

TOWNSHIP OF UNION BOARD OF EDUCATION
WORKSESSION MINUTES – October 13, 2020

NOTICE OF MEETING:

TO ALL BOARD OF EDUCATION MEMBERS:

The worksession meeting of the Board of Education of the Township of Union was held on Tuesday, October 13, 2020 at 7:00 p.m. via ZOOM, pursuant to the notice sent to each member. Action was taken.

Mrs. Minneci called the meeting to order at 7:07 p.m.

PRESENT AT ROLL CALL:

Dr. Guy Francis, Mrs. Sherry Higgins, Mr. Ronnie McDowell, Mrs. Nancy Minneci, Dr. Kalisha Morgan, Mr. Vito Nufrio, Mrs. Linda Richardson, Mrs. Kim Ruiz, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

None

ADMINISTRATORS PRESENT:

Mr. Gregory Tatum, Mr. Gerry Benaquista, Mrs. Diane Cappiello, Mrs. Kim Conti, Mrs. Ann Hart, Mr. Craig Wojcik, Mr. Barry Loessel, Mrs. Maureen Guilfoyle, Mrs. Sandra Paul

ALSO PRESENT:

Mr. Lester Taylor, Esq.
Mrs. Afshan Ajmiri Giner, Esq.

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

Mrs. Cappiello 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. Higgins read the District’s mission statement.

Comments from the Public on Resolutions:

Mrs. Lipstein stated I would like to comment on Policy 4111 which is was put on the agenda in a proper way, which it was not the last time and I couldn’t comment before you could discuss or put it on which is improper procedure. According to your own policy code 9301 which states “the board shall establish a careful process to ensure development to clear workable policy that reflects mature consideration of the will and needs of the community”. I didn’t see that happen. I didn’t see you follow your policy when it was put on the agenda at the last minute by a motion made by Mary Lynn Williams during New Business and I also found the fundamentals of school board membership, which is a handbook that you all should have and refer to and follow, it says that each Board member should follow some basic guidelines – one of which is not taking action without consulting the superintendent and getting recommendations

which is the procedure that is followed when policy is put onto the agenda because it is discussed at the policy committee, brought up and put on the agenda by the president and the superintendent. I would like to state that it is the Board's duty to follow your own established procedures of policy and that was not done in several instances at the last meeting.

My other comment is on policy itself and what this policy says because the fundamental of school board membership states "board members are community representatives" – this means representing the entire community. Above all, board members are responsible to and for all students in the school. Every policy approved and every action they take needs to be based on what is best for the education of the students and in no way shape or form is that policy based on what is best for the education of the students and that is my comment on 4111.

Nellis Regis-Darby stated E-5 – I noticed that the Board is going to approve curriculum tonight. I am sure if that was correct because I'm certain that the Board is supposed to approve unit plans and curriculum maps rather than curriculum. I was under the impression that the district already purchased curriculum for the district and right now those are adjustments to the curriculum so the Board should be approving curriculum plans and unit maps. Can someone from the education committee, Superintendent give me some clarity on that?

Mr. Taylor stated Mr. Tatum, Mrs. Minneci and Board members – the standard protocol was to answer at the end of public comment. Are your questions and/comments concluded? If so, if there is a quick answer perhaps the Board or administration can give it. If not, they can do it at the end so that all other members of the public who are waiting can also get their time.

Mr. McDowell stated if she can repeat her question so we can discuss it during the discussion period next week before we vote on it. Mrs. Regis-Darby stated I noticed on E-5 is curriculum that the Board is going to approve. I was under the impression that the Board purchased curriculum for the district and therefore tonight the Board should be approving unit plans and curriculum maps rather than curriculum itself. Just to be clear on my end that if the Board is buying new curriculum because what I saw in the back up was not actual curriculum but was actually unit plans and curriculum maps – I just want to be clear of the distinction of what is going to be approved next week.

Mrs. Minneci stated just a reminder that the comment period now is for bolded items.

Approval of Minutes:

Minutes will be approved at next week's meeting.

Communications

Communications will be approved next week under personnel.

Superintendent's Report:

Mr. Tatum stated tonight is an overview of next week. We are going to continue to keep you updated on all of the reorganization plans for possibly re-entry and re-establishment of the hybrid program, attendance and any other thing that comes up will be discussed. The update on graduation is from last year and there is a report I will be giving which is required now by the

State of New Jersey. Since we were in COVID-19 outbreak, I will be giving you an update on the students who normally would have taken the portfolio assessments, some were taken before this took place, now that is required by the State and next week I will have a report on that. This whole re-entry, we are looking at an assessment of each school building and the assurance that there is safe adequate ventilation and the reasons why we elected to do a remote program in the first place. I believe it started today with our architects and we will be bringing everyone up to speed on all the details next week.

Education/Student Discipline Committee Resolutions:

Mrs. Ruiz gave an update from the Education Committee meeting. Mrs. Ruiz stated the education committee met earlier today and we discussed the NJSLA Strong Start Assessment which is a diagnostic test that our students will undergo for ELA Math and Science. ELA will be grades 4 through 10, Math will be grades 4 through 8, as well as algebra, geometry and algebra II and Science will be grades 6, 9 and 12. There is no grade and the State will not be looking at our results. This is more for an internal diagnostic assessment so that we can see what learning loss if any our students have sustained and moving forward figure out what services or additional educational instruction we need to provide our students to make up for that learning loss. We don't have a date as of yet but it will be taking place between now and December 14th. The diagnostic test is between 45-60 minutes and can be administered in one period to the entire class. It can be administered both remotely and virtually.

The district had sent out a survey about what our selection was as far as our children going back virtually or in some hybrid form. You will be receiving a new survey soon and it will be asking the same kinds of questions so that the district can better assess how many students are going to be in the building and prepare for potentially reopening in a hybrid fashion.

They are going to each building to assess our HVAC and ventilation systems to ensure that they are adequate and will keep our children safe. I believe a third-party company will be coming in and do a similar assessment and be able to certify that the systems are safe and our children will be safe and healthy in the buildings.

Mrs. Guilfoyle is working on ordering PPE for our staff and teachers. The principals are sending her lists of what they need for their buildings so she can start working on that – masks, face shields for our speech therapist. It is going to include plexi glass barriers and cleaning supplies.

Mrs. Ruiz presented the Education/Student Discipline Committee agenda.

E-1. SUPERINTENDENT'S REPORT OF HIB

Superintendent's Report of Harassment, Intimidation and Bullying (HIB) for the period September 16 to October 13, 2020, in accordance with the information appended to the minutes (*no vote required; for reporting purposes only*).

DISCUSSION:

Mr. Tatum stated the question that Mrs. Darby raised can be answered right now. The curriculum itself may be renewed for various purposes but we do teach in a unit fashion. Mrs. Guilfoyle is here and has updates specifically to that curriculum and why.

Mrs. Guilfoyle stated that is part of the CAR grant that we received last year and that was through the NJDOE and through that grant we are going to adopt the units over the summer. We had a group of teachers that worked on the units. The units were sent out already, they are on the NJDOE website under the NJ Learning Standards so you can see them there. We got the grant to adopt these units for math. They worked over the summer and now we are approving those units.

There is going to be professional development. We have a coach that has been assigned to our district that will be working with the teachers in their PLCs and will be working on implementing those CAR units – Connected Action Roadmap.

Mr. Tatum stated to refresh the Board's memory we talked about this last year when we were applying for that particular grant and there have been a lot of communication both with the teacher's union, State representatives, a lot of discussion going on prior to actually getting the award. Did we get a dollar amount on the CAR grant award? Mrs. Guilfoyle stated there really isn't a dollar amount, it is providing professional development, the coach and also professional development for all of the teachers in CAR.

Mrs. Minneci stated E-8 – we are going to look further into this. Mr. Tatum stated we did talk about this in the agenda review. Mrs. Minneci stated we just want to clarify a few things. Mr. Tatum stated we can reach out to her.

Fiscal and Planning Committee Resolutions:

Mrs. Richardson gave an update from the Fiscal Committee meeting. Mrs. Richardson stated the finance committee met today. We have several items to vote on today. In reviewing the items on the agenda the school district has been very busy obtaining grants. We did get the paycheck protection program. We are purchasing three buses. We are also receiving money from the CARES Act for Corona Virus Relief Fund which enables us to get cleaning supplies and follow the restrictions that are set forth by the Department of Education to have children back into the school district. We will be reimbursed for those expenses. The CARES Act is effective until the end of December.

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

F-11. APPROVE THE FAMILY CENTER AT MONTCLAIR – MENTAL HEALTH SCREENINGS

Approve The Family Center at Montclair for mental health screenings at a rate of \$100.00 per screening and \$600.00 for a psychiatric evaluation (not to exceed \$5,000) for the

2020-2021 school year [Account #11-00-219-320-01-19/7074), in accordance with the information appended to the minutes.

F-12. APPROVE JFK JOHNSON REHABILITATION INSTITUTE – CAREER DEVELOPMENT SERVICES

Approve JFK Johnson Rehabilitation Institute to provide part-time career development services to students in our district public schools (not to exceed \$32,895.00) for the 2020-2021 school year, in accordance with the non-public information appended to the minutes [Account #11-000-216-320-01-19/7043].

F-16. APPROVE AWARD OF LEASE PURCHASE BID

Approve award of lease purchase bid to US Bancorp in the amount of \$268,750.26 at the rate of 1.56% for the acquisition of three (3) school buses.

F-23. APPROVE BERGEN COUNTY SPECIAL SERVICES, EDUCATIONAL ENTERPRISES – AUGMENTATIVE EVALUATIONS

Approve Bergen County Special Services, Educational Enterprises, to conduct augmentative evaluations on an as needed basis; the cost of each evaluation is \$1,100.00 (not to exceed \$5,500.00) for the 2020-2021 school year [Account #11-000-219-320-01-19].

F-24. APPROVE TRINITAS HEALTHCARE CHILDREN’S THERAPY SERVICES

Approve Trinitas Healthcare Children’s Therapy Services to conduct occupational therapy, physical therapy and speech language evaluations for district students; the cost of each evaluation is \$350.00 (not to exceed \$14,000.00) for the 2020-2021 school year [Account #11-000-219-320-01-19].

F-25. APPROVE KID CLAN SERVICES – EDUCATIONAL/PSYCHOLOGICAL EVALUATIONS

Approve the Kid Clan Services to conduct educational and psychological evaluations for district students at the cost of \$400.00 per evaluation (not to exceed \$32,000.00) for the 2020-2021 school year [Account #11-000-219-320-01-19].

F-26. APPROVE LEARNING TREE MULTILINGUAL EVALUATION AND CONSULTING – EDUCATIONAL/PSYCHOLOGICAL EVALUATIONS

Approve Learning Tree Multilingual Evaluation and Consulting to conduct educational and psychological evaluations for district students. The cost of each evaluation is as follows: (a) in English - \$700.00 per evaluation; (b) in Spanish - \$750.00 per evaluation; (c) in other languages - \$800.00 per evaluation (not to exceed \$28,500.00) for the 2020-2021 school year [Account #11-000-219-320-01-19].

DISCUSSION:

Mrs. Richardson stated F-11 – do we know how long in time the evaluation is – 1, 2, 3 hours? Mrs. Conti stated it is based on the needs of the student. It is for mental health screenings to determine if the student is clear to return to school. There is not an exact time limit.

Mrs. Richardson stated F-12 – is for non-college tech students or is it career development that are going into the medical field? Mrs. Conti stated is to provide students with transition services and skills to prepare them for entry into post-secondary life after they graduate from us. It could be in different fields, college, vocational and they prepare different skill sets depending on the students and depending on what their needs and interest are. It is based on the IEP team decision and it based on the individual needs of the student.

Mrs. Richardson stated F-23 – these evaluations are they done in Bergen County? Mrs. Conti stated we are looking for them to be done offsite – this one type of evaluation, I am running into a block because they really want to come onsite to conduct those evaluations but as you heard the discussion regarding the facilities from Mr. Tatum so we are working them to see if we can do it offsite and that they are following the NJDOE guidelines for safety.

Mr. Tatum stated in the conversations and discussions with Mrs. Conti and I have had over the last week, one of the concerns that we had was that evaluations are so critical because there is such uncertainty, we have to continue to maintain and to move forward so we are looking at agencies beyond where we might not normally do in house and try to find a way to accomplish it. I told her to do whatever she needed to do to ensure that the students are getting what they need and that is why these are on the agenda. Mrs. Conti stated I appreciate those conversations and thank you for doing that.

Mrs. Richardson stated it is showing that we are doing our job as a district by providing these services. I give you a lot of credit for looking at this because it is so important.

Dr. Francis stated F-16 – I didn't see any back up. Mrs. Manochio stated I'm working with U.S. Bancorp and still submitting all the paperwork. This is just approving the bid that we accepted. Once the paperwork goes through we will be putting something through to accept the money that goes in escrow. Dr. Francis asked what is the term of the lease – how many years? Mrs. Manochio stated I don't have it but I can get it for you if you want. This needs to be voted on because the due date is coming up soon. Otherwise, the rate will expire and we will have to get another rate. I can get you the details tomorrow.

AYE: Dr. Francis, Mrs. Higgins, Mr. McDowell, Dr. Morgan, Mr. Nufrio,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

Mrs. Richardson presented the remainder of the Fiscal and Planning Committee agenda.

DISCUSSION:

Mrs. Richards stated F-20, F-21 and F-27 – money that we receive from the NJDOE that is given to St. Michael's School – it comes through our district and it is disbursed to St. Michael's.

Mr. Tatum stated yes and it is just like Title I funds and grant moneys that we receive, we normally get the full amount and a portion is disbursed to the non-public schools.

Mrs. Guilfoyle stated we just got funding for the non-public Digital Divide as well. The funding comes to us and we have to maintain and handle all the purchase orders so we are able to get Chromebooks for them and it will come out of that money. It all has to be handled by the LEA.

Mrs. Richardson stated F-10 – out of district students are 146 as of today. Mr. Tatum stated that is a pretty stable number.

Operations Committee Resolutions:

Mrs. Richardson presented the Operations Committee agenda.

DISCUSSION:

Mr. Benaquista stated the Department of Ed and security and safety has not changed. We are still required to do emergency drills. There are creative ways to still do emergency drills even with kids not being in the building. This month we did a drill without students and it is based on the guidance with the DOE.

Yearly we approve our school emergency management plan. The district committee will be meeting this week and it will be provided to the Board members. Security wise it is confidential so it will be non-public. Diane will upload it later on this week.

Mr. Taylor stated can you ask the Board members and administrators to mute their lines, there is background noise and I don't want that to disrupt the meeting or have anything unintentional heard by the public. Mrs. Minneci asked everyone to mute themselves if they are not speaking.

Mrs. Richardson stated in talking to Mrs. Manochio, Mr. Loessel at the last meeting had said that Schneider Electric wanted us to do the purchasing of solar panels because we would get the rebate and the money would come back to the school district.

Mr. Tatum stated we just had a meeting last week and they were talking about different phases of the plan. Instead of one major project, they were breaking it down to two projects.

Dr. Morgan stated ESIP plan – are we still putting that forth knowing that we don't have a sitting BA, Superintendent, Assistant Superintendent – should we wait on that considering students are not in school? Is it going to cost more money being that students are not in school and we are not using any energy to get a rebate?

Mr. Taylor stated Dr. Morgan the district has separate counsel, Ms. Gorab, in connection with the ESIP. From the last meeting she attended, there are pretty strict timelines that the district must comply with in order to enter into and take advantage of this. The program in savings and anticipated use is not strictly subject to or contingent upon the buildings be occupied at capacity and last I would suggest that if there are additional questions, that Ms. Gorab be

invited to next week's meeting to entertain and answer any questions you may have on the process and timing.

Dr. Morgan stated I really think that we need to function as if our Board president can answer the questions. I know you are not an attorney but the question was asked to the Board. With all due respect I think we need to follow this model where we are answering our questions and not our Board attorney unless you are asked for assistance.

Mr. Taylor stated respectfully and through the Chair, Mrs. Minneci, may I speak. Mrs. Minneci stated yes you may. Dr. Morgan, you are Board members and lay persons, you are an administrator in another public school district so you have a heightened level of training in education, but the other Board members, respectfully are lay people. The question you asked is one of procedure but also legal time frames and procurement related issues. It wouldn't be appropriate to expect a Board member to answer something of that magnitude; that is why you have a Chief School Administrator, a Business Administrator and a whole administrative cabinet, teachers, attorneys, etc. My only suggestion was that the question can be held in abeyance and be answered by the professional that this district has consulted and retained, Ms. Gorab, to answer your question. I wasn't suggesting that your question was improper. I am just suggesting that it would be better answered by a professional not by a Board president who is not qualified in this instance to answer some of the intricacies of that.

From a procedural matter, would it be better to wait until there is a full cabinet re-established, new superintendent – the reality is Mr. Tatum is a superintendent until he is not a superintendent any more. The timing aspect would take effect prior to his departure. Therefore, I don't know if it would need to wait until he leaves. Your question is fair and reasonable but my only suggestion is to consult with the retained lawyer in the matter. Mrs. Minneci stated thank you.

Mrs. Higgins left meeting (7:57 p.m.).

Personnel Committee Resolutions:

Mr. McDowell gave an update from the Personnel Committee. Mr. McDowell stated one of the items that we can discuss is there has been a survey that was sent out to the parents and students but there is also a survey that has been sent to the employees of the board – the teachers to find out about how they feel about coming back. I believe there were four options on that survey – those that would be returning physically in the building, with no accommodations, option two would be those that are not returning to building and required to present a doctor's note, option three is those employees that are returning with accommodations and option four is those that are not returning but will be on a COVID related FMLA.

According to what we learned in the meeting, 90% of those that responded said that they would be returning to the building with no accommodations. Mr. Benaquista stated that was an approximate, I can give exact numbers next week. I don't want to mislead anyone. Next week I will give an update on the exact percentage of people that will return.

Mr. McDowell stated an assessment to determine the readiness to receive staff and students in the building. Mr. Loessel and the building principals were assessing the buildings in that regard to see if they are ready in terms of HVAC and other aspects to return to the buildings.

Other items of personnel will be discussed in executive session.

Mr. McDowell presented the Personnel Committee agenda.

DISCUSSION:

None

Mrs. Higgins returned to meeting (8:03 p.m.)

Policy Committee:

Mr. Nufrio deferred the changes to Policy 4111 to Mrs. Williams.

Mr. McDowell stated the last time were we discussing Bylaw 9270? Mrs. Ruiz stated no we were discussing this policy Mrs. Williams walked on 4111.

Mrs. Williams could not locate the policy and therefore Mrs. Minneci read the changes to Policy 4111 – under (e) Former board members as employees and it is change to “all employees hired by the board shall neither be a sitting board member of the Township of Union Public Schools nor served as a board member of the Township of Union Public Schools for the past two years” – that was amended to.

Moved by Mr. Nufrio, seconded by Mrs. Higgins, that the following policy be adopted:

POL-1. Policy 4111 – Recruitment, Selection and Hiring

Approve Policy 4111 – Recruitment, Selection and Hiring, in accordance with the information appended to the minutes (*final reading*).

DISCUSSION:

Mrs. Ruiz stated Mrs. Minneci you and I discussed this policy yesterday and I expressed to you my concerns about the process by which this policy was walked on and the ensuing dialogue and the unfortunate chaos that erupted thereafter. I did ask that this be pulled but unfortunately it wasn't. I do have a statement I would like to make.

Before I make my statement I do want to apologize to our community because I think we all had some fault in that chaos and I do own mine and I do acknowledge at some point my conduct was unbecoming of a Board member so I apologize and I strive to do better. I am a work in progress, as we all are.

Specific to this policy on September 15th at approximately 1 hour and 13 minutes, Mrs. Williams walked on a resolution to amend Policy 4111 with the language that you just read out loud. That policy is four pages long and the language that is proposed is not an amendment, it is

a brand new insertion into that policy. I questioned Mrs. Williams about that language because it did seem familiar to me. I knew I had heard it before and I knew we had discussed it before.

When I asked Mrs. Williams had we not discussed this before, she said yes in fact we had and reminded me or so she thought she reminded me that this policy was on the agenda in February. When I asked her why it had been pulled, Mrs. Williams stated “chaos”. Unfortunately, Mrs. Williams lied. She lied to this entire Board and to the entire public. This policy was never on an agenda for any February 2020 meeting.

What was on the agenda for the February 2020 meeting was Bylaw 9270 which is probably why Mr. McDowell asked the question earlier. However, Policy 4111 was not on the agenda for either the February 11th or February 18, 2020 meetings. I invite everyone to look up those minutes. I have them in front of me.

Bylaw 9270 was on the agenda in the February meeting and we did have language that we discussed and we inserted it and in fact that bylaw did cause some chaos in the February meeting. During the February 18th meeting because of the chaos that ensued in the February 11th meeting, Mr. Nufrio who is the chair of the policy committee, moved to pull Bylaw 9270. That was motion was passed unanimously. With the understanding and in fact the minutes reflect it, that we would have further discussion.

From February until yesterday, not one policy meeting was held by this Board. The meeting held yesterday was held at your request, Madam President, and as a result of the chaos that ensued at the September 15th meeting.

At the meeting yesterday, the only policy committee member that showed up was me. Mr. Nufrio was not present and I understand why. I believe he had a new granddaughter that was in the process of being born – congratulations Mr. Nufrio. Mrs. Williams was a no show. The woman who walked this policy on and Mrs. Higgins was a no show. You Mrs. Minneci came in and stood in for Mr. Nufrio and we did meet to the extent that we could about this policy and other things but we really couldn't get much accomplished because to be fair to you, you are not part of the policy committee and you didn't have much guidance on what we were supposed to be doing.

I said all of this because it is our duty as Board members to provide our stakeholders with transparency and what happened at the last meeting when this policy was walked on was the polar opposite. It was the antifascist of transparency. Nothing that Mrs. Williams did to put this policy on the floor at the last meeting in September was transparent. In fact it was complete misrepresentation because this policy was never on the agenda in February.

To be clear, it is not that I'm necessarily opposed to the content of the policy or the language that she wishes to insert, I am opposed to the backdoor underhanded way that this was done. If we want our students to do things the right way, let us carry ourselves the same way. Walk the walk, don't just talk it.

If in fact you want this policy, then let's do it the right way. Let's have a full policy committee, let's discuss what we were supposed to do and then let's put it to our fellow Board members and be fair to them and the public. Thank you.

Mr. Nufrio stated thank you for the congratulations and yes I was not able to attend the meeting. I wasn't able to attend the fiscal and operations meeting today. But I'm going to recall your attendance back when we did discuss this in the conference room and I believe that was the day of the lockdown at the high school and we were all scattered around. Just as you indicated a few minutes, you are not opposed to the concept but in the same fashion I did indicate at the time that I was not completely aware of what could have possibly constituted a violation of the statute in terms of time line. As such, I pulled it. I had not gotten definitive answers about it.

When I did get the final answers, I was told specifically that the timeline could not be reduced but could be increased and many other districts have similar policies in place. And then of course, COVID arrived and it took everything in a surprise and a shock and certainly there was not policy committee called for that because more important issues were at hand such as directing the district, central office and Mr. Tatum had their hands full.

Yes there was no further discussion but I did indicate that the timeline was the factor on why it was pulled. Until such time as I was certain that the timeline would not in any way violate the statute which says 6 months, I learned of course that it could not be reduced but it could be increased. Many districts have 2 years and some have even longer. That is the reason.

You yourself at that meeting Mrs. Ruiz was the first to respond when we brought the policy to the table and I believe in attendance was also Mrs. Williams, Mrs. Higgins and we talked about it and you said "absolutely, I do agree" that no Board member should use a Board position as a stepping stone or for any other persons other than what we are elected for.

Mrs. Ruiz stated you are correct, except I said it should be used as a spring board, but it wasn't about this policy. I used that language when we were talking about Bylaw 9270. We never discussed this policy.

Mr. Nufrio stated you corrected me, spring board, it means the same thing. Spring board, stepping stone, whatever it may be, you were absolutely on board with the concept; now all of a sudden since then, things changed.

How it became processed in a different manner, that is certainly the right of any Board member to walk on a resolution. If I'm wrong Mr. Taylor, you certainly need to jump in but having said that there was no illegal or process that was not approved by any standards. Is that correct Mr. Taylor? Mr. Taylor stated through the chair, having not jumped in Mr. Nufrio, and Mrs. Ruiz and every Board member knows, any matter can be walked on during new business absent a specific statutory prohibition of same. There is nothing in the existing bylaw or policy that requires a first reading of a policy to be in writing and in fact the mere fact that the policy was brought up during an open public meeting, the relatively minor change of "6 months" to "2 years" was discussed and deliberated upon in public defies any notion that it was not transparent and not discussed with the public. The Board of Education is governed by Title 18A – Code of

Ethics for School Board members – 18A:12-24.1. The Board is elected to take action. The Board's primary function is to set policy. While the Board can and should consult with the chief school administrator on policies, this policy does not affect the day-to-day administration of the district so there is no direct obligation to consult with the superintendent on this particular policy.

From a procedural matter, based upon a procedure, the policy was brought on for a first reading, it was discussed at length at the last Board meeting. The policy is submitted in writing at this meeting evidencing and memorializing the proposed changed of "6 months" to "2 years" that is in accordance with your bylaw and other applicable policies in your manual. The reality is Madam President, absent any additional or different questions, you can call for a roll call and the votes will speak for themselves.

Mrs. Ruiz stated I have to clarify two things. Mr. Nufrio stated thank you Mrs. Ruiz for your candor as to how you responded the first time we talked about this in February and as close as I can remember, the phrasing should not be used as "springboard". Certainly I recall that, I recalled the day, the time and the discussion.

Mrs. Ruiz stated I need to clear the record. This policy 4111 was never discussed by the policy committee. I want to be very clear. Go to the February 18, 2020 minutes. The policies that were presented by the policy committee were policy 4110 not 4111, policy 4141/4231, regulation 9322, bylaw 9130 and bylaw 9270. At no point was policy 4111 discussed; that is false, it is a clear misrepresentation. You are misrepresenting what happened at that meeting Mr. Nufrio. Yes, I said the content, that specific language, I was not opposed to. You are correct. But it wasn't with regard to this policy that Mrs. Williams represented to the public at the September 15th meeting was put on the agenda in February when it was never put on the agenda and it was never discussed by the policy committee and that needs to be clear to this Board and it needs to be clear to the public that Mrs. Williams completely lied to all of us.

If you are going to continue with the policy and vote on it knowing that it was a misrepresentation to the public, you can do that but I think the public should know that we were all lied to which is why I went back and looked at the minutes. Policy 4111 was never discussed or presented to the Board in February. The first time it was ever presented to us was when Mrs. Williams walked in on the September 15th meeting.

Mr. Taylor stated I think Mrs. Ruiz raises a secondary issue which is whether procedurally a proposed policy revision is legally or pursuant to your policy manual required to be reviewed by a committee prior to being presented to the full Board and the answer is no. It does not have to legally or ethically presented and/or reviewed by the committee first.

As you are all aware, there are a number of issues that make it to the agenda, whether it be personnel, finance, athletics, buildings and grounds or whatever reason are not reviewed by the applicable Board committee, but yet they are still reviewed at your worksession and/or voted on at your worksession if it is a bold item and/or at your public meeting.

Mrs. Ruiz I am not opining whether someone lied, misrepresented was accurate or not accurate, I'm simply saying pursuant to applicable laws and regulations there is absolutely no

requirement for a policy to be reviewed by the committee prior to it being reviewed by the full Board which is comprised of members that would be on the committee nonetheless. As you are aware, when there are more complicated issues, they require more study and investigation, etc. it is very protocol oriented to, refer something back to committee or have the committee vet it. In this instance it seems to be a relatively minor change that is again not required to be reviewed by the committee. I'm just saying that for the record so that the public is not misled that there was some type of misstep in the way it was presented. It was walked on. Things can be walked onto the agenda. Mrs. Ruiz stated I understand that but it was misled. I'm sorry, the public was misled. Mr. Taylor stated I'm not arguing with you. I'm just saying procedurally.

Mr. McDowell stated the change that is being proposed for policy 4111 is in conflict with our bylaw 9270. If we are going to change the policy, we have to change the bylaw first. One other point I would like to make and I tried to make it the last time, maybe I didn't make it clear and maybe I misunderstood. Bylaw 9323/9324 – it says “however, existing board policies and bylaws may not be revised or new ones adopted unless the proposals are on a written agenda”. Those two points I want to make. The proposed change to policy 4111 is in conflict with our bylaw 9270.

Mr. Taylor stated Mr. McDowell, respectfully, you are right that it has to be in writing for the second meeting when it is being adopted. When it is just being introduced, it is just for discussion purposes. That is my legal opinion based upon my interpretations of your policies and 20 years of experience. It is introduced as a proposed change, Board members can vet it. Frankly, any of you can propose an amendment to “8 months” or “10 years” or whatever as long as it is not less than 6 months. If there is a consensus by the body to substantially change the proposed revision, let's just say they want to change it from “2 years to 5 years” – that would arguably be a substantial revision and if there was a consensus to increase it to that number, then this would be converted to the first reading and then you would have to vote on it at a subsequent meeting for a second reading. Even in that instance, that proposed revision wouldn't be technically be in writing because you are making it from the floor. It is the same difference.

Mr. McDowell asked is this considered a second reading of policy 4111. Mr. Taylor stated yes sir. Mr. McDowell stated then I disagree. I'm in the same camp as Mrs. Ruiz. This policy was not presented last month. Look at the minutes, it was 9270 and that is the bylaw. Mrs. Minneci stated that was in February. Mr. McDowell stated that is when it was tabled. Mrs. Minneci stated and in September it was walked on as 4111. Mr. McDowell stated I'm still thinking it was 9270 in September. Mrs. Minneci stated I don't believe so.

Is there any other discussion? Mr. McDowell stated my question is why are we changing it from “6 months to 2 years”? Dr. Morgan stated thank you Mr. McDowell, that was my question. Mr. McDowell stated I just need some clarification on why we are changing it. Dr. Morgan stated it was already stated Mr. McDowell. I did have an opportunity to watch the taping of the September 15th Board meeting and if you listen closely, it is clearly stated where Mrs. Williams said you are not going to use this as your step up – I'm paraphrasing and insinuated that I needed to run for a board seat in order to be a superintendent which is clearly not the case. I started out as a kindergarten teacher and I worked my way up without any help from anybody or doing any political favors. However, I found that to be a little offensive and

disrespectful and may impact my career because my superintendent wants to know why people are discussing my future. If anyone, including you, who I have come to know over the years and Dr. Francis and Mrs. Ruiz, no one has ever asked me what my future plans are and why would I discuss it with you. I am here as a Board member. That is why I believe the policy was put in place. I would like to hear from Mrs. Williams or Mrs. Minneci or anyone on the policy committee, including Mrs. Ruiz, why the policy was put in place.

Mr. Nufrio stated I can't speak nor would I even attempt to speak on behalf of Mrs. Williams, she can do that herself, but being called a liar or someone who misrepresents, I take complete objection to that and I will have more to say about that later. Mrs. Ruiz stated the minutes don't lie, the minutes are what the minutes are.

Mrs. Williams stated they wanted to know why the policy was changed – that change affects everybody on this Board. I'm sorry that Dr. Morgan feels that this is about her but it is not about you, it is about everybody on here and being transparent and letting people know that we are dedicated to our kids, we are not using this. It could be for me, it could be for Dr. Francis, Mr. McDowell, Mrs. Richardson – any one of us is qualified to take a position with the Board of Education. This says two years, we are not there for any other reason than the kids. Mrs. Ruiz I am assuming that calling me a liar was supposed to elicit some kind of response but I'm not responding to that. It is untrue and I'm not responding. I'm done Madam President.

Mr. McDowell stated I need somebody to complete this sentence. We are changing this policy because _____. Mrs. Williams stated the policy shows that we are transparent and we are here for the kids and no one is going to be using this to be employed by the Board of Education.

Dr. Francis asked what does this do for our children? What does this change – how does it help our children? It is an adult policy. It is more to control Board members. If the superintendent doesn't want to hire someone, it is his decision. It should not be up to Board members writing policies to limit who he can or can't hire. It doesn't make any sense.

AYE: Mrs. Higgins, Mr. Nufrio, Mrs. Richardson, Mrs. Williams, Mrs. Minneci

NAY: Dr. Francis, Mr. McDowell, Dr. Morgan, Mrs. Ruiz,

ABSTAIN: None

MOTION CARRIED

Residency Committee Resolutions:

Mrs. Williams presented the Residency Committee agenda.

DISCUSSION:

None

Technology Committee

Dr. Francis stated there wasn't a meeting but was given the following updates from Mrs. Paul.

BOE Tech Committee Agenda

- Digital Divide grant
 - The purchase order has been completed and devices were ordered. Waiting on the delivery of the devices to the school district.
- Chromebooks for the high school.
 - Update: received the partial shipment at this time.
- WiFi infrastructure upgrade at elementary schools
 - Update: Washington and Livingston schools are still outstanding. Hope to have this completed soon.
- Working on current proposals for district telephone and notification systems.
 - Update: Waiting on NJDOE to release funding for the Alyssa's Law Act.
- Move from Systems 3000 for payroll and personnel to Genesis during the 2020-2021 school year.
 - Update: No updates at this time
- Clever - authentication with Clever and Zoom, BrainPop, Wixie,
- Google Enterprise services - Breakout Rooms, Polling, Jamboard - whiteboard, attendance reports, Q&A, quick access rules for teachers, larger video format.

Mr. Benaquista stated we need to pass a resolution tonight in regards to T-Mobile. We have an agreement with them but used up all the hotspots that we have in that agreement and this is a new agreement to purchase 30 more hotspots. We did take advice from counsel. It is not going anywhere near the bid threshold. We want to get a jumpstart on this and not wait until next week because we have families without internet access and Mrs. Paul gave out everyone that we have. We would like to get this done and get it in the hands of the families the hotspots. The following item was walked onto the agenda.

Upon recommendation of the Superintendent of Schools, the following resolution was moved by Dr. Francis, seconded by Mrs. Williams, for adoption:

T-1. APPROVE AGREEMENT WITH T-MOBILE FOR EDUCATION

Approve T-Mobile for Education Agreement to provide additional hotspots to the district for a 12-month period, in connection with the information appended to the minutes.

DISCUSSION:

None

AYE: Dr. Francis, Mrs. Higgins, Mr. McDowell, Dr. Morgan, Mr. Nufrio,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

Approval of Bills:

Bills will be approved next week.

Unfinished Business:

None

New Business:

Dr. Morgan stated we were talking about policy and most districts, many districts, all districts had to submit their restart and recovery plans to the State and County and with that came a policy 1648 that all districts were to adopt to support our students and what we are supposed to do in our restart and recovery plan. I do not recall that policy being put forth to the policy committee as well as being voted upon as we were supposed to do per the restart and recovery plan. What is the status on that? I am not on the policy committee and from what I gather the policy committee has not met so these are things that we are supposed to do to reopen our schools and where is our policy.

Mrs. Minneci stated I reached out to the legal team to ask about all the policies that we need and Mrs. Ruiz and I talked about that last night at the policy committee meeting and we talked about COVID policies and that was one of the things we discussed to reach out and I spoke with counsel today.

Mr. Taylor stated my office is working on that policy. Dr. Morgan as you are aware many policies are initiated and driven by the administration not by the Board members themselves particularly when it comes to reopening of schools so we are working with the administration on that policy revisions for presentation to the Board.

Dr. Morgan stated I understand that is not driven by the Board but it is the Board's responsibility to make sure that administration follows through and submits these policies and that is why I was asking. Mr. Taylor stated understood.

Mr. Nufrio stated I recall a couple of months back, in the midst of this crisis and you did put me to task with regards to formulating policies that would cover these unforeseen emergencies, etc. My response was pretty much what Mr. Taylor said. Is that I would wait for any direction or guidance from both the superintendent and the board counsel. As Mr. Taylor indicated as well, we are not the creators of the policies. For the most part policies are directed and recommended by administration by Mr. Tatum, the Superintendent, or his assistants. When COVID hit, we were in a middle of a crisis. Mr. Tatum and his staff had plenty on their plate. Even though I said I would wait for that, I understood why there wasn't any immediate feedback or any kind of recommendations. We are still in the middle of this crisis and anything that may or may not be scripted has to comply with State regulations, the Governor's mandates, etc.

Anything we would script right now, Mr. Taylor would agree, would be subject to change in all probability, scrutiny and possible revisions. Until such time that Mr. Taylor and Mr. Tatum find that they have policies that they would want us to consider, we are waiting and we will address it when that date comes.

Mr. Tatum stated with all due respect to everyone, on more than one occasion for months I have asked about having a committee together to talk about changes during COVID because one of the issues that we dealt with was revising the plan, not the plan that we submitted that we just revised in the fall, but the one we did last spring. One of the first things I said even before the NJSBA came out with any of their guidance, I remember saying we need to have policies that support the pandemic that we are in right now. Go back to check the record because I know I said it. I will refresh your memory on something else. Mr. Taylor also brought up that topic one night and I remember Mrs. Ruiz looked and said look at the way the superintendent is sitting there looking and my response was I'm looking that way because I have been asking this for the last couple of months and it hasn't happened. We have been trying to move forward with putting everything in place and that is kind of where Vito is coming from simultaneously as I have been saying over and over again. Our work continues daily. It doesn't change. Right now we are trying to meet those benchmarks I set in August about reorganization and stuff like that. We can certainly recommend policy, (a) we have to have a meeting and (b) the Board has to be the policy makers. I don't make the policies. Most of the policies that come out, they are boilerplates. It is a revision/adoption of what the needs are for the district which I have said over and over again. We need policy to support where we are right now and who we are in front of. Maybe there is some misunderstanding about what I meant when I said that so hopefully I'm clarifying it now and if anyone wants to challenge me on that, please check the record. If we need to get together and do it, I'm more than willing to sit and take care of that. The problem is that things get put in abeyance because there are other things on peoples' minds and unfortunately we get caught up in the middle of this nonsense because all we are trying to do is keep the ship afloat.

Dr. Morgan stated I'm still on policy and it does state that Mr. Tatum is the policy coordinator representing the district but if we are not meeting and policy is not being done, I had an opportunity to sit down and I read through all our policies and I'm embarrassed to say that our policies have not been updated. Our policies are outdated. We still have policies that have core curriculum content standards. We know that New Jersey no longer uses core curriculum content standards. I would suggest that we really need to have our policy meetings monthly. I also went back to most of our agendas. Whenever we come to policy it is empty. This was before the pandemic. I don't think we should use the pandemic as an excuse. I believe as a Board we have not been doing our job based on what has been happening with policy being passed on the floor. I think we need to start looking at policy monthly with multiple policies coming forth, revising and updating them. I pulled from all different categories from the 1000 to the 9000, they have been from 2014, 2015 and here it is 2020 and they have not been updated.

Mr. Tatum stated there are certain policies that I have brought forward and I have gotten mixed reviews on things that I have wanted to change; particularly with our procedures for hiring practices. It took years for that policy to be finally changed. Even when we met with Strauss Esmay about a year ago, even during that time the person who came out said kind of what Dr. Morgan was saying right now and I've said it over and over again that we policies, and when I talk to my colleagues around the County and State, I talked about obstacles that I have faced as superintendent, they laugh and they think it is funny because their board gives them the authority to make decisions without interference. Because they trust they are going to make the right

decision. There are several policies I could cite at the top of my head that I have asked over and over again, year after year. I was sitting with the Strauss Esmay person and as he started pulling things out, he turned to me and said why do you have this, and this, and that? And I said those are the same things I have been asking for the last couple of years. He said you need to get rid of most of these things you have in there. I think part of the issue you have with policy is there seem to be a lot of conflicting issues. The policy manual needs to be cleaned up, there is no doubt about that.

Mrs. Minneci stated we have Strauss Esmay on board as well – that is why we hired them. Mr. Tatum stated that is correct.

Dr. Morgan stated Mr. Taylor can you explain to the Board again what the process is to bring a policy from the floor to walk it on. Mr. Taylor stated the same way a Board member can walk on just about any other resolution that is not prohibited by a Statute or case law or existing policy. There is a motion made, it is seconded and it is voted on. The Board operates in a way of a committee system, you have five standing committees. The committees role is to review and study issues. As indicated there are often times when the committee can't meet due to work schedules, personal schedules, etc. – that doesn't necessary mean the superintendent doesn't make recommendations to hire people and/or approve contracts. They are reviewed at your work session and/or your action meeting the following week.

When it comes to committees, pursuant to Title 18A:12-24, in the Board members Code of Ethics, your primary role is to set policy as a Board. Nine out of ten of those policies are upon the recommendation of your superintendent because if you look at your policy manual from 1000 to 9000, they all deal with the day-to-day administration of the district with the exception of your bylaws which govern how your Board operates in accordance with Roberts' Rules of Order and then other policies that deal with more governance related issues like the one that was voted on this evening which do not require consultation with the superintendent. Just because the statute does say the Board should consult with the superintendent and those affected by the policies, there is not a mandate for that to be done. Respectfully to the superintendent, you are the Board, so he may want to recommend that you buy 10 pencils but you can say we want to buy 15 because you are the Board as long as you don't adopt a number that is lower than what the statute requires. That is how the process works.

Board members have walked on numerous things for the last several years since I have represented the district and it is legal and ethical and if it wasn't I would say so.

Dr. Morgan stated if I wanted to walk on a policy right now I can do so. Mr. Taylor stated if you want to walk on a policy to be revised or amended you can make your motion right now as a first reading – yes you could. Dr. Morgan stated no new policies. Mr. Taylor stated it would be a first reading. If it is a new policy, I would submit that it should be in writing because it is nothing that you have read before. As you indicated you read all the policies and so if someone says they are going to change it from 6 months to 2 years, that is not ingenious that modifying something. If you are going to create a new policy, one page or 20 pages, then it would be beneficial for your colleagues to see what it is you're recommending. But to follow my logic, if arguably you didn't have it writing and you want to summarize what the content is

going to be, I would probably say that could qualify as a first reading. It is up to the other Board members if they want to buy that or not when it comes to adopting it on a second reading. The question would be if you do produce your ten page policy, that you summarized last week at the prior meeting, if it is not fully consistent with how you summarized it because the devil is in the details, then that second reading would probably be now converted to a first reading because there could be some major misunderstandings or misinterpretations of perhaps what you intended in what you said versus what is written in paper. I wouldn't advise that a brand new policy not be submitted to your colleagues in writing in advance but to the extent that there was a proposed amendment of an existing policy, there has been no evidence that it was intentionally walked on at the last minute to subvert any Board members' opportunity to understand what is being presented – nothing was done wrong.

Dr. Morgan stated I was asking for me. I just wanted to know the process for walking on a policy that may have not gone through the committee. Mr. Taylor stated that is different. As I indicated before, it doesn't have to go through the committee. Should it go through the committee or can it go through the committee – yes but there is not an expressed mandate that it go before the committee before. To the extent that the policy change was relatively minor, six months to 24 months, that wasn't something that requires months of study. If it was something more complicated – that is my interpretation but if you need it and at least four of your other colleagues needed more time to study, review and analyze and assess it, that would have been reflected in the vote this evening.

Dr. Morgan stated I wasn't talking about that policy, I'm way over that, I'm just trying to move forward with somethings that I think needs to be addressed that haven't been addressed and I'm trying to figure out the next steps.

Mr. Taylor stated we talked about retreats with respect to governance and how you work together as a body but also how you work with and through your administration as well. As we discussed this evening, one of the drivers would be the administration. Hey we just got this bulletin from the Governor or the Commissioner of Education and we need to establish a policy that we are going to recommend or we have a new policy from NJSBA. Here are the emails trying to get you all together for a policy committee meeting and here is an SOS to get it done. Alternatively, there may be more governance issues that Board members need or want to review that you can bring up during your new business or old business section of your meeting. You can email or call your Board president or your policy committee chair or other committees and review it that way. Is there a way, yes but it doesn't have to be truly proscribed to be one way because it is very flexible in many respects. This is not congress there is more than one way to get a matter on the table.

Dr. Morgan walked on the following Access and Equity Policy for first reading:

Dr. Morgan stated I'm going to introduce a policy Access and Equity.

POL-1.ACCESS AND EQUITY POLICY

All elementary, middle and high school parents/guardians and children in the Union Township Public Schools shall have access to, and the ability to choose between current and

future educational programs in all academic subjects, and at all academic levels. In furtherance of this Policy, all students shall be provided with age-appropriate academic supports for access to advanced-level courses, which may include, but are not limited to readiness programs and courses, in-school and after-school tutoring sessions, and summer institutes. The District shall engage in a K-12th grade curricular alignment, ensuring that all students develop the knowledge and skills necessary for successful performance in AP and advanced level courses by providing the highest levels of academic rigor in all Elementary and Secondary courses. While this policy does not guarantee success for student achievement, it nevertheless greatly empowers students, as it is informed by mutual accountability for educational success among students, parents, and guardians, and the Union Township Public Schools. The Superintendent is directed to establish regulations and to set budgetary guidelines to make this policy effective.

Mr. Taylor stated you read the policy you are proposing – correct? Dr. Morgan stated yes, I will send it. Mr. Taylor stated that is different from what I discussed. You didn't summarize it, you read the policy. From my perspective that qualifies as first reading. I would suggest that you distribute a copy of that policy to your colleagues so that they can review it, to see if they have any proposed modifications/amendments. If they don't have, that document should be on the agenda for the next action meeting of the Board. If there are substantial proposed revisions, then it would have to be vetted continually. If there are none, it can be voted on. There seem to be a lot of requirements of your administration in that policy so in that instance and pursuant to your policy, I would also suggest that it be given to your superintendent so that he can review it with his team to verify if and when and how it can be implemented particularly since you referenced that there be resources devoted to it. Your budget has already been adopted for the 2020-2021 school year so there may be no resources for it at this time so it may not be able to be adopted at this time. You should review it from all those different kinds of angles.

Dr. Morgan stated I understand. Thank you.

Mrs. Ruiz stated since Dr. Morgan just walked that policy, don't we have to second it. Didn't we do that with Mrs. Williams? Mr. Taylor stated first reading does not need to be voted on. Mrs. Ruiz stated we voted on it at the September 15th meeting for Mrs. Williams' policy that she walked on. Mr. Taylor stated the first reading doesn't need to be voted on. If there was a procedural issue with that – it's no harm, no foul – but the first reading is just that a first reading. It doesn't have to be voted on.

There have been other issues you voted on just by matter you just wanted to memorialize it as an action of the Board, it is no harm, no foul if it was voted on.

Mrs. Minneci stated it will be listed next week as a second meeting. Once everyone has reviewed and Mr. Tatum and his team, it can be listed as second reading for next week or November. Once everything has gone through and reviewed. Mr. Taylor stated yes.

Mrs. Ruiz stated I would like that we follow protocol and procedure consistently. That is all I'm asking. We are all over the place.

Comments from the Public:

Sienna Bucu stated a quick shout out for students because I have asked for highlights of students in New Business and it hasn't been happening. The field hockey team is killing it this year – last week they won two games – Cranford they beat 6-2 and their senior night was last week and they won a game against Verona 7-1. Following Mr. Arminio's lead about talking of the successes of the students – I'm so proud of them. The seniors this year were freshman when I was a senior and captain of the team so to be able to see them in their growth is amazing. We really should be celebrating all the small successes. Please pick it up or I will do it.

I know soccer has their senior night right now. Hopefully next meeting someone on the Board will know the results and bring it up in New Business because we are here for the kids. We should uplift them in any way we can. Stay safe because things are getting scary again.

Susan Lipstein stated I do want to say to Mr. Taylor that even though it appeared that this policy wouldn't have, the policy walked on by Mrs. Williams, anything to do with the day-to-day operations by the superintendent. I really think it should be run passed him. I don't see any reason why it was walked on at the last minute. You mentioned you have seen policies walked on before, maybe you can get back to me about when any other time you have seen policies walked on by the district. I found that very problematic. Here we will be able to have a discussion of Dr. Morgan's but it was small to you but it really wasn't small and it generated a lot of discussion. It isn't a tradition to walk on policies. It was unfortunate it didn't go through the policy committee.

We are sitting here on Zoom and it is to take a place of a board meeting and there are several Board members who can be visible but chose not to be and I think that is problematic because if you are going to attend a meeting, you can have your face showing, I think the Board should because it is the right thing to do – put their faces on when they are on a meeting. We don't know if they are there or not and by rights the public should know that they are there. That should be something that is a tradition in this time. Mrs. Minneci I think you could probably ask them to do that and they would do it and I think they should.

Mr. Taylor, the last meeting was very irregular because there was something walked on that had to do with personnel and Mrs. Minneci made a comment that it shouldn't have been done and maybe Mrs. Minneci can answer to comment legally on what happened and what we should do to prevent such a thing from happening ever again. We cannot discuss personnel in public. Every time anybody has mentioned personnel, Mr. Taylor has immediately told them you cannot discuss it in public but unfortunately that didn't happen so maybe you can give a refresher to the Board so they understand what is supposed to be done and not supposed to be done. When a personnel resolution is walked on as Mary Lynn Williams did at the last meeting.

Daryn Martin stated good evening – my concern about reopening and I would like someone to respond to three important areas of reopening – (1) proper ventilation system which I don't think many schools not just in New Jersey but across the country – that has been an issue, (2) the shortage of nurses and not having enough nursing staff and (3) the shortage of custodial staff to properly disinfect and sanitize and clean the buildings.

With the positivity rate continually going up now, I just don't see any way possible that schools are going to open up. It sounds good to say after the first marking period but if you don't meet those three thresholds, there is not many parents that will send their kids back to school. I know my kids will definitely not go back to school until I see those three things addressed in a really efficient way. I don't know if anyone has a response or if someone can email me because I would like to see those things. For me it is another matter for what the Governor says and with all due respect I love our superintendent and some of you other guys but I got to make sure my kids are safe. Right now I don't think these old school buildings can do anything ventilation wise. Thank you.

Mr. Tatum stated I would like to respond because it ties into my report next week and information that has been disseminated throughout the central office. While I am still employed by the Union Township Public Schools, I will not send any student back to school without proper ventilation and that is why I'm calling in architects and so forth to assess whether or not our buildings are indeed ready. My building and grounds person did an assessment, I had principals do an assessment and now I'm having experts come in and doing assessments for that very reason.

To Mr. Martin's point, yes there is certainly a shortage of nurses – that is Statewide and throughout the country. It is a concern and in our special needs population, had to hire outside nurses for busing, for school trips and that is a point that is well taken. My initial concern as a superintendent is I'm not putting children back into school building where I have been told there is an unsafe condition. We mentioned earlier and one thing I will talk more about is our reentry plan. We all agree at central office from myself to district level directors, that it is going to be impossible to accomplish anything moving forward with reentry without having safe school buildings. That is the number one priority and Mrs. Minneci you have been at the agenda review meetings when I mentioned this to our staff. I'm holding feet to the fire about this one. There is no question in my mind about that. Every time I get an excuse, my issue is get it done and I'm not going to compromise about getting that done. I have children of my own. I certainly don't want my children in a building where it known to be unsafe. I won't put a child into a building that I know is not safe – that is why I want a valid certification in hand to present to the Board and the community that says our schools are safe for children to return and the ventilation is proper, proper filters, all those things are done before we bring our students back. We have to start the process and ensure that is going on. That process has begun and we have been spending weeks on trying to plan on reentry and modifying as it says in the reentry plan – subject to changes of orders of the Governor, conditions and whatever may happen. The plan is to be flexible so if we do encounter a problem, we are able to deal with a respond to and coordinate and amend the plan so it meets the needs of the students that we face every day in our district.

Mrs. Minneci stated I have been at many meetings when you have had this discussion with maintenance.

Laura Detjen had technical difficulties and she would call back on a different device to speak.

Jill Hall stated the subject of vaping has come up and this Board and some of the parents that have been in attendance at meetings have requested some programming and some additional information and education for students as well as the parents. Thanks to a grant that was written with Mrs. Guilfoyle, we received some funding from Hackensack University Medical Center that will be putting some programming into place and that will be starting tomorrow and Thursday for our freshman. They will be receiving a program called “Don’t Get Vaped In” it is being presented by Prevention Links. It will be offered during their lunch periods because we didn’t want to interfere with the academic process. On Thursday evening Prevention Link in collaboration with the school counseling program will also present that program for the parents. The Zoom link was sent out through central office – thank you Mr. Tatum, Mrs. Moses and Mr. Benaquista for your support of these programs. There will be additional programming called “Parents Who Host Lose the Most” and that is about hosting under aged parties where drinking and alcohol is made available to students and we will be bringing in some presenters virtually. We have to be a little more creative in the virtual environment to get those programs in place. Thank you again for your support.

Nellis Regis Darby stated I think last month it was presented by the technology department that there will be some update to some technology platform – I believe it was Clever I’m not sure. I recently looked on the Chromebooks from the district and I didn’t see any updates to any technology platforms. Do you know when that will be happening? On the district’s website on page 22 of the going back to school plan, it stated that parents and families will be receiving a monthly learning program plan from the schools – do we know when that will be going out? We should I be able to receive my daughter’s plan?

Suehay Monge stated thank you Dr. Morgan for walking on a policy that actually has to do with our students and will benefit all our students. As you know I have been an advocate for a very long time regarding AP and honors class for students and the obstacles that they face to be able to get into those classes. Just this weekend I hosted a presentation with a college advisor who was floored because we were explaining to her that the process the kids have to go through to get into these AP classes and that came up because she had stated what colleges are looking for now specifically because the students are not able to take SATs because of COVID. The exams have been cancelled several times. She said the next thing that the colleges look at is the rigor of classes. I am thankful and hope that this policy passes.

I’m very concerned although we are targeted to start school in the spring, that it doesn’t seem that three months is going to be enough time to correct what was discussed today as it pertains to the ventilation system. I’m really concerned and I think a lot parents are because some of our kids are struggling at home. It is causing a lot of stress for them. This is not normal for them to be sitting in front of the computer for several hours a day learning this way. I just hope that we are putting the policies in place that need to be put in place for COVID once they get into the building. There are other schools that have already started so that means they already got their policies in line and they are doing the necessary work to get the buildings up to the standards that need to be. I hope this is full speed ahead. I hope that is the case because I’m a little alarmed to hear that we are just having someone come in to look at the ventilation systems now and we are supposed to be going back to school in January.

Jeffrey Monge stated the energy savings plan – last month I had asked about the information being provided to the public and I had to the extent of actually doing an OPRA request to receive it because the lawyer said it was something to be shared. I did receive it. The document I received from Schneider was about 100 pages but it was different from what was provided tonight. Is that the document the Board received and is that document going to be made public for true transparency? We actually had a public hearing which was baffling to me because the public never received any information to be able to have any questions.

I do want to give a shout out to Barry – he has done his job through this whole process on his end but the process as it pertains to administration, as far as the Board is making sure that the public is aware of what is happening and what this is all encompassing is important.

Dr. Morgan brought up a question that I actually had as well. We are going to have a new superintendent, a new BA, the full finance and operation committee – the potential of them not being there, we are taking on this huge bond issuance and this has nothing to do with timeframe or anything like that. It is the fact that we are going to be taking on this major financing and we have a whole new team coming in and we are not giving them the opportunity to play a role in this at all. I think that is a huge concern that people should really take into consideration.

One thing I did see in that 100 page document was there were conversations about COVID-19 and asking about the fact that if we still have a lockdown and there is no cure that is out there, the effect of penalties and the like because if you are not using the space and costs are down, this plan calls for you to pay based on historic use. You need a full operation of the district. That is something that the Board should look into because if we don't have a back seed as they put into that report, then there are potential penalties related to it.

Policy issues – Mr. Tatum is absolutely right. When I was a Board member there, he was handcuffed many times and it was less about policy more so to be able to handcuff him and his abilities to do his job. I sat there and witnessed that.

Lastly, Mrs. Minneci I have said this to you before, there is obviously a bunch of issues as it pertains to the policy committee, timing and the like. We have a chair of policy that has been found to having probable cause by the ethics commission of violating the policies that Mr. Taylor has brought up many times tonight. You should really consider and try to move the policy committee and all the issues forward.

Yocasta Brens stated thank you for Dr. Morgan for walking on that policy. I truly believe that and I hope that this Board will seriously consider that policy. We know from experience that AP courses are simply fundamental to the success of our students who choose to go onto college and pursue higher education. Hopefully this is a policy that will be taken serious and be pursued.

My second concern was I'm wondering given all the various issues that many of our students are having with anxiety and depression from being in quarantine for so long, what are the schools doing as far as outreach to those students. I know we have the classes that happen

during the day but the concern is what happens afterwards to those students that are not seeing their friends, not socializing or interacting with others; students rely on the school for meals, student rely on the school for safe space because of the issues that are happening at home. I am hoping the Board will consider taking some steps and to do some outreach to the families of our young students.

Finally, the Board should also consider investing on some technology for the rest of the Board. If we are going to continue to have these public meetings, it is important for the public to hear what you have to say and as well as to see you. I know people have different issues with technologies, just like families with the students, it is important for the Board to also take care of themselves so they can communicate properly with the public. Thank you.

Laura Detjen stated I wanted to commend Dr. Morgan for reading all of the out-of-date policies and putting on the table a policy of substance – long overdue, a policy of equity. I hope that the Board seriously considers that particular policy.

I also want to thank Mr. Tatum for answering the questions – not all the public questions are answered, but I have a lot of faith in you Mr. Tatum that the students and teachers will be going into a school not until it is safe. Thank you for responding to that and that was the main reason I was listening tonight due to the ventilation system for myself as well as the students.

Also, I teach community based leadership. These are student leaders in our community looking to you, the teachers, the administrators and we have just embarked on a unit and finished a unit on activism and we just started a unit knowing your representatives. We speak also about leaders that are not elected. We talk about Board of Education leaders as well. My students have a certain decorum that obey by. We have a policy where they need to be seen on the screen and we have live discussion. We have a policy where their name needs to be visible. If they are looking to you as leaders at a Board of Education meeting, I think we owe them enough to have a sense of decorum, to have our faces shown, to have our correct names identified. This is not a Zoom happy hour. I don't know what happen to the student advisors and liaisons but these are the young leaders of today and tomorrow looking at you for guidance. I hope in the future we can better ourselves. Thank you for listening.

Mrs. Digirolamo stated I want to wish Mr. Tatum a great and happy retirement. Thank you for all the service for our children in Union. I also want to say thank you for Mrs. Minneci for everything she does for our school district. I also want to say thank you for Mrs. Richardson, Mrs. Williams, Mrs. Higgins and Mr. McDowell for keeping our school district the way it is supposed to be. I just want to mention a couple of things – one is about the AP situation going on and I want to say I am an AP teacher and I know exactly how the AP system works and I think there are requirements to become an AP student. I think they have to be followed; not everybody can get into the AP class. Therefore, please follow the requirements. I am going to speak for myself and my own experience. My own child could not make it to the AP class and I'm o.k. with that. However, he was an independent student, he took the class on his own, he did not make it to the AP class. It was o.k. with me. The requirements are specific and they need to be followed. My child took an independent class on his own and took the exam on his own and passed the exam. Therefore, I think that all the children and other students are capable to do so

as well. We cannot force children to get into every single AP class just because we want to. There are requirements and they must be followed. I am an AP teacher, not in Union, so I think we should follow the requirements. Could you imagine if we get every single students who wants to get into the class, think about it, with that said, please pay attention to the requirements. Thank you.

Mr. Nufrio stated some years ago I met Mohamed Ali in person when I was working in Elizabeth and one thing that stood out about his skills was a technique he called “rope-a-dope”. I liked it so much I utilized it for the last couple of years. It is time for me to make a personal statement to my colleagues and to the community. I have a prepared statement.

Mr. Nufrio read the following statement:

“As I approach the remaining months of my third term of elected service to the Twp. of Union Board of Education and to the community in which I and my family have proudly resided since 1988, I would like to express my gratitude to all of you who placed your trust in me as you supported and applauded my unbiased, unchanging approach and repeatedly stated Platform of Transparency and Due Process throughout the past nine plus years

From the very first days of my tenure, I espoused and vowed to maintain that Transparency and Due Process were and are essential for effective and productive execution of our statutory mandates-- by which we are all guided and governed. However, as I entered my current third term in 2018 as President, for the second time, some of our current and past Board Members, three to be exact, collectively decided to resist and repeatedly obstruct my presidency from the very first day and thereafter, thereby, at times, in violation of basic policy, Board procedures and rules of proper conduct, both at public meeting and often on social media, which only served to promote and extend a political platform and their veiled goals for ultimate control of both the school district and at the municipal level. This is exactly what I absolutely rejected and refused to be a part of, and, subsequently was what sparked the incessant and relentless, scurrilous attacks on me, both on a personal and professional level. This IS NOT what Board Members should ascribe to and pursue—Board Members should never use their elected positions as a springboard to attain or seek other politically favorable avenues or aspirations. This is what I have always stated both publicly and privately. It is a blatant misuse of the trust and confidence which our community extends to us when we are elected to the Board.

My three accusers, both present and past Board Members, resorted to filing baseless and totally frivolous allegations which will and should be properly adjudicated at the O.A.L. in due time. Be certain of the path that is chosen in any continued attempts to cloud and mislead the public about one’s character with lies, pre-judgment of facts and false innuendos as it may border on libelous and unprofessional conduct, and ultimately continue to incur unnecessary and wasteful expenses onto our school district. Many false and injurious statements

have been openly expressed by all three, of my three accusers, during the public portion of our Board meetings—one such as recently as last month’s regular meeting and several during the past three years. At one such occasion at the U.H.S. Library, I responded with a letter from our past Board counsel, to address a false and defamatory accusation which resulted with the weakest apology offered by the Board member who made the false statement, with the following verbiage, “ I may have misspoke when I said what I said last month...” I guess that has become the new “Norm” of how to apologize and retract a Lie. Be certain that all of these occurrences will be professionally presented and offered as proof of what is the real truth and True goals and objectives ---it certainly does not promote nor augment any positivity for our children and community.

However, given all that I’ve endured from my accusers and their very few select supporters, I chose the high ground and did Not pursue any course of action, as they did with reckless abandon, realizing, that it would result in additional, unnecessary expenses of our tax dollars, which, incidentally and ironically, is often highlighted and demanded by the same Board Members--that our tax dollars should only be for our children and our school district. This is truly “Irony and Hypocrisy at the highest level.”

I will have my day in court and the issues will be properly adjudicated, as is the Constitutional right that is afforded to all of us. However, I will not continue to remain silent nor permit my accusers to pre-judge and prosecute the issues publicly, only to garner public support to advance their veiled agendas.

My Counsel has observed how public misrepresentations have been made about an ethics case pending--unheard before the Office of Administrative Law. These comments were made by all three of the co-filers, at several public Board meetings. This case consists of unproven and politically motivated allegations. There has been No finding of guilt, only that there was enough evidence to deny some of my motions to dismiss, which, incidentally, were partially granted. For that reason, for a full ruling, a Full hearing must be held. Certainly not at public meetings to elicit the Court of Public Opinion.

If necessary, I will seek legal recourse to defend my integrity and unblemished, professional standing - that is not a threat, but I and my counsel are fully committed to doing just that, replete with all the consequences that may apply. I will not be maligned nor defamed any longer. That is a certainty.

Additionally, politically motivated agendas should be rebuked and exposed for what they truly are - especially by anyone who finally realizes and rejects those individuals who profess that “They” are only about the children and cast the blame onto others - the psychological term for such behavior is called—“Projection”. The blame game needs to stop. The irony of my situation is that I supported and endorsed my accusers from the very onset—as they always supported me, until such time that I saw and rejected their true well-veiled

agendas. I only regret that it took too long to see through the facade. Mea Culpa! I guess there is some truth in the saying, “difficult to see the forest from the trees”.

In conclusion, I made a difficult but necessary decision to refrain from seeking a fourth term, at this time so that I may address some pressing and recurring medical issues which may require a great deal of patience and time to resolve. However, I will continue to monitor and evaluate the machinations and processes that the future Board will adopt and, for which, ultimately will be held responsible and accountable. The future of our district and its children is truly at stake. I will not remain silent nor forsake them.

To paraphrase Dylan Thomas, “I’ll not go gentle into the good night.” I experienced a valuable old lesson that I should have recognized earlier, “Be careful to whom you entrust power—it may shock you to learn that wolves in sheep’s clothing are not always easily detected.”

Those are individuals who harbor well-hidden agendas that are wrapped and camouflaged under the guise and false premise that they are the only true guardians of our children’s welfare and their education.

For more than 50 of my 70 plus years of my life I have dedicated my heart and soul to the children who I served with pride, honor, and a distinguished record of accomplishments. That is and will be my legacy for me and my family. To my accusers I ask, “What will your legacy be?”

Lesson learned: Awareness and truth is only achieved through education and experience.

Thank you for listening.”

Dr. Francis stated please I know you are allowing him to say what he wants to say but don’t waste my time or other fellow Board members’ time with this rewriting of history. I don’t think it is right. If you are going to give him 10 minutes to say all of this, then you need to give the other Board members that long. Don’t waste my time. Mrs. Minneci stated he asked to speak Dr. Francis and I allowed him to. Dr. Francis stated my point is he gets three minutes and please I want to do some things tonight, I don’t want to listen to his revision of history. Mrs. Minneci stated let’s move on to executive session.

Mr. Nufrio stated I only did that in spirit that you permitted Dr. Morgan last month to give a reply to some comments that were made about her and I felt that this was my time. Dr. Francis I have an objection to that.

MOTION FOR EXECUTIVE SESSION:

Moved by Mrs. Higgins, seconded by Mrs. Ruiz, that the Board go into Executive Session at 9:43 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: personnel, matters falling under attorney client privilege, pending or anticipated litigation – Mosser v UTBOE.

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: Dr. Francis, Mrs. Higgins, Mr. McDowell, Dr. Morgan, Mr. Nufrio,
Mrs. Richardson, Mrs. Ruiz, Mrs. Williams, Mrs. Minneci

NAY: None

ABSTAIN: None

MOTION CARRIED

The Board returned to public session at 11:12 p.m.

Mrs. Richardson was not available at time of adjournment.

MOTION TO ADJOURN:

There being no further business before the Board in public session it was moved by Mrs. Ruiz, seconded by Dr. Francis, that the meeting be adjourned at 11:14 p.m.

AYE: Dr. Francis, Mr. McDowell, Dr. Morgan, Mrs. Ruiz, Mrs. Williams

NAY: None

ABSTAIN: None

MOTION CARRIED

RESPECTFULLY SUBMITTED,

DIANE CAPPIELLO
ACTING BOARD SECRETARY

