

**SPECIAL MEETING MINUTES  
OCTOBER 28, 2013**

**BOARD RESOLUTION  
SPECIAL MEETING  
OCTOBER 28, 2013  
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the high school board room, 201 President Street, Hempstead, New York 11550. The meeting was called to order at 11:16 A.M. All of the Board Members were present, Trustee Brazley left the meeting at 1: 15 P.M. to return to work.

**BOARD MEMBERS PRESENT:**

Betty J. Cross	President
JoAnn Simmons	1 <sup>st</sup> Vice President
Shelley Brazley	2 <sup>nd</sup> Vice President
Lamont Johnson	Treasurer

**STAFF MEMBERS PRESENT:**

Susan Johnson	Superintendent of Schools
Julius Brown	Deputy Superintendent
Gerard Antione	Assistant Superintendent for Business & Operations
Dr. Rodney Gilmore	Associate Superintendent for Human Resources
Regina Armstrong	Assistant Superintendent for Elementary C & I
Allison Hernandez	Assistant Superintendent for Special Education
Patricia Wright	District Clerk
Austin Graff	Labor Counsel
Scott Kershaw	Labor Counsel

**Trustee Brazley moved, seconded by Trustee Johnson to convene to executive session at 11:16 A.M. to discuss personnel.**

**MOTION YES 4 MOTION CARRIED**

To convene to executive session

**Trustee Simmons moved, seconded by Trustee Johnson to reconvene to open session at 11:43 A.M.**

**MOTION YES 4 MOTION CARRIED**

To reconvene to open session

**Trustee Brazley moved, seconded by Trustee Johnson to approve the resolution as indicated below.**

**WHEREAS**, in June 2013, the District’s Director of Technology, Carlos Ramirez (“Ramirez”) raised concerns about the District’s practice of changing student grades from a 63 or 64 to a 65; and

**WHEREAS**, Ramirez raised his concerns with the New York State Education Department (“SED”); and

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**WHEREAS**, in or about July 2013, the SED informed the District that it will conduct an audit of the student grading procedures and policies during the 2012-2013 school year; and

**WHEREAS**, in August 2013 the SED conducted an extensive audit of the District's student grading procedures and policies, focused upon the District's high school students' grades; and

**WHEREAS**, in or about August 2013 Ramirez filed a Notice of Claim pursuant to N.Y. Education Law § 3813, alleging amongst other claims, whistleblower retaliation; and

**WHEREAS**, the District assigned Ramirez's Notice of Claim to its labor counsel, The Scher Law Firm, LLP ("TSLF") to investigate; and

**WHEREAS**, in September 2013 the SED issued a preliminary report to the Superintendent of Schools describing serious concerns and raising serious allegations concerning the District's grading practices and;

**WHEREAS**, the District's Board of Education directed TSLF to conduct an investigation based upon Ramirez's allegations and the SED's audit report; and

**WHEREAS**, as part of the investigation TSLF has requested to speak with BOCES, the entity that the District contracts with for its PowerSchool and PowerTeacher web-based information systems to request BOCES run an audit on each students' grades for the 2012-2013 school year;

**NOW THEREFORE** it is

**RESOLVED**, that Susan Johnson, Superintendent of Schools is hereby directed to inform BOCES that The Scher Law Firm, LLP, and more specifically Austin Graff, Esq. is authorized by the District to speak with BOCES about the District's PowerSchool and PowerTeacher information systems maintained by BOCES **IMMEDIATELY** on October 28, 2013; and it is further

**RESOLVED**, that if Susan Johnson, Superintendent of Schools, fails to notify BOCES of the Board's direction, the Board of Education hereby authorizes The Scher Law Firm, LLP, and more specifically Austin Graff, Esq., to speak with BOCES about the District's PowerSchool and PowerTeacher information systems maintained by BOCES; and it is further

**RESOLVED**, that at any time after **12 p.m.** on October 28, 2013, The Scher Law Firm, LLP is authorized to forward a copy of this resolution to BOCES notifying BOCES that the Board of Education has granted The Scher Law Firm, LLP and more specifically, Austin Graff, Esq. authorization to speak to BOCES about the District's

