

APPROVED  
Bd. Mtg. 12-13-12

BOARD OF EDUCATION  
(Official)

November 15, 2012  
Elizabeth, New Jersey

The regular meeting of the Board of Education was called on November 15, 2012 at 7:00 p.m., in the Multi Purpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board President Fernando Nazco presented the following statement at 7:25 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 Worrall Community Newspapers, The Star Ledger and Cablevision of Elizabeth on Friday, November 9, 2012. 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 November 15, 2012 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 one hour prior to the advertised start of the meeting 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: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo (arr. 7:45 p.m.), Nazco – 9

Absent: None

Superintendent of Schools Pablo Muñoz, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Board Attorney Kirk Nelson, Assistant Superintendent for Schools Jennifer Barrett, Assistant Superintendent for Family and Community Outreach Jerome Dunn, Assistant Superintendent for Teaching and Learning Olga Hugelmeyer, Assistant Board Secretary Donald Goncalves and members of the public were in attendance.

Mr. Francisco González gave the invocation.

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

The Pledge of Allegiance was led by Laura Ruiz, eleventh grade student at Thomas A. Edison Career and Technical Academy.

The *Star Spangled Banner* by Francis Scott Key was performed by music teachers Wayne Dillon, Elizabeth High School; Meredith Ford, Dr. Albert Einstein Academy School No. 29; Brendan Lowe, Terence C. Reilly School No. 7; Benjamin Schwartz, Elizabeth High School; Stanley Schwartz, Dr. Albert Einstein Academy School No. 29; Thomas Siebenhuhner, Dr. Orlando Edreira Academy School No. 26, and Supervisor of Music Dennis Argul.

The Pledge of Ethics was led by Jhadir Hines, twelfth grade student at Alexander Hamilton Preparatory Academy.

Mr. Nazco introduced a video presentation of the Core Beliefs and Commitments.

Mr. Nazco stated that this week the Elizabeth High School Marching Band won the US Bands Group 5A State Championship and the US Bands Group 5A National Championship for the second year in a row. Mr. Nazco and Board members congratulated band directors Wayne Dillon and Ben Schwartz.

Mr. Nazco introduced music teachers Wayne Dillon, Elizabeth High School; Meredith Ford, Dr. Albert Einstein Academy School No. 29; Brendan Lowe, Terence C. Reilly School No. 7; Benjamin Schwartz, Elizabeth High School; Stanley Schwartz, Dr. Albert Einstein Academy School No. 29; Thomas Siebenhuhner, Dr. Orlando Edreira Academy School No. 26, and Supervisor of Music Dennis Argul who performed *Song for My Father* by Horace Silver and *Tenor Madness* by Sonny Rollins. Mr. Nazco thanked them for the wonderful performance.

Mr. Nazco recognized Jhadir Hines, twelfth grade student at Alexander Hamilton Preparatory Academy who scored in the top three percent of the more than 160,000 Black Americans who took the 2011 Preliminary SAT/National Merit Scholarship Qualifying Test and was recognized by the National Achievement Scholarship Program. Mr. Nazco and Board members congratulated Jhadir Hines and presented him with a plaque of commemoration.

Mr. Nazco recognized the following high school students who volunteered their time at Trinitas Regional Medical Center including Muntaha Choudhry, Ena Martinez, and Emily Rosado, Elizabeth High School; Michelle Arias, Joshua Bravo, Emily Dominguez, Jennifer Fajardo, Dayling Giraldo, Geraldine Gonzalez, Jesus Lazo, Aa Linares, Danae Llorente, Sophia Mendoza, Melisa Mosquito, Eileen Perez, Nataly Reyes, Laura Ruiz, Leyla Salhuana, Catherine Sifuentes, Jessica Torres, Michelle Uchin, and Florencia Ullon, Thomas A. Edison Career and Technical Academy; and teachers Patricia Haydu and Eileen Mulroy. Mr. Nazco stated that these students assisted when many staff members were unable to make it to work due to the gas shortage or other problems caused by Hurricane Sandy. Mr. Nazco stated that many of these students are in our Nursing Program and assisted with patient care, feedings, transporting, discharging patients and performing errands and requests of the Medical Center staff in the days following the storm. Mr. Nazco stated that some of these students also assisted in the Emergency Room and Intensive Care Unit. Mr. Nazco stated that Gary Horan, CEO of Trinitas Regional Medical Center, commended these students for their proficient assistance to patients and staff and for volunteering their time. Mr. Nazco and Board members congratulated the students and teachers and presented each with a plaque of commemoration.

Mr. Nazco recognized the efforts of the Elizabeth Public Schools Division of Food and Nutrition Services, Division of Plant, Property and Equipment, Division of Security, and the Division of Technology and Information Systems, and the Payroll Department in restoring our school community while aiding the residents of Elizabeth in the recovery effort. Mr. Nazco stated that team members contributed at the Dwyer iLeap Center where residents were invited to eat warm food, recharge cell phones and other technology devices and file for disaster assistance through FEMA. Mr. Nazco introduced Director of Plant, Property, and Equipment Luis Couto,

Director of Food and Nutrition Services Jaime Leavitt, Coordinator of Network and Computer Services Alberto Marsal, Supervisor of Security Ismael Estrada, and Supervisor of Payroll Isolina Oyola. Mr. Nazco and Board members congratulated them and presented each with a plaque of commemoration.

Mr. Nazco introduced a video presentation of the iLeap Center Helping Victims of Hurricane Sandy.

A motion was made by Mr. González, seconded by Mrs. Castillo-Ospina, that the minutes of the meetings of October 18 and 23, 2012 be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Padlo, Perreira, Trujillo, Nazco – 8

Abstain: Mrs. Munn – 1

Negative: None

#### Secretary and Treasurer's Report for the Month of September 2012

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Personnel Report – Leaves of Absence, etc.

A motion was made by Mrs. Munn, seconded by Mr. Padlo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. González, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Abstain: Messrs. Donoso, Perreira, Trujillo – 3

Negative: None

#### Supplemental Personnel Report – Leaves of Absence, etc.

A motion was made by Mrs. Munn, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. González, Monteiro, Padlo, Perreira (abstain-G.D.), Nazco – 6

Abstain: Mr. Donoso, Mrs. Munn, Mr. Trujillo – 3

Negative: None

#### Tuition Report

A motion was made by Mrs. Munn, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Supplemental Tuition Report

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Superintendent's Report – Considerations

A motion was made by Mr. González, seconded by Mrs. Munn, that the requests be approved.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Superintendent's Report – Use of Facilities

A motion was made by Mr. Donoso, seconded by Mr. González, that the requests be approved with a waiver of fees.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Superintendent's Report – Use of Facilities with Fees

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Superintendent's Report – Field Trips

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Supplemental Superintendent's Report – Field Trips

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

## Superintendent's Report

Superintendent Muñoz highlighted the excellent news and activities that have occurred in the Elizabeth Public Schools since our last board meeting including the celebration of a record 331 Perfect Scores with nearly 2,000 students, team members and parents in attendance at Dunn Sports Center on October 23, 2012. Mr. Muñoz continued the highlights including that the Elizabeth High School Marching Band won the US Bands Group 5A State Championship as well as the US Bands Group 5A National Championship for the second year in a row, representatives from Verizon conducted the Hispanics Inspiring Student Performance and Achievement seminar at Benjamin Franklin School No. 13, first A.V.I.D. Night at Toussaint L'Ouverture-Marquis de Lafayette School No. 6, Healthy Living at Christopher Columbus School No. 15, Find the Cure at John Marshall School No. 20, Bully Prevention Workshop at Juan Pablo Duarte-José Julián Martí School No. 28, teachers from Juan Pablo Duarte-José Julián Martí School No. 28 participated in Merck Institute for Science Education (MISE), Cancer Awareness Forum at Joseph Battin School No. 4, Bully Awareness at Christopher Columbus School No. 15, Think Pink at Charles J. Hudson School No. 25, Cast Your Vote at Victor Mravlag School No. 21 @ 31 and William F. Halloran School No. 22 @ 31, Stop, Drop and Roll at Victor Mravlag School No. 21 @ 31 and William F. Halloran School No. 22 @ 31, Listening Skills at Terence C. Reilly School No. 7, and Magic Planet Globe at Dr. Albert Einstein Academy School No. 29.

Mr. Nazco thanked Superintendent Muñoz for his report.

## Authorizations Report – Authorization to Enter Into Agreement, etc.

A motion was made by Mr. Perreira, seconded by Mrs. Castillo-Ospina, that the report be accepted.

Mr. Trujillo requested that the acceptance of the donation from the Elizabeth Chapter of UNICO be held for private session.

The motion that the report be accepted, with the exception of the donation from the Elizabeth Chapter of UNICO, was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

## Supplemental Authorizations Report – Authorization to Enter Into Partnership, etc.

A motion was made by Mr. González, seconded by Mrs. Munn, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

## 2<sup>nd</sup> Supplemental Authorizations Report – Authorization to Submit, etc.

A motion was made by Mr. Padlo, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

#### Finance and Accounting Report – Authorization to Pay Vouchers

A motion was made by Mrs. Munn, seconded by Mr. González, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Mrs. Munn, Messrs. Padlo, Perreira, Nazco – 7

Abstain: Messrs. Monteiro, Trujillo – 2

Negative: None

#### Supplemental Finance and Accounting Report – Transfer of Funds

A motion was made by Mrs. Munn, seconded by Mr. Donoso, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Nazco – 8

Abstain: Mr. Trujillo – 1

Negative: None

#### Award of Contracts Report – Award of Contracts, etc.

A motion was made by Mrs. Munn, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

Mr. Trujillo asked if it is necessary to enter into contract with the Union County Department of Corrections for anti-bullying and gang prevention programs.

Mr. Kennedy explained the need to enter into contract.

#### Supplemental Award of Contracts Report – Change Orders

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Nazco – 7

Abstain: Messrs. Donoso, Trujillo – 2

Negative: None

#### 2<sup>nd</sup> Supplemental Award of Contracts Report – Award of Contracts, etc.

A motion was made by Mr. González, seconded by Mrs. Munn, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Nazco – 7

Abstain: Messrs. Donoso, Trujillo – 2

Negative: None

#### Miscellaneous Communication

None.

#### Claims List

A motion was made by Mr. Trujillo, seconded by Mrs. Castillo-Ospina, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco (abstain- O.F.) – 7

Abstain: Messrs. Perreira, Trujillo – 2

Negative: None

Mr. Monteiro excused himself from the meeting at 8:25 p.m.

The second reading of the revised Alternative Educational Programs Policy File Code No. 6172 and the Minutes Bylaw File Code No. 9326 was done.

#### Resolution – Revised Policy and Bylaw

6172 Alternative Educational Programs Policy

9326 Minutes Bylaw

A motion was made by Mr. González, seconded by Mrs. Castillo-Ospina, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Mr. González, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 7

Abstain: Mr. Donoso – 1

Negative: None

#### Resolution – Continuation of the Comprehensive General Liability Insurance Package Policy with NJSBA Insurance Group

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Mr. González, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 7

Abstain: Mr. Donoso – 1

Negative: None

Mr. Nazco stated the moving of our school board election to November did result in a larger voter participation. Mr. Nazco stated that the Board voted unanimously to move the election as soon as we were given the opportunity and that elections provide choices. Mr. Nazco congratulated his colleagues Elcy Castillo-Ospina and Tony Monteiro who ran first and second and shared the view of the electorate that their continued services are beneficial to the educational community. Mr. Nazco complemented Charlene Bathelus on her victory and commented that he and his colleagues look forward to working with her for the betterment of our educational community. Mr. Nazco stated that the appointment of Mr. Padlo to the Board allowed them to get to know him, that we all appreciate his diligent service and hard work and urged him to continue to stay active in the educational community in Elizabeth.

Mr. Monteiro returned to the meeting at 8:30 p.m.

Mr. Nazco presented the following public participation statement.

“At this time, the microphones are open for public comment to those who have signed in prior to this session. 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.”

Mr. Nazco called upon the first public participant, Jose Rodriguez, to address the Board.

Jose Rodriguez, 618 Jackson Avenue, congratulated the Elizabeth High School marching band and the soccer team. Mr. Rodriguez congratulated Elcy Castillo-Ospina, Tony Monteiro, and Charlene Bathelus on their election to the Board.

Mr. Nazco thanked him for his comments and called upon the next participant, Maria Echavarria, to address the Board.

Maria Echavarria, 321 Westfield Avenue, asked if a lottery school can be a school for autism and stated that School No. 12 needs air conditioning.

Mr. Nazco thanked her for her comments and called upon the next participant, Maria Medeiros, to address the Board.

Maria Medeiros, 324 Franklin Street, spoke about general issues.

Mr. Nazco thanked her for her comments.

Since there were no other citizens signed in to address the Board, Mr. Nazco declared this portion of the public meeting closed.

Mr. Nazco requested a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, specifically, L.H.S., K.S., T.B., B.B-P., D.S., N.Y., B.M., M.M., J.M., and C.C.; OFAC corrective action plan, Harassment, Intimidation, and Bullying results, and workers' compensation claims, specifically, D.K., C.C., and G.F. The Board will reconvene in public to take formal action.

A motion was made by Mrs. Munn, seconded by Mr. Donoso, to go into private session at 8:35 p.m.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

The Board reconvened in public at 11:45 p.m. to continue with the meeting and take formal action.

Messrs. Gonzalez, Perreira, Trujillo excused themselves from the meeting at 11:47 p.m.



2<sup>nd</sup> Supplemental Personnel Report – Appointments, etc.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

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

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Padlo, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Authorizations Report – Acceptance of Donation

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

3<sup>rd</sup> Supplemental Award of Contracts – Rescission of Contract

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the report be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Termination effective November 16, 2012 – C.C.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Administrative Leave with pay effective November 9, 2012 – B.B-P.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Padlo, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Administrative Leave with pay effective November 9, 2012 – N.Y.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Administrative Leave with pay effective November 9, 2012 – D.S.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Authorization to Process a Retirement Application – K.S.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Authorization to Process an Accidental Disability Retirement Application – L.H.S.

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Acceptance of OFAC Report Case #INV-053-12 Report on Investigation

A motion was made by Mrs. Castillo-Ospina, seconded by Mr. Donoso, that the resolution be adopted.

Mr. Nazco stated that based on OFAC Case #INV-053-12 Corrective Action Plan the findings of the OFAC investigation are as follows: based on the preponderance of the evidence collected during the investigation, the OFAC concludes that three current and three former administrators breached, encouraged, and/or facilitated the breaching of the NJ ASK test security protocols; information obtained from interviews disclosed that employees were being pressured for students to perform at proficient and above proficient levels on the NJ ASK test and threats of job loss, undesirable assignments, private and public humiliation were methods used by the former principal to ensure teachers pleased their boss and based upon the concerns expressed by several of the interviewees, with respect to the confidentiality of information they provided, the fear of retaliation was evident by some of those individuals no longer being employed by the district; and the investigation further revealed the change in morale at John Marshall with the retirement of the former principal and presence of the current principal as the new school principal beginning in January 2011.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 6

Negative: None

Resolution – Acceptance of Corrective Action Plan for the Office of Fiscal Accountability and Compliance (OFAC) Case #INV-053-12 Report of Review

The Corrective Action Plan and Office of Fiscal Accountability and Compliance (OFAC) Report of Examination inclusive of audit recommendations, comments and actions to be implemented were read and reviewed.

A motion was made by Mrs. Castillo-Ospina, seconded by Mrs. Munn, that the resolution be adopted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Mr. Monteiro, Mrs. Munn, Messrs. Padlo, Nazco – 5

Abstain: Mr. Donoso – 1

Negative: None

Messrs. Gonzalez, Perreira, Trujillo returned to the meeting at 11:55 p.m.

Mr. Nazco asked if there was any old business to discuss.

Since there was no old business to discuss Mr. Nazco asked if there was any new business to discuss.

Mr. Perreira stated that at the last meeting we requested a letter be sent to new hires on behalf of the Board and asked if there was a draft available that could be presented tonight. Mr. Perreira stated that the Board would like to commend employees that are retiring and employees once they reach milestones during their career here in the district. Mr. Perreira commented that we vote on the retirements for people and some have worked in the district for thirty plus years and we should take action and let the people know and understand that we are appreciative of their time here in the district.

Mr. Monteiro asked if this was going to be a policy.

Mr. Perreira stated that this may need to be discussed in a committee and asked Mr. Kennedy how to proceed.

Mr. Kennedy responded that this should come from the Human Resources Department because they have the records for new hires and the information provided to his office to draft the letters for signature by the entire Board or Board President.

Mr. Trujillo stated that he wants clarification and what he doesn't want to happen is that it falls through the crack. Mr. Trujillo stated that what he much would prefer is that we take this to a committee and we formulate our idea exactly how we want it and draft a policy and that this would be driven by policy. Mr. Trujillo stated that what is going to happen, in his experience, is that it will happen for the first few people and then it won't happen anymore. Mr. Trujillo stated that if there is a policy in place and it is clear and concise then it will be automatic. Mr. Trujillo stated that in his opinion it should be for any length retirement since people retire for all reasons sometimes sooner than they would like whether it be illness, moving, or whatever the reason and perhaps the wording in the letter can be different if it is a milestone of thirty years or their whole career.

Mr. Nazco stated that this can be addressed in an Educational Management Committee which is chaired by Mrs. Castillo-Ospina.

Mr. Perreira stated that another item that we touched on last year is to implement software to have our Board minutes be digital rather than paper and going "green" based on how much paper is used to create the Board minutes on a monthly basis. Mr. Perreira asked if this needs to be policy based and what committee would the Board Secretary recommend to make sure that it is managed through implementation properly.

Mr. Nazco stated that this can be addressed in a Legal Committee.

Mr. Trujillo stated that several months ago this Board took action and voted to have the land appraised on Trumbull Street. Mr. Trujillo stated that it his understanding that to date it has not been appraised.

Mr. Kennedy responded that it has been appraised.

Mr. Trujillo requested that every Board member be given a copy of the appraisal for review.

Mr. Trujillo stated that we just went through a very challenging two weeks in the great City of Elizabeth and throughout the whole State. Mr. Trujillo stated that considering the images you could see on television and seeing everything that has happened we were really fortunate. Mr. Trujillo stated that although he is the first to say that we have some of the most talented and most professional staff and he normally praises them but he has to say that he does take exception on an action that we took today and he regrets that he participated. Mr. Trujillo stated that he says this with all due respect but he is really saddened that we honored some of the staff tonight for going beyond the call of duty, quite frankly, he spent his time here in Elizabeth during this crisis working within his community and saw the struggles within his community. Mr. Trujillo stated that he doesn't think that as a district these people went beyond anything quite frankly. Mr. Trujillo stated that this is his opinion and you are all welcome to disagree with me but he couldn't leave this meeting without saying that sincerely he regrets the fact that we honored these people for going beyond the call of duty because they didn't go beyond the call of duty, if anything at minimum they did part of their job. Mr. Trujillo stated that in his opinion they did not do their whole job and he is very disappointed in the way it was handled, he is disappointed as a district, and he is disappointed in the City of Elizabeth and the City Administration in the way they handled this.

Mr. Trujillo stated that he is the chairperson of the Properties Committee and to find out yesterday in his committee meeting that there is no cohesiveness, that there is no working mechanism between the City of Elizabeth and this body for crisis management is sad and really unacceptable. Mr. Trujillo asked his colleagues to think this through, that there is a lot of work to be done, although Sandy was a hundred year storm we must and we have a responsibility to leave in place an action plan for future boards to respond to future disasters. Mr. Trujillo stated that we have to be very diligent in our work and we have to be mindful of our responsibilities as elected officials. Mr. Trujillo stated that these buildings and facilities belong to the taxpayers of the City of Elizabeth and at the end of the day we have to ensure that their needs are met whether it be educationally or in the case where we had the warming station or whatever the case may be. Mr. Trujillo stated that we must be prepared to open these buildings or at least to service our community in a better manner, a more professional manner. Mr. Trujillo stated that what he found out yesterday at the Properties Committee meeting and the frustration during the actual event was that we really let our citizens down. Mr. Trujillo stated that going forward he hopes we do a better job, that we are cognizant of our shortcomings and that we do have a lot of work to do and we are not in it alone but it bothers him if we honor these people for going beyond the call of duty. Mr. Trujillo stated that going beyond the call of duty were the first responders at 9/11, that was going beyond the call of duty, the buildings collapsed, people were dying and they went in, and that is going beyond the call of duty. Mr. Trujillo stated that some of these people in our district didn't even show up in the City, they weren't even here and that is not beyond the call of duty.

On a motion by Mr. Donoso, seconded by Mrs. Castillo-Ospina, the meeting was adjourned at 12:10 a.m.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Monteiro, Mrs. Munn, Messrs. Padlo, Perreira, Trujillo, Nazco – 9

Negative: None

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