

**MINUTES OF THE PATERSON BOARD OF EDUCATION
EMERGENCY MEETING**

September 3, 2021 – 2:00 p.m.
Remote - Zoom

Presiding: Comm. Kenneth Simmons, President

Present:

Ms. Eileen F. Shafer, Superintendent of Schools
Ms. Susana Peron, Deputy Superintendent
Khalifah Shabazz-Charles, Esq., General Counsel
Boris Zaydel, Esq., Board Counsel

Comm. Simmons: Before we do roll call, I do want to advise that there was not adequate notice sent out for this meeting because of the nature of the emergency. Board members were polled to make sure that we could meet at this time to submit the plan for remote learning to the state as required because we voted to start the school year remotely. Adequate notice could not be provided so that we could get this in today before school started.

Comm. Vincent Arrington
Comm. Emanuel Capers
Comm. Oshin Castillo-Cruz
Comm. Dania Martinez

Comm. Manuel Martinez, Vice President
Comm. Nakima Redmon
Comm. Corey Teague

Absent:

Comm. Jonathan Hodges

Comm. Simmons read the Open Public Meetings Act:

The New Jersey Open Public Meetings Act was enacted to insure the right of the public to have advance notice of, and to attend the meetings of the Paterson Public School District, as well as other public bodies at which any business affecting the interest of the public is discussed or acted upon.

In accordance with the provisions of this law, the Paterson Public School District has caused notice of this meeting:

**Emergency Meeting
September 3, 2021 at 2:00 p.m.
Remote - Zoom
90 Delaware Avenue
Paterson, New Jersey**

to be published by having the date, time and place posted in the office of the City Clerk of the City of Paterson, at the entrance of the Paterson Public School offices, on the district's website, and by sending notice of the meeting to the Arab Voice, El Diario, the Italian Voice, the North Jersey Herald & News, and The Record.

APPROVE SUBMISSION OF THE PROPOSED PROGRAM FOR EMERGENCY VIRTUAL OR REMOTE INSTRUCTION PLAN IN COMPLIANCE WITH LAW A-3904

Comm. Simmons: I ask at this time before I entertain a motion to approve this submission if the Superintendent or General Counsel can give a brief synopsis of where we are and the purpose of this meeting.

Ms. Shafer: Thank you, Mr. President. I do have Neil who can inform the Board of some of the difficulties we are having in our buildings. If you want, he can do that. I then wanted the General Counsel and her firm to just explain to the Board that there are some requirements in order for us to go into remote. We will fulfill those requirements as of today when you vote on the remote plan. As you know, we have had severe damage to some of our buildings, more so than others. As the river crests, and it's happening right now, we are getting additional water. Even though facilities went in and cleaned up, we are getting water coming in again. If you will, Mr. President, Neil can give you an update on facilities.

Comm. Simmons: Sure.

Mr. Neil Mapp: Good afternoon. As a result of the storm, we have had the majority of our buildings impacted by the storm. The most extensive damage occurred at 90 Delaware. In terms of schools, we have several schools where program spaces will be out of service for a number of days, if not weeks. In the majority of our schools, the basement areas were impacted by water infiltration. We were able to clean it up with our custodial service, Pritchard. Our chief custodians were able to clean up most of the water in our schools. Where we are suffering now are in elevator pits at Paterson Catholic and Dr. Hani Awadallah. The pits have filled up with water and have to be evacuated. Then the elevators themselves have to be maintained and brought back online. We are currently moving HARP into Paterson Catholic. The elevator there is down, so they are moving the boxes by hand physically up the steps. We will have to continue that move-in tomorrow. I just wanted to go through quickly and show you. I will share my screen. I just wanted to go through those schools and rooms that will be out of service as of next week. All the other schools that have been impacted by water infiltration have been cleaned up and brought back online. The majority of areas were in basements, so classrooms were spared any water infiltration. If there was water infiltration in classrooms, they were at the windowsills or slight leaks in ceilings due to aging roofs. These are just the most problematic areas that I want to highlight. It starts with Rutland in Room 507. This is due to an extensive roof leak. Where you see the arrow and where the gentleman is pointing to, that whole corner five feet in each direction has to be cut out from ceiling to floor and then there are other soffits in that room that also need to be cut out. That one room will be offline for a number of days. There were two other rooms impacted at Rutland. Those rooms are being attended to today and they should be online by the end of the day on Tuesday. This is School No. 20. This is probably the third or fourth time this has happened. This is the basement where the cafeteria and lunchroom are located. All the drywall area that you see here has to be cut out. All this has taken on water. There was probably about four inches of water in this area. The drains and the toilets surcharged, so the toilet paper that's hanging here got wet from the spray that came out of the toilet bowl. All this has to be remediated. You can see the spray went up about three or four feet in the air. Then it went out of the bathroom and flooded all this kitchen cafeteria area. Those areas are offline and cannot be used until all this drywall is cut out and replaced, and we dry out and disinfect the area. Right now, we've mopped, disinfected, and we're just waiting to cut out that area. That work starts on Sunday at School No. 24 and School No. 20.

This is 90 Delaware. We had extensive water infiltration on the ground, first, second, and third floors. No impact to the fourth floor. This is a video. I'm not sure if it can play. This is the main switch gear room on the ground floor behind the back elevator that took on about five to six inches of water. This is the slab underneath the fourth floor. Above this floor is the fourth floor. This entire area was leaking with water. The water is coming in somewhere and following some track into lower floors and not impacting the fourth floor. Again, this is HR, Luis Rojas' office, where you see a number of areas where we had leaks. This is Roberto Clemente, Rooms 1 and 1A. The water came down the staircase and filled the room. The entire perimeter has to be remediated. You see where you can just peel the cove base off the wall because it's all soaked. If you don't cut all this area out now, 16 inches up, it will begin to develop mold. We are in the process of cutting all these walls 16 inches and replacing all the dry wall that would have been impacted by water. At School No. 20, no classrooms were impacted on the upper floors, just the kitchen, cafeteria, and gymnasium. At School No. 24, these were the classrooms that were impacted, kitchen, gymnasium, and bathrooms. The gymnasium at School No. 24 is a rubber floor, so we'll have to dehumidify that area. The bathrooms were impacted. They have some drywall in it. In the music rooms there were three offices. All those persons have to be relocated. This work begins this Sunday by All Risk. We called them in on an emergent basis. They'll go from School No. 24 to School No. 20 to School No. 2. They will bring all classroom areas back online, and then we'll go to 90 Delaware and begin to restore those areas. That's my update for now.

Ms. Shafer: Thank you, Neil. I just want to ask our General Counsel to go over for the Board. We have two members that are going to have to leave, so we want to get to the vote. Just quickly go over the requirements to go remotely so everyone understands that.

Ms. Shabazz-Charles: Hello, everyone. I actually sent out an email. I'm not sure if everyone had a chance to review it. If not, check your email where I basically outline everything that I'm about to say now. As a result of what's been outlined, the district is considering remote learning. In order to do that, there's a statute that outlines the steps that must be taken. Essentially, in so doing, the part that's required from the board is to approve the remote learning plan. Very similar to that which we did during COVID, we have to do that again. Once that's approved, that has to be submitted to the Department of Education for their approval. The other parts have already occurred. The Governor declared a state of emergency. That's already occurred, and we've already heard that we expect that the district will be closed or these schools will be closed for more than three days. That's really where we are. You have to approve this plan if we want the option of remote learning. We are working feverishly to try to get some inroads with the state to hopefully get a decision prior to the start of school. If we do not get approved, despite what we've done those days will not count towards the 180-day requirement. Let's say we approve it, we don't hear from the state, we open schools anyway, and we have remote learning for 10 days. If the state denies it, those 10 days don't count towards the 180 days and we'd still have to make them up. Again, the reason that's important is because if that happens, then our school year may potentially exceed the June 30 date, which could cause a lot of union issues with additional compensation. Unfortunately, we are in a bit of a conundrum. It's not our fault what happened with the flooding, but that's where we are. That's the current status from a legal perspective and that's why we are here today asking for consideration for the remote learning plan to be submitted.

Ms. Shafer: Thank you, Khalifah. That concludes our report. What you have is our remote plan. There are minor changes to it from last year's plan. Joanna, do you want to just go over those changes so the Board is comfortable with it?

Ms. Joanna Tsimpedes: Good afternoon. Looking at the remote plan in place last year and looking at the requirements that the NJDOE had put out with regard to the emergency broadcast for the virtual plan, the major changes that really took place were the schedule. We are trying to mimic our schedule as close as possible to the school day. Students would have homeroom and first beginning at 8:20 and the school day would go to 1:45. From 1:45 to 3:00, students in the remote plan would be working on their assignments and intervention. Teachers from 1:45 to 2:45 would have building-based activities. Should we go remote next week, the teachers would have time to work on their Google Classrooms and the days that are in the buildings they would be setting up their classrooms. From 2:45 to 3:00, it would be duty-free for the teachers to make up for the lack of the 40-minute prep. Instead of a 40-minute, they had a 30-minute prep. It's something similar to what we did last year with our remote schedule. The other piece was just for the students, making sure that their cameras are on during instruction so that teachers can physically be able to see their level of engagement and ensure that they are okay. It's the same thing with staff members. All cameras must be on at all times when on Google Meet. I don't believe there was anything else that was dire to the plan that was changed. The requirements pretty much stayed the same. It's just the schedule and the Google Meet requirements for students to be on.

Ms. Shafer: To the Board, that concludes our report. We did send you out a copy of the remote plan. We are going to now send off a letter to the Commissioner attaching the remote plan and the Board resolution that was voted on by the Board. Then we fulfill all the other requirements to go remote. We'll have to wait for a decision. With a holiday weekend, I'm hoping we can get a decision today so people can plan. It gives Neil time to do what he needs to do. We may have some schools that are outliers that we're not going to get back online immediately. Those are the ones like School No. 24 that has 10 classrooms that are out of use at this time. That's about 200 children that we at this point do not have a place to send. We have difficulty getting buses if we were able to send them somewhere. We'll work on a plan to see if there is something that we're able to do, but it looks like we're not at this point. Are there any questions?

Comm. Arrington: I just have one quick question for Neil. Neil, thank you for the update. I was talking to the Board President about School No. 24. The water that's coming in from the basement, is it from the sewer system or from the rain in the ground? I'm not an engineer.

Mr. Mapp: It's a good question. In most areas we had water sheet flowing on the ground under the exterior doors and coming into our buildings. In very low-lying areas like at School No. 20 and School No. 24, the water is surcharging. It's coming from the sewer system, up through our drains in the floor in the kitchens and bathrooms, and through our toilets. If you go to School No. 24, you can smell that. If you go to School No. 2 or Hani Awadallah, you will not smell it. That's because that's just rainwater coming in. It's surcharging through the combined storm water sanitary system that exists in Paterson. Just as an aside to this, I worked with the SDA many years ago. When we were bringing School No. 24 online, I met with the Mayor then and I asked him to upsize the pipe going down that neighborhood because that neighborhood floods up to four feet every time you have torrential downpours. He told us he wouldn't do it and that it should've been done by the SDA. We still have that issue from years ago. We even raised the gym doors at School No. 24 to prevent something like this from happening. These latest storms are getting larger and more intense than any others

and the water still rose above four feet again to come into our building. It's a city issue. It's happening all around the city. It's something that I believe the city knows about and is probably beginning to do something about because DP told them they had to remove the combined system and make a sanitary system and a storm water system.

Comm. Arrington: Mr. President, you and I were talking yesterday. Is this a conversation we need to have with the city about the infrastructure that's impacting our schools? I don't want to belabor the point right now, but maybe it's a conversation we need to have later on.

Comm. Simmons: I actually had a conversation with the Mayor the other day in a meeting and that is something that is on the radar. Are there any other questions?

Comm. Capers: Neil, are we going to meet this timeline?

Mr. Mapp: Which timeline are you referring to?

Ms. Shafer: Let me just interject a minute. What we're saying is that there is no timeline. What we said is that we are looking to be remote until the schools will be ready according to our facilities department and everything is done based on the storm.

Comm. Capers: That was the conversation we had yesterday.

Ms. Shafer: There was a date in communication earlier, but we need to leave that date open because we have some severe situations.

Comm. Capers: A lot of families have been displaced since this storm. Are you keeping track of how many of our students have been displaced? Some of them are moving away because their house has been destroyed. Do we have a number?

Comm. Simmons: Let me interject. We need to stay focused and only talk realistically about this submission. I don't want us to go down another path.

Comm. Capers: I just asked a question. I didn't know if she wanted to get a number later on.

Comm. Simmons: I would suggest that you just give the Superintendent a call after this meeting. This meeting is specific, and we have to stay on topic.

Ms. Shabazz-Charles: If I may, Mr. President, I just want to put this out on the record. I know we haven't put a timeline in a letter to the state because we want to give ourselves the opportunity to make sure everything is remediated. But I do want to note that the timeline is critical because if the Board chooses to pass the plan, we are now operating the same way during COVID. Now we are responsible for paying people who don't come to work, per-diem employees, and vendors who don't show up. I don't know how much of that matters in these few schools, but just understand that all those things are back on the table. Vendors, per-diem employees, etc. are entitled to compensation despite not coming to work or performing the services that they were contracted to.

Comm. Simmons: If everyone recalls, I believe we said that all students would remain remote until the 13th. The Superintendent just explained that there are some outliers that may require some additional time. I would advise on possibly entering into some emergency contracts for some remediation. I know Mr. Mapp did explain that there were some vendors that won't be able to get to us for weeks. It's another conversation

that will have to take place in terms of the ability to go out for emergency contracts to get that remediation happening sooner. Are there any other questions?

Resolution No. 1

WHEREAS, in April 2020, Governor Murphy signed A-3904 into law (P.L.2020, c.27, or "Chapter 27"), which in part requires each school district, charter school, renaissance school project, and Approved Private School for Students with Disabilities, hereinafter referred to as Local Educational Agencies (LEA), to annually submit a proposed program for emergency virtual or remote instruction (Plan) to the New Jersey Department of Education (Department); and

WHEREAS, by October 29, 2021, each Chief School Administrator or Lead Person must submit the LEA's Plan for the 2021- 2022 school year, approved by their district board of education; and

WHEREAS, in response to this order the Paterson School District is submitting the Proposed Program for Emergency Virtual or Remote Instruction Plan; and

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves the district's submitting Proposed Program for Emergency Virtual or Remote Instruction Plan in compliance with law A-3904.

It was moved by Comm. Redmon, seconded by Comm. Teague that the Board approves submission of the proposed program for emergency virtual or remote instruction plan in compliance with Law A-3904. On roll call all members voted in the affirmative. The motion carried.

PUBLIC COMMENTS

It was moved by Comm. Redmon, seconded by Comm. Castillo-Cruz that the Public Comments portion of the meeting be opened. On roll call all members voted in the affirmative. The motion carried.

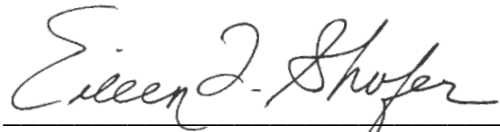
Ms. Rosie Grant: Hello Commissioners and staff. I did not intend to speak. I just came into the Zoom because the livestream was not working. This is all so sad but thank you for your quick attention to it. Thank you.

It was moved by Comm. Castillo-Cruz, seconded by Comm. Redmon that the Public Comments portion of the meeting be closed. On roll call all members voted in the affirmative. The motion carried.

ADJOURNMENT

It was moved by Comm. Redmon, seconded by Comm. D. Martinez that the meeting be adjourned. On roll call all members voted in the affirmative. The motion carried.

The meeting was adjourned at 2:32 p.m.

A handwritten signature in cursive script, reading "Eileen F. Shafer". The signature is written in dark ink and is positioned above a horizontal line.

Ms. Eileen F. Shafer, M.Ed.
Superintendent of Schools