

BOARD OF EDUCATION
(Official)

January 21, 2016
Elizabeth, New Jersey

The regular meeting of the Board of Education was called on January 21, 2016 at 7:00 p.m., at Dr. Martin Luther King, Jr. Center for Early Childhood Education School No. 52, 130 Trumbull Street, Elizabeth, New Jersey.

Board President Charlene Bathelus presented the following statement at 7:07 p.m.

“Ladies and Gentlemen, good evening. This is a regularly scheduled meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to The Star Ledger and Cablevision of Elizabeth on Friday, January 15, 2016. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth.”

“I wish to extend a warm welcome to everyone present and to our television viewers to this January 21, 2016 meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The Superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.”

“This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. I also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, I may have to ask for order periodically should noise begin to interfere with our recording capabilities. I am pleased that you have taken time this evening to join us. Thank you for your interest in the Elizabeth Public Schools.”

“There will be a public portion for citizens to address the Board. Participants for the public portion must sign in prior to the commencement of public participation so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Mmes. Amin (arr. 7:15 p.m.), Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira (arr. 7:15 p.m.), Rodriguez, Trujillo (arr. 7:15 p.m.), Ms. Bathelus – 9
Absent: None

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Schools Rafael Cortes, Assistant Superintendent for Schools Linda Seniszyn, Interim Assistant Superintendent for Teaching and Learning Jennifer Cedenio, Interim Assistant Superintendent for Human Resources Francisco Cuesta, Comptroller William Greene, Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP, and members of the public were in attendance.

Ms. Bathelus spoke of the tremendous loss of the passing of Lucas Zegarra, kindergarten student at Nicholas Murray Butler School No. 23 and called for a moment of silence.

Colors were presented during the Flag Ceremony by members of the Admiral William F. Halsey, Jr. Health & Public Safety Academy Marine Corps Junior R.O.T.C.

The Pledge of Allegiance was led by pre-kindergarten students from Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52.

The *Star Spangled Banner* by Francis Scott Key was played.

The Pledge of Ethics was led by pre-kindergarten students from Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52.

Ms. Bathelus introduced pre-kindergarten students from Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52 who performed *Martin Luther King Had a Dream* by Obie Philpot, *ABCs in Spanish*, and *My Energy* by Laurie Berkner. Ms. Bathelus thanked the students for a wonderful performance.

Ms. Bathelus stated that many of you may have received a phone call from her last week talking about the importance of Dr. Martin Luther King, Jr.'s legacy and the importance of serving and giving back to our community. Ms. Bathelus stated that as elected officials we serve as public servants and it is our duty to give back and be the advocate for our children and families here in Elizabeth.

The Martin Luther King, Jr. Commemorative Committee of Elizabeth Pledge of Commitment was led by Ms. Bathelus.

Mr. Neron thanked the Board President for issuing the pledge to the district and sharing it with the community that is here. Mr. Neron thanked everyone for joining us here at this school which is very historic being named after Dr. Martin Luther King. Mr. Neron stated that it is very imperative and crucial that we start the education of our American history, our cultural history and our diverse history here in this country at the early childhood level.

Mr. Perreira thanked everyone for coming and being part of the Elizabeth Board of Education's meeting. Mr. Perreira thanked the Board President for taking the Board meetings to different schools around the community and it is a great process that we should keep up. Mr. Perreira stated that he is 100% for these commitments and pledges. Mr. Perreira stated that sometimes you drive by these buildings and see these names and do not realize that in some cases the public is from other countries and they don't know the names or who they are. Mr. Perreira stated that we are able to learn some of the history and it teaches us who these people were and what they meant to this country and to the people that live here. Mr. Perreira stated that he hopes everyone takes the time to read the pledge and remember what Dr. Martin Luther King, Jr. stood for.

Mr. Trujillo stated that he is glad to see so many parents come out and support our children and it is overwhelming and beautiful to know that parents support their child's education. Mr. Trujillo stated that Mr. Perreira and he have small children in the district and they started at this level. Mr. Trujillo stated that he just commented to Mr. Perreira how much he misses having his children that small and watching everything they do and as they get older it gets a little more complicated. Mr. Trujillo stated that the opportunity to start education early in Elizabeth is something we are very proud of and it took a long time to get here. Mr. Trujillo stated that it is wonderful that we have a great facility like this and we are able to start so young. Mr. Trujillo stated that the pledge speaks for itself. Mr. Trujillo thanked the Board President for allowing him to actually adopt this school which is one of the four he will be working with this year. Mr. Trujillo stated that he doesn't live too far from here so it will be a lot easier for him to be a part of this school community. Mr. Trujillo stated that Dr. King is one of the few people throughout history that just touched so many lives and he made a difference across the board and it didn't matter where you were from or where you came from. Mr. Trujillo stated that Dr. King's message of unity, love, peace, perseverance, standing up for what is right, and never giving up is something that we can all relate to and all draw from. Mr. Trujillo stated that although Dr. King is no longer with us his legacy lives on through education, through love of country and through everything that the American dream stands for. Mr. Trujillo stated that it is

great that we were able to honor him in this great City of Elizabeth by giving this school his name.

Mrs. Carvalho stated that we are here tonight celebrating Dr. Martin Luther King and in keeping with that we are here celebrating our parents who are truly involved with the education of their children. Mrs. Carvalho recognized Jacqueline and Freddy Serna and Daneile Cas parents of students who attend Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52 for parent excellence and their dedication and commitment to the education of their children. Mrs. Carvalho and Board members congratulated the parents and presented them with a certificate of commemoration.

Ms. Bathelus stated that the Elizabeth Board of Education is taking the show on the road and this is our first stop. Ms. Bathelus thanked Principal of Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52 Joia Dickenson and asked her to present the Stars of Excellence Award.

Principal of Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52 Joia Dickenson recognized Gret Sheehy, head secretary, and Julio Coelho, head custodian, from Dr. Martin Luther King, Jr., Center for Early Childhood Education School No. 52 for their unwavering commitment and dedication to providing excellence in service while enriching the lives of students. Ms. Dickenson and Board members congratulated them and presented each with a certificate of commemoration.

Mr. Neron recognized Lois Bass, Community Relations Coordinator from Infineum USA, for the company's support of our district's process technology program at Thomas A. Edison Career and Technology Academy. Mr. Neron stated that we are grateful for the continued support that Infineum has provided to the students of Elizabeth in enriching our programs. Mr. Neron and Board members thanked Ms. Bass and Infineum USA and presented Ms. Bass with a plaque of commemoration.

Board President Bathelus presented the following public participation statement.

"At this time, the microphones are open for public comment to those who have signed in. I shall call individuals to the microphones based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to sixty minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participants shall apply: time limits will be strictly enforced, no personal attacks on individuals, no vulgar or indecent language, a person may address the Board no more than once during a single meeting, speakers should refrain from naming individuals, and comments or questions posed during public participation will not be debated. As a reminder, this is a meeting of the Board in public, not a meeting of the public."

Ms. Bathelus called upon the first public participant, Edison Berrio, to address the Board.

Edison Berrio, guidance counselor at Alexander Hamilton Preparatory Academy, spoke about students attending the United Nations Youth Forum.

Ms. Bathelus thanked him for his comments and called upon the next public participant, Ana Texeira, to address the Board.

Ana Texeira, parent, thanked the Board for issues that were resolved and spoke about the lack of air conditioning for School No. 15.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Giovanna LaRosa, to address the Board.

Giovanna LaRosa, parent, spoke about SEPAC and stated that they have the right to question Board members' actions since they elect them.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Maria Lorenz, to address the Board.

Maria Lorenz, 103 Murray Street, spoke about SEPAC.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira, 805 Gebhardt Avenue, spoke about a policy for refusal to take standardized tests and spoke about the Elizabeth Education Association President.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Patricia Gallante, to address the Board.

Patricia Gallante, 750 Grier Avenue, spoke about the Board policy manual and high school graduation requirements.

Ms. Bathelus thanked her for her comments and called upon the next public participant, Laura Ruiz, to address the Board.

Laura Ruiz, resident, spoke about a problem with her children and stated that every student should be treated the same.

Ms. Bathelus thanked her for her comments and asked Supervisor of Anti-Bullying/EEOC Officer Peter Vosseler to speak with her. Ms. Bathelus called upon the next public participant, Crystal Paz, to address the Board.

Crystal Paz, parent, asked everyone to support a breakfast fundraiser for children with special needs at Applebee's at the Jersey Gardens on January 31, 2016.

Ms. Bathelus thanked her for her comments. Since there were no other public participants signed in to address the Board, Ms. Bathelus closed this portion of the meeting.

Mr. Rodriguez thanked James Carey and Carole Cascio for their help in getting this school named after Dr. Martin Luther King. Mr. Rodriguez stated that a couple of speakers spoke about SEPAC and yesterday he had a conversation with Maria Lorenz for over 52 minutes about SEPAC and everything that she spoke about today. Mr. Rodriguez stated that Ms. Lorenz spoke about FERPA and HIPA and he thought they were able to work together on some of those issues to bring some of her concerns to ease. Mr. Rodriguez stated that next week is the first Special Education Committee Meeting and SEPAC is on the agenda. Mr. Rodriguez stated that last year he was not on that committee and he is not sure what was going on with that. Mr. Rodriguez stated that it is on the agenda and is something we are going to talk about in terms of the policy we have and what has been working and what has not been working and see how we can obviously make it better. Mr. Rodriguez thanked Ms. Paz for letting the community know about the fundraiser and he will definitely be there in full support of that group.

Mr. Neron stated that at the top of this meeting we gave a moment of silence for Lucas Zegarra, kindergarten student at Nicholas Murray Butler School No. 23. Mr. Neron stated that he wanted to send his gratitude and the district's gratitude to the staff of School 23 for coming together as a school community to support one another and parents. Mr. Neron thanked the Superintendent and assistant superintendents who led that movement along with the district psychologist and Public Health Officer of the City. Mr. Neron stated that everybody worked

together as a community and when a crisis like that happens it is very important that we all stand up and work together as a community. Mr. Neron stated that he wanted to recognize all of our staff and administration for doing a great job in handling that. Mr. Neron stated that if you do want to support the family the Superintendent does have information available on the website to reach out to family to support them in this trying time.

Mr. Trujillo stated that he would like to address some of the concerns that the speakers brought. Mr. Trujillo stated that in reference to the air conditioning at School No. 15 this is something that has been going around for a while. Mr. Trujillo stated that he remembers there was a time when this did come up in the Properties Committee meeting that he attended and the Plant and Property people came back to us and told us that in order to provide air conditioning units in the windows it would require an upgrade to the electrical system. Mr. Trujillo stated that it was a cost that the district at that time couldn't incur. Mr. Trujillo stated that these are different times now and there isn't any reason why we can't revisit that. Mr. Trujillo asked the Properties Committee to continue that conversation, revisit it, and see if it is a possibility. Mr. Trujillo asked if that could at all be possible, not just at School No. 15. Mr. Trujillo stated that there are other schools throughout the district that are older buildings that we were able to install some air conditioning, for example in School No. 14 we did the cafetorium and provided an area where on the real hot days toward the end of the school year we could provide some kind of relief to the students. Mr. Trujillo stated that obviously that isn't enough and the parents want more and it least it warrants the conversation to revisit the issue again. Mr. Trujillo commended the parents who continue to come to these meetings and he has always been an advocate of having parents come and be part of these meetings. Mr. Trujillo stated that unfortunately we don't have enough parents that come here and make us aware and advocate on behalf of their children. Mr. Trujillo stated that he knows that we are all busy and it's not easy to raise children and it's time consuming. Mr. Trujillo stated that the small investment of coming to one of these meetings and making the connection with someone here or having that conversation can make all the difference in your child getting a better education and having a better educational experience. Mr. Trujillo stated that we have an advocacy group that continues to come here and they advocate on behalf of students. Mr. Trujillo stated that the parents really need to come here so if you have like-minded parents that you come across in the district, maybe the parents of your child's friend who they see at school and encourage them to come here and reach out. Mr. Trujillo stated that we don't know everything that is going on. Mr. Trujillo stated that he has children in the district so he gets some of it that way but he doesn't know everything that is going on. Mr. Trujillo stated that they really do rely on the public's information. Mr. Trujillo stated that it is very important that they continue to come and voice their opinion and let us know when you can't resolve it at the school level. Mr. Trujillo stated that it is always important to have that communication at the school level and then come here and let us know what is going on. Mr. Trujillo stated that he appreciates the parents for doing that for us. Mr. Trujillo stated that School No. 28 is right around the block from him and it saddens him to hear any parents having a bad situation there because it is a school that is dear to him. Mr. Trujillo thanked the Board President for allowing him to adopt School No. 28 as well and it is one of the four schools that he will be working with this year. Mr. Trujillo stated that he has all the confidence in the assistant superintendents and the Superintendent to address the issue. Mr. Trujillo stated that it is sad that the parent has to come here and that it came to this level and couldn't be resolved. Mr. Trujillo stated that it is the right thing to do and you are your child's No. 1 advocate so continue to advocate for them. Mr. Trujillo stated that hopefully we can resolve that. Mr. Trujillo thanked Ms. Paz for the invitation to Applebee's and stated that he hopes he can attend.

Ms. Bathelus thanked the administrators, teachers, former teachers, and retired administrators who took the time to come here tonight. Ms. Bathelus recognized Elizabeth City Councilman Carlos Torres who was in attendance. Ms. Bathelus thanked the Superintendent for assisting with the Pledge of Commitment. Ms. Bathelus stated that when she joined the Board in 2012 former President Tony Monteiro took the road on the show and visited many schools. Ms. Bathelus stated that she thought that was a great thing to do because we were able to bring the Board meetings to the community and she would like to do the same. Ms. Bathelus stated that

she spoke with the Superintendent and Board Secretary in regards to the cost to make sure that it would be at no cost to the district because we are trying to make sure that things are at very minimal cost. Ms. Bathelus stated that it was confirmed by Mr. Kennedy that it would be very minimal cost or no cost at all to move the school board meetings every month from location to location. Ms. Bathelus stated that we are looking forward to bringing the show on the road. Ms. Bathelus stated that her second initiative is for each Board member to adopt several schools and the Board member will have some input as to what is happening at the school and they will be the advocate for that school community. Ms. Bathelus asked the Board members to be open minded about this and use it as an opportunity to really get to know the school community and staff and bring a report back to the Board as a whole. Ms. Bathelus stated that her third initiative is the President's tour and she will visit 35 schools in 35 days. Ms. Bathelus thanked Assistant Superintendent for Schools Rafael Cortes for the calendar and stated that she will be visiting the schools in order, George Washington School No. 1 on the first day, and so on. Ms. Bathelus stated that she will do this toward the end of the year, too. Ms. Bathelus stated that the President's tour will also allow her to get to know all of the principals and administrators at each individual school.

A motion was made by Mr. Perreira, seconded by Mrs. Carvalho, that the minutes of the meeting of December 17, 2015 be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Messrs. Neron, Perreira, Rodriguez, Trujillo,
Ms. Bathelus – 7

Abstain: Miss Goncalves, Mr. Nina – 2

Negative: None

Secretary and Treasurer's Report for the Month of November 2015

A motion was made by Mr. Rodriguez, seconded by Miss Goncalves, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Messrs. Neron, Perreira, Rodriguez,
Ms. Bathelus – 6

Abstain: Miss Goncalves, Messrs. Nina, Trujillo – 3

Negative: None

Personnel Report – Leaves of Absence, etc.

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Perreira,
Rodriguez, Trujillo, Ms. Bathelus – 8

Abstain: Mr. Nina – 1

Negative: None

Tuition Report

A motion was made by Mr. Trujillo, seconded by Mr. Perreira, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira,
Rodriguez, Ms. Bathelus – 8

Abstain: Mr. Trujillo – 1

Negative: None

Superintendent's Report – Use of Facilities

A motion was made by Mr. Perreira, seconded by Mr. Neron, that the request be approved with a waiver of fees.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Supplemental Superintendent's Report – Use of Facilities

A motion was made by Mr. Neron seconded by Mr. Perreira, that the requests be approved as recommended.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Superintendent's Report – Field Trips

A motion was made by Mr. Perreira, seconded by Mrs. Amin, that the requests be approved.

Mr. Neron stated that there was a concern that was brought up last year on this and we were working on this last year trying to figure out a formula as to how all children can get field trips. Mr. Neron stated that the Educational Management Committee will continue to work on that to figure out a better method as to how all children can have the opportunity to go on a field trip in the year.

Mr. Trujillo stated that was his concern also and thanked Mr. Neron for saying that. Mr. Trujillo stated that they served together on the committee last year and it was something that we both agreed on. Mr. Trujillo stated that it is an unfair system as it is set up now depending on who sets it up first and a teacher can actually get several trips approved for their students if they are more diligent in the process. Mr. Trujillo stated that if someone isn't as diligent then those students often don't get the better trips. Mr. Trujillo stated that hopefully we can resolve that so we can be all inclusive and all children get to go on some great educational trips.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Superintendent's Report

Superintendent of Schools Olga Hugelmeyer introduced Mr. Peter Vosseler, Supervisor of Anti-Bullying/EEOC to present the report of Assessing Our Performance Under the Anti-Bullying Bill of Rights Act.

Peter Vosseler, Supervisor of Anti-Bullying/EEOC, stated that we are required by state law to present the Harassment, Intimidation and Bullying self-assessment two times per year. Mr. Vosseler stated that tonight he is presenting the HIB self-assessment for the 2014-2015 school year on how we are assessing our performance under the Anti-Bullying Bill of Rights. Mr. Vosseler stated that each school completed their self-assessment, input their information into

the NJ DOE website and we reviewed it to make sure it was complete. Mr. Vosseler stated that the results were presented to the public in August 2015 and the Board members voted to approve the results, Superintendent gave assurances that are required by the State and then we submitted the self-assessments to the State for review and approval. Mr. Vosseler stated that the State approved the results for each specific school in our district for public release and they were released on December 22, 2015. Mr. Vosseler stated that after the results are released by the State the Board is required to hold a public hearing at the next board meeting stating that those results were confirmed.

Mr. Vosseler stated that a No Bully Zone is important and that our first priority here as educators, parents, and community members is the safety and well-being of the students in our care and starting with the adults to set a good example for our children to follow. Mr. Vosseler stated that we have a responsibility to treat one another with the utmost respect and dignity. Mr. Vosseler stated that the old adage, "Do unto others as you would have done unto you" applies to all of us. Mr. Vosseler stated that here in the Elizabeth Public Schools we place a high priority in doing our best and working hard to assure that our students feel comfortable in coming to school daily, feeling safe and secure, and with open minds ready to learn.

Mr. Vosseler stated that every child has the right to go to school and learn no matter what size, shape, color, race, ethnicity, disability, sexual orientation, financial background that he or she has. Mr. Vosseler stated that Governor Christie signed the Anti-Bullying law in 2011 which is the toughest Anti-Bullying law in the nation and states that no child should ever be made to feel that school is a place where he or she will be degraded, demoralized, singled out, hounded, discriminated against or taken advantage of in a vulnerable situation.

Mr. Vosseler stated that a rubric was developed by the State to aide districts in assessing the school's efforts and improving their Anti-Bullying Bill of Rights programs. Mr. Vosseler stated that the rubric was designed to be a growth model and to be used to enhance programs at schools and districts and consists of eight core elements and twenty-six indicators with each indicator having a score of zero to three points. Mr. Vosseler explained that the first core element deals with programs, approaches, and initiatives and whether they are designed to create a better school climate. Mr. Vosseler stated that the second core element is training on our policy and includes looking at who we have to train, making sure our policy includes the protected classes under the law, and that we discuss the policy with students in an age appropriate manner. Mr. Vosseler stated that the third core element is about staff instruction and training programs and there is a requirement in the law that in every five year cycle certified staff have to get two hours of HIB training and two hours of suicide training. Mr. Vosseler stated that the Anti-Bullying Specialists have to be able to meet with the Anti-Bullying Coordinator during school time and to be able to receive training during that time. Mr. Vosseler stated that we have to be able to provide professional development to the school safety team which is a group that oversees the process at each school and that school leaders have also received the appropriate information. Mr. Vosseler stated that the fourth core element is curriculum and instruction and although it does not have a lot of indicators within this core element it is important because it is assessing how the school is providing appropriate instruction within the curriculum and whether the school and district are observing the Week of Respect which is the first full week in October. Mr. Vosseler stated that the fifth core element is regarding HIB required personnel and whether there is an Anti-Bullying Specialist and we go beyond the requirement by also appointing an Alternate Anti-Bullying Specialist in each school. Mr. Vosseler stated that it assesses whether we met the minimum requirement of meetings which we do and surpass and that the school safety team (SST) met in the appropriate manner. Mr. Vosseler stated that the sixth core element is whether we have implemented the district's procedure for reporting HIB and all the required elements that go along with it and whether we have the procedure to put in new information into older cases. Mr. Vosseler stated that the seventh core element is our actual procedure and this deals a lot with timelines and did we meet all the timelines including doing investigations within ten days, sending it to the superintendent within the next two days, did the board vote on it, and other timelines. Mr. Vosseler stated that the last core element is HIB reporting and is there a system for our staff to report things. Mr. Vosseler stated that our HIB assessment scores are on the main website and each individual school website.

Mr. Vosseler explained the scoring and that zero is for not meeting the requirements, 1 is for partially meeting the requirements, 2 is for meeting all the requirements, and 3 is for exceeding the requirements. Mr. Vosseler stated that to meet and exceed the requirement there are a lot of indicators on the rubric that the school has to meet. Mr. Vosseler stated that the highest possible score is 78 which means that every indicator was scored a 3 and they have exceeded every indicator. Mr. Vosseler stated that a score of 52 means all of the indicators were met. Mr. Vosseler stated that our schools this year ranged from 48 to 68, and 26 schools scored 52 or more which is the majority of our schools. Mr. Vosseler stated that the average score across all the schools which in turn becomes the district score is 55.5 which is up from 51.32 last year.

Mr. Vosseler explained a chart showing the results of each school and scores of 50 or 51 is where the schools want to be showing that they are meeting the requirements of the law. Mr. Vosseler stated that compared to last year the schools have gone up and this is a growth model which means that these scores are important because we can see where we need to improve. Mr. Vosseler stated that we have improved and we continue to improve.

Mr. Vosseler stated that the highlights of our work to date include an annual Week of Respect, district training for our team members, State training for the Anti-Bullying Coordinator, and guest speakers who address different aspects of anti-bullying at the schools. Mr. Vosseler stated that we have contracted with the community program called Breaking the Cycle and also contracted for cyber-bullying and internet safety training to all of our students with Detective Nicholas Veltre from the Union County Prosecutor's Office. Mr. Vosseler stated that we used the HIBster reporting system which is a streamlined way to process the incidents in a most efficient manner and continuing and expanding our HIB/Character Education Programming.

Mr. Vosseler stated that the work ahead of us is to analyze self-assessments by school and determining the areas which need improvement and what they need to improve upon, focus on working with the school safety teams in improving school climate at all schools, and implementing HIB/Character Education programming for all schools. Mr. Vosseler stated that the ultimate goal is improving school climate so all of our children feel safe. Mr. Vosseler asked if there were any questions and if there was anyone who would like to comment on tonight's report.

Mr. Trujillo stated that prior to Mr. Vosseler taking this position he had the honor of participating in and leading a forum on anti-bullying and we actually had it here in this school several years ago. Mr. Trujillo stated that it was a great opportunity for us to meet with some of the parents and get a lot of information. Mr. Trujillo stated that we didn't have the turnout we wished and he hopes we can go back to those small forums and that is something he will discuss with the Board President. Mr. Trujillo stated that they are smaller, informal, and give us the opportunity to tackle issues like this and different concerns throughout the district. Mr. Trujillo stated that he did notice in the presentation and he saw it last year that we tend to have a deficiency in meeting the standards at the high school level. Mr. Trujillo stated that he also noticed that a school like this where the children are a lot smaller also doesn't do as well. Mr. Trujillo stated that although the district is doing better overall he knows that we can do better at the high school level. Mr. Trujillo asked what we are doing to get there because he is comparing it to last year and it was an issue then. Mr. Trujillo stated that he is also curious as to why we do so poorly in such a small setting. Mr. Trujillo asked Mr. Vosseler to explain to the public the fact that the school, for instance School No. 28 is doing so well, does not mean that bullying does not exist in these schools and that is not what we are trying to say. Mr. Trujillo stated that we are trying to show that we are in compliance with the law that requires that all these things are reported properly, followed through, and investigated. Mr. Trujillo stated that is something that is brought to us each month with the investigations and whether they are founded or unfounded. Mr. Trujillo asked Mr. Vosseler to explain that to the Board and the public.

Mr. Vosseler stated that we actually had two community forums in October of this year at two different schools and we had a decent turnout for the first and not such a good turnout for the second. Mr. Vosseler stated that the forums were broadcast on our district website, letters and flyers were sent home, and the students and parents were all given the opportunity to attend. Mr.

Vosseler stated that as far as the early childhood schools and why they seem to be not performing as well is that there are very few cases that come out of our early childhood, maybe two in the last year and five overall in the last four years. Mr. Vosseler stated that it is more difficult to meet the requirements of those specific indicators because it asks if the community is involved, if law enforcement, parents, and staff are involved and it has to hit each and every one of those requirements of the law to give that a grade. Mr. Vosseler stated that there is not that much HIB that goes on in our early childhood schools and the grades are at the 51 and 52 mark which means they are just about meeting the requirements and maybe one of those 26 indicators they partially met but in all the other 25 indicators they met the requirements. Mr. Vosseler stated that is something to break down and look at these specific schools to determine where they partially met the requirement for that indicator.

Mr. Trujillo stated that Mr. Vosseler is saying that there are not many instances and not enough data for the early childhood centers. Mr. Trujillo stated that is not the case at the high school level.

Mr. Vosseler stated that there are more incidents at the high school level. Mr. Vosseler stated that the pendulum swings and there are more incidents at the fourth, fifth, sixth, seventh, and eighth grade level and then it comes down in the high school and that is nationwide for the HIB investigations that occur. Mr. Vosseler stated that the high school level is more than the early childhood level but not as much as the middle school adolescent aged students.

Mr. Trujillo stated that the numbers could be deceiving. Mr. Trujillo stated that School No. 28 had such a high performance as far as meeting the requirements and that there may not be as many incidents somewhere else and the number is lower. Mr. Trujillo stated that it doesn't really correlate with the number of incidents.

Mr. Vosseler stated that is correct. Mr. Vosseler stated that School No. 28 is a National School of Character and they have a lot of different programs that are implemented that meet the requirements under the indicators of the elements that give it such a high score. Mr. Vosseler stated that the score is saying that it is meeting or exceeding the requirements of the law.

Mr. Trujillo stated that he does love the fact that we do have a reporting system but for the record he has never been a fan of the actual law that required us to do all of this because it is very convoluted. Mr. Trujillo stated that it is really confusing to the people to understand what is actually going on. Mr. Trujillo stated that it is burdensome on the budget and it costs money to do this. Mr. Trujillo stated that he doesn't think these numbers give us a fair characterization. Mr. Trujillo stated that he is not saying that Mr. Vosseler is not doing his job but as parents it does not give us a real understanding of what is going on within our schools. Mr. Trujillo stated that the parents have a total different experience within these individual schools. Mr. Trujillo stated that if someone came here and saw School No. 28 doing so well meeting the standards and then their kid is getting bullied that they would say they are not doing such a great job because my kid is getting bullied. Mr. Trujillo stated that is where the disconnect is. Mr. Trujillo stated that is not a reflection of what Mr. Vosseler is doing.

Mr. Vosseler stated that whether it is a good law or a bad law the best part about is that in the past when this law was not implemented things may not have been addressed whether it is bullying or not. Mr. Vosseler stated that when this law is implemented it puts a spotlight on all incidents much more so than it did in the past. Mr. Vosseler stated that things are not swept under the rug and many more things are brought out to light, whether bullying or not, and it is addressed, there are consequences, interventions are applied, and parents are contacted and informed. Mr. Vosseler stated that many more things are occurring as far as interventions and consequences as compared to before the law was created in 2011.

Mr. Trujillo stated that he would agree with that and he would hope that perhaps the law would be revisited. Mr. Trujillo stated that this law has been since 2011 and perhaps they would revisit it to see what is working and what is not working and adopt something new and make some changes.

Ms. Bathelus thanked Mr. Vosseler for the report.

Mrs. Hugelmeyer stated that her report includes highlights from *InsideEPS* and in celebration of Dr. Martin Luther King, Jr., *Service Learning* is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, to teach civic responsibility, and to strengthen communities most importantly. Mrs. Hugelmeyer stated that Dr. Martin Luther King's sermon, *The Three Dimensions of a Complete Life*, published in 1963 in *Strength to Love*, spoke about the importance of altruism over selfishness and offered these most introspective words, "Life's most persistent and urgent question is what are you doing for others?" Mrs. Hugelmeyer stated that in a later speech, *The Drum Major Instinct*, Dr. King spoke about service and "Everybody can be great because everybody can serve.....you only need a heart full of grace, a soul generated by love." Mrs. Hugelmeyer stated that in honor of Dr. Martin Luther King, Jr.'s indelible legacy of service, the pages of our *InsideEPS* issue this month include ways in which the Elizabeth Public Schools learning community continues to give back to the greater community while instilling the values of leadership, character, accountability, and teamwork among many others. Mrs. Hugelmeyer thanked the assistant superintendents for having worked with our principals to be able to share with the community this evening the various examples from the schools in our district. Mrs. Hugelmeyer stated that George Washington Academy of Science and Engineering School No. 1 *Girls ROCK* members participated in the Operation Gratitude community service project. Mrs. Hugelmeyer stated that Operation Gratitude is a non-profit, volunteer-based organization and in honor of Veteran's Day the students wrote over 80 thank you letters and decorated cards for retired soldiers. Mrs. Hugelmeyer stated that the Girls ROCK mentoring club visited Trinitas Regional Medical Center on December 14, 2015 to bring holiday joy to the senior citizens in three senior living units. Mrs. Hugelmeyer stated that the girls sang Christmas carols and performed dance routines in the cafeteria, sang carols down the hallways and distributed homemade cards and candy canes for the seniors unable to attend the show. Mrs. Hugelmeyer stated that at Nicholas S. LaCorte-Peterstown School No. 3 first grade students had a Souper Bowl of Caring during the month of January in which they collected canned soup to tackle hunger during the weeks leading up to the Super Bowl and all cans will be brought to St. Joseph's Homeless Shelter on Division Street. Mrs. Hugelmeyer stated that the kindergarten students will spend the month of February collecting items to send a care package to our local nursing home in Elizabeth, in April the first and second grade students will collaborate to support a drive for St. Jude's Children's Hospital, and the School No. 3 Student Council will continue to sponsor its monthly ASPCA collection. Mrs. Hugelmeyer stated that at Terence C. Reilly School No. 7 the National Elementary Honor Society and National Junior Honor Society members are working together to raise funds for the Wounded Warrior Project with a Wounded Warrior Dash for all community members in mid-April and the Destination Imagination students continued with the Stomp the Monster campaign to raise funds to help individuals battling cancer. Mrs. Hugelmeyer stated that at Jerome Dunn Mathematics, Technology, and Arts Academy School No. 9 students in grades six through eight organized and distributed over 60 food baskets to families within the School No. 9 community, students wrote letters to servicemen and women stationed overseas, and the Leaders of Tomorrow Group whose focus is character development through responsibility, respect, caring, trust, kindness and citizenship participated in the Clean Up the Port event and assumed a positive leadership role by performing at the school's pep rally and other school activities. Mrs. Hugelmeyer stated that at Elmora School No. 12 a few select number of eighth grade students have buddied up as student mentors with three self-contained classes and meet each Monday to teach communication skills and social skills to raise awareness of the autism spectrum to our students, and choral students in grades three through five will perform with choral students from the Jewish Education Center at Kean University as part of the Holocaust

Memorial event. Mrs. Hugelmeyer stated that at Christopher Columbus School No. 15 students participated in a coat, mitten and scarf drive to help those in need keep warm during the winter months and sixth through eighth grade students served as book buddies reading to students in kindergarten through fourth grade. Mrs. Hugelmeyer stated that at Juan Pablo Duarte-José Julián Martí School No. 28 National Junior Honor Society members researched the importance of dental hygiene and started a toothbrush drive for Donate a Toothbrush Foundation and the students went to a local bowling alley with members of the school's Special Olympics team helping them work on fine motor skills needed to bowl, and every Friday the AVID students have community service projects. Mrs. Hugelmeyer stated that Ronald Reagan Academy School No. 30 received a certificate of appreciation for participating in the Pop-Tab Program sponsored by the Ronald McDonald House of Central and Northern New Jersey. Mrs. Hugelmeyer stated that at Thomas A. Edison Career and Technical Academy the SkillsUSA students hosted its 3rd Annual Veterans' Luncheon in the Tea Room at the school. Mrs. Hugelmeyer stated that the Elizabeth High School Me to We initiative inspired a yearlong commitment to Relay for Life by the National Honor Society and the students in the National Honor Society also raised thousands of dollars for cancer. Mrs. Hugelmeyer stated that at Admiral William F. Halsey, Jr. Health and Public Safety Academy the current and former students participated in training new teen volunteers at Trinitas Regional Medical Center, volunteered at the Brother Bonaventure Extended Care Center Holiday Express Christmas Party, and ran a Holiday Hero Clothes and Toy Drive and delivered them to St. Clare's Home for Children. Mrs. Hugelmeyer stated that at Thomas Jefferson Arts Academy students worked with historians from the Elizabeth Historical Society to survey and study monuments of Elizabeth's Scott Park and students and team members collaborated to produce a documentary focusing on the civic values and leadership that underlie our community.

Mrs. Hugelmeyer stated that the next article in *InsideEPS* is *EPS Pilots Blueprint for Early Literacy Program*. Mrs. Hugelmeyer stated that the Children's Literacy Initiative (CLI) is a nonprofit that works with teachers with a mission to transform instruction so that children can become powerful readers, writers, and thinkers. Mrs. Hugelmeyer stated that for the 2015-2016 school year six preschool classrooms in School Nos. 1 and 2 were selected to pilot their early literacy program called the Blueprint for Early Literacy. Mrs. Hugelmeyer stated that the Blueprint's curriculum content and skills are developmentally appropriate and grow from recommended state and federal standards. Mrs. Hugelmeyer stated that early literacy skills, concepts and behaviors are taught in the context of ten related themes which include welcome to school, families, people and places in your neighborhood, seasons, foods and markets, daily life in many lands, on the farm, under construction, seeds, plants and gardens, and on the move. Mrs. Hugelmeyer stated that at the heart of each theme are high quality children's books that address a range of genres and cultures. Mrs. Hugelmeyer stated that the model lesson plans help teachers make each book a launching pad for teaching essential early literacy skills such as phonics, phonological awareness, comprehension, fluency, vocabulary, and writing. Mrs. Hugelmeyer stated that the teachers implementing the Blueprint for Early Literacy Program have had positive feedback about the program's success in their classrooms. Mrs. Hugelmeyer stated that the children love listening to the stories being read aloud and are not only learning about their own lives and their neighborhoods but also the natural world around them, the introduction of sight words, also known as snap words, and are in the beginning stages of learning to read.

Mrs. Hugelmeyer stated that the next article is *EPS Students Attend Hockey Game Trip Hosted by HISPA*. Mrs. Hugelmeyer stated that a group of forty students from across the district schools attended the New Jersey Devils hockey game as guests of the HISPA Role Model Program. Mrs. Hugelmeyer stated that the Hispanics Inspiring Students' Performance and Achievement (HISPA) is a New Jersey based nonprofit organization dedicated to mobilizing Latino professionals to serve as role models in educational programs, inspiring Latino students to pursue higher education and contribute to America's future. Mrs. Hugelmeyer stated that the students are part of the ten district schools currently participating in the HISPA Role Model Program including Toussaint L'Ouverture-Marquis de Lafayette School No. 6, Jerome Dunn Academy School No. 9, Elmora School No. 12, Benjamin Franklin School No. 13, Abraham Lincoln School No. 14, Christopher Columbus School No. 15, Woodrow Wilson School No. 19, Charles J. Hudson School No. 25, Dr. Antonia Pantoja School No. 27, and Juan Pablo Duarte-

José Julián Martí School No. 28. Mrs. Hugelmeyer stated that HISPA role models consisting of a diverse group of Hispanic professionals visit schools six times during the course of a school year to share how their personal and professional goals were influenced and shaped by their cultural backgrounds, educational experiences, and professional careers. Mrs. Hugelmeyer stated that the presentation by the role models are customized to the benefit of the students and their schools ranging from informal classroom discussion to formal auditorium presentations.

Mrs. Hugelmeyer stated that the next article is *School 28 Students Selected for NJSP Fleet Program*. Mrs. Hugelmeyer stated that members of the New Jersey State Police along with Deputy Attorney General Mary Beth Wood visited Juan Pablo Duarte-José Julián Martí School No. 28 as a kickoff to the Future Law Enforcement Education and Training (FLEET) mentoring program. Mrs. Hugelmeyer stated that the FLEET Program chose 22 eighth graders from across New Jersey to participate in the mentoring initiative and five students from Juan Pablo Duarte-José Julián Martí School No. 28 were selected for this prestigious program based on their exemplary character. Mrs. Hugelmeyer stated that these students will be mentored by a New Jersey State Trooper for the next five years until their high school graduation and will routinely meet with the cadet to develop a lasting relationship. Mrs. Hugelmeyer stated that the participating students will pursue two program tracks over the next five years, a mentoring element and an education element including field trips, demonstrations to learn about law enforcement life skills and criminal justice in general.

Mrs. Hugelmeyer stated that the next article is *New York Jets Recognize EPS Play 60 Champions*. Mrs. Hugelmeyer stated that forty fourth and fifth grade students from the Elizabeth Public Schools were recognized by the New York Jets for their participation in the American Heart Association/NFL Play 60 Program and for submitting outstanding essays expressing what they learned from the experience. Mrs. Hugelmeyer stated that the program encourages students to be active for at least 60 minutes a day for 60 days and keep a log of their activities. Mrs. Hugelmeyer stated that 390 students from the district participated in the Play 60 Program. The forty students made a surprise visit to George Washington School No. 1 and were greeted by the Jets cheerleaders and a video of Todd Bowles congratulating them. Mrs. Hugelmeyer stated that Mrs. Teneka Bowles presented the students with a big surprise of field level tickets to the Jets/Titans game at MetLife Stadium.

Mrs. Hugelmeyer stated that the next article is *EHS Teacher Among Few Selected to Attend National Educators' Summit*. Mrs. Hugelmeyer stated that Juan Metrio was one of three teachers from New Jersey and 100 in the nation invited to attend an educators' summit on the new Advanced Placement Computer Science Principles (AP CSP) Course hosted by The College Board and The National Science Foundation at Pixar Studios in Boston with all expenses paid by The College Board. Mrs. Hugelmeyer stated that Mr. Metrio had the opportunity to interact with Deputy U.S. Chief Technology Officer Dr. Edward Felton, Advisor to President Obama. Mrs. Hugelmeyer stated that Mr. Metrio also collaborated with Dr. Jim Kurose, Assistant Director of the National Science Foundation and Ross Ingram, Head of Community and Marketing Programs for SPHERO. Mrs. Hugelmeyer stated that another highlight from the National Educators' Summit was sharing ideas with a representative from TECHNOLOchicas, a collaborative project between the National Center for Women and IT (NCWIT) and Televisa Foundation and is seeking to raise awareness among young Latinas and their families about opportunities and careers in technology. Mrs. Hugelmeyer stated that as high schools are preparing to offer the new AP CSP course in the Fall of 2016 this meeting was an opportunity for teachers, college board members, and federal policy makers to learn more about ways to ensure the success of computer science education in our nation.

Mrs. Hugelmeyer stated that the last article is *EPS Selected to Provide Feedback to White House on Computer Science*. Mrs. Hugelmeyer stated that U.S. Chief Technology Officer Megan Smith and other White House senior advisors have requested time with select superintendents to discuss computer science and other White House priorities in the areas of technology. Mrs. Hugelmeyer stated that she was chosen to participate in a conference call with the White House just this week. Mrs. Hugelmeyer stated that computer science activities that were highlighted on the call included EPS's work with schools focused on coding and programming, computational thinking, robotics, use of maker spaces, 3-D printing, construction design, and video production.

Mrs. Hugelmeyer stated that the Elizabeth Public Schools is excited to partner with the White House to continue to bring enriching experiences to our students in the area of computer science. Mrs. Hugelmeyer stated that this completes her report.

Ms. Bathelus thanked Superintendent Hugelmeyer for her report.

Authorizations Report – Authorization to Make Application, etc.

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 8

Abstain: Mr. Trujillo – 1

Negative: None

Supplemental Authorizations Report – Authorization to Make Application

A motion was made by Mr. Trujillo, seconded by Mr. Neron, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Ms. Bathelus – 7

Abstain: Messrs. Perreira, Trujillo – 2

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers, etc.

A motion was made by Mr. Perreira, seconded by Mr. Trujillo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 8

Negative: Mr. Trujillo – 1

Supplemental Finance and Accounting Report – Transfer of Funds

A motion was made by Mr. Trujillo, seconded by Mr. Neron, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 8

Abstain: Mr. Trujillo – 1

Negative: None

Award of Contracts Report

A motion was made by Mr. Trujillo to table the report.

Ms. Bathelus stated that if it is tabled then we will have to vote on this next month.

Mr. Trujillo withdrew his motion.

A motion was made by Mrs. Carvalho, seconded by Mr. Neron, that the report be accepted.

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Ms. Bathelus – 8

Abstain: Mr. Trujillo – 1

Negative: None

Miscellaneous Communication

None.

Mrs. Amin excused herself from the meeting at 9:20 p.m.

Claims List

A motion was made by Mr. Perreira, seconded by Mr. Nina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Messrs. Neron, Perreira (abstain- Candelario Trujillo), Rodriguez, Ms. Bathelus – 5

Abstain: Miss Goncalves, Messrs. Nina, Trujillo – 3

Negative: None

Ms. Bathelus recognized Union County Freeholder Sergio Granados who was in attendance.

Mr. Neron recognized Elizabeth City Councilwoman Patricia Auguste-Perkins who was in attendance.

Resolution – African-American Heritage Month

Mr. Neron read the resolution.

A motion was made by Mr. Neron, seconded by Mr. Nina that the resolution be adopted.

Mr. Neron stated that two months ago the Superintendent and he had the opportunity to attend a forum held by the Panasonic Foundation addressing the disparities that exist in education when it comes to African-American children especially when we address young African-American boys in our school district and throughout the State of New Jersey. Mr. Neron stated that it is pressing and a major priority while we recognize African-American Heritage Month we also press on to not only diversify our staff but also make sure that we implement staff development that helps to nurture our staff to understand the population that they serve. Mr. Neron stated we are moving forward with a curriculum of inclusion which he has talked extensively with our Superintendent in making sure that we have a curriculum of inclusion that will emphasize the history of African-Americans and many others that make up this district. Mr. Neron stated that he looks forward to doing that as we celebrate African-American Heritage Month. Mr. Neron stated that they encourage all principals, all counselors, and all superintendents to encourage the schools to celebrate these resolutions and put them forth. Mr. Neron stated that often times we make these statements that said be it resolved that copies of this resolution be forwarded to all principals and librarians. Mr. Neron stated that what we really need is for folks to take action and really implement the necessary programs to carry forth and celebrate months like African-American Heritage Month during the month of February.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Mmes. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Mrs. Carvalho excused herself from the meeting at 9:25 p.m.

Resolution – Career and Technical Education Month

Mr. Perreira read the resolution.

A motion was made by Mr. Perreira, seconded by Mr. Rodriguez, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 7

Negative: None

Resolution – Harriet Tubman

Ms. Bathelus read the resolution.

A motion was made by Ms. Bathelus, seconded by Mr. Trujillo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 7

Negative: None

Resolution – National School Counseling Week

Mr. Rodriguez read the resolution.

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 7

Negative: None

Mrs. Carvalho returned to the meeting at 9:30 p.m.

Resolution – Children’s Dental Health Month

Miss Goncalves read the resolution.

A motion was made by Miss Goncalves, seconded by Mr. Rodriguez, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Resolution – Payment for Unused Sick Days

A motion was made by Mr. Trujillo, seconded by Mr. Neron, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Trujillo, Ms. Bathelus – 7

Abstain: Mr. Rodriguez – 1

Negative: None

Mrs. Amin returned to the meeting at 9:33 p.m.

Resolution – Payment for Unused Vacation Days

A motion was made by Mr. Trujillo, seconded by Mr. Neron, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Trujillo, Ms. Bathelus – 8

Abstain: Mr. Rodriguez – 1

Negative: None

Mr. Kennedy led the Board members in a reading of the following Code of Ethics for New Jersey School Board Members.

“In accordance with N.J.S.A.18A:12-24.1 the Board shall see that all members of the Board receive training in understanding and adhering to the Code of Ethics and shall discuss it annually at a regularly scheduled meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

The members of the Board of Education recognize that they hold authority not as individuals but as members of the Board. In order to make a clear public statement of its philosophy of service to the students of the district the Board adopts the following Code of Ethics.

The Board members will uphold and enforce all laws, State Board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.

The Board members will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.

The Board members will confine their Board action to policy making, planning and appraisal and will help to frame policies and plans only after the Board has consulted those who will be affected by them.

The Board members will carry out their responsibility, not to administer the schools, but together with their fellow Board members, to see that they are well run.

The Board members will recognize that authority rests with the Board of Education and will make no personal promises nor take any private action which may compromise the Board.

The Board members will refuse to surrender their independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

The Board members will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, the Board members will provide accurate information and, in concert with their fellow Board members, interpret to the staff the aspirations of the community for its schools.

The Board members will vote to appoint the best qualified personnel available after consideration of the recommendation of the Superintendent of Schools.

The Board members will support and protect school personnel in proper performance of their duties.

The Board members will refer all complaints to the Superintendent of Schools and will act on such complaints at public meetings only after failure of an administrative solution.”

Mr. Kennedy asked if there were any questions or comments and explained the acknowledgement of receipt that needs to be signed and submitted by each Board member.

Resolution – Code of Ethics Bylaw File Code 9271

A motion was made by Mrs. Carvalho, seconded by Miss Goncalves, that the resolution be adopted.

Ms. Bathelus reminded the Board members that these are the Code of Ethics that we have to abide by. Ms. Bathelus stated that by being an elected official of the school board it is their duty to make sure that we abide by these ethics. Ms. Bathelus stated that she hopes that they remember and if they don’t please keep a copy of this in your car so that you can look at it as often as you need to.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Resolution – Amended Schedule of Board Meetings

A motion was made by Mr. Perreira, seconded by Miss Goncalves, that the resolution be adopted.

Ms. Bathelus stated that the Board meetings will be starting at 6:30 p.m. beginning February 18, 2016 through the end of the year.

Mr. Rodriguez commended Ms. Bathelus' leadership in moving the school board meetings around town and also making sure that we stay true to what we have always said in making sure that we don't incur any wasteful spending and to find out that moving the school board meetings is not going to cost this Board any kind of significant dollars. Mr. Rodriguez commended Ms. Bathelus for moving public speaking to the top of the agenda, that is very important, and also eliminating the sign-in procedure. Mr. Rodriguez commended Ms. Bathelus, once again, for moving the meetings to 6:30 p.m. and he knows that we have performances by students and some of those students need to get home earlier and we also need to respect the public's time coming in from work and wanting to attend meetings. Mr. Rodriguez stated that we are starting the meetings a little early so students can get home and also respect the community because we always don't work 9 to 5 and many in our community work longer hours and want to be able to come to the meeting. Mr. Rodriguez congratulated Ms. Bathelus on her leadership in showing that we are trying to be more open and more accessible and that students do come first and we are cutting wasteful spending wherever possible.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Resolution – Board Committees and Outside Assignments

A motion was made by Mr. Perreira, seconded by Mr. Rodriguez, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Perreira, Rodriguez, Trujillo, Ms. Bathelus – 9

Negative: None

Ms. Bathelus stated that Mr. Neron, Chairperson of Educational Management Committee, will make a presentation on the OFAC reports and the committee meeting that we had this week.

Mr. Neron stated that on January 20, 2016 the Educational Leadership Management Committee met to discuss the receipt of reports issued by the State of New Jersey Department of Education Office of Fiscal Accountability and Compliance, generally referred to as OFAC. Mr. Neron stated that they also discussed the question posed to the Board regarding the adoption of an opt out policy.

Mr. Neron stated that the first report is the Consolidated Monitoring Report dated October 15, 2015 including a review of records related to Title I, Title II, and Title III funding, a review of records related to Perkins Grant funding, and a review of IDEA related funding. Mr. Neron stated that three additional reports regarding third-party providers for PreK programs were discussed.

Mr. Neron stated that the committee also discussed the question raised by parents who have requested that the Board consider adopting an opt out policy for state-wide assessments. Mr. Neron stated that they discussed whether the district could adopt a policy that conflicts with state and federal law. Mr. Neron stated that the State Board of Education and Commissioner of Education are required by statute to establish academic standards (see N.J.S.A. 18A:7C-1). Mr. Neron stated that the U.S. Department of Education has advised all states that they are required by the federal law to assess all students (Elementary and Secondary Education Act of 1965/No Child Left Behind Act of 2001, which has now been replaced by "Every Student Succeeds Act") to demonstrate Adequate Yearly Progress. Mr. Neron stated that state law requires that the Commissioner of Education implement a testing program to measure student progress towards those standards for all students at grade levels 3 through 12 (see N.J.A.C. 6A:8-4.1 (a) and (b)). Mr. Neron stated that there are no statutes, regulations or court decisions that permit students to opt out of state testing programs and in fact all of the aforementioned laws require students attending our schools to participate in state testing programs. Mr. Neron stated that since the

district cannot adopt a policy that contradicts state and federal law, it cannot adopt a policy that would allow students to opt out of taking the state-wide assessment. Mr. Neron stated that the New Jersey School Board Association has suggested that an opt out policy could be construed by the School Ethics Commission as a violation of the NJ School Ethics Act which directs all school board members to “uphold and enforce all laws, rules and regulations of the State Board of Education.” Mr. Neron stated that the State has advised districts to be prepared to address those situations where students choose not to participate in the assessment program and implement appropriate practices and procedures to address those situations (see Commissioner Hesse letter dated September 9, 2015. Please note: an interpretation of this letter may suggest to some that a district can adopt an opt out policy. In reality, it really speaks to developing those rules to address how students who opt out are handled during the school day). Mr. Neron stated that the district honored those requests received last year from parents who chose to not have their children take the PARCC. Mr. Neron stated that the district created a protocol to provide an alternative option for student activity on test-taking days which provides as follows: students are required to attend school on the day of state-wide assessments or are marked absent, students are to be provided with work packet prepared by their classroom teachers for elementary school or high school administrator, and students are to be supervised in a location separate from the testing location. Mr. Neron stated that there are no disciplinary consequences imposed upon a student who does not participate in the state-wide assessment. Mr. Neron stated that concludes his report and asked if there were any questions.

Mr. Trujillo stated that two providers were found to be deficient and in December he participated in a meeting where this was discussed and there is a substantial amount of money owed the district. Mr. Trujillo stated that Mr. Neron was there and he doesn't know if Mr. Neron knows the amounts but they were substantial. Mr. Trujillo asked if the committee discussed the amount that is due the district by these providers.

Mr. Neron responded yes.

Mr. Trujillo asked Mr. Neron if he remembers what the totals are.

Ms. Bathelus stated that Comptroller William Green will be giving a report next on this.

Mr. Neron stated that they are seeking legal advice to find out what our obligations are and how we can proceed on these matters legally.

Mr. Trujillo stated that when we were telling parents that we did not have an opt out policy because we weren't permitted to offer them opt out we were right in doing so. Mr. Trujillo asked if Mr. Williams could answer that because this is something that came up last year when PARCC was a very contentious issue throughout the State and it was here in Elizabeth as well. Mr. Trujillo stated that parents wanted an opt out policy and we were told at the time that the law doesn't provide an opt out policy and in fact doesn't allow us to provide the option to opt out.

Mr. Williams stated that obviously he wasn't here to hear what they were told at the time. Mr. Williams stated that Mr. Neron's report and the discussion confirms that it is not possible to establish an opt out policy under existing state law.

Christina Moreira, 805 Gebhardt Avenue, spoke about a refusal policy.

Mr. Trujillo asked Mr. Williams if we could have a policy for refusal.

Mr. Williams stated that they cannot have a policy which allows for opt out. Mr. Williams stated that if you have a policy that allows for refusals that could be interpreted to mean the same thing. Mr. Williams stated that he knows what other school districts have done and a better course of action is the course of action which Mr. Neron recommended. Mr. Williams stated that the recommendation which the school district apparently has already followed to make

it clear to parents that students who do not take the test will not be penalized and will be kept in a separate location while testing takes place. Mr. Williams stated that is what has been done in the past, it's appropriate, and there is nothing wrong with that and it does not violate state law.

Mr. Trujillo stated that it is his understanding that we can't even communicate that because in essence that would be an opt out policy if we tell people that this is what is going to happen if your child should let us know that he doesn't want to take the test and we are going to have other activities for him. Mr. Trujillo stated that they should be expected to come to school to take the test and communicate that. Mr. Trujillo stated that it is the parents' choice and is not the district's place to recommend or suggest that would be happening.

Mr. Williams stated that he doesn't know what was sent out in the past. Mr. Williams stated that we can ask the Superintendent but he believes a letter on district stationary did go out explaining that the students would have alternative treatment during the period of time that testing was taking place. Mr. Williams stated that the most important thing that needs to be communicated and it comes right from the Department of Education is that no student will suffer any improper consequence as a result of not taking the test.

Mr. Trujillo asked if Mr. Williams was suggesting if it would be prudent for this Board to perhaps going forward provide this information to the public in a memorandum or some type of letter going home advising parents of their rights in the actual law or the opinion of Commissioner Hespe.

Mr. Williams stated that he thinks that can be done and he also thinks that it was already done.

Mrs. Hugelmeyer stated that we have a policy on student assessment which specifically references the Commissioner of Education's guidance on this very issue. Mrs. Hugelmeyer stated that with regard to how it is that our schools address the issue of refusal, the Director of Research, Evaluation, and Assessment last year sent out a notification to all building principals advising them with regard to how to address a situation if a student were to refuse to take the PARCC assessment. Mrs. Hugelmeyer stated that all principals were advised that they had to have packets available of work and to ensure that if a student refused to take the PARCC the child would be taken to the school library or a small group instruction room, that there would be a certified teacher available, and the student would be able to complete the alternate work packet. Mrs. Hugelmeyer stated that at the high school level they proceeded a little differently and we had our instructional supervisor for language arts actually prepare the work in advance so if we had a situation with refusal the student was referred to the library and then had to complete the work there. Mrs. Hugelmeyer stated that difference was that at the elementary level the principals and teachers provided the work and at the high school level the instructional supervisor provided the work. Mrs. Hugelmeyer stated that we did not communicate to the community because, once again, our responsibility is to ensure that all students take the state-wide assessments as required by law. Mrs. Hugelmeyer stated that we did provide the proper guidance to our principals so that they would be prepared in the event that they were confronted with a refusal. Mrs. Hugelmeyer stated that she would like to share with the public that our participation rate was 98.6% and we are incredibly proud of our students and how well they did. Mrs. Hugelmeyer stated that she received notice today with regard to three students who obtained a perfect score on the PARCC assessment. Mrs. Hugelmeyer stated that considering how challenging it is they are very proud of the students. Mrs. Hugelmeyer stated that is a number that she is sure will grow over time as we continue to prepare our students to perform well.

Mr. Rodriguez stated that he knows what the Superintendent does by trying to get our students alternate work is actually above and beyond. Mr. Rodriguez stated that he knows a lot of districts that when they deal with refusals they make the student stay in front of the computer the entire time and must stay in that room and they don't have to take the test but they have to sit

there and be present for the administration of the test. Mr. Rodriguez stated that by the Superintendent actually setting a procedure or communicating with the building principals to try to get them into an educationally appropriate environment to do work is actually above and beyond what most districts do in the State.

Ms. Bathelus stated that the record should reflect that Mr. Perreira spoke with her and she excused him from the rest of the meeting at 10:00 p.m.

Mr. Rodriguez recognized Elizabeth City Councilmember Carlos Torres who was in attendance.

Mr. Rodriguez explained that Title I is a program from the federal government that the Elizabeth Public Schools receives money. Mr. Rodriguez stated that last year we received \$8 million of direct federal money from Title I and it goes to schools that meet certain criteria and every one of our schools qualifies except for one. Mr. Rodriguez stated that most of our schools qualify because of the level of free and/or reduced lunch students that we have. Mr. Rodriguez stated that the Title I funds pay for coaches, wrap around services which are services before or after school, and lunch time tutoring. Mr. Rodriguez stated that kind of money is definitely needed in our district. Mr. Rodriguez stated that the Office of Fiscal Accountability and Compliance (OFAC) report is not a gotcha report like you messed up here and we are going to penalize you and nowhere in this report were we fined or put on any kind of notice. Mr. Rodriguez stated that they come in and audit the program and find what did you do wrong and what can you do better. Mr. Rodriguez stated that some of the things that they said we can do better is that they only received the cover page of one of the things we faxed over and that was cited. Mr. Rodriguez stated that other things they told us to use the money this way or that way. Mr. Rodriguez stated that the corrective action plan is something to make this district better and so it is not a gotcha. Mr. Rodriguez stated that a lot of times the words, corrective action plan, have a negative connotation but we actually welcome that in the district and it helps provide guidance.

Ms. Bathelus thanked Mr. Rodriguez for the explanation and Mr. Neron for the Educational Management Committee update.

Ms. Bathelus stated that Comptroller William Greene will present the corrective action plans for the New Hope Memorial Childcare Center and the Jefferson Park Daycare Center.

Comptroller William Greene stated that he is reviewing three Corrective Action Plans. Dr. Greene explained the corrective action plans for Jefferson Park Daycare Center for 2011-2012, Jefferson Park Daycare Center for 2012-2013, and New Hope Memorial Childcare Center for July 2009 through June 2013. Dr. Greene stated that by adopting the corrective action plan the district does not waive, nor intends to waive, any and all claims related to any and all amounts owed to the district by third party providers. Dr. Greene stated that the district is presently considering all of its legal remedies related to those claims.

Ms. Bathelus stated that the Board is quite concerned with the amount of money that is owed to the district from some of these providers based on the OFAC reports. Ms. Bathelus stated that we are looking at how we are going to retrieve that money back to the district and we do have our attorneys looking into it to consider all aspects of how we can try to do that.

Mr. Trujillo stated that a statement was made in Mr. Neron's presentation and asked Dr. Greene what makes these audits happen and what brings about these audits.

Dr. Greene stated that OFAC selects two or three providers each year and audits them.

Mr. Trujillo asked how many providers we have.

Dr. Greene stated that there are eight and one Head Start.

Mr. Trujillo asked if there is ever a year that they duplicate or is it random and can a provider find itself being audited consecutively two years in a row.

Dr. Greene responded no that they don't do it two years in a row.

Mr. Trujillo asked if they come back and review the corrective action plan.

Dr. Greene responded yes.

Mr. Trujillo stated that they monitor the corrective action plan after it has been implemented and asked for what period.

Dr. Greene explained that we submit the report and they review it and work with us. Dr. Greene stated that we'll show them documentation that things are happening and they will come back and look at it.

Mr. Trujillo asked when the last time was that this provider was part of an audit.

Dr. Greene responded that he would have to check his records.

Mr. Trujillo stated that he would like to know if it is a habitual thing but what he has seen from the corrective action plan is that it seems to him on the surface that they are having trouble keeping their books in order and they tend to shift money around. Mr. Trujillo stated that he doesn't know how many students this particular provider gives services to. Mr. Trujillo stated that he does know that it is a great service that we have been able to provide district-wide with these providers and it took a long time to get to this point to be able to service so many children. Mr. Trujillo stated that this building alone is a testament to that hard work and these outside providers fill in the gap. Mr. Trujillo stated that he is concerned that what is happening here is that they may not be good business people and they don't understand the finances obviously because they are shifting money around. Mr. Trujillo asked Dr. Greene what it means in layman's terms when he referred to different sections of the contract and if they are going to buy new software or hire a new accountant.

Dr. Greene stated that they will buy new software if needed, hire a new accountant if necessary, maybe change personnel related to inputting of invoices, and there are a number of items that they will do and we will work with them to make that happen.

Mr. Trujillo asked how much input does the district have in guiding them in the right direction.

Dr. Greene stated that we can't tell them exactly what to buy and we can just recommend.

Mr. Trujillo asked if that goes to their expenditures because one of the findings shows there is \$29,000. to architectural fees, \$6,000. for training fees, and nearly \$6,000. for website development. Mr. Trujillo asked if there is any way contractually that all of these miscellaneous things that are noted here can be approved prior by the administration or in consultation with the administration. Mr. Trujillo asked if that is something that can be contractually done and can we add it to the contract as it currently exists or are they at arms-length and they pretty much spend the money as they see fit. Mr. Trujillo stated that it is a substantial amount of money to make a \$29,000. investment in architectural fees and then he doesn't see them building anything or construction anything. Mr. Trujillo stated that maybe they did and he doesn't see it but it seems like a lot of money to pay an architect and asked what were they building, what were they doing or were they trying to expand.

Dr. Greene stated that in the corrective action plan the OFAC auditor picked up on this and said that the non-DOE payments, all of these funds that were spent, were non-DOE approved expenditures. Dr. Greene stated that was one of the findings.

Mr. Trujillo asked Mr. Williams if that is something that can be addressed and looked at to see if these expenditures are appropriate and are beneficial to the students.

Dr. Greene stated that these are non-DOE expenditures and they should have not spent the money.

Mr. Trujillo stated that there is a liability there.

Mr. Williams stated that the questions that Mr. Trujillo is asking fold right into the recommendation that was mentioned earlier that legal counsel to the Board has to take a look at these contracts which define the Board's rights to go after those monies, to examine the audit results and corrective action work plan and to find out what type of oversight we could initiate going forward so that these kinds of things don't reoccur.

Mr. Trujillo stated that so we don't know at this point what our options are.

Mr. Williams stated that he has to look at how those contracts were awarded, what they say, and what the Board's rights might be in pursuing past expenditures and initiating oversight as to future expenditures.

Mr. Trujillo asked if there is a timeframe as to when this work is going to start.

Mr. Williams stated that he has not been given a timeframe but it would have to be pretty immediate. Mr. Williams stated that some of these audits are quite old and the time for public discussion and action has passed some time ago. Mr. Williams stated that we are able to get that out of the way tonight so we can move forward. Mr. Williams stated that he can represent to the Board members that the legal review will be done very promptly.

Mrs. Hugelmeyer stated that she requested a meeting with the Department of Education specifically the Division of Early Childhood for next week so that we are able to have our general counsel, a member of the Board, Mr. Neron who is the chairman of the Educational Management Committee, as well as Mr. Kennedy, Dr. Greene, and herself to be able to revisit this issue. Mrs. Hugelmeyer stated that we have met with the Department of Education several times over the past couple of years to be able to obtain their guidance and it is necessary to meet with them again.

Mr. Trujillo stated that his concern is twofold and he doesn't want to see the children impacted by having one of these providers closed because we are trying to recoup money and have the children suffer due to the fact that the provider isn't able to keep a balanced checkbook or whatever the case may be. Mr. Trujillo stated that his other concern is that he doesn't want to see us spend more legal fees trying to recuperate money and overextend ourselves trying to recoup money by suing one of these providers and maybe even driving them into bankruptcy. Mr. Trujillo stated that is his general concern and he knows it is a lot of money and we would like the money but he wants to be careful how we go about recovering the money and make sure that we don't damage the program or put the children in any harms' way. Mr. Trujillo stated that they provide a great service to a large part of our community and that is what he is concerned about. Mr. Trujillo stated that he also knows from history here that some of these providers have had this problem before and that is why he asked the last time this happened. Mr. Trujillo stated that this is a habitual thing and we weren't able to collect money so he doesn't know how far back you are going to go trying to collect money. Mr. Trujillo stated that another thing he is

concerned about is that there is an article here where they filed a claim tort, an insurance claim, and he doesn't know what that covers.

Dr. Greene stated that we have been working with the provider to develop a repayment plan and that was their response and we still have to work with them to see what that really means.

Mr. Rodriguez asked if we knew that this provider owed us money before yesterday and how long did we know that this provider owed us money.

Dr. Greene stated that we have been working with this provider for a number of years in trying to collect this and with the State of New Jersey Department of Education.

Mr. Rodriguez stated that he wants to let the public know that we have known about this for many years and, again like we have said, we are trying to recoup the money that we can finally. Mr. Rodriguez stated that we are pursuing some legal means if possible and like Dr. Greene stated we are going to take an aggressive approach that both puts students first and also puts the district's finances somewhat in order. Mr. Rodriguez stated that we have known this for many years but we are doing some different things now.

Mr. Trujillo stated that Mr. Rodriguez said we are doing things different and asked Dr. Greene what we are going to do different and recuperate this money and resolve that. Mr. Trujillo stated that it has been an issue for a while and these providers have been poorly managed. Mr. Trujillo stated that the services are great for the community and obviously financially they struggle.

Ms. Bathelus stated that our attorney mentioned before that we are going to see how legally our attorneys can look into these matters for us. Ms. Bathelus stated that we don't know exactly what we are going to do at this moment but we know that we are going to have them look into the matter and we will get back to you.

Mr. Trujillo asked Dr. Greene to tell us what we have done in the past that we failed to do so we don't do it again going forward.

Mr. Rodriguez stated that he is sure that the forensics auditors can tell us that.

Resolution – Acceptance of the Consolidated Monitoring Report Issued by Office of Fiscal Accountability and Compliance Report (OFAC) in October 2015 (Case #CM-039-14) and Adoption of the District Corrective Action Plan

The Corrective Action Plan inclusive of comments and actions to be implemented was read and reviewed.

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Resolution – Acceptance of the Office of Fiscal Accountability and Compliance Report Issued in Case #ECE-008-14 Regarding the Early Childhood Preschool Education Program Provided by Jefferson Park Daycare Center for the 2011-2012 Budget Year and Adoption of the District Corrective Action Plan

The Corrective Action Plan inclusive of comments and actions to be implemented was read and reviewed.

A motion was made by Mrs. Carvalho, seconded by Miss Goncalves, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Resolution – Acceptance of the Office of Fiscal Accountability and Compliance Report Issued in Case #ECE-009-14 Regarding the Early Childhood Preschool Education Program Provided by Jefferson Park Daycare Center for the 2012-2013 Budget Year and Adoption of the District Corrective Action Plan

The Corrective Action Plan inclusive of comments and actions to be implemented was read and reviewed.

A motion was made by Mr. Nina, seconded by Miss Goncalves, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Resolution – Acceptance of the Office of Fiscal Accountability and Compliance Report Issued in Case #ECE-010-14 Regarding the Early Childhood Preschool Education Program Provided by New Hope Memorial Childcare Center (July 2009 to June 2013) and Adoption of the District Corrective Action Plan

The Corrective Action Plan inclusive of comments and actions to be implemented was read and reviewed.

A motion was made by Miss Goncalves, seconded by Mrs. Amin, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Resolution – Approve Employment Contract for Interim Assistant Superintendent for Human Resources – Francisco Cuesta

Mr. Rodriguez read the resolution.

A motion was made by Mr. Rodriguez, seconded by Mr. Nina, that the resolution be adopted.

Mr. Trujillo stated that he had a discussion with Mr. Williams after the reorganization meeting on January 7th. Mr. Trujillo stated that he was interested in knowing the prior agreement whether it was reviewed because the resolution that was voted on that day stated that there was an agreement by the County Superintendent, a review and an agreement, by the County Superintendent in reference to hiring and filling this position. Mr. Trujillo stated that Mr. Williams at that time at that meeting stated that in fact there was a review and an approval by the County Superintendent. Mr. Trujillo stated that he asked Mr. Kennedy to provide him with the written approval of that communication with the County Superintendent. Mr. Trujillo stated that he later called Mr. Williams and they discussed on the phone and Mr. Williams suggested that he

would give it to Mr. Trujillo in a memorandum form and he agreed to that. Mr. Trujillo stated that was a Thursday and the following Thursday you couldn't make the deadline and he understands that he was busy as there were several issues with the district that needed attending to. Mr. Trujillo stated that he received a memorandum today from the Superintendent in reference to this matter and basically, the way he understood and read it, was that it read like the minutes of that meeting was the answer. Mr. Trujillo stated that what he is concerned with is that there wasn't any approval in writing of an acting assistant superintendent for human resources by the County Superintendent and he doesn't see that yet. Mr. Trujillo stated that he wants to know if it exists and if he is ever going to see it or is it something that didn't exist. Mr. Trujillo stated that it was his understanding, and Mr. Williams' explanation, that it did exist and he would see that.

Mr. Williams responded that he thinks he understands the question and that he should go back and review each of the things that he said. Mr. Williams stated that at the reorganization meeting in response to your questions and in response to a presentation from the Superintendent of Schools we indicated that night that the Executive County Superintendent had been consulted with respect to not only the position but the need for restoration of the position because of changes in the district. Mr. Williams stated that the Superintendent spent a fair amount of time that night describing her consultation and the process of consultation with the County Superintendent. Mr. Williams stated that he also indicated that following those consultations the County Superintendent had approved Mr. Cuesta's appointment at reorganization which he did in a series of emails. Mr. Williams stated that there is a separate memorandum available for your review all of which can be provided to you because they are documents that certainly are available to you for your review. Mr. Williams stated that the important thing is the statutory requirement that his contract be reviewed and approved by the County Superintendent which is the step or stage that we are at tonight. Mr. Williams stated that it is a step or stage that in the past may have been omitted with respect to other persons who have employment contracts with the district. Mr. Williams stated that Mr. Cuesta's contract is before the Board tonight, it has been reviewed by the County Superintendent, and the County Superintendent made changes to the contract, it has been reviewed by Mr. Cuesta and agreed to by him in a series of emails to him and the Superintendent. Mr. Williams stated that the matter that is before you tonight is the actual contract for employment for him to serve on that basis, being paid on a per diem basis, through the end of June of this year. Mr. Williams stated that it is clear that before the resolution was adopted at reorganization the County Superintendent not only approved the restoration of the position but also reviewed Mr. Cuesta's appointment to the position that night and approved it. Mr. Williams stated that it is a two-step process, every step was followed correctly, and anything that you want to take a look at should be made available to you. Mr. Williams stated that with respect to you having made that inquiry, the memorandum that went out today was prepared by his office and in accordance with the conversation that Mr. Trujillo and he had and was distributed to all Board members. Mr. Williams stated that his understanding of the Board policy is that if there is an inquiry from an individual Board member the response should go to all Board members which is what he did.

Mr. Trujillo stated that we have a difference of opinion or misunderstanding. Mr. Trujillo stated that his understanding that an actual contract that would allow the position to be filled in an acting role was approved. Mr. Trujillo asked if there is an actual contract and that is what he is trying to understand. Mr. Trujillo asked if that night there was an actual contract or was there an email.

Mr. Williams stated that he made it very clear that night.

Mr. Trujillo asked Mr. Williams to clear it up for him again.

Mr. Williams stated that night on the record which can be reviewed he made the statement that the County Superintendent had approved Mr. Cuesta's appointment to the position.

Mr. Williams stated that he also made it very clear that night, repeatedly, that the contract itself had to be prepared and also approved by the County Superintendent and returned to the Board for future vote which is tonight. Mr. Williams stated that is on the record.

Mr. Trujillo asked so he is clear that night there was not an actual contract.

Mr. Williams stated that there was not an actual contract but there was an approval.

Mr. Trujillo stated that there was an approval in the form of an email.

Mr. Williams responded yes. Mr. Williams stated that there was an approval resulting from a series of consultations between the Superintendent of Schools and the County Superintendent in which he then indicated by email his approval of Mr. Cuesta's appointment at reorganization.

Mr. Trujillo asked what the terms were of that appointment.

Mr. Williams stated that salary and the job description which he is sure Mr. Trujillo is familiar with and which is made part of the contract tonight.

Mr. Trujillo asked if he could see those emails.

Mr. Williams responded that he doesn't see why not.

Mr. Trujillo stated that he would like Mr. Kennedy to enter into the record that he is making a request for those emails. Mr. Trujillo stated that he would like to see what the conversation was between our Superintendent of Schools and the County Superintendent in reference to filling this position. Mr. Trujillo stated that he would also like to request a copy of the contract that we will be accepting and voting on this evening.

Mr. Williams stated that he is quite certain that the contract was distributed with the resolution. Mr. Williams stated that he knows Mr. Trujillo had difficulty getting his packet.

Mr. Trujillo stated that unfortunately he didn't get the agenda at all so he would like to see it.

Mr. Williams stated that he doesn't know how that could have happened and he has no explanation for that.

Mr. Trujillo stated that he received a text message today from the gentleman who delivers our agenda. Mr. Trujillo stated that the text came in today at 12:25 p.m. and he read the text message stating that someone filled in for him and he didn't know to leave the Board agenda on your steps so he has it with him. Mr. Trujillo stated that unfortunately at that time he was at work and he did not get the agenda.

Mr. Williams stated that maybe he can help out about tonight's resolution and contract. Mr. Williams stated that the contract is the same as the contract held by the other assistant superintendents. Mr. Williams stated that the job duties are attached to the contract and those job duties are pre-existing. Mr. Williams stated that he doesn't know if he ever reviewed them or not but the position and the job responsibilities are not new. Mr. Williams stated that the only changes that were made by the County Superintendent to the same contract form used for the other assistant superintendents was to make it clear that the position to be held on this contract was only through the end of June and Mr. Cuesta would be paid on a per diem basis and would not be entitled to vacation or other benefits.

Mr. Trujillo asked if there were changes now to this new contract for interim and would he still be paid per diem.

Mr. Williams stated that he wants to apologize if he is not being clear. Mr. Williams stated that the contract tonight is the one he just described and puts Mr. Cuesta into his position, the one that was approved previously by the County Superintendent, puts him into the position at the salary to be paid on a per diem basis without certain benefits through the end of June. Mr. Williams stated that is the contract that is before you tonight.

Mr. Trujillo stated that he is sorry that he is not being clear. Mr. Trujillo stated that his question is simple and asked if he can get a copy of the contract.

Mr. Williams responded yes.

Mr. Trujillo requested a copy of the contract from Mr. Kennedy because although this may have been a position that has been around a long time, it was unfunded because of budgetary reasons for several years. Mr. Trujillo stated that he has not seen it since the last person who had that position and things have changed. Mr. Trujillo stated that he would like to see it and review it. Mr. Trujillo stated that he has a right to review it as Mr. Williams said so please provide a copy of what we are dealing with today.

Ms. Bathelus stated that to make it clear to the public that the Board agenda that she discussed with the Superintendent should have arrived at everyone's home on Friday evening. Ms. Bathelus stated that is what she has asked for in this 2016 year. Ms. Bathelus stated that unfortunately it did not come to Mr. Trujillo's home on Friday but a majority of the Board members sitting here should have received their Board agenda by Friday evening. Ms. Bathelus stated that moving forward she will make sure through the Superintendent and her cabinet to ensure that each Board member receives their Board agenda on Friday so they have ample amount of time to review everything that is in their binder so we do not have any excuses of not approving anything because you didn't have enough time to do so. Ms. Bathelus stated that it is also uploaded on the cloud.

Mr. Trujillo stated that in fairness to the administration it is the first time in 9 years that he has not gotten the agenda.

Mr. Rodriguez congratulated Mr. Cuesta and stated that it has been a long road for him from teacher to principal at many different schools that were different levels of academic achievement. Mr. Rodriguez stated that he hears many good things about him from teachers that have worked with him and students who have had him either as a principal or teacher. Mr. Rodriguez welcomed him back after 34 years in the district.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Ms. Bathelus – 6

Negative: Mrs. Amin, Mr. Trujillo – 2

The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, specifically, R.D., tenure, specifically, B.N.; and Harassment, Intimidation and Bullying results. The Board will reconvene in public to take formal action.

A motion was made by Mr. Trujillo, seconded by Mr. Nina, to go into private session at 10:48 p.m.

The motion was carried by the following vote:

Affirmative: Mmes. Amin, Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez, Trujillo, Ms. Bathelus – 8

Negative: None

Mrs. Amin excused herself from the meeting at 11:05 p.m.

Mr. Trujillo excused himself from the meeting at 11:05 p.m.

A motion was made by Mrs. Carvalho, seconded by Mr. Neron, to reconvene in public session at 11:35 p.m. to continue the meeting and take formal action.

Ms. Bathelus stated for the record that there were only six Board members in private session. Ms. Bathelus stated that two left without informing her.

Superintendent's Report – Harassment, Intimidation, and Bullying (HIB) Investigative Results

A motion was made by Mrs. Carvalho, seconded by Mr. Neron, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Messrs. Neron, Rodriguez, Ms. Bathelus – 4

Abstain: Miss Goncalves, Mr. Nina – 2

Negative: None

Resolution – Termination of Employment – R.D.

A motion was made by Mr. Neron, seconded by Mr. Nina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez,

Ms. Bathelus – 6

Negative: None

On a motion by Mr. Rodriguez, seconded by Mr. Nina, the meeting was adjourned at 11:40 p.m.

The motion was carried by the following vote:

Affirmative: Mrs. Carvalho, Miss Goncalves, Messrs. Neron, Nina, Rodriguez,

Ms. Bathelus – 6

Negative: None

Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary