers lounge, 70 Greenwich Street, Hempstead, New York 11550. The meeting was called to order at 6:10 PM. All of the Board Members were present.

**BOARD MEMBERS PRESENT:**

Betty Cross	President
Waylyn Hobbs, Jr.	Vice President
Shelley Brazley	Treasurer
Brandon V. Ray	Trustee
JoAnn Simmons	Trustee

**STAFF MEMBERS PRESENT:**

Susan Johnson	Interim Superintendent
Patricia Wright	District Clerk
Jonathan Scher	Labor Counsel

**Trustee Brazley moved, second by Trustee Simmons to convene to executive session to discuss personnel at 6:18 P.M.**

<b>MOTION</b>	<b>YES 5</b>	<b>MOTION CARRIED</b>
To convene to executive session		

**Trustee Ray moved, seconded by Trustee Simmons to reconvene to open session at 7:06 P.M.**

**MOTION WITHDRAWN BY Trustee Ray**

**Trustee Brazley moved, seconded by Trustee Hobbs to reconvene to open session at 7:19 P.M.**

<b>MOTION</b>	<b>YES 5</b>	<b>MOTION CARRIED</b>
To reconvene to open session		

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**Trustee Brazley moved, seconded by Trustee Hobbs to approve the termination resolution as written.**

Upon the recommendation of the Interim Superintendent of Schools to dismiss Keisha Rucker K-12 ELA Director during her probationary period, which ends on November 9, 2012, a majority of the Board of Education votes to accept the recommendation to dismiss Keisha Rucker and terminate her employment effective Tuesday, November 6, 2012.

The Board is aware of the fact that Ms. Rucker was not provided with thirty (30) days notice that she will be dismissed prior to the Board meeting held on November 5, 2012 at which such recommendation of the Interim Superintendent of Schools was to be considered. The Board recognizes that the failure to provide the termination notice required by §3019(a) (in the case of a teacher, which Ms. Rucker was not) and §3031(a) (in the case of a teacher or an administrator), entitles the dismissed employee (in this case, an Administrator) to potential payment of back pay, but not reinstatement. To comply with current law, the Board directs the District Clerk to give Ms. Rucker a thirty (30) day written notice of termination consistent with §3019-a and pursuant to §3031(a).

The Board also recognizes that the failure to provide the requisite notice under §3031(a) does not entitle the Administrator to automatic reinstatement since the only remedy is for the Board to reconsider the termination recommendation with proper notice to the Administrator so that the Administrator has an opportunity to respond. The termination of Ms. Rucker is effective November 6, 2012 pursuant to section §3031(a), however, the Board has scheduled a meeting to be held on December 7, 2012 to reconsider her termination after proper notice has been given to her (which the Board directs to be given to her on November 6, 2012) so she has an opportunity to respond to the recommendation to terminate her employment which was accepted by the Board on November 5, 2012.

**MOTION**

To approve  
termination resolution

**YES 4**

**NO (Trustee Ray)**

**MOTION CARRIED**

**Trustee Ray moved, seconded by Trustee Cross to adjourn the meeting at 7:48 P.M.**

**MOTION**

Meeting adjourned

**YES 5**

**MOTION CARRIED**

Respectfully submitted:

Patricia Wright  
District Clerk