

TOWNSHIP OF UNION BOARD OF EDUCATION
WORKSESSION MINUTES – DECEMBER 10, 2019

NOTICE OF MEETING:

The worksession meeting of the Board of Education of the Township of Union was held on Tuesday, December 10, 2019 at 7:00 p.m. at the Administration Building, 2369 Morris Avenue, Union, New Jersey pursuant to the notice sent to each member. Action was taken.

Mrs. Minneci called the meeting to order at 7:11 p.m.

PRESENT AT ROLL CALL:

Mrs. Sherry Higgins, Mr. Ronnie McDowell, Mrs. Nancy Minneci, Mr. Vito Nufrio, Mrs. Nellis Regis-Darby, Mrs. Linda Richardson, Mrs. Kim Ruiz, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

Dr. Kalisha Morgan

ADMINISTRATORS PRESENT:

Mr. Gregory Tatum, Mr. Gerry Benaquista, Mrs. Annie Moses, Mr. Manuel Vieira, Mrs. Kim Conti, Mrs. Ann Hart, Mr. Craig Wojcik, Mr. Barry Loessel, Mrs. Maureen Guilfoyle, Mrs. Sandra Paul

ALSO PRESENT:

Mr. Lester Taylor, Esq.
Student Liaisons – Gianni Guido; Faith Olayinka

Mrs. Ruiz led the Board in the Pledge of Allegiance.

Mr. Vieira read the statement required under the “Open Public Meetings Act”, a copy of which is on file in the office of the Board Secretary.

Mrs. Richardson read the District’s mission statement.

Comments from Public on Resolutions:

None

Approval of Minutes:

Minutes will be approved next week.

Communications:

Communications are part of personnel.

Superintendent's Report:

Mr. Tatum stated that there will be changes in the agenda for next week – there will be the football team recognition, Hannah Caldwell Elementary School presentation and the presentation by our auditors on the financial report.

Gianni Guido stated there was nothing to report this week – all was going well with the students.

Faith Olayinka stated no complaints; lunch size is good; paper towels are in the bathroom.

Mr. Tatum stated liaisons we want to hear what is on your mind, good things and anything that is going on.

Mr. Taylor stated we need to go into executive session to discuss one litigation matter. Your attorney through the insurance carrier, Mr. Howard Mankoff will be in attendance.

MOTION FOR EXECUTIVE SESSION:

Moved by Mrs. Richardson, seconded by Mrs. Ruiz, that the Board go into Executive Session at 7:18 p.m. to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-12b.

- Pending or anticipated litigation, contract negotiation and matters falling under the attorney-client privilege – Trevor Shaw v UTBOE – UNN-L-0328-17.

Please take notice that minutes will be taken of the discussion conducted during the executive session and the Board will disclose the minutes of the executive session when the disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Board of Education and provided that such disclosure does not violate federal, state or local statutes and does not fall within the attorney/client privilege.

Action may be taken when the Board reconvenes in public session.

AYE: Mrs. Higgins, Mr. McDowell, Mr. Nufrio, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

Mrs. Minneci and Mrs. Moses left meeting at 7:21 p.m.

The Board returned to public session at 7:37 p.m. and Mr. McDowell conducted the Board meeting.

Education/Student Discipline Committee Resolutions:

Upon recommendation of the Superintendent of Schools, the following resolutions were moved by Mrs. Regis-Darby, seconded by Mrs. Ruiz, for adoption:

E-1. REPORT AND AFFIRM SUPERINTENDENT’S RESOLUTION OF HIB

Report for the period November 20, 2019 to December 10, 2019 and affirm for the period November 13 to November 19, 2019 the Superintendent’s resolution of Harassment, Intimidation and Bullying (HIB) conclusions, in accordance with the information appended to the minutes.

E-7. APPROVE SETTLEMENT AGREEMENT

Approve Settlement Agreement for T.S., in accordance with the non-public information appended to the minutes.

DISCUSSION:

None

AYE: Mrs. Higgins, Mr. McDowell, Mr. Nufrio, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams

NAY: None

ABSTAIN: Mrs. Regis-Darby (E-7 only)

MOTION CARRIED

Mrs. Regis-Darby presented the Education/Student Discipline Agenda.

DISCUSSION:

Mrs. Regis-Darby stated E-4 – I was reading the back-up and delighted to announce that next year 2020-2021 that we are going all-day pre-k for all classes based on the backup. It is very good for our parents.

Mr. Tatum stated I believe we will also have some alternative classes next year because of the number of students registering. I believe we are partnering with the YMCA.

Mrs. Regis-Darby stated we do have two bilingual teachers in the pre-k program – congratulations on that.

Mr. Nufrio asked how will the excess be handled because there are only a certain amount of seats. Mr. Tatum stated they will have a lottery system. Once the registration is open, it will become first come first served. I would imagine there will be 30 spots available in two classes – there is a cap of 15 by State regs. I believe there will be a 30 beyond our filling up all our classes in the district. Mr. Nufrio asked will those children be given an opportunity to attend another school? Mr. Tatum stated we had a few students last fall that were assigned to another building. We open for registration – for example Washington School fills up immediately then the next school that is available, the student is assigned to that building. Mr. McDowell asked what about transportation. Mr. Tatum stated transportation is part of the grant.

Fiscal and Planning Committee Resolutions:

Upon recommendation of the Superintendent of Schools, the following resolutions were moved by Mrs. Richardson, seconded by Mr. Nufrio, for adoption:

F-6. APPROVE DISTRICT WIDE TRAVEL AND RELATED EXPENSES

Approve district wide travel and related expenses pursuant to the requirements of N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7 and Board Policy File Code 6471 and in accordance with the information appended to the minutes.

F-7. PRE-APPROVE DISTRICTWIDE STUDENT FIELD TRIPS

Pre-approve districtwide student field trip destinations and purposes pursuant to N.J.A.C. 6A:23A-5.8 in accordance with the information appended to the minutes.

DISCUSSION:

None

AYE: Mrs. Higgins, Mr. McDowell, Mr. Nufrio, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams

NAY: None

ABSTAIN: None

MOTION CARRIED

Mrs. Richardson presented the Fiscal Planning Committee agenda.

Mrs. Richardson stated Mr. Vieira informed us that we are having some problems with the cost of student transportation this year. We are in the negative right now and we have to see what happens towards the end of the year and we are looking at various areas right now. Mrs. Regis-Darby asked is that in or out of district. Mr. Vieira stated out-of-district special ed students. Mrs. Regis-Darby asked do you know how much? Mr. Vieira stated about \$1.5 million. Also our benefits are also in the negative. Mainly because of the paras that we brought back between 3-6 years of service - they were not budgeted, yet we brought them back as full-time paras with benefits.

Mrs. Richardson stated we have 156 students being sent out of district for special education and the tuition for that is \$9.13 million and the transportation for that is another \$5 million – for a total of \$18 million for 156 students. This is something that needs to be reviewed and we are concerned about.

The budget calendar has been done and there is a meeting scheduled tomorrow. Mr. Vieira stated we will be meeting with central office administrators.

Mrs. Richardson stated we have an increase in professional services for this year and we will increase it by \$150,000.

We had two issues in our audit findings which were student activities – weren't being handled properly and the other one is the unpaid balances for meals.

DISCUSSION:

Mrs. Ruiz stated F-10 – out-of-district student placement – that is a very large dollar amount what are we planning or looking to do? Is there a way to bring those students back to the

district? Mr. Tatum stated as we make efforts to bring children back, new children are coming in that present a need that sends them out. The amount of money being expended for out-of-districts and transportation - we took a look at the 5-year trend, we were up districtwide about 200 students and we are probably next to that number now. What is interesting about that is of that 200, look how many of those students are actually out-of-district on top of that. We have districts that move into the district and they come over with an IEP presenting special needs and they go right out the door; sometimes we don't have an opportunity to interact with them.

Mrs. Minneci and Mrs. Moses returned to meeting at 7:54 p.m.

Mrs. Conti stated right because when they move in with an IEP and the IEP is out-of-district, you don't have an opportunity to really get to know the student. It is not until the child study team or case manager can get to know the student and what the needs are from a knowledge base recommend a change of program. There are so many factors; it is very multi-layered issue about the out-of-district. I know when Mr. Tatum and I first spoke about out-of-district many years ago we built a lot of programs and use rooms in the district. We actually returned a lot of students back at that point. We have saved about \$5 million when I first came on board. At one point we had 116-120 in out-of-district and now we are going back up again because you do have students who move in with the out-of-district placements. Remember too space is finite in the district. I wouldn't mind having more space; I'm always trying to explore more options to support more students to stay conclusively and look at LRE. Take a look at transportation, transportation is becoming a very big concern. You have bus driver shortages and that affects the prices and rates too because they do not have the bus staff out there. I struggle with trying to find bus aides and bus staff on the buses that are employed by either the independent contractors or even by our own district because we don't have the staff. We are fortunate that we have paraprofessionals who sign up and they will work four hours for extra pay. We are limited even though we have the paraprofessionals that are willing to do that, you have to look at the start and end times of the schools so they can't always be on transportation and then be ready for their students. Also routes and sharing with other districts for out-of-district routes - I know transportation is used for students with IEP for the UCES and the independent contractors because I don't know if we want to take a look at that as well. There are a lot of factors that are affected. Bidding - some students need sole transportation routes - there are so many factors. When you look at out-of-district placements too, I mentioned this when QSAC came in, out-of-district placements are 5-10% of the year. When you think about \$13 million, that is an expediential increase that happens every year and you are going to hit at some point a wall. You have to do what is right for the students. It is real concerns we have to think about when we are placing the students. You are up against staffing issues, pricing, needs of students, space issues, 5-10% going up - it is really becoming quite a financial challenge.

Mr. Nufrio stated it would be a good idea to explain those incoming students that have IEPs for children that have already been placed out-of-district. Once an IEP hits your desk, how much review is done? I get it, middle of the year or sometime during the year, it would not be wise to extract that student but hopefully you can explain how that process is done so that our child study teams are doing everything possible to see whether the IEP truly, because it wasn't created by them, it was created by a former district. Not impugning that district but this is Union - can you explain how that is done?

Mrs. Conti stated sometimes an IEP when they move in is not completely apples to apples so the teams do have to review and try to place the student in the most appropriate program. Sometimes it is an exact placement option. For example if a student is in an out-of-district program, the difficulty comes in because right now you are seeing a student on paper and you do get the records and some communication with the other district but a lot of times, in fairness to the student, you are trying to make a decision coming from a knowledge base so you have to have some time to get to know the student and how they are responding in the out-of-district placement. You get the IEP, if the IEP seems to justify the way the snapshot of the student's functioning is to support the placement, if we don't – there are times we say something looks a little different, they do look into it a little bit more and then they have to have an immediate IEP meeting because you cannot place a student without the agreement of the IEP team all at once – it is a process.

Mr. Nufrio stated I asked that just to dispel the notion that review is not done until months' later. From what I'm hearing a review is at least superficially or initially done. Mrs. Conti stated immediately.

Mrs. Ruiz stated the deficit that we now have caused by benefits for the paras. I thought when we were working on that deal to bring paras back that you explained to us how we were going to fiscally be able to do this. Did I assume incorrectly that when you made those numbers that included benefits? Mr. Tatum stated you did not because when we sat down with the UTEA, we took a look at the amount of money and we had a couple of ways to close the gap here. When Mr. Vieira speaks about the concerns of bringing those paras back, that money wasn't budgeted, but there were supposed to be avenues to offset that money. I think what happened here is because the increase in other areas which are priorities now, the moneys have shifted but we are going to use it to cover some other gaps; that is where the discrepancy comes in. When we did sit down with the UTEA, we were talking about a \$1.8 million gap and the gap was then offset by those who did not take benefits. Originally we talked about a small plan but we saved the same money as if those people who were in the years 1-3 did not take the benefits. I think that is what I recalled reporting to the Board. It was supposed to be a wash. The other savings was to come from the substitutes – the replacements were going to the agency and there was a cost savings there of about half million dollars. We added the \$1.8 million with half million and that brought us to the two points whatever we were trying to get to. I think that is what you are referring to.

Mrs. Ruiz stated I thought you had given us a breakdown so my concern now is it is December and the school year is going to end in six months and I'm hearing we are now right where we were last year with an issue about our fiscal planning with relation to our staff, particularly the paras. What I don't want to see is what happened last year. Mr. Tatum stated I won't put this on the back of the paras. We work from one particular pot and I think Mr. Vieira is talking about the deficits and looking at what we did as a district, it may appear that it was the paras we brought back, you were correct when you said there was a plan to close that gap. We are looking at the entire totality of the budget right now. These are the areas where we had made some adjustments but now we find ourselves short in areas because of the fact that other issues have come about. One of them happens to be transportation and that \$1.5 million that we are

projecting was not part of the deal. As well as some of the other areas you mentioned before. We will give the Board more information on this in the forthcoming months ahead. We are talking about ways to close those gaps. The whole idea about the projection is to give you an indication of what we see coming down the road as a possibility of issues.

Mrs. Ruiz stated we all would appreciate that. What we all agree is that we don't want to see happen a repeat of last year. We don't want to see our teachers and/or paras affected by the budgeting issues. Mr. Tatum stated we made a commitment to the Board and to the community you will have updates on what is going on in the budget and that is why last month I made the presentation on the fiscal state simply because those are the things we do want people to know and understand so there are no surprises. There are strategies we are talking about on how we curtail some of those things. We have to provide services to the children and teaching staff regardless we just have to keep coming up with ways to try to keep everything operational.

Mr. Nufrio stated to sum up how Mr. Vieira presented it to the committee – we are looking at \$1.5 million in transportation – additional costs due to various components and \$1.6 million in benefits that has to be accounted for – some of this will be offset by some line item transfers but that is the current status. These numbers reflect current status. Mr. Vieira stated projections. Mr. Nufrio stated let's not be surprised come January/February there will be line item transfers on the gen ed project. Mr. Vieira stated there will be transfers. We will scrub the budget and wherever there is some money left over, we will have to transfer to benefits and transportation – appropriation transfers. Mr. Nufrio stated but none of that will come from special ed because we established that in the past. Mr. Tatum stated no we won't be doing that.

Mr. Vieira stated the two areas of the budget that are growing the fastest are the health benefits and the special ed costs. We can only increase our levy by 2% and our levy is \$90 million so 2% of \$90 million is \$1.8 million increase in additional revenue. As I said the health benefits and special ed costs are growing more than \$1.8 million. There has to be other areas where we have to cut back.

Mrs. Richardson stated with the transportation problem, there is not a lot of people wanting the job, the companies are raising the price – they are making it more expensive to rent buses and have drivers. That adds on to the additional costs we have. They are using this opportunity to make more money for themselves but at our expense.

Mrs. Ruiz stated F-14 – the increase in the maximum dollar amount for professional services – I see another increase for legal. Am I remembering correctly or didn't we just approve an increase for legal fees? Mr. Vieira stated that was for last school year – it was more than six months ago.

Mrs. Ruiz stated so for the 2019-2020 school we are increasing it to \$470,000? Mr. Vieira stated it is \$370,000 – it is only increasing \$150,000. It is a typo. It is for legal fees. Mrs. Ruiz stated Mr. Taylor, if we are increasing by \$150,000 now, we still have six months in the school year – is this a projection out to June? Or what we think we need now and then in March you will ask us to approve another \$150,000 – that is a lot of money. I know you have a lot of matters pending, but we are already at a half million dollars.

Mr. Taylor stated the cases this year versus the same time frame in 18-19 is experientially higher. There are about a half dozen special ed matters that have been or going towards trial. We give you a monthly status report detailing all the matters we are handling. I would like to bring Christine Sotto in next week so we can have a discussion in closed session of all the matters that are reflected on our summary. We are happy to answer any questions that you have regarding the legal fees that are expended but I can say confidently that they are concurred ethically and the services are necessary to meet the needs of the district. We are working with the administration, as well as your legal needs, so they are unpredictable.

Mrs. Ruiz stated I know they are. My question is this \$150,000 increase is it based on a litigation budget that has been projected out for the next 6-7 months. Mr. Taylor stated I'm caught off guard and what I would suggest is through your business administrator and superintendent, perhaps look at what your legal budget was for last 2-3 years and compare what was budgeted for this year versus prior years. Let's just say because of the budgetary constraints you are in, you budgeted less for legal fees this year but now you are looking for an increase but that increase may still be less than what you spent three years' ago because you wanted to control the line items presented in your budget – not to raise taxes. I understand the question but I don't know if it is truly an increase in the literal sense in terms of more than you spent in years past versus an increase in the number you put in that column this year hoping that you would stay under that number.

Mrs. Regis-Darby asked can we get the data for the last three years. Mrs. Ruiz stated I get that and I do agree that will be helpful but remember I'm looking at this in my window which started this January. What I want to know is whether or not the number we put in that line item for this school year is higher or lower than it has been in past years, the fact is we are seeking an increase. What I want to know is – is this \$150,000 increase a projection based on litigation budgets prepared by your law firm or any law firm working on pending cases for our district, that go through the end of the school year. What I don't want to see happen is we approve this and three months down the road it is another \$100,000.

Mr. Taylor stated the answer to your question is no. My office has not been requested to prepare a litigation budget or requested to propose a projection of legal fees that may be incurred based upon our pending workload. This appears to be an internal control from the business office to control line items. I was not asked to give that budget so I can't represent to you this evening whether it will have to be a recommendation for an increase going forward or not. I'm happy to give you a said budget with the asterisk that it is unpredictable. This sounds more like an internal control that was done versus anything from my firm. I am not prepared to answer the questions because I wasn't aware of it.

Mrs. Ruiz stated so the question is for you Mr. Vieira – where did this number come from and what is it based on? Mr. Vieira stated the original budget was \$220,000 – so instead of \$470,000 it should read \$370,000. Mrs. Ruiz stated it is still a significant increase. Where is the \$150,000 coming from – what did you base it on? Mr. Vieira stated based on the cases. I'm projecting the next six months.

Mrs. Richardson asked how long of a period of time did we have two law firms working on cases? We switched from one law firm to another. When did you fully take over? Mr. Taylor stated 3-6 months to be fair. You have been presented with and approved bills that were being paid to prior law firms. Some of this budget maybe a portion to firms other than my firm. I think as Ms. Darby said which was on point – let’s get the data and have a conversation next week or thereafter with the data and see where the money was billed, spent, what the budgets are, what the trends were in the years’ past etc. You get a very detailed report – we have handled some major special education matters which are very unpredictable and costly when you go to court – all of which have been presented. But for those matters being filed, I would be sitting here being the cheapest lawyer you ever had but because they were filed, that representative in an effective manner that have further limited your exposure with respect to placements, legal fees to petitioners attorneys and/or other costs and expenses of litigation. Overall in my humble opinion you have been getting very effective services.

Mrs. Ruiz stated F-11 – the approved fundraisers. Why are you approving fundraisers that have already passed? We are supposed to approve them before they happen. Selling pins, food drive – already passed and I hope they were a great success. Why are we approving them now? Mr. Tatum stated the short answer is they missed the agenda; that would be my first thought before I get a detailed explanation. Many times we approve things retroactively. Mrs. Regis-Darby asked are those dates accurate – approving fundraisers all the way up to 2023? Mrs. Cappiello stated it is for the freshman class of 2023.

Mrs. Higgins stated F-15 – approve Jersey Behavioral Care – September 16 to November 18, why is it not the total instead of not to exceed \$2,500? Mr. Tatum stated not to exceed numbers are numbers for a declining balance. They will put \$2,500 and it will be a drawdown – the maximum amount that can be spent.

Mrs. Regis-Darby stated the budget calendar – F-13 – I noticed on the calendar that there were some wish list by the administration. Do you give them a budget? How does that work? Mr. Tatum stated we do a three tiered system – wants, needs, pie in the sky on what they would like to have. We try to work with the absolute needs. Very rarely do we get to where the pie in the sky is possible. We do try but not always.

Operations Committee Resolutions

Mrs. Richardson presented the Operations Committee agenda.

DISCUSSION:

None

Mrs. Higgins left meeting at 8:22 p.m.

Personnel Committee Resolutions

Upon recommendation of the Superintendent of Schools, the following resolutions were moved by Mrs. Williams, seconded by Mrs. Richardson, for adoption:

P-1A. PERSONNEL ACTIONS – NEW HIRES

Personnel Actions-New Hires be approved in accordance with the information appended to the minutes.

P-1B PERSONNEL ACTIONS – EXTRA PAY

Personnel Actions-Extra Pay be approved in accordance with the information appended to the minutes.

P-1C PERSONNEL ACTIONS – TRANSFERS

Personnel Actions- Transfers be approved in accordance with the information appended to the minutes.

DISCUSSION:

None

AYE: Mr. McDowell, Mr. Nufrio, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

Mrs. Williams presented the Personnel Committee agenda.

Mrs. Higgins returned to meeting 8:45.

DISCUSSION:

None

Policy Committee

Mrs. Williams stated we met and we went over some policies that we are looking to change but we didn't have the policy numbers and I didn't have all the details because I didn't have a chance to do it so I will be forwarding additional information to you by this Friday.

Residency Committee Resolutions

Mrs. Williams presented the Residency Committee agenda.

DISCUSSION:

None

Technology Committee

Mr. Nufrio stated Mrs. Paul, Mr. Wojcik and I met earlier – there were other Board members that were supposed to come but Mrs. Higgins was caught in traffic and I don't know about the other person. Mrs. Regis-Darby stated I didn't come – I was in another meeting.

Mr. Nufrio stated we went over some old and some new stuff and a lot is still work in progress status. We talked about password protocol for the district that is being handled by the

technology department. Mrs. Paul, Mr. Wojcik and Mr. Vieira will also be meeting with Fairview to get details on insurance coverage for cyber security. I think it is essential.

There is mandatory training for all staff members through GCN at the beginning of the school year. Mrs. Paul stated it is internet security – GCN training – they go online and it is part of a mandate that they needed to take care of – about not sharing passwords with anybody. It is training our end users on how to be more secure using our district network.

Mr. Nufrio stated these are work in progress being worked on by the technology department – investigation of replacement Chrome Book devices for the high school; meeting with the A-plus technology to get demo on the halo detection device – the vaping device. The indication is the halo is the better device by other districts. It has the multi-task; able to detect THC, carbon dioxide, motion in the bathroom, temperature, humidity, a lot of things. It also has the ability to sound the alarm if somebody is trying to disconnect it. Mrs. Higgins asked is there a camera. Mrs. Ruiz stated there can't be a camera in the bathroom. Mrs. Higgins stated if it goes off. Mr. Nufrio stated if it goes off hopefully security will respond to it. Mr. Loessel stated everyone has on their cell phone the app – security, principals, superintendents.

Mr. Nufrio stated also we were given a nominal fee of about \$1,500 for this device. It is a little more expensive than a less capable device but it has the better benefits for it. Four will be installed at the high school to see how they work out. We will then have to figure out how to implement the rest.

Mrs. Paul indicated that she reached out to My School Bucks about balances uploaded into Genesis and they are still working on how they can best affectively incorporate that.

Mr. Nufrio stated approval of NJ Edge Consortium membership - can you give me some detail. Mrs. Paul stated that is a free membership – it allows us to buy certain licenses on consortium prices. Therefore it cuts down on the price of some of our software that we have to use – Microsoft Office and Microsoft Windows and window server. Our back-up system software – it gives us the opportunity to give us consortium pricing rather than buying it from them directly from the company or any other third-party vendor. It is a conglomerate of companies bidding for the same software.

Mr. Nufrio stated the last item which is a work in progress has to do with the Avaya telephone system that we have. We will get an update on that soon.

Approval of Bills

Bills will be approved next week.

Unfinished Business

Mrs. Ruiz stated I was at the open house at the high school for the 7th and 8th graders and I remember we had an issue that we needed another CAD teacher but when I went to the open house it looked like there was another teacher in the room too – is she the new CAD teacher or just helping him out? Mr. Tatum stated new teacher. Mrs. Ruiz stated good to hear because I know that was a concern for parents. Find a way to spread that. Mr. Tatum stated she has been

here about two months. I did share that with the Board that we were in the process of hiring a new teacher. It was a recruitment that was being done from New York. We were getting the appropriate certification for New Jersey. She started as a long-term substitute and then she became a teacher. Mrs. Ruiz stated I do remember that conversation but I didn't know when it went into effect and there were parents there that evening and they were asking me. Mr. Tatum stated it was two phases because she started as a substitute and there was reciprocity from one state to another and sometimes it takes a while for the certification to be issued. The County office is getting strict about starting people outside of their certification. They have to have it in hand before they start.

Mrs. Minneci stated Mr. Tatum and Mr. Benaquista went to Franklin – they had a college fair. In my mind I couldn't imagine what it was going to be like and it was great. They had terms taped around the gym walls and activities for them to do. They had a worksheet and they had to go around and get information. They had a wall with all the teachers and employees in the building and what colleges they went to. It was really nice. At the end they culminated with the cougar from Kean mascot came.

Mr. Tatum stated it was done as an awareness of the variety of colleges that are out there and they did a nice representation of the various colleges from New Jersey to across the nation. I was happy they invited us.

Mrs. Regis-Darby stated the ace mentoring program at the high school – if we could have an update on that. I know that parents and students took a survey about 5-6 weeks ago – if we could have the results of that survey. I think the data should be aggregated by now. Also I know Dr. Morgan has been asking about the aggregated data for suspension for blacks and students of color. Do we have that data available? About six weeks ago we talked about the pathway program at the high school – can we get an update on that also.

Mrs. Ruiz stated when I went to the open house last week, they had a whole pathway presentation. I'm assuming it has been rolled out. Mrs. Regis-Darby asked does that need to be approved? Mr. Tatum stated no. I believe the projected start date was for the next school year. Mrs. Moses stated for freshman only.

Mrs. Regis-Darby stated for the ace program – businesses reached out to some of us to volunteer for this program so we just wanted to know if you still need volunteers. Mr. Tatum stated we have a point person at the high school.

New Business

Mrs. Ruiz stated the two questions that I have – first, these come from parent concerns – I don't want anyone to think this is a personal attack. When parents bring concerns I bring them to the table. The first question deals with the emergency aid application that we submitted. Most of us know that an article came out and was not that favorable for our district. More concerning that the application was denied was they posted a letter from the State stating that our application was incomplete and documentation was requested and it sounded like we did not correct the error and if we tried to correct it, it was still incomplete. My question was (a) did we

in fact submit an incomplete application and if so why was it incomplete application submitted and then part three was why wasn't it corrected when it was brought to our attention?

Mr. Tatum stated one, we submitted the application over the summer time – the first phase. There was a particular deadline. I believe the discussion with the Board was as you recall we first of all did not qualify for that aid because the first question on the application was “how was the reduction in State aid affected your ability to run your school district?” We didn't get a reduction, we got a 1% increase. The second thing was there was a circumstance where in order to get the application in, we did put the application in with limited information. Some of you don't know this but I had an opportunity to speak with the Deputy Commissioner of Finance in the Department of Education and when we spoke he said to me – first of all most of the applications that came in had to be returned because the information that was done was done incorrectly. The second thing that came about was there was a resubmission date – a date that we did meet. From what I understand, the part where they were saying things were incomplete, there was a back and forth of information that they needed but that everything was submitted to the State Department. We have documentation to support what I am saying. I saw the information, there are memos going back and forth that our district did submit. The next thing is not only did we do this in an act of good faith to try to help our district because we were told and I talked to the County Business Administrator, County Superintendent and I reported to the Board back then that they told me there was no money for our district.

Mrs. Regis-Darby stated I clearly remember asking you that question directly – is the district qualified for any of the State aid and you looked at me and said “no”. I actually went out and said let me call and verify this and I was told that we are not entitled to any additional aid and that is on the record.

Mr. Tatum stated we were requested to put the aid application in, in case there was any money that may be left over and we would be able to get some of that aid. A couple of things that was in that letter that I do take exception to because it is misrepresented – one, this whole idea about having a surplus of \$6.7 million and the way it was reported it started with the \$800,000 and they went back up but it is the other way around – that is a declining balance. We have declined from \$6 million due to some of the issues we talk about here all of time. Something we talked about tonight regarding the changes and balances the budget and special services and getting new kids in. That is what paired that balance down over the years. I think we also forget and I know people don't like when they hear me say this that we also have been trying to build our money – revenues that we lost in previous years. I think we get slapped with the wrong strap because we are here balancing a budget. You submit a balance budget which means that you develop a budget that your district will be able to run on and they talked about maintenance reserve – the maintenance reserve they are talking about is capital reserve money which we used \$400,000 if I'm not mistaken. There is money left over and we talked about this in many meetings but it is not a lot of money for all the building needs we have in the district. There are a lot of issues that have to be worked on.

It paints a financial picture of our district as being halfway good but it is good compared to the people that applied for \$500,000 and got \$15,000 because they lost \$45 million and we only gained \$334,000 – it looks like we are in a whole lot better shape but they don't take into

account the chronological and historical problems that we have in this district. On top of that if everything was like everything reported in the newspaper, tell me why I read today that there is a bill in legislature to allow districts who are under adequacy and that we are allowed to go above cap without voter approval – what’s that all about? If that is the case, there is something wrong with this picture.

When I sit and hear this stuff and I see the way we spin things. We spin it in a manner to make it look like we are not doing our jobs – you know what we are doing – we are getting kicked in the shins for doing our job and balancing the budget. Unfortunately we did not qualify for that aid – that is the bottom line.

Mrs. Ruiz stated I do remember that conversation, I think the greater concern was the narrative that we submitted an incomplete application but I appreciate you had clarification. The public needs to know that. Mr. Tatum stated everybody in the State of New Jersey submitted an application that was not complete or not correct. I was told by the Deputy Commissioner of Finance in my office. I spoke to the Commissioner directly. I spoke to an entire room of people about our situation. These are things I don’t disclose. I am telling you what I did as an effort to try to bring more revenue to this district. Unfortunately most of the time what happens is it is not the effort that we make, it is the results that people use as a vehicle to make it look like things are not being done. We did every appeal beyond putting the application in to get more money to save our people. We create a balanced budget and we create opportunities to keep every person in this district.

Mrs. Ruiz stated I know you don’t say it often but I think just like you said, sometimes you do have to say that Mr. Tatum because unfortunately optics matters. What is happening out there is due to the fact that a lot of people don’t know. People were screaming – this is mismanagement. You almost do yourself a disservice because you don’t. Mr. Tatum stated Mrs. Ruiz mismanagement would be our not disclosing and saying that we have money that we don’t have. The use of terminology and it’s nice when you can sit back in the Eiffel tower and talk about what we don’t do but you are not part of the solution to try to make things better. Mrs. Ruiz stated I agree. Mr. Tatum stated when I see the way things are spun and more than the way it is done to try to make it look like the district – there is no one that sits in this office that doesn’t put in their fair share of time and hours. I haven’t even let the business administrator say a word. We had a conversation about this today, 85% of what was in that letter about the amount of money we have is peanuts. We wouldn’t be talking about running a deficit in transportation if all that money was what it is cracked up to be. Mr. Vieira stated you said it very well. Don’t believe everything you read in the newspaper. I was quoted as “Mr. Brennan” at the last meeting.

Mrs. Regis-Darby stated I have always said this to you Mr. Tatum, I think when people say things and they write things, you need to call them out on their BS because most of it is BS. I remember when this whole application for the grant was going on and members of the public and people in political places were putting pressure on this particular Board to apply for this particular funding knowing full well that the funds were not available. We said so from the beginning. So I think applying was with the intention that we already knew that we were not going to get funding because we did not qualify.

Mr. Tatum stated we almost did not apply. We wrote the letter and got the preliminary stuff going just so we could get the second opportunity to put that piece in. I have Mrs. Guilfoyle here who is constantly working on trying to bring more revenue to this district. Nobody complained when we go close to \$3 million for pre-k funding which saved a number of jobs in this district. It is ridiculous.

Mrs. Williams stated you forgot one thing, how many other schools applied? Mr. Tatum stated in Union County, we were the only one. Mrs. Minneci asked how many in the State? Mr. Tatum stated 16 got it. Mrs. Richardson stated there were 600 schools that applied. Mr. Tatum stated the 16 that got it were the districts where they took money from.

Mr. Nufrio stated one of the most important criteria had to do with enrollment and it was stipulated if you don't meet that criteria, then you are pretty much done. If you showed an increase in enrollment for special ed students and overall, then that would be the first step in gaining that. If we hadn't done it we would have been saying why didn't you do it. I encouraged it, not because of politic pressure behind it, I was very informed about it. We should try every time there is an opportunity to get an extra nickel. It is not because we don't deserve it, it is because there is a certain math that is done in Trenton that isn't done elsewhere. On top of that you have districts who are being overfunded and they won't admit that and you have other districts being underfunded. I don't know if I would want to be in those shoes either but I guess they look for the easiest way out. There is no real intent, I don't think, malicious intent to discredit the district but the letter tried to paint a picture that this is what they had, this is what they spent, it is a whole bunch of numbers but reality sinks in when the Board has to hear right now that we are in the red. That is the reality exclusive of everything else. We are not going to get anything from the State, at least not this year in the area of emergent funding. But if we had not applied for that, to simply say that we shouldn't have, that is silly. Not to apply for something just because we think we are not going to get anything.

Mrs. Ruiz stated there is legislation currently pending that is going to be voted on Thursday. It is the vaccination legislation that deals with eliminating religious exemption. I do happen to know several parents that are very concerned about this legislation. Does our district have a plan with regard to students that may be impacted by this legislation if it is passed. There is a certain level of hysterics – whether justified or not – I don't know but we do have hysteria now because they think their kid will get thrown out of school on Friday.

Mr. Tatum stated the legislation as it is right now, I'm not sure if that means that the students that are currently in school or not. The inoculations are due when you come into school. I have been hearing a lot of this but I haven't read the legislation so I'm confused by the fact that we have current students who met the criteria at the time they entered. I can see where the situation is when you come in that you no longer have religious conviction.

Mrs. Regis-Darby stated no. We have it in New York right now and any students that are not vaccinated, they have to get vaccinated or go.

Mrs. Ruiz stated what happens if we lose a bunch of students that don't come back to our district because of whatever reason their parents have these strong beliefs. Mr. Tatum stated it is unfortunate for us because it ties our hands. It is no different than when we are told that each student that does not live in Union but had a major catastrophic event where they live and they show up on your doorstep and they are your student. I have to take students in when we are mandated to do so. I imagine that we will have to remove students because it is mandated not because we want to do that. People will say that kids don't live in Union but they came from Haiti where they were evacuated and we were told that we have to take those students in.

Mrs. Ruiz asked will the removal be immediate? Mrs. Regis-Darby stated it is very quick.

Comments from the Public

Ann Margaret Shannon stated thank you very much Mr. Tatum for explaining the budget situation – it is not the paras. It is one part of the budget and a lot of things involved.

E-3 – please don't have clubs brought to your attention until we figure this out in negotiations. It doesn't matter that there is no stipend. We are in negotiations this year so if someone can tell the principals – just don't do it.

E-4 – I wasn't sure – if school A is filled, can a student from A bump a home resident from B if they get over to B first? Mrs. Moses stated pre-school is district. We don't have an early learning center so there is only 15 in the classroom so 30 because most schools have two. Only 30 kids in that neighboring area can go. If there are 45 kids they would have to go to another school.

Ms. Shannon asked those 15 kids, can they bump someone who took their time and didn't get their application in – can they bump someone that belongs in that school? Mrs. Moses stated when you open registration for schools A, B, C and it is full. School A has 15 kids on the waiting list. You have one day. When things are open, you get on the phone and you say “School A – we have this open and this open” – take your pick and that is how it is done. As we move forward we will have to go out to providers. Then we will have the YMCA as the provider. It is not about bumping kids it is about providing the early HESA education. If we had an early learning center, everyone would be in one spot. Right now this is all we have to offer to the community.

Ms. Shannon stated P-7 – I'm just curious about a former employee – is there money involved or just data? We are not giving tuition for a former employee? Mr. Tatum stated no. The former employee began her program here and she is just doing research. No money involved in this at all.

Rich D'Avanzo stated there seems to be a new way of board of eds are starting to approach all these standardized testing that has become a big snafu in this State. In this is a perfect example, this is Belleville Board of Education, recent resolution. I was at an NJEA committee and this came up from our president. Belleville recently adopted this resolution regarding standardized testing. It is not geared toward the educators but our students and the

excessive amount of testing that occurs in districts besides the period of time and money – at this year’s teacher’s convention, everyone that was lined up was talking about testing and the over testing of our students. It falls upon staff members. Up to about \$30 million is spent a year for standardized testing. You get the results back and what does it prove. New Jersey is unfortunately one of 6-7 states that still has an exit test when it comes to high school graduation. A copy of the resolution is appended to the minutes. Hopefully you can look at it and come up with something. It is starting to move and in the very near future as we get into next year, the next push is going to be about this testing. Governor Murphy is opposed to it. Unfortunately there is a portion of the state board that are still appointed from Chris Christie and Sweeney is not going to remove them any time soon so there is a divided there as well. The only thing is going to ramp up is the amount of people speaking out against the over testing of our students and what does it prove.

Mr. Tatum stated I thought the state was going in the opposite direction by trying to relax some of these testing requirements and I guess this is part of what board of educations are doing now. At one of my County roundtables they were talking about the change in testing schedule and how many tests they would take. The impression I got was they were trying to pare down now and the accountability would be less. Mr. D’Avanzo stated the state senator that heads the education committee where the vice president of the state board came out said they fully agree but there is a big block there when it comes to any type of currently (inaudible). We just had a state board meeting the other day, the vice president spoke against it and gave us an updates there was some enlightenment – he actually had a one-on-one meeting with the president of the state board and plenty of information was given. I had a binder of all the issues when it comes to state testing of our students. For example, my son is a junior and took the SATs for the first time and never in his educational career had he ever said about assignments, getting things done, worrying about things, the first time two weeks ago he was worried about taking the SAT. He was taking online courses, we got him a tutor. It was the first time ever that he said something and it really enlightened me. He is concerned because it is such an important time with moving on and going to college. The extra stress and the exit test to boot – what happens if you don’t pass it – you have to take it again. It is not fair. There are many other avenues that you can use to assess them.

Mr. Nufrio stated I attended the seminar with the state board of education during the convention in October. They love to pass the buck. Half of the room protested the same exact thing in terms of how many times are you going to test these kids. Their answer was we are working on it but remember this your legislators control what eventually is sent to us. If that is not passing the buck, what is? Mr. Tatum stated I was on the phone with the State – it was one of the same comments they made to me about finance. Mr. Nufrio stated those ladies and men on the state board of ed, they tend to change from governor to governor. There may be some leftover individuals I don’t know. Nobody gave any succinct answer to what is in the future. It is status quo and get used to it until the legislators come up with a different plan.

Mrs. Lopes stated one of the last meetings I spoke about the lunch money. I still haven’t heard anything from anybody. I was given a number by an employee or somebody in the high school that might know where to direct me. I heard also at the last meeting that you would probably send it to a collection agency. I haven’t gotten an invoice. How can you send anything

to collection agency when I don't have anything to work with. We are all looking at money, spending money, wasting money, finding money – send those bills out. Make invoices, put it on Genesis – I don't know. There has to be a way to do this.

I'm still waiting for my taxes to lower because that was the promise from the campaign for the Board of Ed this year. I will be looking out for that one.

MOTION FOR EXECUTIVE SESSION:

Moved by Mrs. Regis-Darby, seconded by Mrs. Higgins, that the Board go into Executive Session at 9:07 p.m. to discuss the following subject matters without the presence of the public in accordance with the provisions of N.J.S.A. 10:4-12b.

- Matters rendered confidential by state or federal law.
- Matters which would constitute an unwarranted invasion of individual privacy.
- Matters involving employees and terms of their employment and contract.

Please take notice that minutes will be taken of the discussion conducted during the executive session and the Board will disclose the minutes of the executive session when the disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Board of Education and provided that such disclosure does not violate federal, state or local statutes and does not fall within the attorney/client privilege.

Action may be taken when the Board reconvenes in public session.

AYE: Mrs. Higgins, Mr. McDowell, Mr. Nufrio, Mrs. Regis-Darby,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

The Board returned to public session at 9:45 p.m.

MOTION TO ADJOURN:

There being no further business before the Board in public session it was moved by Mrs. Richardson, seconded by Mrs. Williams, that the meeting be adjourned at 9:45 p.m. All present voting YES **MOTION CARRIED**

RESPECTFULLY SUBMITTED,

**MANUEL E. VIEIRA
BOARD SECRETARY**