

APPROVED
Bd. Mtg. 12-16-10

BOARD OF EDUCATION
(Official)

November 18, 2010
Elizabeth, New Jersey

The regular meeting of the Board of Education was called on November 18, 2010 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 Carlos Trujillo presented the following statement at 7:30 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 Monday, November 15, 2010. 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 18, 2010 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: Pastor Burgos (arr. 8:20 p.m.), Mrs. Castillo-Ospina, Messrs. DaSilva (arr. 7:35 p.m.), Donoso, González, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 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 Schools Aida Garcia, Assistant Superintendent for Teaching and Learning Olga Hugelmeyer, Assistant Board Secretary Donald Goncalves, Executive Director of Human Resources/Labor Attorney Karen Murray, Comptroller William Greene, and members of the public were in attendance.

Dr. William Greene gave the invocation.

Mr. Trujillo spoke of the devastating loss of U.S. Marine Lance Corporal Francisco R. Jackson, former student of Admiral William F. Halsey, Jr. Leadership Academy, who was killed by an IED during a combat mission in Afghanistan on October 19, 2010. Mr. Trujillo then called for a moment of silence.

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., followed by the Pledge of Allegiance led by Cynthia Ribeiro, eighth grade student at Ronald Reagan Academy School No. 30.

The *Star-Spangled Banner* by Francis Scott Key was performed by the Ronald Reagan Academy Middle School Choir.

The Pledge of Ethics was led by Gabrielle Gilbert, eighth grade student at Ronald Reagan Academy School No. 30.

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

Mr. Trujillo introduced the family of Francisco R. Jackson and stated that on behalf of the Elizabeth Board of Education, the Elizabeth Public Schools, and Superintendent Pablo Muñoz, this banner honoring U.S. Marine Lance Corporal Francisco R. Jackson will hang in Admiral William F. Halsey, Jr. Leadership Academy. Mr. Trujillo and Board members unveiled the banner.

Mr. Trujillo stated that we mourn with you and that we honor Francisco by hanging this banner memorializing his sacrifice in order to protect our country's freedom, that others will not forget, that the entire Elizabeth Public Schools community has lost a very special person and Francisco Jackson will be missed but never forgotten.

Mr. Trujillo introduced students from the Ronald Reagan Academy Middle School Choir who performed *How Can I Keep From Singing* by Gwyneth Walker and *El Ritmo de la Noche* by Jay Althouse. Mr. Trujillo thanked the students for the wonderful performance.

Mr. Trujillo introduced students from the Ronald Reagan Academy Elementary School Choir who performed *The Last Voyage* by Glenda Franklin and *Don't Stop Believin'* by Steve Perry. Mr. Trujillo thanked the students for the wonderful performance.

Mr. Trujillo recognized students from the Elizabeth High School Forensic Team including Danny Luca who won 1st place in Improvisation, Kyle Valente and Tome Correia who won 4th place in Public Forum Debate at the Phillipsburg High School Forensic Tournament. Mr. Trujillo and Board members congratulated the students and presented each with a plaque of commemoration.

Mr. Nazco excused himself from the meeting at 8:10 p.m.

A motion was made by Mr. González, seconded by Mr. Perreira, that the minutes of the meeting of October 21, 2010 be accepted.

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Secretary and Treasurer's Report for the Month of September 2010

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Personnel Report – Leaves of Absence, etc.

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. DaSilva, Donoso, González, Mrs. Munn, Mr. Perreira – 6

Abstain: Mr. Trujillo – 1

Negative: None

Tuition Report

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Superintendent's Report – Considerations

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Superintendent's Report – Use of Facilities

A motion was made by Mr. DaSilva, seconded by Mr. González, that the requests be approved with a waiver of fees except for the requests from Consulado del Salvador and Rabbi Avremy Kanelsky be approved with a waiver of facility fees.

The amended motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina (abstain- American's United Soccer Academy), Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Supplemental Superintendent's Report – Use of Facilities with Fees

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Superintendent's Report – Field Trips

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Supplemental Superintendent's Report – Field Trips

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Superintendent's Report – Excellence News

Superintendent's Report – Alexander Hamilton Preparatory Academy Financial Literacy Program

Superintendent Pablo Muñoz stated that the Board of Education has given us a clear vision that the Elizabeth Public Schools will be one of the best school systems in the State of New Jersey, that the Board has been very aggressive with the high school graduation policy which is more rigorous than the requirements of the State of New Jersey, and that as a result of the new graduation policy the students have become financially literate. Mr. Muñoz stated that the financial literacy program at Alexander Hamilton Preparatory Academy was highlighted on the news and introduced a video presentation of the news clip.

Authorizations Report – Authorization to Make Application, etc.

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Finance and Accounting Report – Authorization to Pay Vouchers

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Supplemental Finance and Accounting Report – Transfer of Funds

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Mr. DaSilva asked if the contract for American Wear is for employee uniforms and if it is the same company as for the student uniforms.

Mr. Kennedy explained that the contract for American Wear is for employee uniforms not student uniforms.

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Second Supplemental Award of Contracts Report – Award of Contracts

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. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 7

Negative: None

Miscellaneous Communication

None.

Claims List

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Mr. Perreira (abstain- Candelario Trujillo) – 6

Abstain: Mr. Trujillo – 1

Negative: None

The second reading of the revised Board of Education Meetings Policy File Code No. 1120 was done.

The second reading of the revised Research, Evaluation and Planning Policy File Code No. 2240 was done.

The second reading of the revised Action Planning for State Monitoring NJQSAC Policy File Code No. 2255 was done.

The second reading of the revised District Records and Reports Policy and Regulation File Code No. 3570 was done.

The second reading of the revised Vandalism/Violence Policy File Code No. 5131.5 was done.

The second reading of the revised Substance Abuse Policy File Code No. 5131.6 was done.

The second reading of the revised Health Policy File Code No. 5141 was done.

Resolution – Revised Rules of Governance Policies and Regulations

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

The motion was carried by the following vote:

Affirmative: Pastor Burgos, Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 8

Negative: None

Mr. Trujillo requested the Resolution for Agreement for Rental Property between EBOE and Pillar Properties, LLC be held for private session.

Mr. Trujillo 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.”

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

Mr. Trujillo stated that his comments at the last Board meeting were requested through the Open Public Records Act and the individuals to whom he will direct his comments know who they are and he would like to send them a copy of this meeting’s video before they even ask.

Mr. Trujillo stated that many may not be aware of the recent article that appeared in the Star Ledger, that the article detailed a letter he received as the President of the Board of Education on behalf of the President of the local PBA, which is the police union, and the Superior Officers Union, and that the attorney representing these parties wrote this letter and their concern is that there is too much violence around our schools. Mr. Trujillo stated that if you are not aware the Elizabeth Board of Education, for many years now, has budgeted monies from our education budget to ensure the safety of our children around the buildings at dismissal. Mr. Trujillo stated that over the last five years we have budgeted over \$1 million which is no small amount of money and knowing the tough economic times we are in now we continue to invest. Mr. Trujillo stated that we have 150 security guards with a budget of \$6 million. Mr. Trujillo stated that the record needs to be clear, that we stepped up a long time ago, that we realize Elizabeth has changed and the reality is that sometimes it’s not as safe as we all want to think it is simply because sometimes crimes don’t get reported in the newspaper and we don’t hear about them and often unless someone we know is victimized or we’re victimized ourselves or we witness a crime that it doesn’t really phase us. Mr. Trujillo stated that the reality is that there is crime in Elizabeth and that there are not 1,000 bank robberies, but there are motor vehicle break-ins and home invasions that happen like in any other urban district. Mr. Trujillo stated that like any other urban district

we also have the challenge of gang activity. Mr. Trujillo stated that he has been on the record of saying this as far back as 2007 when just down the street from his house a 13 year old boy was shot and he said then that it was gang related. Mr. Trujillo stated that he was verbally abused by the Mayor at an opening simply because he told the New York Times reporter, who came to his house and asked what he thought was going on, that there is a gang problem in our City and we need help. Mr. Trujillo stated that he had no mal-intentions when he said that, that he was speaking his mind on what he thought was true and was quoted in the paper. Mr. Trujillo stated that a few days later he saw the Mayor who was really upset about it and that he has every right to be if that is his position. Mr. Trujillo stated that what worries him is that the same people that the taxpayers of Elizabeth are paying to protect us, the police officers, through their union have stated that they feel unsafe around our children at dismissal. Mr. Trujillo stated that he has spoken to some officers off the record and they don't all feel that way, that many of them understand and appreciate the fact that we do make an investment in security and that we're working hard to keep this element out of our schools and they understand. Mr. Trujillo stated that he doesn't know if this is politically motivated or financially motivated. Mr. Trujillo stated that if they had an interest in resolving this they would have come to someone and said we want a meeting and that we believe there is a problem and want to meet. Mr. Trujillo stated that at least that is the way he would have addressed it but they wrote a letter and someone leaked it to the newspaper and makes it sound like the Board of Education has a big problem and they are not addressing it, but that is not the fact and with time the truth will come out.

Mr. Trujillo stated that we make a big investment and we are very cognizant of the fact that there is a bad element and it sometimes does affect our schools and around our schools. Mr. Trujillo stated that the key here is that we know there is a problem and have admitted it, that we have sought help and we have asked to participate. Mr. Trujillo stated that if you know that we have a problem you need to help us, that you have an obligation, this is a partnership, the community, the parents, the administration here, the Board of Education, the Mayor, City Council, the Police Director, and the Prosecutor all have to come together to address this. Mr. Trujillo stated that if the linchpin to this does not come to the table, then no resources, no help, at least not at the level we need. Mr. Trujillo stated that he is not looking to start a public battle with the police union, that he has no interest. Mr. Trujillo stated that he will tell you this, that he will fight anyone who does not have the good intentions in their heart to help the children of Elizabeth. Mr. Trujillo stated that he is an advocate for the City of Elizabeth and the children through education. Mr. Trujillo stated that he believes we give our children ample opportunities and choices not to join gangs or to be part of the criminal element they obviously know exist now. Mr. Trujillo stated that we have great administrators, incredible teachers and support staff, people who actually care about children and they can tell you that although we have problems, we will admit we have problems, that we are willing to address them and we care to find a solution. Mr. Trujillo stated that he does not care to entertain a verbal assault or public assault on the police union, on the contrary, he is very pro-police and would love to partner with the police and address this issue. Mr. Trujillo stated that we must call a spade a spade and at the end of the day if the Mayor and City Council of this City do not admit that we have a gang problem then we have a bigger problem than the gangs. Mr. Trujillo stated that he wants to be clear on the record because he made a few comments a few nights ago and is hearing a lot of different things about it. Mr. Trujillo stated that he is not sorry that he said it and will say it again, that we have a problem and need to address it. Mr. Trujillo stated that every responsible body has to be at the table, that if your intentions are good he is inviting you. Mr. Trujillo stated that he wants the record to show that he is inviting them today to sit at the table to reach out to us as we will reach out to them to sit at the table and put it all together, but if he invites you and you do not come then he will tell everyone you were not at the table because he will be there. Mr. Trujillo stated that he will be there on behalf of the children of the City of Elizabeth as long as the citizens ask him to, that he

will not let someone politicize such an important problem to be dealt with, that this is very serious and it's not something he will allow to be politicized.

The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, for discussion of personnel, specifically E.R., J.C., M.L., H.T., F.C., J.T., L.M., J.R., L.M., A.R., J.J., L.R., S.P., W.C., M.S., and C.F.; reorganization, liability insurance renewal, early childhood provider corrective action plan and workers' compensation claim, specifically J.B. The Board will reconvene in public to take formal action.

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

The motion was carried by the following vote:

Affirmative: Pastor Burgos, Mrs. Castillo-Ospina, Messrs. DaSilva, Donoso, González, Mrs. Munn, Messrs. Perreira, Trujillo – 8

Negative: None

Mr. Nazco returned to the meeting at 9:20 p.m.

The Board reconvened in public at 9:53 p.m. to continue with the meeting and take formal action.

Pastor Burgos excused himself from the meeting at 9:55 p.m.

Mr. DaSilva excused himself from the meeting at 9:56 p.m.

Resolution – Agreement for the Rental of Property between EBOE and Pillar Properties, LLC

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

The motion was carried by the following vote:

Affirmative: Mrs. Castillo-Ospina, Messrs. Donoso, González, Mrs. Munn, Mr. Perreira – 5

Abstain: Messrs. Nazco, Trujillo – 2

Negative: None

Supplemental Personnel Report – Leaves of Absence, etc.

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

The motion was carried by the following vote:

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

Negative: None

2nd Supplemental Personnel Report – Resignations, etc.

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. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Continuation of the Comprehensive General Liability Insurance Package with New Jersey School Boards Association Insurance Group

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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Confidential Settlement Agreement between EBOE and W.C.

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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Confidential Settlement Agreement between EBOE and M.S.

A motion was made by Mr. González, 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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Termination effective December 29, 2009 – E.R.

A motion was made by Mr. Perreira, 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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Reorganization – Personnel Actions

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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

Resolution – Acceptance of Corrective Action Plan for the Early Childhood Preschool Education-Office of Fiscal Accountability and Compliance (OFAC) Report of Review for the Leaguers for the 2008-2009 school year

The Corrective Action Plan inclusive of audit recommendations, comments and actions to be implemented were read and reviewed.

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, Mrs. Munn, Messrs. Nazco, Perreira, Trujillo – 7

Negative: None

On a motion by Mrs. Munn, seconded by Mr. Nazco, the meeting was adjourned at 10:05 p.m.

The motion was carried by the following vote:

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

Negative: None

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