

**WORK STUDY MEETING
MINUTES-FEBRUARY 1, 2018**

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
WORK STUDY MEETING
FEBRUARY 1, 2018
MINUTES**

The work study meeting of the Hempstead was held in the high school auditorium, 201 President Street, Hempstead, New York. The meeting was called to order at 7:14 P.M. All of the Board Members were present, Trustee Stith arrived at 7:15 P.M. The Acting Superintendent gave an overview of the Course of Action Response to the Distinguished Educator's Report. Quarterly reports are due to the Commissioner, the next one is due in April 2018. The Board requested to be provide monthly reports. Dr. Bierwirth thanked the Board and Staff for their cooperation in completing the corrective action plan. The Acting Superintendent also gave an update of the community schools grant status.

BOARD MEMBERS PRESENT:

Maribel Touré	President
Gwen Jackson	Vice President
David B. Gates	Trustee
LaMont E. Johnson	Trustee
Randy Stith	Trustee
Jack Bierwirth	Trustee- Ex-Officio
Regina Armstrong	Acting Superintendent of Schools
Lawrence Dobroff	Assistant Superintendent for Business & Operations
Rodney Gilmore, Ed. D.	Assistant Superintendent for Human Resources
James Clark	Associate Superintendent for Strategic Initiatives
Deborah DeLong	Assistant Superintendent Pupil Personnel Services
Janet Lovett	Bilingual
Ahunna Akoma, Ed. D.	Assistant Superintendent for Technology
Djuana Wilson	Special Education
Andrew Hardwick	Supervisor of Security
Timothy Gregg	Facilities
John Sheahan	General Counsel
Jonathan Scher	Labor Counsel

Trustee Touré moved, seconded by Trustee Jackson to approve the consent calendar.

IMPARTIAL HEARING OFFICER APPOINTMENTS

1. **BE IT RESOLVED**, that the Board of Education of the Hempstead Union Free School district hereby ratifies and approves the appointment of Mr. Arthur Venezia to serve as the impartial hearing officer in connection with the request for an impartial hearing filed by the complainant , as set forth in the confidential attachment “A”, which demand was received in the form of a letter from the parent on or about April 27, 2017 and hereby approves compensation for Mr. Venezia in connection therewith, in the amount of \$100.00 per hour for services rendered plus reimbursement for mileage, tolls, postage, and copying.
2. **BE IT RESOLVED**, that the Board of Education of the Hempstead Union Free School district hereby ratifies and approves the appointment of Mr. Craig Tessler to serve as the impartial hearing officer in connection with the request for an impartial hearing filed by the complainant , as set forth in the confidential attachment “A”, which demand was received in the form of a letter from the parent on or about April 27, 2017 and hereby approves compensation for Mr. Tessler in connection therewith, in the amount of \$100.00 per hour for services rendered plus reimbursement for mileage, tolls, postage, and copying.
3. **BE IT RESOLVED**, that the Board of Education of the Hempstead Union Free School district hereby ratifies and approves the appointment of Mrs. Lynn Almeleh to serve as the impartial hearing officer in connection with the request for an impartial hearing filed by the complainant , as set forth in the confidential attachment “A”, which demand was received in the form of a letter from the parent on or about January 8, 2018 and hereby approves compensation for Mrs. Almeleh in connection therewith, in the amount of \$100.00 per hour for services rendered plus reimbursement for mileage, tolls, postage, and copying.
4. **BE IT RESOLVED**, that the Board of Education of the Hempstead Union Free School district hereby ratifies and approves the appointment of Mr. Peter Albert to serve as the impartial hearing officer in connection with the request for an impartial hearing filed by the complainant , as set forth in the confidential attachment “A”, which demand was received in the form of a letter from the parent on or about January 18, 2018 and hereby approves compensation for Mr. Albert in connection therewith, in the amount of \$100.00 per hour for services rendered plus reimbursement for mileage, tolls, postage, and copying.

STIPULATION OF SETTLEMENT

ITEM # 5 MOVED TO EXECUTIVE SESSSION

5. **WHEREAS**, the Acting Superintendent of Schools, by Labor Counsel for the District, has negotiated an agreement resolving certain administrative proceedings as between the District, and the Board, on the one hand, and Employee Number 4111, on the other hand, and

WHEREAS, the Board has concluded, based upon the recommendation of the Acting Superintendent that it is in the best interests of the District to resolve said administrative proceedings by means of the negotiated Stipulation of Settlement, which was executed by said Employee on January 29, 2018; be it

RESOLVED, that the Board hereby approves and adopts the Stipulation of Settlement, and with it the resolution of the administrative proceedings concerning said Employee, which Stipulation of Settlement shall be kept on file in the District's Office of Human Resources, pursuant to its terms and it is;

FINALLY RESOLVED, that the Board hereby authorizes the Board President or authorized designee to execute the Stipulation of Settlement on behalf of the District and the Board.

CURRICULUM & INSTRUCTION

100 Main Street – Alternative Programs

1. **RESOLVED**, that the Board of Education APPROVES the Acting Superintendent's recommendation to enter into a partnership agreement with Genesis Construction Training Center at 100 Main Street, Hempstead, N.Y. Genesis Construction will provide training and certification to approximately 120 Hempstead students in the field of construction trade. The courses will include carpentry, painting, masonry, electrical, plumbing, HVAC, welding and construction craft laborer. The program will take place Monday through Friday from 8:30 – 11:30 a.m. and 12:00 – 3:00 p.m. beginning February 12, 2018 through August 31, 2018. The agreement amount will cover all personnel, support staff and supplies for Hempstead Students. This program will be paid for by the Community School Grant of \$426,750.

RECOMMENDED BY: James Clark

STRATEGIC GOAL: Student Achievement

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SOURCE OF FUNDS: Community School Grant

- 2. RESOLVED**, that the Board of Education APPROVES the Acting Superintendent's recommendation to enter into a partnership agreement with Morrison Mentors, Inc. at 100 Main Street, Hempstead, N.Y. Morrison Mentors, Inc. will provide training and certification to approximately 20 Hempstead students in the field of Information Technology and Computer Repair. Students will be educated, trained, and mentored to identify, as well as troubleshoot, both hardware and software issues on personal computing devices. On successful completion of this course, students will gain the necessary knowledge and skill to provide Tier 1 Desktop Support. The program will take place Monday and Wednesday from 10:00 a.m. – 12 p.m. and 1:00 p.m. – 3:00 p.m. beginning February 12, 2018 through June 1, 2018. The agreement amount will cover all personnel, support staff and supplies for Hempstead Students. This program will be paid for by the Community School Grant of \$33,625.

RECOMMENDED BY: James Clark

STRATEGIC GOAL: Student Achievement

SOURCE OF FUNDS: Community School Grant

- 3. RESOLVED**, that the Board of Education APPROVES the Acting Superintendent's recommendation to enter into a partnership agreement with Nassau BOCES to provide an HSE/TASC - High School Equivalency/Test Assessing Secondary Completion - Twilight Alternative High School program at 100 Main Street, Hempstead, N.Y. Nassau BOCES will conduct classes that prepare students with the skills needed to qualify to take the High School Equivalency Exam for approximately 80 Hempstead students who enroll into the HSE/TASC program. Our highly qualified instructors will review and focus on the major subject areas of the test encompassing Math, Science, Social Studies, Reading and Writing. All students take a placement test to determine their readiness for the HSE course, before being placed into the appropriate class level. The Twilight Alternative High School program will consist of one onsite program Coordinator, one Assistant Coordinator, a Guidance/Career Counselor, Social Worker, two School Psychologists, Teachers and Teacher Aides. The program will take place Monday through Thursday from 4:00 p.m. to 7:00 p.m. beginning February 12, 2018 through June 30, 2018. The agreement amount will cover all personnel and support staff for Hempstead Students. This program will be paid for by the Community School Grant of \$309,838.

RECOMMENDED BY: James Clark

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STRATEGIC GOAL: Student Achievement

SOURCE OF FUNDS: Community School Grant

- 4. RESOLVED**, that the Board of Education APPROVES the Acting Superintendent's recommendation to enter into a partnership agreement with Queensborough Community College (CUNY) to provide an HSE/TASC - High School Equivalency/Test Assessing Secondary Completion - Alternative High School program at 100 Main Street, Hempstead, N.Y. Queensborough Community College will conduct English as a Second Language (ESL) classes that prepare students with the skills needed to qualify to take the High School Equivalency Exam for approximately 60 Hempstead students who enroll into the HSE/TASC program. Our highly qualified instructors will review and focus on the major subject areas of the test encompassing Math, Science, Social Studies, Reading and Writing. All students take a placement test to determine their readiness for the HSE course, before being placed into the appropriate class level. The program will take place Monday through Friday from 8:30 – 11:30 a.m. beginning February 12, 2018 through June 30, 2018. The agreement amount will cover personnel for Hempstead Students. This program will be paid for by the Community School Grant of \$30,000.

RECOMMENDED BY: James Clark

STRATEGIC GOAL: Student Achievement

SOURCE OF FUNDS: Community School Grant

MOTION	YES 5	MOTION CARRIED
To approve the consent calendar		

Trustee Jackson moved, seconded by Trustee Gate to convene to executive session at 8:23 P.M. to discuss personnel and legal counsel advice.

MOTION	YES 5	MOTION CARRIED
To convene to executive session		

Trustee Jackson moved, seconded by Trustee Stith to reconvene to open session at 10:38 P.M.

MOTION
To reconvene top
open session

YES 5

MOTION CARRIED

Trustee Touré moved, seconded by Trustee Stith to approve the Stipulation of Settlement

STIPULATION OF SETTLEMENT

ITEM # 5 MOVED TO EXECUTIVE SESSSION

5. **WHEREAS**, the Acting Superintendent of Schools, by Labor Counsel for the District, has negotiated an agreement resolving certain administrative proceedings as between the District, and the Board, on the one hand, and Employee Number 4111, on the other hand, and

WHEREAS, the Board has concluded, based upon the recommendation of the Acting Superintendent that it is in the best interests of the District to resolve said administrative proceedings by means of the negotiated Stipulation of Settlement, which was executed by said Employee on January 29, 2018; be it

RESOLVED, that the Board hereby approves and adopts the Stipulation of Settlement, and with it the resolution of the administrative proceedings concerning said Employee, which Stipulation of Settlement shall be kept on file in the District's Office of Human Resources, pursuant to its terms and it is;

FINALLY RESOLVED, that the Board hereby authorizes the Board President or authorized designee to execute the Stipulation of Settlement on behalf of the District and the Board.

MOTION
To approve the
stipulation of settlement

YES 3
ABS. 1 (Trustee Touré)
NO 1 (Trustee Jackson)

MOTION CARRIED

Trustee Stith moved, seconded by Trustee Johnson to approve hand carry item # 1

2-1-18 HAND CARRY #1

RESOLUTION TO SUSPEND POLICY #2342

RESOLVED, the Board of Education waives policy 2342 requiring the agenda, together with supporting background materials to be distributed to Board members seven days in advance of a Board meeting, and the Board shall permit the consideration of the hand-

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carry resolutions presented at the January 25, 2018 meeting of the Board; and it is further:

RESOLVED, that the emergency basis for waiving such policy is to address issues and concerns raised as a result of the litigation commenced by the District's Superintendent of Schools on February 1, 2018, developments in pending investigations being conducted in the District, and to address urgent needs of the District to respond to the media, and the District's need to respond to the New York State Education Department's and Nassau BOCES's investigation into New American Initiative; and it is further:

RESOLVED, the waiver of policy 2342 is effective only for the hand-carry resolutions considered at the February 1, 2018 meeting.

MOTION	YES 3	MOTION CARRIED
To approve hand carry item # 1	NO 2 (Trustees Jackson & Touré)	

Trustee Jackson for the record: "Again I'm requesting that we stop with the resolutions to suspend policies, it's unfair to I think all Board Members, we're not getting the information we need seven (7) days in advance, we not getting any supporting background information and think it needs to stop."

Trustee Touré for the record: "No one of these hand carried constitute an emergency which deals the suspended policy, this is all contrary to governance for fiduciary training which we promised to the Commissioner that we are going to work as a Board."

Trustee Stith moved, seconded by Trustee Gates to approve hand carry item # 2

2-1-18 HAND CARRY # 2

RESOLUTION TO INVESTIGATE MATTERS RELATED TO EMPLOYEE #4622

RESOLVED, that the District's Labor Counsel is directed to investigate the facts and circumstances surrounding the disclosure of a preliminary report issued by Plante and Moran, dated January 11, 2018, as an additional area of inquiry regarding Employee #4622.

MOTION	YES 3	MOTION CARRIED
To approve hand carry item # 2	NO 2 (Trustees Jackson & Touré)	

Trustee Johnson moved, seconded by Trustee Stith to approve hand carry item # 3

2-1-18 HAND CARRY # 3

RESOLUTION AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION

RESOLVED, the Board authorizes Special Counsel, Gerstman, Schwartz and Malito, LLP, to authorize said law firm to commence legal proceedings, for pre-Action disclosure pursuant to NY CPLR §3102(c), or otherwise commence litigation, to obtain discovery from The New American Initiative (“NAI”), and to conduct a forensic audit of NAI’s books and records concerning matters already under investigation and any matters related to such areas of inquiry, to aid the District in bringing a potential Action for damages and/or the recoupment of monies paid to NAI, and to preserve information and evidence in connection therewith, all up to the previously established cap on fees of \$5,000.00 pursuant to prior Board resolutions; and it is further:

RESOLVED, the District Clerk is directed to send a copy of this resolution by email and certified return receipt delivery to Special Counsel, Gerstman, Schwartz and Malito, LLP, within 24 hours of the adoption of this resolution, to inform them that the Board is authorizing them to commence legal proceedings, for pre-Action disclosure pursuant to NY CPLR §3102(c), or otherwise to commence litigation, to obtain discovery from the NAI, and to conduct a forensic audit of NAI’s books and records concerning matters already under investigation and any matters related to such areas of inquiry.

MOTION
To approve hand
carry item # 3

YES 3
NO 2 (Trustees Jackson & Touré)

MOTION CARRIED

Trustee Stith moved, seconded by Trustee Johnson to approve hand carry item # 4

2-1-18 HAND CARRY # 4

**RESOLUTION DIRECTING THE DISTRICT TO PAY
The Scher Law Firm LLP, for PAST DUE LEGAL SERVICES**

RESOLVED, that the District shall pay the sum of \$98,471.17 to The Scher law Firm, LLP, representing the full sum due to said firm for legal services rendered to the District prior to December 7, 2017, based on the representations made by The Scher Law Firm LLP that it (1) waives any and all claims for interest, costs, or expenses

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related to such principal sum due to The Scher Law Firm LLP, and (2) settles its Notice of Claim filed on October 21, 2016 for non-payment of the sum \$98,471.17 then due and owing, and shall dismiss with prejudice its Summons with Notice filed on February 28, 2017, Index #601724-2017, and served upon the District on June 28, 2017, for non-payment of the sum \$98,471.17 then due and owing; and it is further

RESOLVED, the District Clerk is directed to send a copy of this resolution by email and overnight delivery to The Scher Law Firm LLP, within 24 hours of the adoption of this resolution; and it is further

RESOLVED, that the District Clerk is directed to deliver a copy of this Resolution to the Business Office and Purchasing Agent, within two (2) days of the date of adoption of this resolution, for payment to be made to each such firm within seven (7) days of the adoption of this resolution.

MOTION	YES 3	MOTION CARRIED
To approve hand carry item # 4	NO 2 (Trustees Jackson & Touré)	

Trustee Stith moved, seconded by Trustee Jackson to adjourn the meeting at 10:47 P.M.

MOTION	YES 5	MOTION CARRIED
Meeting adjourned		

Respectfully submitted:

Patricia Wright
District Clerk