

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
WORK STUDY/SPECIAL MEETING
OCTOBER 15, 2018
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 5:53 P.M., moved by Trustee Stith and seconded by Trustee Spleen. The work study meeting commenced immediately following the special meeting in the high school auditorium. There was no public participation entertained. Trustee Stith excused himself at 8:30 P.M. due to a prior commitment.

BOARD MEMBERS PRESENT:

LaMont E. Johnson	President
Carmen Ayala	Vice President
David B. Gates	Trustee
Patricia Spleen	Trustee
Randy Stith	Trustee
Jack Bierwirth	Trustee Ex-Officio

STAFF MEMBERS PRESENT:

Regina Armstrong	Acting Superintendent of Schools
Rodney Gilmore, Ed. D.	Associate Superintendent for Human Resources
James Clark	Assistant Superintendent for Special Programs
Patricia Wright	District Clerk
John Sheahan	General Counsel
Johnathan Scher	Labor Counsel
Monte Chandler	Special Counsel
Ed Cullen	Consultant to Business Office
Joseph Klimek	External Auditor

Trustee Ayala moved, seconded by Trustee Spleen to convene to executive session at 5:54 P.M. to discuss personnel.

MOTION	YES 5	MOTION CARRIED
To convene to executive session		

Trustee Stith moved, seconded by Trustee Ayala to reconvene to open session at 6:53 P.M.

MOTION	YES 5	MOTION CARRIED
To convene to Open session		

Trustee Stith moved, seconded by Trustee Ayala to approve the amended charges as read by labor counsel.

1. **RESOLVED**, that the Board, having:
 - (1) Reviewed the Notice of Amended Charges and Specifications, dated October 15, 2018, the Amended Charges and Specifications dated October 15, 2018, and the exhibits attached thereto, and the further documentary evidence gathered in the investigation of the matters assigned to labor counsel for inquiry (hereinafter, collectively, the "Amended Charges and Specifications"); and
 - (2) Deliberated upon the Amended Charges and Specifications presented in Executive Session, as required by the terms of that certain Employment Agreement dated May 11, 2017 between the District and Employee # 4622 (hereinafter the "Employment Agreement"); and
 - (3) Discussed the merits of the Amended Charges and Specifications and found substantial and credible evidence to support the Amended Charges and Specifications against Employee # 4622; and
 - (4) Found good cause and sufficient proof exists to support the Amended Charges and Specifications; and
 - (5) Met to cast a "VOTE" as required by the terms of the Employment Agreement between the District and Employee # 4622,does hereby adopt and approve the Amended Charges and Specifications to be preferred against Employee # 4622; and it is further:

RESOLVED, that the Board does hereby "VOTE," within the meaning of ¶10 of the Employment Agreement, and as required by ¶10 of the Employment Agreement, and as may be required by other applicable terms of the Employment Agreement, if any, and does hereby adopt and prefer the Amended Charges and Specifications against Employee # 4622; and it is further:

RESOLVED, the Board authorizes the Board President to execute the Amended Charges and Specifications, and directs Labor Counsel to serve the Amended Charges and Specifications upon Employee #4622 forthwith.

MOTION

YES 5

MOTION CARRIED

To approve
amended charges

Trustee Stith moved, seconded by Trustee Johnson to approve funding complaint resolution #2 and Hempstead UFSD resolution # 3 to join SSFC, and # resolution # 4 district to participate in press conference and sign an open letter.

Resolution for Hempstead School District to file School Funding Complaint

2. **WHEREAS**, the manner in which New York State has funded the Foundation Aid formula, created in the wake of the *Campaign for Fiscal Equity* case, violates Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race by any program that receives federal funding; and **WHEREAS**, the manner in which New York State has funded the Foundation Aid formula since 2008 has resulted in gross inequality, where, statistically-speaking, the higher the percentage of students of

color in the district, the lower the likelihood that the district is being funded at the level promised by New York State; and

WHEREAS, the Hempstead School District has previously suffered and is currently suffering from the results of this inequitable funding system; therefore

BE IT RESOLVED, that the Board of Education of the Hempstead School District, hereby authorizes the law firm of Bond, Schoeneck & King, PLLC ("Legal Counsel") to take the necessary measures to file a complaint with the U.S. Department of Education, Office for Civil Rights (the "Complaint"), against the State of New York, New York State Legislature, Governor of the State of New York, the New York State Department of Education, and/or other respondents deemed necessary by Legal Counsel; and

BE IT RESOLVED, that Legal Counsel shall be compensated for the above-mentioned services at a flat-rate fee of \$4,000.00 (four thousand dollars), and no additional costs or fees shall be expended by the Board of Education for such services pursuant to this resolution, and no additional services shall be performed by Legal Counsel other than the drafting and filing of the Complaint pursuant to this resolution, and the Board of Education hereby authorizes the Board President to execute a written agreement with Legal Counsel pursuant to the above-mentioned terms.

Resolution for Hempstead School District to join SSFC

3. **BE IT RESOLVED**, that the Board of Education of the Hempstead School District hereby authorizes the Superintendent to take the necessary actions for the District to join the Statewide School Finance Consortium ("SSFC"), an alliance of more than 420 school districts dedicated to securing fair and predictable funding for New York State's public schools, with the understanding that SSFC will be helpful in supplying the statistical data necessary for Legal Counsel to file a complaint with the U.S. Department of Education, Office for Civil Rights regarding inequitable Foundation Aid funding, and the Board of Education further authorizes the Superintendent to submit membership dues to SSFC for the 2018-2019 membership year not to exceed \$625.

Resolution for Hempstead School District to Sign an Open Letter and Participate in a Press Conference

4. **BE IT RESOLVED**, the Board of Education of the Hempstead School District hereby authorizes the Board President to sign an open letter to its State representatives, along with other school districts, regarding the inequitable funding of school districts including Hempstead; and

BE IT RESOLVED, the Board of Education of the Hempstead School District hereby authorizes the board, collectively, or through individual board members, to participate in a press conference, which is tentatively scheduled to be held in late October 2018, in support of the fight for equitable school funding for the children of our school district.

MOTION

To approve resolutions
2,3, & 4 as written.

YES 5

MOTION CARRIED

Trustee Ayala moved, seconded by Trustee Spleen to convene to executive session for the 2nd time at 8:07 P.M. for further discussion of personnel and legal counsel advice.

MOTION YES 5 MOTION CARRIED

To convene to executive session for the 2nd time

Trustee Ayala moved, seconded by Trustee spleen to reconvene to open session at 10:15 P.M.

MOTION YES 4 MOTION CARRIED

To reconvene to open session

Trustee Johnson moved, seconded by Trustee Gates to approve the consent items 5,6, & 7.

5. **RESOLVED**, that the Board of Education approves the Acting Superintendent's recommendation to accept and approve the 2017-2018 financial statements.
6. **RESOLVED**, that the Board of Education hereby assigns the Chandler Law Firm, PLLC, as special counsel to investigate the conduct of employee # 4340.
7. **RESOLVED**, that the Board of Education authorizes the President of the Board of Education to respond to the Notice of Supersession dated October 9, 2018.

MOTION YES 4 MOTION CARRIED

To approve consent items 5,6, & 7

Trustee Gates moved, seconded by Trustee Ayala to adjourn the meeting at 10:16 P.M.

MOTION YES 4 MOTION CARRIED

Meeting adjourned

Respectfully submitted:
Patricia Wright, District Clerk