

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

May 30, 2018 – 6:20 p.m.
Administrative Offices

Presiding: Comm. Oshin Castillo, President

Present:

Ms. Eileen Shafer, Acting State District Superintendent
Ms. Susana Peron, Acting Deputy Superintendent
Robert Murray, Esq., General Counsel

Comm. Vincent Arrington
Comm. Jonathan Hodges
Comm. Manuel Martinez
Comm. Joel Ramirez

*Comm. Nakima Redmon, Vice President
Comm. Flavio Rivera
Comm. Kenneth Simmons

Absent:

Comm. Emanuel Capers

The Salute to the Flag was led by Comm. Castillo.

Comm. Martinez 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:

**Special Meeting
May 30, 2018 at 6:00 p.m.
Administrative Offices
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.

Comm. Castillo: Ms. Shafer, you can begin with your remark, and then we'll vote on the resolution.

INTRODUCTORY REMARKS BY THE SUPERINTENDENT OF SCHOOLS

Ms. Shafer: Good evening. As we embark on our journey for local control and our two-year transitional plan, it's imperative that the Board and the district leadership go

through extensive training and this is just the beginning of the first training that we will have. There is a series of trainings that we will be going through as we go through our two-year transitional plan. I want to welcome those of you that are here in the audience and also the Board members. We will have with us tonight Dr. Kenneth King who will go through the training as we begin to move into local control. Thank you.

Comm. Castillo: Before we bring up Mr. King, if we can just go to the resolution requiring a vote.

RESOLUTION FOR A VOTE:

Resolution No. 1

WHEREAS, the State of New Jersey returned functions of Governance and Instruction and Program to the Paterson Public School District on May 2, 2018, and

WHEREAS, as part of the return to local control the Paterson Public School District must develop a Transition Plan to establish the framework, that will be approved by the New Jersey Department of Education, and

WHEREAS, the Superintendent of School recognizes the need to provide the Board of Education and Cabinet members with appropriate in-service training in school matters as they are transitioning to local control, and

WHEREAS, the Superintendent of Schools has scheduled a special meeting the purpose of the Board and Cabinet to receive professional development in the areas of ethics training, and

WHEREAS, Dr. Kenneth D. King, educational consultant, has been invited to present at the meeting, to review the Board's role in all aspects of personnel, with a special emphasis on ethics, now

THEREFORE, BE IT RESOLVED, that the Paterson Public School District approves entering into a consultant agreement with Dr. Kenneth D. King to conduct a workshop in the area of school ethics for Board members and Cabinet, on May 30, 2018, at an amount not to exceed \$1,500.00.

It was moved by Comm. Martinez, seconded by Comm. Arrington that Resolution No. 1 be adopted. On roll call all members voted in the affirmative. The motion carried.

SCHOOL BOARD AND CABINET ETHICS TRAINING BY DR. KENNETH KING

Dr. Kenneth King: Good evening everybody. Thank you for giving me the opportunity to spend some time with you. All of you have a packet of material that I sent. I always like to make sure that when I do workshops I give people something that they can leave with, not just in their minds, but also in their hands. There is so much information that is provided that sometimes you need time to digest it. You'll have an opportunity to read this. I hope you will have questions so we can have a discussion. This shouldn't just be a one-way presentation. You're probably wondering why you have to have ethics training. There are almost 600 school districts in the state. All Board members are required by law to undergo training in the areas of ethics, governance, curriculum, instruction, and personnel, etc.

Comm. Castillo: Dr. King, I don't mean you interrupt you. I also don't want you to be standing the entire time. We're actually setting this up. We're going to move the microphone down if you want to take a seat through this process.

Dr. King: Thank you. Sometimes it's difficult to know where to start and where to stop. Essentially, this ethics requirement is based on the fact that as Board members you're public officials who are either appointed or elected. That means that you have a special responsibility to act in a certain way. As public officials, you're always on camera. When you sit in front of a microphone, it's always open. Whatever you say quickly ends up in the newspaper, on Facebook, Snapchat, Twitter, or somewhere else, even though you may not want it to. Your words and your actions, behaviors, even a look, can convey something to the public. Very often, it's not what we say or what we do. It's how we say what we say and how we do what we do. How many of you have children? Children are like sponges. Children are like videotapes. Everything that they see us do they copy. The things that we don't even know they're aware of it's amazing how much they can see and remember, especially the things that we don't want them to remember. As a Board member you're always in the public spotlight. If you want to think that you can be private, it's not possible. If you want a private life, don't become a Board member because once you become a public official, you are fair game. Everybody wants your attention. Everybody needs something. I've been retired since 2009. It is one of the best decisions that I made. I worked in East Orange for 46 years. I was in charge of personnel and negotiations and a lot of other things. I worked with 14 different Superintendents and 200 or 300 Board members, and they were wonderful individuals, for the most part.

*Comm. Redmon enters the meeting at 6:27.

Dr. King: Sometimes when people become either Board members or elected officials it's almost as if somebody sprinkles Goobah dust on them. Their personalities change. One of the reasons that their personalities and behaviors change is because the public always wants something. Board of Education happens to be the biggest show in town. You employ the most people of any public institution. You pay the highest salaries of any public institution. You give out the biggest contracts of any public institution. Everybody needs something. You're serving over 25,000 students. You have 25,000 customers and everybody is interested in something. One of my biggest challenges was dealing with grandmothers. Grandmothers always have a grandson or granddaughter who needs a job. I didn't say wants a job. I said needs a job. Grandma never met a grandchild that she didn't love. So grandma will approach you and ask you if you can do something to help her grandson or granddaughter. You really can't. What you can say is go to the district's website and follow the process for applying for a position. That's very hard for you to do because everybody wants to be nice. Everybody wants to be liked, but as a Board member if your goal is to be liked, then don't be a Board member. You want to be respected and the way to be respected is to be fair, consistent, open, and honest. Even if you have to tell people things they don't want to hear, that's what you have to do. Your job is to make sure that you do good things for children. A public school district is not an employment agency for adults. It's an educational institution for kids. If you remember that, it will take you a long way. Some of the easiest decisions that I ever had to make were making a choice between what was good for kids and what was not good for kids. That's what you have to do and that's your responsibility. As a Board member you have to undergo training in a whole bunch of areas. I just wanted to go over the outline of topics because you all have this information. This is a state requirement. This is not something that I made up or that Ms. Shafer made up. We're going to talk about the School Ethics Act which applies to Board members and administrators. Board members have a code of ethics that's in the

law. Administrators don't have a code of ethics as such that's in the law, but it's in Title 18:A under professional standards and behavior. We're going to talk about the way that Board members can be or should be involved in interviewing individuals for positions in the school district. There are some school ethics decisions that deal with that. The School Ethics Act created the School Ethics Commission which consists of a number of people who make decisions about whether or not Board members have done things correctly or incorrectly. We're going to talk about what's called anti-union animus because every school district in this state has employee unions. As a Board member you have to be very careful about how you deal with individuals who happen to be represented by a labor organization. We're going to talk about your involvement in negotiations. That's a very touchy subject. I'm going to share with you some school ethics decisions so that you will have some idea about what kinds of things the School Ethics Commission deals with and has found Board members to either have acted improperly or properly. We're going to spend some time talking about confidentiality protocols. It's very difficult. We're going to talk about crisis communication rules. Every Board of Education has crises, whether you know it or not. There are rules that can help you get through that crisis. I've included an article called "Think Before You Speak." It's very difficult sometimes to be quiet, but you really need to make sure that you think before you speak because you're in public. Finally, we're going to talk about common email mistakes because those emails can get you into all kinds of difficulty. The first document that I've included is an actual copy of the Code of Ethics for Board members and there are a whole bunch of different areas that it covers, but I want to talk about just a few in particular. As a Board member, as an individual, I don't mean to hurt your feelings but you have no authority and no powers. The law says that as an individual Board member you have no authority, rights, responsibilities, or juice. The only time you have any juice is when you meet as a Board. Tonight in this meeting you have juice. If you vote on and pass a resolution, administration is then required to do what it is that you have approved. If you leave this meeting by ending the meeting and you walk out of this door, you've lost your authority and power. Harry Potter had the cloak of invisibility. You have the cloak of invisibility as long as you are meeting as a Board. When you're no longer meeting as a Board, you don't have that cloak of invisibility anymore. You don't have any authority and you don't have any power. That is one of the most difficult concepts for individual Board members to understand. They say, "Wait a minute. I was elected or appointed. So I have a constituency because they elected me. They want me to be their representative. The Mayor appointed me and he or she wants me to be his spokesperson or delegate." You really don't have any authority or power as an individual. That's something that you really have to remember because Board members who tend to get into difficult do so because they act outside of the role as a body. It means that you're not the one who can call staff members and ask them to do something or tell them to do something. You're not the one who can give orders to anybody except the Superintendent and you do that as a Board, not as an individual. Not even the Board President can order the Superintendent or a staff member around. The Board President just happens to be the person who runs the meetings. The Board President has no more power and authority than any other Board member. Her vote counts to the same degree that your vote counts. It's one vote. That's it. That's all there is to it. If you look at Item E under this code of ethics it talks about the fact that the authority rests with the Board, not any individuals. I recognize that authority rests with the Board and I will make no personal promises – that's a tough one – or take any private action that may compromise the Board. I think most of you may be old enough to remember Flip Wilson. He used to say don't let your mouth make a promise that your body can't keep. When it comes to promises, Board members, as a Board you can vote to make a promise. But as individuals, don't make promises. Period! You don't have the authority to make a promise and you certainly don't have the authority to keep the promise, not as an individual, only as the Board. I'm

hammering that home because it is so important for you as a Board as you go through this transition to make sure that you do things in the right way. You know you're going to be watched. You know that. You're going to be watched by a lot of people. You're going to be watched by people who you think are watching you and you're going to be watched by people who you don't think are watching you. Grandma says mind your P's and Q's? Mind your P's and Q's. You represent the public. As a public official you're held to a different standard. You can't do things the way the ordinary person on the street can do it. You're a Board member. That means that you're special. Look at F. I will refuse to render my independent judgment. That means that when business comes before the Board of Education you have an absolute right to question any recommendations that are made and you should. You have a right to ask staff members here to answer your questions. If you want a question answered after the Board meeting is over, you can go through your Board President to the Superintendent. You should not be picking up the phone or sending an email to the Superintendent. Outside of these Board meetings you really don't know her. Outside of these Board meetings you really don't know staff members. That's hard because we like to get to know people. They're our friends and associates and we may have had a long-standing relationship with them. That has to be put on hold because now that you're a Board member you're in a different position. It's very important. G – I will hold confidential all matters pertaining to the schools. I know we have been having some issues with things leaking from high offices. There are almost 600 school districts in this state. You're not the only district that is concerned with leaks. You're not the only administration who would be concerned with people saying things that perhaps they shouldn't say. When you meet in executive session and there are only certain topics that you can discuss in executive session, the reason you're discussing them there is because the public does not have a right to know. If you discuss something in executive session and then you "leak" it to whomever, why meet in executive session? The reason for the Open Public Meetings Act, which was passed in 1974, is because in New Jersey there were too many public bodies that were meeting in the backroom, in the corner, in the dark and the public was not aware of what kinds of decision were being made or the process that was used to make those decisions. The legislature decided to enact the Open Public Meetings Act in 1974. This means that you are required to meet in public to discuss almost everything and the public has a right to be present, to comment, and ask questions, depending upon your guidelines and rules. You have a right and a responsibility to comment if they ask questions in public. When you go into executive session, that's when you can ask even more questions about those specific topics and only those topics, such as matters related to personnel, negotiations, and pending litigations. That's a tough line to walk sometimes because you wonder why it happens. If you have questions about it, always consult with your Board attorney and ask him or her to tell you if you're staying the course. You don't want to be in a situation where someone decides to file a school ethics complaint against you because you violated one of the tenets of the school code of ethics. Finally, H on the second page - one of the biggest responsibilities that you have as Board members is to hire the right people. You will vote to appoint the best qualified person available after consideration of the recommendations from the chief school administrator. It is very difficult at times when you're sitting as a Board and you don't have all the background to accept a recommendation from your chief school administrator. But one of the most important jobs of a chief school administrator is to recruit, recommend the employment of and then train and work with the most competent personnel. There's always a process that you go through to find the most qualified candidate. I worked in personnel for a long time. I made many mistakes by recommending the employment of certain people. The Superintendent would accept my recommendation and make the recommend to the Board. The person would then be appointed and we would find out a week, a month, six months, or a year later that we made a mistake. It's okay to make mistakes, but it's

not okay to live with them. If you make a mistake in hiring the wrong person, then don't keep him or her. Board of Education positions are not lifetime positions. If you hire someone and he or she is working out, fine. They should be retained. If they're not, then they have to go. That can be a very difficult decision to make because grandma may say, "But that's my grandson or granddaughter. He or she is a wonderful person." Mom says an axe murderer is a wonderful child. How many times have we seen situations on the news where someone does something horrible and when they interviewed the neighbors, what do they say? "He was such a nice person. She was so quiet." Remember the guy who kept those four or five young girls in Cleveland locked up for 10 years? When they finally escaped and people interviewed the neighbors, everybody said he was quiet. He never bothered anybody. I guess not. As Board members you have a responsibility to make sure that you treat people in a way and that you act in a way that people will respect. People should know what to expect from you. They should know that your word is your bond. When the Board makes a promise, it will keep the promise. When you as an individual make a promise, they shouldn't depend on it because you can't make a promise. You're not supposed to make promises, so please don't do it. When you're a public official, it's very easy for perception to become reality. If people think you are something, even if you're not, then very often you become that thing. So you have to be very careful about what you say, how you say it, when you say it, where you say it, how you behave, and where you behave. As Board members you have a code of ethics that is supposed to govern your behavior. This is the law. This is not some rule that somebody just made up in their spare time. These are rules that you're all expected to follow. Are there any questions about your code of ethics? This is your code of ethics. It applies to every Board member in the state, whether they're elected or appointed. Let's talk about the law as it relates to the School Ethics Act. The School Ethics Act applies to Board members and administrators. The code of ethics applies only to Board members, but the School Ethics Act, which was passed in 1992, applies to all 600 school districts in the state. It says that you have to behave in a way that engenders the confidence of the public so that the public will have confidence in what you do. That's why it's called the School Ethics Law. It affects Board members and administrators. It means that Board members and administrators must not engage in conduct that would be questionable. There are some things that you just can't do as a Board member. There are some things that administrators just can't do as an employee of the school district. There are some things that you want to say, but you can't say it as a Board member or as an administrator. The law says that you cannot do those things. The School Ethics Commission enforces this law. The School Ethics Commission is a group of seven or nine individuals who are appointed by the Commissioner. They meet on a regular basis in Trenton and they consider complaints that are made against Board members. Anybody can make a complaint against a Board member. They make up the complaint and send it to the School Ethics Commission who will hold a hearing and decide whether or not whatever you were accused of you actually did. The School Ethics Commission really has no authority other than to issue an advisory opinion. The Commissioner of Education can enforce that advisory opinion, and we will talk about some of those a little later. It is important to remember that if you want more information, because there's always more information available, there are lots of resources to which you can go. I've cited some of them in here for you. This is a situation where you as a Board might say to your chief school administrator, "Would you please provide us with some more information about the School Ethics Law? We want a copy of it. We'd like to have more cases." You can always have information. Information leads to knowledge and knowledge is power. Once you have the knowledge, nobody can take it away from you. You have to have the right information. That means that you want to know things that are accurate and correct. If you read it and you're not clear, then you find somebody and ask him or her to clarify it. That's one

of the reasons that you go to training. You pay a lot of dues to the New Jersey School Boards Association. That means that you have a right to go to some of their trainings or you can ask them to come in and do some things for you with regard to helping you become a more effective and efficient Board of Education. It is not an easy task to be a Board member. Board members in New Jersey obviously do not get paid. Board members in New Jersey are volunteers. Period! Do you know when you're truly a volunteer? You're truly a volunteer when it costs you money to do what you're doing for free. I've been a volunteer with the Boy Scouts for a long time. My youngest daughter said to me when I was getting ready to go to a jamboree in Virginia, "Dad, I just want to ask you a question. You're going to Virginia in the summertime. It's going to be about 100 degrees. You're going to work all day and into the evening. You're going to be there with 35,000 or 40,000 scouts and scouters. And you have to pay to go?" That's right. As a volunteer it costs me money. I just came back from Dallas last week from the National Meeting of the Boys Scouts of America. There are 2,000 people from all over the country. We all pay our own way. That's what it means to be a volunteer. That's why I commend you for being a volunteer because it costs you money to be a Board member. It costs you your time. Your time is valuable. I know it costs you your treasure because you're always being asked to donate or contribute to something. You walk into the schools and you're being asked to be a booster for this. It happens. That's what it means to be a volunteer. That's why it's so important that you behave in a way that shows people that you truly are the kind of volunteer that they want to represent them. Insofar as administrators are concerned, administrators get paid, but that's because that is our profession. We have to do all the really heavy lifting to make sure good things are done for children. That's the key. On the second page I just want to point out number five again. Remember that authority rests with the Board as a body, not with individual Board members. It is very difficult sometimes, once the meeting is over, because you're still called a Board member or Commissioner. But you really don't have any juice. You leave your juice in the room. Sometimes ethical issues arise as a Board member because there's so much stuff that you deal with. You employ the most people. You pay the highest salaries. You give out very good contracts to vendors. Can you imagine how much money a vendor can make simply by selling you textbooks? They're all kinds of choices of textbooks. It's not just one math, science, or social studies textbook. There are lots of series. You probably want to look at your series every year and evaluate it, and you take recommendations from administration. But if you're a textbook vendor having a textbook series purchased by the Paterson Public School District is big bananas. That's why when you go to conferences and workshops in Atlantic City and other places, the vendors are always happy to have hospitality suites, invite you to dinner, lunch, breakfast or whatever. But you have to be very careful about how you respond to those requests. Once again, the public is always watching and they should. You're spending tax dollars. Lord knows our taxes in New Jersey are among the highest in the country. When you combine income tax, sales tax, and property taxes, New Jersey is the highest taxed state in the country. It has been so for the last five or six years. That's why a lot of people leave New Jersey and move to Delaware, North Carolina, and Florida. If you love New Jersey, you stay and you pay the high taxes. It's really important to make sure that when ethical issues arise you know how to deal with them because they will come from places that you don't expect. They come at times you don't expect. They come from individuals that may surprise you. Let's assume that there's a matter that comes before the Board and you don't think that you should really be involved in voting on that matter because you have some kind of personal interest. Or a family member or relative is involved. That's when you should recuse yourself. That means you're not going to vote. You're not going to discuss it. That's important. You're not going to ask questions. You're not going to participate. You're going to recuse yourself, which is different from excusing yourself. Recusing means you will take no involvement whatsoever. That can very often be

difficult because sometimes your personal involvement means that you have experience and you would like to share that experience with your colleagues. If there's an ethical issue involved you want to make sure that you stay out of it. It's very difficult because people often want to pull you into it. That can be difficult. I want you to look at the third page of this memo. It's the one that has the long list of relatives starting with spouse and ending with half-sister. If you ever have any questions about whether or not you should vote on a matter that involves a relative, just look down this laundry list of relatives. This comes from the law. This is the new definition of relative and it's been expanded. When I first started working, it was about six or seven relatives. Now it has extended to half-brothers, half-sisters, domestic partners, civil union partners. It means that you have to be very careful about becoming involved in matters that would affect a relative as it is defined by the law. The definition has grown and will probably continue to grow. Some Board members wonder whether or not one of their relatives can be employed. If your relative was employed before you became a Board member, you're home free. In terms of voting on the employment of that person, we'll talk about negotiations. If the person was employed before you became a Board member, you're okay. The problem that you may have is if a relative as defined here applies for a position after you've been voted in as a Board member, that's when you should recuse yourself. The relative's mother may be angry with you because you didn't vote, but you can't and you have a perfect excuse. I had to recuse myself. I cannot vote to hire Perry because Lucy was my relative. That's the answer you give. Similarly, many times people will approach you and say, "I have somebody who needs a job. Can you help me?" You point them to the website. Remember that in public employment ever since 1986, in order for an individual to be hired in a public school district in New Jersey they have to pass a criminal background check. The list of disqualifying items has grown tremendously over the years. Many people who want to work for a public school district are ineligible to work for the school district because they can't pass the criminal background check. You don't know that because that's none of your business. You don't know what your relatives or friends may have been involved in. Refer them to the district's website, tell them to go through the district's application process and that's the end of it. You may make some people angry, but you will be respected if you act in a way that is consistent and reliable so that people know what to expect. In general, when it comes to negotiations, because you all have negotiations with the various employee unions, this is when it gets just a little sticky. If you have a relative who is employed in a public school system in New Jersey, whether or not they are a member of the union, if they are in a position that is eligible for representation by the union, when it comes time for you to be involved in the process of negotiating with your local union, you can't be involved. Let's talk about a couple of examples. You have a cousin who has children. You don't talk to your cousin on a regular basis. You haven't seen her in a while. You certainly don't know what her kids do. Her grown children are employed somewhere, but you don't know where they're employed or what they're employed as. Let's suppose that you're dealing with negotiating a contract for one of the unions in the Paterson Public School District. The statewide union that represents the employees in Paterson is the PEA and that local is represented by NJEA. Most of the 600 school districts in New Jersey are represented by the NJEA. There are a few that are represented by the AFT, such as Newark and Perth Amboy. While you're negotiating with a particular union, let's say secretaries, and they are represented by NJEA and the PEA. You know that you have a cousin who has children but you're not sure what the kids do. When it comes time for the Board of Education to appoint its negotiating team, in order for you to serve on that committee, in fact, in order for you to have anything to do with negotiations, you have to make sure that your cousin's children are not employed in another public school system anywhere in the state in a position that is represented by or eligible for representation by the NJEA. That means that you may have to make some phone calls to your cousin to find out what the kids do because you

won't know. Your cousin's son or daughter could be in a position in another public school system in a secretarial union that is represented by the NJEA. They don't work in Paterson. They work wherever. As long as they work for another public school system in the State of New Jersey and they hold a position which is either represented by the union or eligible for representation by the union, you can't be involved in negotiations in Paterson. That is a very difficult concept to deal with, but you just can't. When I say you can't be involved, it means you can't be involved at all. When administration gives you input for your initial proposal, when the Superintendent gives you updates on how things are going in negotiations, if you have that kind of conflict, it means that not only must you recuse yourself, you can't even be in the room. You have to leave the room. You cannot participate in any way whatsoever. Why? Because it's a violation of the law. This gets to be very difficult because more and more Boards of Education that have elected members are public employees. There are many Boards of Education, for example, and the majority of the Board members could be public employees in other school districts. If they are, you know they're members of the union or represented by the union. That means that the Board members who are sitting on the Board can't participate in negotiations. Let's just assume you have a nine-member Board and five of you are public employees for another Board of Education. I don't mean just a public employee for the city or the county. You're employed in another public school district, not a private school. What about charter schools? Charter schools are public schools. Even if you have a relative who's employed in a charter school, that's a public school. Let's assume that five of you as Paterson Board of Education members are employed by some other Board of Education in some capacity. When it comes time to negotiate with one of the unions in Paterson that is represented by the same statewide union, the NJEA, it means that five of you can't be involved. What's the problem with that? It means that you don't have a majority of the Board to be able to vote to deal with contract negotiations. There's this special thing called the Doctrine of Necessity. When it becomes necessary for you to vote in order to get a majority, then at least one Board member who is conflicted has to say, "I would just want the public to know that I am conflicted and I'm conflicted because..." But in order for the Board to be able to approve the tentative agreement between the Board and whatever union I have to vote. Therefore, I'm invoking the Doctrine of Necessity for me for this particular vote at this time. It's only good for one resolution. At that particular time, then the person who is conflicted can vote with the other four in order to have a majority vote to approve the resolution. Complicated? It's tedious, but that's the way it's supposed to work. The Board members can decide which Board member is going to raise his or her hand and say they're conflicted. You do it any way you want. You take turns. When you're conflicted, you're conflicted. That's the way it is. That's how the law deals with that particular issue. Otherwise, the Board would not be able to do business. That's the Doctrine of Necessity and that's how it works when it comes to negotiations. Another very sensitive topic is the whole issue of hiring staff and being involved in interviews. This has been a problem for quite some time. Board members consider it a very important part of the responsibility to deal with hiring staff. Of course, you want to hire the most competent capable people. The School Ethics Commission has spoken on this, but let's just talk about a couple of things. First of all, the Board has two different categories of employees. One category reports directly to you. You are their direct report. You supervise them. You evaluate them. You hire them. You fire them. They're listed here in alphabetical order - the architect, the Board attorney, the engineer, the negotiator, the realtor, the school physician, or any special consultants that the Board wants to hire. These individuals do not report to the Superintendent. These individuals report to the Board. They are hired for a one -year term. They are normally hired at the reorganization meeting every year. You decide whether you want to keep them or not. You don't have to give them any reason if you decide not to keep them. They're not employees. They have a contractual relationship with you based on

whatever the resolution is that you've approved. You could appoint them for one month or one year. The law says that every school district shall have a school physician, but you don't have to have a full-time school physician. Many school districts have two on-call physicians, male and female. These are the official physicians for the school district. They are not individuals who report to the Superintendent, the high school principal, the athletic director, or coaches. They are the school physicians who report directly to the Board. You decide whether or not you want them to attend and officiate at football games, basketball games, track meets, or wrestling matches. They work for you. The architect is your employee. He or she works directly for you. The Board attorney works directly for you. The Board attorney is not the Superintendent's attorney. He is the attorney to the Board of Education. If the Superintendent needs or wants an attorney, then they should get his or her own attorney. The Board attorney is not the attorney for the staff. He is the attorney for the Board members and they give you advice, guidance, and counsel concerning the law. When you ask the Board attorney for an opinion, you want a legal opinion. You don't want a personal opinion. You should not care what the Board attorney thinks about things in terms of personalities. You should only be concerned about his or her legal opinion based on what comes out of Title 18:A to 6:A and it's very important because the position of the Board attorney can keep you out of trouble. That's why you should seek his or her guidance when it comes to matters dealing with the law. Obviously, it's important to decide who you want to be your negotiator. That's your decision. Some Boards of Education appoint a staff member as the negotiator. Some Boards of Education hire an outside law firm to be the negotiator. That's your choice and decision. It's a very important decision to make because you want to make sure that the negotiator has the background, training, and experience to do what it is that you want him or her to do. The negotiator is simply the chief spokesperson who represents you. He or she is your mouthpiece. He or she does what you want him or her to do. They give you advice, guidance, and recommendations, but you make the decisions about what you want to do. What kind of salary increase, if any? What are we going to do about increasing the number of personal days? What are we going to do about payment for unused sick leave? What are we going to do about the number of work days in the school year? These are individuals who report directly to you. Of course, the main one is the Superintendent. The Superintendent reports directly to you, not to anyone else, but directly to you as a Board, not as individuals. These are the positions and the individuals over whom you have authority and control. You hire. You fire. You supervise. You evaluate these people and these positions only. That's the easy part. The hard part is dealing with the many other staff members that you have in the school district. I think, and this is a bias, one of the most important decisions you can make is who is going to be a principal in your schools. That's where kids learn. That's the home for children. That's a safe haven for kids. Kids spend more waking hours in school than they spend anywhere else. We have a responsibility to do good things for children because they come to school to learn. We have a responsibility to teach them. Teach the children well. Whether it's a teacher, teacher aide, secretary, custodian, or security guard, we're all there to teach children. When it comes to the decision about who should be the principal in a given school, that's a very important decision. The School Ethics Commission has said Board members should have limited involvement when it comes to interviewing staff, other than the ones listed here. In fact, the School Ethics Commission has said, "We do not support Board members conducting interviews for positions below that of Superintendent." The School Ethics Commission has said they don't want Board members involved in interviewing staff. That's what the School Ethics Commission has said in an advisory opinion. It's just came out within the past year or two. For some Board members that was really a slap in the face. Board members felt that was one of their most important roles. No. One of your most important roles is to consider the recommendation on staff that comes from the Superintendent, not the

personnel director, not the business administrator. All recommendations, legally, for the appointment of staff must come from the Superintendent. As Board members you have a responsibility to vote yes or no. You don't have to accept the Superintendent's recommendation. Let's suppose the Superintendent recommends the appointment of someone as a principal of one of your middle schools and the vote doesn't pass. What happens? The Superintendent has recommended Mr. or Ms. X. You vote no and the person is not appointed. You need a principal, so what happens next? The process starts over again and then the Superintendent recommends somebody else. The Superintendent has two choices at that point. Make no recommendation at all or make a recommendation that you will approve. Those are the two choices. One of the choices is not for you as Board members to say we have a recommendation. That's very hard not to do because you know people and people will approach you and tell you that they are the right person for the job. "I was made to be the principal of that particular school. I went to the Paterson Public School District. I've been here. I've paid my dues. I know things and I should be the principal." Maybe you think they should be the principal, but that's beside the point. If the Superintendent doesn't recommend him or her, he or she will not be the principal. The position can remain vacant because the Superintendent has the authority to designate someone as an acting, not interim. If the Superintendent wants that person to receive any more money, it has to be voted on. You as Board members don't get to pick the staff members that you want to work in Paterson. You get to pick the Superintendent, the architect, the attorney, etc., but you don't get to pick anybody else. Many people say that's the only reason they ran for the Board. They want to have something to say about who works for their school system, who teaches their children, who cleans the building, who provides security. That's not your responsibility. It's not your role. Your role is to vote on the recommendations that come from the Superintendent, whether it is for a custodian, a security guard, an assistant principal, a principal, an assistant superintendent, or any other staff member. That's the way it is. The School Ethics Commission, even though they say they do not support Board members conducting interviews for positions below that of Superintendent, they also say that if the Board really wants to be involved, let's give them some guidelines. These are the guidelines. No more than two Board members should be on any interviewing committee when you're getting ready to interview for whatever the position. It's also says that Board members should really only be involved in interviewing high level positions. This means cabinet level positions. There's even some discussion about whether or not it applies to principals and assistant principals, but it could. There's been no guidance on that yet. If you are to be involved as Board members in the interviewing process, the School Ethics Commission says no more than two on a committee. The committee should be coordinated by an administrator. Who decides which administrator gets to coordinate it? It's the Superintendent. It's doesn't have to be the Superintendent. It could be the Superintendent or her designee. Board members should limit their involvement to observing and assessing the process. This means what? You sit there and keep your mouth shut. You observe the process, you assess the process, but you don't have questions that you can ask. Let me rephrase that. You may have questions that you want to ask, but you can't. That's the way it's supposed to work. It's up to the Superintendent to decide what questions get asked. Finally, you need to remember that the final recommendation comes from the Superintendent. As the two of you sit there through all these hours of interviewing and all this stuff, in the final analysis, the Superintendent makes the decision to recommend someone and you don't agree. It's a tough cookie. It's not your job to decide who the Superintendent recommends. You have the right to vote no. If you don't wish to support the Superintendent's recommendation, then just vote no. That's as far as it can go. You don't get to tell the Superintendent he should have recommended so-and-so because he or she is better. That's a violation of the School Ethics Act. That's the way it works. When it comes to

deciding which Board members are going to be involved on the interviewing committee and how many are going to be involved, the Board should discuss that before the process begins. When you know that there's a vacancy for a given position, you as a Board can decide whether or not you want Board members to be involved in the interviewing process. You make the decision ahead of time before the process starts. It's not a decision that you should make halfway through the process because you don't like the way things are going. You make the decision ahead of time. The people who are your designees to sit on the interviewing committee should make a commitment to attend all the interviews. It's not fair to the candidates and it's not fair to the Superintendent if you have Board members who miss some of the interviews. If you're going to be involved, you want to be fully involved. Otherwise, stay out of it. If you're designated as the Board's representative to sit on the interview committee, then you can observe and assess, but you don't have the right to say after it's all over, "Let me see those resumes. I want to see all the candidates who applied." You may get a phone call from somebody who wants to know did so-and-so apply. It's none of their business. It's your business. It's the Board's business, but that's when it becomes very different to maintain that separation between what's permissible and what's not. Before I leave here tonight you're probably going to say, "All he did was tell us what we can't do." That's the way it works. I don't have to tell you what you can do because you know what you can do. I need to make sure to tell you what you can't do because I want you to stay out of trouble. Trouble is everywhere and it's easy to get into it. My job as a consultant is to help you stay out of trouble. That's why I've given you stuff in writing so that you can look at it, read it, memorize it and decipher it. When you get out of line somebody can refer you and your Board President can say, "Go back and take a look at that stuff on page so-and-so that Dr. King discussed with us on May 30." Some of you may get amnesia. It's easy to get amnesia. I want to help your memories. Administrators have heard this before. They know it, but sometimes they need help too because we all need help. Training is an ongoing process. You can never have too much training. I've included some pages here from a workshop that was done by a very competent attorney. He talks about the advisory opinion from the School Ethics Commission. These three important points – the committee structure, the administrative coordinator, and limited participation by Board members. The School Ethics Commission's decision is here under Exhibit A. I've highlighted some of the things for you so that you can read it yourself and look at it. The interview committee - you observe and you assess. You don't ask questions. You observe and you assess. The administrative coordinator – that's the person that Ms. Shafer designates to run the process, make the copies, setting up the time, how long will the interviews go, what questions will be asked, and what do we tell the candidates afterwards. The interview participation guidelines - I've also included a copy of the letter dated January 26 that clarifies the advisory opinion that was written by the School Ethics Commission because someone on a Board of Education said they would like to have more information about this advisory opinion from the School Ethics Commission. This is that official letter. I just want you to look at the bottom of the first page because it talks about some things that you have to be aware of. I'm looking at the letter dated January 26, 2016 written to Mr. Philip Nicastro. The subject is A:31-15. If you go to the bottom and you look at A:15-10, a Board member's participation in an exit interview would violate the act. That means that after candidates are interviewed Board members should not participate in the exit interview. That's the Superintendent's job. The Superintendent conducts an interview with the successful or unsuccessful candidate to give him or her feedback about how things went, why you were or were not chosen. No more than two members may participate. Your participation is limited to observing and assessing. They repeat it over and over. Finally, the Commission does not support the interviewing of positions below that of Superintendent. The School Ethics Commission would really prefer that you not be involved at all. But if you are involved, there are guidelines. Do you have a

personnel committee in Paterson? They give you some guidance with regards to a personnel committee. If you do have a personnel committee, make sure that the involvement of the members of the personnel committee is limited and it exists with the deference of the Superintendent. That means that you should ask the Superintendent whether or not it's appropriate for you to have a personnel committee. Personnel committees can get you into trouble because very often you're dealing with confidential, private, and personal information. You have access to a lot of stuff. Personnel is one of the items that you can discuss in executive session. You have to be careful about personnel. That's when you need to rely on our Board attorney to keep you on the straight and narrow and out of trouble with regards to dealing with personnel matters. Notice I said personnel, not personal. As Board members you don't have any personal matters. You have public matters. Your personal life stops at the door. You have a public life in here at a Board meeting. You don't have a personal life. Some of you say, "I don't have much of a personal life anyhow because you take all my time." Being a Board member is a tremendous time commitment. It's not for the faint of heart. Most people don't realize how much time Board members spend doing Board business. Not just at Board meetings. Reading material is sent to you at home, emails, and telephone calls. You can't go anywhere without people bothering you. You can't go to the hairdresser. You can't go to the laundromat. You can't gas up your car. Don't go to the supermarket. Don't ask social media. People are everywhere. Obviously, you have to be a resident of the community to be on the Board. There's no escape. You're fair game all the time. But you have to set your own limits. As Board members you can set your own limits. There's nothing whatsoever wrong with saying to a person politely when they ask you a question, "I'm not at liberty to discuss that." You have to give me an answer. No, you don't. The only person to whom you have to give an answer is your kids, your immediate family members, and your boss at work. You don't have to answer other people's questions. They want to know. When you get a call from a reporter from the media you don't have to answer. You don't want to be impolite. You can always say you have no comment. The most they can say when they report it is that we contacted so-and-so and they had no comment, and they stop calling. They're supposed to ask. Just how our children are supposed to ask us for stuff, they're supposed to ask. That's what kids do. There was a study that was conducted which showed that the average female teenager who wanted something, if she asked her parents an average of 13 times she would get it. That's the way it works. They're supposed to ask and we're supposed to say, "No. Not Now. Maybe later. We'll talk about it." The public is supposed to ask questions and they have a right to ask questions here at a public meeting. You have a responsibility to give them an appropriate answer. Sometimes the appropriate answer is, "I don't have an answer for you at this time." Any questions so far? I know I've thrown a lot at you, but it will sink in. Let's talk about your involvement in negotiations in a little more detail. We already talked about the fact that you have a relative somewhere and you can't be involved. I just want to hammer home one thing. When it says that you cannot be involved it means that you cannot be involved at all. You're either all in or all out. There's no such thing as being a little bit pregnant. There's no such thing as being a little bit involved in negotiations or a lot involved in negotiations. You can either be involved or you can't. It's very clear. Any questions that you have about whether or not you can be involved, ask your Board attorney or the Superintendent to check of you. Then of course you have to give him or her information. All of you have to fill out on an annual basis the conflict of interest form and that asks you all kinds of questions. That's where the Superintendent and the Board attorney can start to make sure that you are okay. You don't want to get halfway down the road with negotiations and then find out you should not have been involved. Not being involved means you can't participate in any way from start to finish. You can't sit in a corner and put your fingers in your ears. You have to leave the room. You can't read any material that is sent to the Board concerning

negotiations. You can't be present when the Board discusses it. If you happen to be at a public meeting and it is discussed by the public or whomever, obviously you can sit and listen. But once again, because you haven't been involved in the process, you have nothing to say and you shouldn't. Involvement in negotiations is another touchy area. We talked about the Doctrine of Necessity. It's the same thing. If you are otherwise conflicted but your vote is needed in order for a motion to pass, then however many people it takes to have a majority vote, those are the individuals who can invoke the Doctrine of Necessity and you'll be okay. That's where your Board attorney can keep you on the straight and narrow to make sure that everything is okay. If the vote is not properly passed, it's null and void and unenforceable and you have to go back and do it over. Let's talk about anti-union animus for just a minute. It sounds like a fancy term but all it means is that you cannot have any animosity, any bad feelings, or take any bad action against anyone simply because they are exercising their right as a member of the union. The PERC law was passed in 1968. It's another very old law. It's a law that requires public bodies to negotiate with public employee unions. You don't have any choice about whether or not to negotiate with a union. The union is formed and you don't have anything to do with it. The employee union then says they want to commence negotiations over their terms and conditions of employment - salaries, benefits, work hours, and all those things. Then you're required to negotiate with the union. In New Jersey the model for negotiations is very much like the Detroit model, the AFL-CIO. Much of what happened in Detroit in the auto industry came to New Jersey, New York, Pennsylvania, and Connecticut. We're affected by the Public Employment Relations Act. It says very simply that if a person who works for you as a staff member belongs to a union there are certain things that they can do because they're a member of a union. They have a right to participate in the union. They have a right to speak about union business. They have a right to do a lot of things. Even if you don't like some of the things that they are doing, you can't do anything to them because they are doing something that is called a protected activity. For example, let's suppose you're negotiating with one of the unions and things are not going the way the union wants them to go. What's one of the things that they might do? Job action. What's one of the more common things that they do outside the building? Picket. If an employee decides to picket, as long as they picket before or after school hours, as long as they are not on school premises, as long as they do not disrupt the business of education, they have a right to do so. It doesn't do you any good to take pictures of the people who are picketing because you cannot do anything. That's an activity that's protected by the PERC law. If you do something to a union member because they are picketing, you've committed what's called an unfair labor practice. That's when PERC will step in and say stop. Not only will they tell you to stop, but then you have to post a notice on all your buildings saying that will no longer interfere with the rights of any of our staff members. Is it embarrassing? Yes, but it's also very effective because you have to know what you can and cannot do. Governor Murphy just signed a law last week which gives unions even more rights in the State of New Jersey. There's a case before the U.S. Supreme Court and the decision is supposed to be handed down before June 30. The case that's before the U.S. Supreme Court will determine whether or not a union has a right to require non-union members to pay an agency fee. In New Jersey right now if you decide not to join the union, the union can charge you up to 85% of the annual dues. You have any idea what the total annual dues is for an employee in Paterson, local, county, state, and national? It's over \$1,000. In New Jersey in order to be part of a union you have to pay for dues. If you decide that you do not want to be a union member, you don't have to be a member, but the union can charge you up to 85%. In New Jersey unions charge 85%. This decision that's before the Supreme Court will decide whether or not it is permissible for unions to charge an agency fee to non-union members. In anticipation of that decision, one of the statewide unions had a legislator introduce a bill which the Governor signed into law which means that even if

the U.S. Supreme Court says that you don't have to join a union and the union can't charge you a fee, this new law sets up certain procedures about how you can stop being a member. It has given the unions a lot more authority and power. Not just to teachers' unions, but to all unions in the state. We will see what happens with regard to that U.S. Supreme Court decision. You may remember that a similar decision was before the Supreme Court a couple of years ago but the vote was 4-4 because Justice Scalia died. Because it was a 4-4 vote, the decision of the appellate division stood. Now this is a new case. That's all anti-union animus means. You cannot take any negative action against a union member because they are exercising their rights as a union member. Does it mean that you have to give the union president release time? No. That's negotiable. Does it mean that you have to give building representatives time off? That's negotiable. Does it mean that you pay the union president more? That's negotiable. Let's talk about a few school ethics decisions. Some of you will read this and say, "We would never do that." Here's a case where the Board of Education hired somebody without the recommendation of the Superintendent. It's on the first page, third paragraph. Can a Board of Education hire someone without the recommendation of the Superintendent? No. Only the Superintendent, the architect, those people! All other staff members can only be appointed if the Superintendent makes the recommendation. If the Superintendent doesn't make the recommendation, you can't hire the person. Here's one where a Board President entered the school without signing in as a visitor and then told the secretary what to do. You can't do that. Are you liaisons to the schools? That's very common. If you're the liaison to School No. 5, it just means that the Board has designated you as the liaison to School No. 5. It doesn't mean that you own School No. 5 or that you're the principal or assistant principal in School 5.

Comm. Martinez: Just for clarity, I want to go visit School No. 5. I should do it accordingly. I should call ahead, schedule an appointment...

Dr. King: You don't even have to call ahead.

Comm. Martinez: Even if I do show up, I have to sign in accordingly. I just can't take the liberty of showing up and doing those things because I'm a Board member. I don't have access that other folks may not have.

Dr. King: As an individual Board member showing up you are treated like any other visitor. We know that doesn't happen because people know you as a Board member so they're going to give you some deference out of respect. But the point is you don't have any more rights than a visitor. You show up. You sign in. Whatever the procedure is that visitors follow, that's the procedure you follow. Name tag. All visitors have to have a name tag. All visitors have to go through the metal detector.

Comm. Martinez: So it would be unreasonable for me to walk into a building and expect to not have to do those things, or to stop the principal from what she is doing. I'm here. See me.

Dr. King: Absolutely. That's right. You hire staff to do things for kids. You don't hire staff to do things for you. The staff member you hired to do things for you is sitting right there, the Superintendent. You want a report on School No. 5? You don't get it from the principal. You get it from the Superintendent by asking in this forum. You don't pick up the phone and call the Superintendent and say you want a report on School No. 5. You go through the Superintendent because you have to follow the chain of command. It's like in the military. That's how it is supposed to work, but that is very hard for Board

members. I'm a Board member. I have rights. No, you don't. You have limited rights. You have lots of responsibilities, but you have limited rights.

Comm. Hodges: Like a visitor, you don't have to call ahead.

Dr. King: No, you don't have to call ahead. You can just show up. Once again, when you show up I hope that you're not going to expect that the principal will stop whatever he or she is doing and give you unlimited time and access. If you really want to see a certain program, it might be appropriate to call and say, "I understand that you're having an Arbor Day program." Do you know the Commodore Barry Bridge that goes from Chester, PA? Did you know that in Title 18A all public schools in New Jersey are supposed to have a ceremony on Commodore Barry Day? It's one of the holidays that is supposed to be commemorated. Did you know that on Arbor Day all public schools in the state are supposed to have a ceremony where you plant something? It doesn't mean you close school for the day. Arbor Day is one of those days. There are all kinds of things.

Comm. Castillo: We're going to add that to the calendar. We'll see what day it falls on. We all want to visit schools. When there's a program we get invitations. How do we deal with the situation where Board members come into the school unannounced and the principal might feel obligated to stop whatever they're doing in order to make sure that the Commissioner is attended to or all their questions are met? All of a sudden, they stop what they're doing in order to walk around, view a program, or whatever it may be. How would you deal with that situation of a principal feeling in an uncomfortable position when a Board member comes in not knowing what to do?

Dr. King: That's very natural. That's human nature. We want to be polite to our public. Just think about it. If you're showing up as a parent, you would expect the principal or someone else to help you with whatever your problem is and to answer whatever questions you may have. That could mean that the principal turns you over to someone else. The principal says to the security guard, "Commissioner So-and-so is here. Would you take time to show him or her around the building?" Maybe the Board of Education has approved a recommendation to install a new boiler. You voted on it and you'd like to see it. The principal doesn't have to take you to see it. The principal can call a head custodian and have them show you. Or you want to see how the lunch program operates. Or you'd like to sample the food. We just approved the contract for whoever the vendor is to provide lunch. You'd like to sample it. You have to pay for it. There's no such thing as a free lunch. You go in and you have a chance to sample the food. That's a very difficult situation, but we would hope that Board members, administrators, and school personnel would exercise good judgment and common sense. You might have to say to the Commissioner, "I wasn't expecting you, so I can only spend about 10 minutes with you. But if you want to see more, let's set up a time when you can come back and I will be glad to show you so-and-so." Maybe you want to visit a new class for our preschool handicapped kids. Maybe you want to see how things are going. Maybe you bought some new computers and you want to see how the lab is going. Maybe you'd like observe. Go observe. Go see.

Comm. Castillo: When you show up as a Commissioner, how about if it's you and someone else? Does it work the exact same way depending on who the people are?

Dr. King: Same thing. In our schools we have visitors who are announced and unannounced. Most of the unannounced visitors are unhappy parents. We really have a responsibility to deal with that unhappy parent by trying to help him or her. When we help the parent, we help the child. That's what we're all about. When I was a principal,

if I had a Commissioner who showed up and I was busy with parents or children, they come first. It's rude to disrespect your parents and others when you're working with them just because a more important visitor shows up. You might take a moment just to say hello, but you have to get back to this business. That's difficult and that's when your staff needs guidance and training. Hopefully, Commissioners will respect that process, but sometimes you just happen to leave work early today and you have time to stop by. You just thought you'd stop by and just observe the dismissal process. Or you want to see how the buses are working. That's only natural. This is a big business that you're running. It's the biggest business in town and you want to see if it's going well and if people are giving you the service that they're supposed to give. Commissioners just can't show up and say, "Do so-and-so." They're not your employees. If anything, they're the Superintendent's employees. One of the other things that happen is the Board President wanted to terminate some employees and instructed the business administrator to send out a Rice Notice. A Rice Notice is something you have to send out to employees to let them know that the Board will be considering something negative. Who has authorization to delegate someone to send out a Rice Notice? It's the Superintendent, not the assistant superintendent for HR, not the BA, not the Board attorney, unless it's going to the Superintendent. The Superintendent does it. The Superintendent was going to have an orientation and one of the Board members removed the Superintendent's name from the agenda. You can't do that. Not only is it impolite, but it's illegal. Board members do stuff that they're not supposed to do. I've included these examples so that you will know the kinds of things that other people have done in New Jersey. You say, "We would never do that." These are all guide points for you. Let's talk about confidentiality. It's very difficult because you folks will get so much information that you'll be suffering from information overload. You get stuff. You could fill file cabinets in one of your rooms with all the stuff you get. First of all, you have to remember that the material that comes to you at home, much of it is confidential. You want to guard it carefully. In addition to that, after you read it, discuss it, or hear about it in caucus, it's confidential. That means that you don't discuss it with anybody. You can discuss it with other Board members in a Board meeting or an executive session. But you shouldn't be discussing it on the telephone on the way home. I know it's hard, but that's the way it's supposed to work. Confidentiality means confidentiality. You will have access to all kinds of information. You will hear and see things. People will tell you stuff. It's very difficult to keep it confidential. That's difficult for Board members and for administrators. Secretaries probably have the most difficult job because they know everything about everybody. Secretaries have generally been in their positions longer. They see stuff first. They get the phone calls. They get the messages. They see the emails. They have access to all kinds of things. That's why secretaries have to be careful about what I call water cooler gossip. You can't because you never know who's listening. You treat confidential information with confidence. There are two kinds of confidential that we talk about in public schools. First of all, everybody who gets information is supposed to keep it confidential. But when it comes to PERC law, it says there's another kind of confidential employee. It says that confidential employees are those people who cannot be involved in labor unions. There are certain employees who, because of their positions, cannot be in a union. The Superintendent can't be in a union. The BA can't be in a union. The personnel director can't be in a union. Your other assistant superintendents can't be in a union. Their main secretaries can't be in a union. Anybody who has access to materials that are used in negotiations can't be in a union. You have confidential employees who are supposed to keep secrets and you have confidential employees within the meaning of the PERC law which says they can't be involved in union activities. It's not the person. It's the position that's confidential. The PERC law says an employee is confidential if he or she has such job responsibilities or knowledge regarding management, negotiations strategies, and goals that membership in a bargaining unit would be incompatible with

his or her official duties. The Board then sets your salary, work, terms and conditions of employment, but you cannot be in a union. Can principals be in a union? In New Jersey, yes - principals, directors, and supervisors. In some states the answer is no. In Florida, Board members get paid, but not in New Jersey. In Florida, certain people can't be in a union. In some states, administrators cannot be in a union. In New Jersey, almost everybody can be in a union. When I was negotiating in one district we had nine unions and there was one union that had four people - data entry clerks. They didn't want to be in the secretaries' union because they were data entry clerks. They had their own union. They were better than secretaries. In another district, the custodians were in one union and the maintenance people were in another because maintenance people are skilled craftspeople, whereas custodians don't have "skills." Every district is different. How many unions do you have in Paterson? Seven. That's close to 11. That's how it works. Ralph Waldo Emerson said something that I really like – "What you do speaks so loud that I cannot hear what you say." People watch you all the time. Are your Board meetings televised? Can you imagine how much grief you would get from the public if you were having a long late-night Board meeting and one of you that is very tired suddenly decides to take a nap. You didn't say anything, but you just kind of took a nap. It's hard. Some of you probably feel like taking a nap now. You work all day then you come to a Board meeting. You're sitting. You're not moving around. You ate. Your blood is flowing from your head to your stomach to digest the food. You get lightheaded and sleepy. Enough already! Let's quickly talk about crisis communication rules. I know these things sound simple, but crisis come and go at Board meetings. Never say anything unless you know it's true. If you have bad news, tell it. They're going to find out anyhow. I always tell supervisors when they're evaluating their staff members tell them the truth about their performance. They're going to be mad at you anyhow, so tell them the truth. It's your professional opinion. They don't have to agree, but this is your opinion of how they're doing. Remember Mayor Koch used to say all the time, "How am I doing?" I don't know if he wanted to know, but he asked the question. So you tell the truth. Make sure that the information to report is accurate, complete, comprehensive, and correct. You don't want to be transmitter of inaccurate information. Respond to all questions, but only if they relate to your current situation. Sometimes your response is, "I don't have an answer for you right now. We have to look into it." You'll be confronted by people who become angry and argumentative. It doesn't help when things are not going well with negotiations and you have people who are unhappy with you as often happens. Don't respond in anger. It doesn't help. It's not personal. It's business. Sometimes the best thing is to say nothing. That is hard because we all know somebody who wants to get the last word or the first word. You can't always do it. You've all heard of Steve Adubato. He wrote an article way back in February 2013 and had some suggestions for you. I just included that about think before to speak. That means that you have to decide who you want to speak for you. Normally it's the Board President, but the Board may decide you want someone else to be the spokesperson on this particular issue. Think before you speak. Always remember where you are. Always remember who you are. Last but not least, I want to talk about common email mistakes. This deals with any kind of communication. You're communicating all the time. You write a message in anger. What should you do with that message? Don't send it. It can wait. I know you're angry and you're upset, but you don't have to communicate right now. It can wait. Once you send it, you can't retrieve it. Once it's out there, it's there. Today it's even worse because it's all over the place. Don't compose your message too quickly because you may forget to put certain things in it. Just write it, read it, and ask somebody else to read it before you send it. You never want to do anything when you're angry and upset or when you're under pressure. That's when you're most likely to make mistakes. It's hard to be cool under fire all the time. But when it comes to ethical behavior for Board members, you just have it remember you are a volunteer. You said you wanted to do this. You can't complain.

You can't say to the public, "All the time I spend working for you." They didn't ask you to run. You wanted this job. You wanted to be a Board member. Now that you're a Board member, you have certain responsibilities. If it gets too tough for you, do you know what you can do? You can resign. You can always say, "I've had enough. I don't want to do this anymore." I hope you wouldn't say or do that, but the point is we all have our limitations. There comes a time when you simply may have to say you don't want to do this anymore. Any questions at all about anything I've said or haven't said?

Comm. Castillo: Dealing with crisis communication and uploading it into social media, I know the Superintendent has a conversation with her staff or whoever is in charge of that area. Usually parents are the first ones to be notified. Somewhere in the middle it gets from the Superintendent to social media. I totally agree that the community needs to be aware of the situation. But sometimes how do you measure that procedure in the middle? How do you control that process?

Dr. King: Very simple. For Board members, it's one word. Don't! That's it. You're not the one to communicate with the public. If you want to communicate with the public here in this meeting and you have an opinion or a question, that's fine. Once you go outside, the Harry Potter cloak of invisibility is gone. You are one person. You're no longer a Board member. You're back to being a person.

Comm. Redmon: That's the reason why as a Board we have a public relations person in the school district. They should handle all public crises.

Dr. King: That's the way it's supposed to be. We all know what it's supposed to be. The problem is, how do we do it? It's very hard because you're getting hit from all sides. You're getting questions and answers. People are pushing you and pulling you. You feel that you have to say something. No, you don't.

Comm. Martinez: The response is that since folks elected me to be in this position it's my responsibility to share everything with them and be the person to deliver the news. In actually, you're saying that's not our position.

Dr. King: That's correct. You've been elected by a constituency. They expect to hear from you, but this is when they hear from you, at these public meetings. If you have a caucus meeting and the Board decides to release a statement through the Superintendent or your PR person, the Board makes that decision. You don't take it upon yourself to do that. It's hard because people will pressure you. "I voted for you. You're supposed to tell me stuff." That's not how it works. Not legally. Practically it's different. Legally that's how it works.

Comm. Castillo: That's how misinformation gets out.

Comm. Hodges: When protocols or actions are initiated, they should come from the entire Board, not from individual members.

Dr. King: Absolutely - always from the Board. When the Incredible Hulk gets angry he turns green. All of his power and authority is when he's the hulk. All of your power and authority is when you're a Board in a meeting like this. Outside of the meeting you're not the Hulk anymore. You're the same guy. You're just a kid.

Comm. Hodges: When ad-hoc committees are formed, that should be shared with the entire Board, should it not?

Dr. King: Ad-hoc committees are supposed to be created at a Board meeting, either public or caucus, where normally the Board President makes the recommendation or a Board member makes the request. Then the body decides that we want an ad-hoc committee. Let's assume that you have a nine-member Board and you're meeting in executive session. You're talking about an issue and one of the Board members says, "I think we need to have an ad-hoc committee to investigate that." Unless you get five votes from the Board to do it, you can't do it. You can't go off on your own and say I'm a committee of one or the two of us will do this on our own time. That's not how it works. All of your authority comes from the Board as a body. You exist as a body. Do you know how you see kindergarten kids go on trips and they all hold hands with each other? Think about it as Board members. All nine of you are supposed to hold hands. When you're holding hands and doing stuff together, that's when you can do stuff. When you stop holding hands, you don't have the power and authority to do anything. You have to be holding hands together and acting as a team. It's easier said than done, but that's the way it's supposed to work. I've spent a lot of time with a lot of Boards of Education and they all do the same stuff that gets them in trouble. Nobody is immune. Everybody knows where Cape May is. There's a community called West Cape May. They have one elementary school and as of this year they have 102 students and they're crowded. The West Cape May Board of Education will not merge with the Cape May Board of Education. It's not racial, ethnic, or financial. They just want to be their own Board of Education and nobody can make them merge. They operate as a small Board of Education and they run the West Cape May School District with one school. Teterboro has a Board of Education and no schools. They have students, a Superintendent, a BA, a transportation supervisor, and a bus fleet. All the children from Teterboro go to other schools. New Jersey really has an interesting combination of school districts. Maryland has 29 school districts. They're county school districts. They only have two city school districts, Annapolis and Baltimore. Everything else is a county school district. New Jersey has almost 600. That's crazy, that's the way it is. That's New Jersey. You all are in charge of the Paterson Public Schools. That's enough.

Comm. Castillo: Are there any other questions? Thank you so much for this meeting. We really do appreciate it. You gave us a lot of great information. You're right. You can't get enough of the trainings because there are always situations that happen. New training or even the same training helps. I know we have a lot of other trainings. Thank you so much. You gave us a lot of great information. We will keep in contact with you if we have any further questions.

Dr. King: One more thing before I go. You always get questions late at night or tomorrow morning. If you have questions for me, they go to whom? The Superintendent!

PUBLIC COMMENTS

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

Comm. Castillo: For all of you who are visiting us for the first time tonight, we have three minutes for each speaker just so we can be respectful of everybody else's time.

Ms. Marcella Simadiris: Praise the Lord everybody. I really found this training to be very informational and empowering. I'm hoping that people are tuning in at home and taking notes. The one takeaway that really meant the most to me was the piece where Dr. King said that you are required to meet in public to discuss almost everything outside of

personnel, litigation, negotiations, and things of that nature. I have some concerns. I'm just going to use some examples just to demonstrate so you can be clear on what my concerns are. At the last Board of Education meeting, Comm. Capers had questions about Comm. Martinez' report and I forget what committee it was, but it was with regards to using swimming pools. Comm. Martinez referred Comm. Capers back to the documentation that outlined the minutes. It would have been appropriate for you to be prepared to discuss that because those conversations are there, not just for you, but for us too. Whether you feel like somebody is not doing due diligence or whatever, I feel like everybody should be prepared to give their presentations with regards to whatever committees they're working on. Another piece that concerns me is the process. At the last Board of Education meeting, I interrupted the conversation between Dr. Hodges and Deputy Superintendent Peron because she was going over the process for school improvement plans and comprehensive needs assessment with regards to how School No. 6 is approaching their next year. Dr. Hodges is saying it's not working. That prompted her to discuss the process of determining what works and she went over all the people that were involved in it. At no point did she say parents or community. That's required now by federal law. It was always a best practice, but now it is required by federal law. I've been coming to the microphone talking about it for the last three months. The fact that she's not mentioning it and no Board members are questioning her really concerns me. That's what this space is for. That's why sometimes I do get frustrated because I do not feel like we're really using the space like we're supposed to. I really think this training was really good and I appreciated it. The silence has to stop because I don't hear Board members ever. One more time, almost everything is supposed to be discussed here. You're not doing your duty because all those conversations are supposed to be taking place here.

Mr. Enrique Rosa: (Comments translated from Spanish) Good evening. I'm here again to talk about my son's situation. I thought you had forgotten about me. I went to the school to speak again with the Principal Ventura and again I had the same problem. Unfortunately, the district has to take note of the situation that's happening with my son. It shouldn't be like this because I was listening to the ethics training concerning the principals. I shouldn't have to come here to solve my problems. It should be solved at the school level. I ask Ms. Peron, Ms. Shafer, Ms. Warren, Ms. Coy or anyone here, as the trainer said, Principal Ventura should receive training on how to treat people. I know that I can go to the school to ask for an evaluation. He doesn't have to be in everything when he has to ask a question. Take into consideration because this situation should go deeper with me, my child, and my family. If the district doesn't act, I will do what I have to do. Thank you.

Ms. Desiree Pagan: Good afternoon. I'm here because I have a question. Back in February I took a Vanderbilt form. The pediatrician asked the teachers to make evaluations to the child. I took the form to the teacher and they made an evaluation of my child. I took the form back to the pediatrician because I believe that's confidential. I give it to the teacher and they have to give it back to me. Can the school make copies of the blank forms and reuse them again without my permission? They reused the pediatrician evaluation form. Those forms usually are sent from a pediatrician. No school is supposed to have those blank forms unless it's requested by a pediatrician. I don't know if you understand what I'm saying.

Ms. Shafer: I'm going to ask Cheryl Coy to respond.

Ms. Pagan: I sent an email to Ms. Coy and she responded to me that those forms are on the website. I believe that even though they are on the website, it's a pediatric form,

not a school evaluation form. Even though they are on the website, they are not for the school.

Comm. Hodges: I don't understand. There's a pediatrician that's giving you a form with information on it. Somehow the school district got a blank form?

Ms. Pagan: Right.

Ms. Raquel Soto: There was a form that the doctor sent to the school so they could get an idea of how the child acts in the classroom. They were given back to the mom and back to the doctor. Only doctors submit that to find out how that child is conducting himself in the classroom. The school gave her the paper, she took it to the doctor, and they found out what the child had. About a week ago she gets an envelope with another one with a new date without her consent. Why are they doing evaluations without her consent if they were already filled with a prior date? Who's making these evaluations? Who's requesting them? She doesn't know.

Ms. Shafer: I'm going to ask Ms. Coy if she will respond.

Ms. Cheryl Coy: I'm just going to respond to the assessment. This assessment is a teacher tool that pediatricians, behaviorists, counselors, and social security uses as an evaluation tool to see if a child needs additional support when it comes to possible behavioral issues. It's not a confidential form that is issued by a medical practitioner. They're online. If you go online and google right now on Vanderbilt Assessment, you'll see over 100 of them on a website. Mom's concern via the email was that she feels that the school made a copy and made another evaluation checklist. It's just a series of questions to say is the child fidgety in class. What she brought to my attention, which I flipped back to Mr. Ventura because I wasn't aware it, is that she believes that another one was done and she wanted to know who requested it.

Ms. Pagan: That's the pediatric form. If the teacher is going to make an evaluation, she's supposed to ask me or let me know. If you see the name on the bottom, it says "American Pediatrics." It doesn't say "School No.29." They can't make any evaluations.

Ms. Coy: It's only because they created the form. It's a global form to be used.

Ms. Soto: For what assessment, though? What is School No. 29 looking for? If somebody is evaluating my son, I want to know.

Comm. Castillo: We're just going to spend a little more time because we want to have this conversation with the Superintendent that way we can have clarification and see exactly what's going on. At this point for public information and for my knowledge, this is a form the teacher can have in order to create more support.

Ms. Coy: No.

Comm. Castillo: Hold on. I want to make sure I get the proper information. Is it something that we can pull off the website and it's for the teacher to see if there's any additional support that can be added?

Ms. Sandra Diodonet: It's an assessment tool. It's not an evaluation. I can give you an example. Ms. Redmon is a student in my classroom and I keep her really engaged. She might not be fidgety in my class, so I won't check that off on her. It's just to see what the trends and patterns are throughout the different classes. It's not an evaluation

tool. It's an assessment tool that guidance counselors, especially through the IRNS process, sometimes give to teachers to fill out to see different patterns. The behaviorist can go in and check it out as well. It's been in the school system for a while now. Sometimes principals ask for that to be done, especially if you're in an IRNS meeting and you see that the kid is doing academically well here but misbehaves there. We just use it as an assessment tool to get some kind of trends. Sometimes the doctor submits it and says please.

Ms. Pagan: Most of the time it's the pediatrician that requests that, not the school out of nowhere.

Ms. Diodonet: I can't say most of the time because sometimes as a principal I myself used to tell teachers to do a Vanderbilt form.

Ms. Elizabeth Elias: Is it legal for them to make a copy of the paper and then continue to flow the work instead of them doing it on their own? She feels that it's not a legal thing.

Ms. Pagan: They actually made copies of it. They didn't print it out because I have it. I don't have it with me right now. I sent it to Ms. Peron. It's faxed. I went to every pediatrician that I send my son and they said that they didn't fax it because that's confidential. Somebody had to fax it to them. Who did?

Comm. Castillo: It's a standard form.

Ms. Shafer: It's a standard blank form that a pediatrician, a school district, a behaviorist, a psychologist, or different supports for children can use. They can use the same form. It's not that the school took her blank form and made copies and then passed it around. It's a generic form.

Ms. Pagan: Is the teacher supposed to make an evaluation just because she wants to?

Ms. Shafer: It's not an evaluation. It's an assessment to see how the child is doing. He could be doing well in my class, but not too good in her class. It could be he does well in the morning and not in the afternoon.

Comm. Hodges: It's like a progress report.

Ms. Shafer: Yes.

Ms. Pagan: The problem is that in February they gave him 5-5-5-5-5-5 like he was terrible in class. Now, because they know I'm requesting an evaluation for my child, they decided to make an evaluation without telling me and they're putting 0-1-1-0-0-0 like everything is okay.

Ms. Peron: Let me just describe what those ratings are. 1 is occasionally, 2 is often, 3 is very often. What Ms. Pagan is saying is that she received this form prior to this date. Your son had this form from his pediatrician. You brought it into the school. The teacher filled this out in February. Now the teacher fills out another form on May 8 and she's assessing the child again. She's doing the survey of the behavior again. That's what you're saying.

Ms. Pagan: Right. The first one was requested by the pediatrician. The second one wasn't requested by anyone.

Ms. Peron: They did this and they handed this to you at the school. Who gave you this form?

Ms. Pagan: They sent it to me in my son's folder. They didn't tell me anything. They just sent it to me. I asked the guidance counselor and he just told me he saw this paper in his mailbox and he just sent it to me.

Ms. Peron: I have to follow up with the school to ask them why this second form was filled out.

Ms. Pagan: I believe ethically that's not right. As a parent we have to know what the teachers are doing that has to do with our child. The parents have to be involved.

Ms. Peron: Agreed. Noted. You should receive a call by Friday with an appointment for the evaluation schedule. If you don't receive that call by Friday, you should call me first thing and we will get it done. This will be null and void in that meeting.

Ms. Elias: Hi, everybody. Nice to see you guys. I loved the information today. Hopefully we'll have that often, at least six times a year. She's concerned that her son was removed out of the class without her permission. That's what she was trying to get to. Since they're doing it without her permission, she was concerned about the child being removed out of the class. That's what she was trying to say. I know we're at the end of the year and I feel like everyone should be tired, but I know we have a few things left. I want to add that around the schools there is still stuff. We need to supervise more after-schools. I do need you guys to go around the schools. Ms. Shafer is only one person. I need for everybody to do their job to go around checking after school what's going on with these children. There are 54 schools. There's climate and culture stuff going on that's still really bad. I see a lot of fights around my fourth ward area. I know there are security guards, teachers and principals that are getting paid and a lot of people are not doing their jobs. Sometimes there's after-school dismissal. I got into an accident on 10th and 22nd. I had to do crossing guard duty. That crossing guard is always there, but this time she wasn't and I took the initiative. A parent was threatening the kids. I suggest everyone to do their part to come out and pay attention to what's going on in the schools. Dr. King said that you guys are supposed to keep us informed. Please make sure with that information that I'm going to make sure you let us know everything that's going. The ESSA stuff that I'm learning, I really want you guys to stay open and be aware that I'm learning and I'm going to pass out the information. I see Raquel out here and this parent. She couldn't even get through what she's trying to say. Everybody wants to talk over and everybody is confused. No attitudes. Everybody here likes to say moving forward. We're moving forward. We have to be cautious. You need to get training every month about respecting parents. These are special education kids you guys are talking about. I was going to say something else, but now I had to use my time to defend the poor parent because some people are not ethically educated to listen and not walk away. You should have been sitting there listening to the parents because that's your job. Thank you.

Ms. Soto: Good evening everyone. I'm here because I resigned from the SEPAC. I'm going to stick with being an advocate. The only thing I want to ask from everyone is that when I go in the rooms that everybody gives me the same respect I give everyone. I've been to a couple of meetings and I'm being interrupted when I'm defending the parent. I'm still the parent of a child that goes to Paterson schools. I don't want to be interrupted. If I'm there to advocate for the parent, I should not be interrupted. Let me finish what I have to say because I'm their voice. If they don't know the law, let me say

what I know. No one should be interrupting me. I let everyone speak. Let me speak. That's all I have to say. Thank you.

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

Ms. Shafer: I just wanted to thank the parents for coming out, specifically the Pagan Family and also Raquel. We met last week for two hours. Susie and I were there and that's why right now Susie is moving to schedule the evaluation. At the end of the meeting we brought in the principal so that we could get all parties to be talking because the child is going to go to School No. 29. I want to make sure that we move forward, that we put this behind us, and that the principal and the parents can begin to work together. That is for the benefit of their child. I've had many meetings with Raquel and I'm only going to say that I will listen to the parents first, only because I need to understand what the situation is and the reason that we're meeting. Then we can move into everyone having something to say. I don't want parents to think that they're not welcome and that we haven't been meeting with them. We've been meeting with a lot of parents around some of the issues that they have and Raquel was there. I just want to say that we will continue to do that and treat our parents respectfully. Thank you.

OTHER BUSINESS

Comm. Hodges: I was at Silk City today to look at their reentry program, which I find very interesting. While I was there I happened to run into the principal's office where there are some repairs that need to be made. I don't have any allergies, but when I went into the room I began to sneeze. That causes me to worry about some sort of airborne element going on in there which cannot be good. It's been going on since October at least so that needs to be addressed. I will call back on Friday to get a timeline on that. Have we had a discussion about the contract yet and what's in it? Maybe I missed that. I don't think we have because I have the teacher's contract. We're heading into June. I don't think we've had a discussion of what's in it.

Ms. Shafer: The union is voting tomorrow to ratify it. We were under a gag order from the mediator at this point because the information just could not get out. Once they go through it tomorrow it will come to the Board. Whether they ratify it or not, the Board still has to vote the contract up or down.

Comm. Hodges: It's unfortunate that the mediator thinks that the Board cannot be in a position to discuss its own contract results.

Ms. Shafer: That's not unique to this Board. That's usually the case when you have a mediator. They don't want the details of the contract discussed before it's ratified.

Comm. Hodges: We might vote against it if we know what's in it. That's why I'm concerned.

Ms. Shafer: The union is going to vote tomorrow and then the Board will know after that what's in it. The Board has to then vote on the contract.

Comm. Hodges: I hope we don't get the information the same day of the meeting.

Ms. Shafer: We've tried since I've been here not to give you anything last minute or the day before and we'll continue to do that.

Comm. Hodges: I'm reading through the transition plan and I hope everybody has a copy. I have a number of questions I'm developing. It causes me to be a little concerned that this is going to be presented to our community before there's a full-throated discussion with the Board members. Even though there may be an inclination to be receptive, we also have an obligation to think for ourselves. I don't think we exercise that to the degree that we need to. This document has some concerns in it that we need to talk about. Are you meeting with them tomorrow?

Ms. Shafer: We have six community forums. We have one parent meeting. We have two pastor meetings. We also have a meeting with all the union presidents. Then we have two principal meetings. We want to make sure that everybody sees the plan and we get the feedback. We're presenting it to the Board on the 6th. The State Board voted on May 2. We have done nothing but work on this plan over the past four weeks so that we could make the timeline of July 1. The community forums have started now. I think there will be two community forums, it will go to the Board on the 6th, and then we finish out the rest of the community forums. When we sent it to the Board, we said that you could send us any recommendation or comments. We can also talk about it on the 6th. You can do it with the full Board, or you can send it to us. It's all in draft. We needed to start moving it to the state and to everybody in the community so we could get feedback. Then we would put the final form by the middle of June.

Comm. Hodges: Okay. Maybe I'll just send you a few questions that I have in the interim. Thank you very much.

Comm. Redmon: Just to add on to what Dr. Hodges is saying, I suggested to the Superintendent that the Board has to survey each school so we can find out some of the facility problems throughout each school. I think you're setting up schedules for the Board members to go and tour the schools to make sure we get some notices of what's going on.

Comm. Castillo: Before we adjourn the meeting, I know the parent has been trying to say something and I don't want us to go without her finishing her statement.

Ms. Pagan: I just want to express myself as a parent. If a parent comes up here I believe all of you have to be serious. As I observe, you guys were serious. I believe Ms. Castillo and Ms. Redmon have to be more serious about this. This is a meeting. If you want more parents to come here and express themselves, you can't be sitting there laughing. You know what I'm talking about because when I stood up from here, I stepped down over there, I looked at you, and you guys were chitchatting and laughing. I believe this is a meeting and this is serious. Teachers need training. The same way teachers need training, I believe you guys need training as well. You can't be sitting here laughing. It's a meeting and you have to open your ears and listen to the parents, not chitchatting, talking, and laughing. I'm sorry. I'm just expressing myself because if any parents see that, to be honest, they will feel unwelcomed here. That's all. Thank you.

Comm. Redmon: I let her say what she had to say and I'm going to respond to her. Please come back to the microphone. What you see sometimes behind the scenes is not that we're laughing. I let you speak and I'm going to respond to you so you can understand what goes on. The same problem from the last meeting that you were here, me and the Superintendent actually addressed it this week. I wanted to make sure we followed up. A lot of times what you hear or what you see us going back and forth is we're making sure that the questions that you guys present to us are being addressed.

We're not laughing or trying to mock what you're doing. This is the fourth meeting that you've attended. I know that you've attended multiple meetings. I want to make sure when you attend the meetings that your answers are getting to you. When I say getting back to you, I want to make sure that you're being addressed in certain ways. As you heard in the training, we can't go into schools to advocate for you. We can go through the Superintendent and that's what we do. A lot of times when it seems like we're going back and forth, I'm trying to make sure that I get an answer from the Superintendent or the President to make sure that I have something going on. Don't take it that I'm not serious about your issue.

Ms. Pagan: I'm trying to say that your expressions speak more than your voice.

Comm. Redmon: I can't help how you view my personal expressions. I can't help that.

Comm. Castillo: We're not going to do this back-and-forth. We can definitely address the situation. Let's move on and we can continue to have another conversation another time.

Mr. Rosa: (Comments translated from Spanish) Why is it when she gives an order and I tell the principal, he says he doesn't have to do what she says? If we came to an accord, I feel like if the Superintendent or the Deputy Superintendent give an order, him saying that he's not doing what she says isn't right. That's what I want to express and I'm done.

Comm. Hodges: I think he should call the Superintendent back.

Ms. Shafer: I want to meet with him after this. In five minutes we're going to adjourn. I'll need someone to translate. I want to know what the principal is doing and not doing.

Ms. Peron: (Comments made in Spanish) Let us adjourn the meeting and we will meet with him right after to get all the details of what happened that day with the principal. He's referring back to us and saying that as the Superintendent and the Deputy Superintendent we deserve to be respected by the administrator. That's just what really concerns him. That's all he wanted to say. If the Superintendent mandates something or says that something should be done, it should be done.

ADJOURNMENT

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

The meeting was adjourned at 8:55 p.m.