

An open work session of the Board of Education of the City of Vineland was held in the Board Room, 625 Plum Street, Vineland, New Jersey, Wednesday, August 3, 2011 at 7:51 p.m., pursuant to notice with Mr. Ulrich presiding and the following members present: Mr. DiGiorgio, Mr. English, Mr. Medio, Mr. Mercado, Dr. Mounier, Mrs. Phillips and Ms. Rios. Absent: Mr. Fanucci.

Also present: Dr. Banks, Superintendent, Dr. Gruccio, Assistant Superintendent, Mr. Franchetta, Board Secretary, Mr. DeSanto, Board Solicitor, Mrs. Polof, Director of Special Education, Ms. Greenfield, Executive Director of Personnel, press and public. Absent: Dr. Elliott, Assistant Superintendent.

Mr. Ulrich announced that in compliance with the New Jersey meeting law commonly referred to as "The Sunshine Law," the Vineland Board of Education has caused notice of this meeting.

Flag salute:

Special

Presentations:

Mr. DeSanto said in addition to the annual presentation on ethics he generally provides a brief overview of the pertinent provisions of the Sunshine Law and Conduct of Board Meetings (Bylaws). He said a meeting could be an in person meeting or by means of communication equipment. Mr. DeSanto said a meeting could be held with five board members on a conference call or five board members on the internet emailing. A meeting under the Sunshine Law does not have to be in person as long as you have a majority of five or more. Mr. DeSanto said if any board has a meeting that violates the Sunshine Law the action that you have taken can be voided and there are fines/penalties and possible discipline by the Commissioner of Education. There are a number of exceptions that allow the board to go into executive session but the most significant is the "Rice Notice." Mr. DeSanto said tonight was a prime example of what happens when a "Rice Notice" is given. He said the individual who you propose to discuss in executive session is given a notice, which states we are going to discuss you. In the event that an individual does not want to be discussed in executive session they may have the conversation in public by notifying us. Mr. DeSanto said another issue that needs to be discussed is the Bylaws with respect to the Conduct of Board Meetings, which include both work sessions and regular meetings. He explained how items are reviewed by the board for a work session to be voted on at the regular meeting. Mr. DeSanto said there is always a concern about discussion of personnel. He said under the Open Public Records Act (OPRA) there is certain information that is public about an employee such as name, salary, position and credentials for hiring. Mr. DeSanto said privacy matters are what you cannot discuss such as wage attachments and health history.

Mr. DeSanto said the old public records act basically said that it is a public record if the administrator or employee of a public entity maintains it in a normal course of business. He said the new OPRA Law states that everything is a public record unless there is an exception. Mr. DeSanto cautioned the board not to use their private personal email to do public business because it is retrievable under the OPRA Act.

Comments by

Board Solicitor: None.

Items for Review:

A. Superintendent

1. **Personnel Items** – Mr. Medio asked if we are accepting applications for substitute teachers. Ms. Greenfield said no we are not accepting applications. She said we have hired a group of certified substitutes, which are mandated by the state. Ms. Greenfield said the substitutes have to attend a new substitute orientation prior to starting. Mr. Medio asked if we will be short again this year for substitute teachers. Ms. Greenfield said it does create a dilemma for us. Mrs. Phillips asked if I am college student with 60 credits I am no longer qualified to substitute. Ms. Greenfield said yes you can substitute for an occasional day here or there. She said that she is not actively recruiting substitutes with only 60 credits. Mr. Ulrich asked why we cannot accept applications from people who are certified and non-certified and add them to our rolls. Ms. Greenfield said one of the dilemmas we are faced with is why they are not getting work and it becomes complicated to keep track of so many substitutes. Mrs. Phillips asked Ms. Greenfield if we are ever short on substitutes. Ms. Greenfield said yes. Mr. Ulrich asked then why are we not accepting applications. Ms. Greenfield said she will accept applications but if they are in a position over so many days we will have a problem and could be fined by the Department of Education. Mr. Medio said the problem still remains. He said we have schools that do not have substitutes and a terrible economy where there are college students looking for work. Ms. Greenfield said there are other extenuating circumstances, not just the lack of availability. Mr. Medio said we need to do our best to fill the substitute positions when needed. Ms. Greenfield said she will post for substitutes tomorrow.

Dr. Mounier asked why we need the behavioral therapist positions. Ms. Greenfield said we are hiring those individuals because we had contracted services, which were very expensive, and we hired the individual who was the consultant we were using. She said we are saving the district close to two hundred thousand dollars by having those two positions. Mr. English asked if that was the average starting salary for these positions. Ms. Greenfield said both of them had a great deal of experience. Mr. Ulrich asked where these individuals came from. Ms. Greenfield said one was with the company we were using and the other is from another school district.

Mrs. Phillips congratulated Carl Dolente on his new position and said he will be missed.

Mrs. Greenfield asked the board to please delete sheet #31 (department heads) from their packet because it needs to be revised.

Mr. English asked what happens if a person is hired pending certification and they do not get certified. Ms. Greenfield said we do not like to penalize our May graduates from applying for positions so they are hired pending certification. If they do not receive their certification they are released from their position. Mr. Ulrich personally thinks we should be hiring people who have their certifications. Mr. English asked if there were certified people who did not make this list. Ms. Greenfield said outside of elementary in a lot of these areas we are having difficulty. Mr. Ulrich said to his knowledge there were several people who were not certified that ended up doing jobs they should not have been doing during the last year and a half. Ms. Greenfield said she was not aware. Mr. Ulrich said he is still has concerns regarding certifications and hiring that people actually clear their background checks. Ms. Greenfield this time of the year everybody is trying to get fingerprinted and there is a backlog. She said we have submitted some of those people for emergent hiring. Mr. Ulrich requested a list of those individuals because he is not going to vote for someone who has not cleared their background check. He reminded the board that they have a thirty day window in regards to having their fingerprints done per notification from Dr. Banks and Ms. Greenfield. Mr. English asked if we are basically getting young students right out of college for the math positions. Ms. Greenfield said yes. Mr. Ulrich said if we were to hire someone who did not complete their certification or background check and something bad happened the district would be totally liable for damages that would ensue.

Mr. Medio asked how many Math openings we have. Ms. Greenfield said we had six or seven we had to fill. Mr. Medio asked if we have applicants left to interview. Ms. Greenfield said we have no applicants and she has to re-advertise for bilingual math, bilingual social studies/science and bilingual kindergarten.

Mr. English asked if we can accept applications on a continual basis. Ms. Greenfield said she has on continuous filing LDTC, Speech, School Psychology positions and she will be adding Math.

Mr. DiGiorgio asked if all new employment positions go through the policy & personnel committee. Ms. Greenfield said no only administrative positions. Mr. DiGiorgio asked if there is a transfer into a new position is that a newly added position. Ms. Greenfield said yes.

2. **Budgetary Transfers** – Mr. DiGiorgio questioned why budgetary transfers occur and asked for an explanation on the undistributed expenditures and unallocated benefits to fund transfer account. Mr. Franchetta said budget transfers occur because the budget is done nine months in advance and we cannot predict actual transactions that happen. He said the undistributed expenditures and unallocated benefits is our benefit line item. Mr. Franchetta said when we need funds that is where they are taken from because state health benefit rates are on a calendar year and our budget is on a fiscal year. Mr. DiGiorgio asked if the ECPA transfer goes to other salaries in the ECPA budget. Mr. Franchetta said the ECPA budget is a self contained fund.

Mr. Ulrich asked if these transfers have anything to do with not receiving our tax payment from the city. Mr. Franchetta said no.

3. **Travel** – Mr. Mercado asked if the travel to Philadelphia includes mileage. Mr. Franchetta said it is computed in that cost. Mr. Mercado asked if people are still reimbursed for mileage if they carpool with someone. Mr. Franchetta said he will look at the transactions.

Mr. Ulrich asked if there is anything within our travel policy that requires a shared hotel stay if there were two employees going. Dr. Banks responded no.

Dr. Mounier asked why we need to send eight people to Dr. Temple Grandin's presentation in Philadelphia. Ms. Polof said three people are being sent through the special education department, which is grant funded. She sent at this point it is not a reimbursement because they have not attended yet. Ms. Polof said the travel form is just an estimate and they may carpool together. Dr. Mounier asked for an explanation on the "A Day with Harry Wong" travel. Dr. Gruccio said we take our third year teachers to "A Day with Harry Wong." She said he is excellent and speaks about his book and how to run a good classroom.

Mr. English asked for an explanation on the Meal Application Workshop. Mr. Franchetta said it is training that is required by the Department of Agriculture for our National School Lunch Program. Mr. English asked what they will learn. Mr. Franchetta said the state is changing the rules.

4. **Submission of Grants** – Mr. English commended the coach for the Field Hockey Equipment Grant. He asked when it comes to the budget for athletics do we budget each sport differently. Mr. Franchetta said Don Robbins, Athletics Supervisor, meets with his coaches and formulates the budget.

Ms. Rios questioned the 50% school contribution on the NJ Child Assault Prevention Program Grant. Dr. Banks said it may be covered with PTA funds.

5. **Acceptance of Funds** – No discussion.
6. **Bids** – Mr. English asked if Major Petroleum was the only bidder. Mr. Franchetta explained that this is a renewal of the previous year bid.
7. **Approval of QSAC District Improvement Plan** – No discussion.
8. **Approval of New Textbooks** – Mr. English asked how our supply of textbooks is going. Dr. Gruccio said we have updated a large portion of our textbooks over the past year so we are currently up to date.
9. **Tentative Tuition Charges for 2011-2012** – No discussion.
10. **Schematic Design for the Landis School Computer Lab & Locker Replacement** – No discussion.
11. **Agreement between Vineland Board of Education & Salem County Vocational Technical Schools** – No discussion.
12. **Bayada Nursing Contract** – Mr. Mercado asked if this went out for bid. Mr. Ulrich said at our last meeting we approved a contract with Bayada. Mr. Ulrich asked if this contract costs the district \$57,000 what would be the cost of a school nurse for these services. Dr. Gruccio said the Bayada nurses that we hire have special training to work with some of our special education students versus what a school nurse may bring to the table. Mr. Franchetta said the nurse's salary of \$52,000 plus benefits would only be for 180 days and these students have an extended school year. Mr. Medio asked if this student could be placed in a classroom with a nurse that we already had. Mrs. Polof said special education students do require one on one nursing. Mr. Ulrich said the overall issue and a good point brought up by Mr. Mercado is that we should go out for a competitive bid on these services.
13. **Harrison Township Joint Transportation Agreement** – No discussion.
14. **New/Revised Curricula for 2011-2012** – Mr. DiGiorgio asked why Geographic Information Systems and Studio Production I are listed under Business Education. Mrs. Phillips said they are under Business Education because of technology. Mr. Ulrich asked if this approval is for the curriculum change and sufficient enrollment. Dr. Gruccio said this is not based on enrollment it is updated curriculum.

15. **Creation of two Assistant Principal (10 months) positions – a. Wallace Middle School and b. Leuchter/Dallago Pre-School** - Mr. Medio asked if we have a supervisor assigned to the preschool. Dr. Banks responded yes. Mr. Medio asked how many students are in each of the buildings. Ms. Rios said that she sent out minutes through an email to everyone that contains that information. Dr. Guccio said we have thirteen childcare providers that the principal oversees them as well. Mr. Ulrich asked if we do the observations on those teachers. Ms. Rios said that is what the principal is supposed to be doing but she is not. Mr. DiGiorgio asked if we are required to have our own preschool. Dr. Guccio said we are supposed to have a joint effort with the community. She said we have the thirteen providers because we do not have the space to physically house the students. Mr. DiGiorgio asked if the providers have the same benefit plans that our employees have. Mr. Franchetta said the employees of the providers are not members of the TPAF Pension System and State Health Benefits Program but they do have health insurance that has to be similar to ours. Mr. Ulrich asked if the provider employees are required to make a public contribution to their health benefits. Mr. Franchetta said he did not think so because they are not public employees. He said some providers were previously making their employees contribute to their dental and other plans. Mr. Mercado asked Ms. Rios if she is saying that currently we are in violation because the principal is not able to do the observations. Ms. Rios said no we are not in violation but the principal is requesting an assistant so she can do a better job. Mr. Medio asked if the provider classrooms are filled. Dr. Guccio said she is pretty sure they are close to capacity. Mr. English asked how many students are there. Mr. Franchetta said around fifteen hundred. Ms. Rios encouraged her colleagues to read her policy & personnel report which contains a detailed letter as to why the principal needs this position. Mrs. Phillips said when you talk about equity with early childhood it is just as bad because there are so many buildings, students and issues.
16. **Disposal of School Buses** – Mr. Ulrich asked Mr. Franchetta if he ever received a letter regarding the PAL Program bus donation. Mr. Franchetta responded no.

Mr. English asked what the process is for someone who is looking for a bus donation. Mr. Franchetta said we can only donate to other governmental entities. Mr. Mercado asked what the process is if someone wanted a bus donation. Mr. Franchetta said they need to make a request to my office.

Dr. Mounier asked if not all of these buses have reached the point of forced retirement. Mr. Franchetta said one or two need such extensive work that the cost would be too high. Dr. Mounier asked if we must get rid of the buses by law then how can we distribute them to another school district. Mr. Franchetta said other states have different rules and they are also purchased by church groups or for scrap metal.

17. **2010-2011 Contracts for Asst. Superintendent's & Business Administrator** –Mr. DiGiorgio said these contracts seem like they are pre-determined and just voted on. He said there were no discussions about changes in language. Dr. Banks said the county superintendent has communication with Mr. Franchetta with regards to language changes and clauses he wishes to have present in the contract. The monetary piece fell in line with what the VASA settlement was. Mr. Ulrich said a few years ago there was change in the administrative code which required us to move to one year contracts with the approval of the executive county superintendent. We were given a contract template from Mr. Shapiro who was given the parameters from the state, which is how the contracts came to be. Mr. DiGiorgio asked if these contracts were similar in all the districts. Mr. Franchetta said the original contracts were modeled off of the Millville School District's administrator's contract. He said through time and changes in the administrative code Dr. Stepura modified these contracts to meet the state goals. Mr. Medio asked if the contracts are acceptable to the county superintendent. Mr. Franchetta said Dr. Stepura has made him make numerous changes and the ones that are linked are current as of today at noon. Mr. Medio stated that this is the third time the board has received these contracts. He asked why we do not wait until it is accepted to approve. Mr. Franchetta said Dr. Stepura is on vacation and called him to promise him that he will have his approval letter sent for next Wednesday. Mr. DiGiorgio asked how you determine the number for a PH.D certification versus a CPA certification. Mr. Franchetta said as far as the salary range Dr. Stepura's marching order was no increases in excess of 2%. He said last year was zero. Mr. DiGiorgio asked who determines the number of the additional stipend you receive for having a PH.D. Mr. Franchetta said the \$3,500.00 stipend for a doctorate is the carryover from the VASA contract. Mr. DiGiorgio asked if this stipend is a district or state practice. Mr. Franchetta said it is a common practice throughout education in the State of New Jersey. Dr. Mounier said it seems to him that the achievement of a degree qualifies people for positions that are fairly well paid in this district. He does not see where we need to reward people continually with an additional fee. Dr. Mounier said the additional reward for having a CPA is one seventh of having a PH.D or P.H.E. He asked to what extent are these degrees subsidized by the district if at all. Mr. Ulrich said it is contractual and in fairness we can start a new practice for new employees coming in. Dr. Mounier said if we wanted to make the compensation \$130,000 plus \$3,500 then we should include it in the total rather than the salary plus a benefit. Mr. Franchetta pointed out that in the second year of the contract the \$3,500 is fixed. Mr. Ulrich asked if the \$3,500 is pensionable. Mr. Franchetta responded yes. Dr. Mounier said it strikes him as double dipping. Mr. DiGiorgio said a PH.D is a requirement that you look for when you are interviewing candidates. He said when a person has a PH.D it makes them more eligible for the position. Mr. Ulrich said we are not out of the norm for compensating employees for advanced degrees. Mr. DiGiorgio said we do not know that because we are not involved in the negotiations and cannot ask the questions. He said we cannot really negotiate a contract that we are not privy to. Mr. Ulrich said Dr. Stepura's marching orders came from the Governor and the Department of Education.

Dr. Mounier said the term negotiation has to be used in a qualified way because he has been disbarred from practically every negotiation that other board members have participated in. Mr. Ulrich said being conflicted from certain negotiating committees is a conflict that we have no control over. He said we are negotiating and our board members are working very hard. Mr. Ulrich said there are five non-certified employees that we are negotiating with now, two assistant superintendents, business administrator and confidential secretaries. Mr. English asked who are the five non-certified employees. Mr. Ulrich said they are supervisors in the bus services and maintenance departments who are represented by Gerry Toscano from VASA. Mr. Medio asked Mr. Ulrich if he was involved in negotiations on the police force. Mr. Ulrich said yes. Mr. Medio said this is another good example of the ridiculous state requirements and laws where school boards loose experience that would help them in negotiations because of non-existent allegedly perceived possibilities of conflicts of interest. Mr. Ulrich said he does not disagree with Mr. Medio. He said Dr. Banks has stated that Dr. Stepura will be giving his final blessing on the contracts by Wednesday and if not she will pull them from the agenda. Mr. English asked if the vote on this becomes a “no” will it go back through the process or could Dr. Stepura supersede us. Mr. Ulrich said the executive county superintendent has broad powers so he would suspect that he could over rule us.

18. **2011-2012 Contracts for Asst. Superintendent’s & Business Administrator-**  
See above discussion.

19. **Time Requirements Waiver for Policy #5460 – Graduation Requirement (Revised) –**  
Mr. English asked if we are progressing with Option #2. Dr. Gruccio said we will be presenting Option #2 to the curriculum committee in September and to the board for a vote at the September board meeting.

Mr. Ulrich asked when this will be effective. Dr. Gruccio said this will be part of the presentation when it is shared with the curriculum committee. Mr. Ulrich said he thinks it is unfair to give students an advantage.

Mr. Mercado asked if this is a state requirement. Dr. Gruccio responded yes. Mr. Mercado asked if other districts in Cumberland County are doing this. Dr. Gruccio said yes but she would have to check with Millville and Bridgeton. Mr. Mercado asked who is going to monitor and keep track of this. Dr. Gruccio said it falls under the high school principal.

Dr. Mounier said a student theoretically could take all their credits without ever stepping in a Vineland High School building.

Mr. Ulrich said Mrs. Wolfe has spoken to the board on two occasions and her concern is that other students are going to manipulate and pass by her son. He said as a parent he cannot blame her if the system allows manipulation for grade point average.

Dr. Gruccio said the policy has been developed and needs to have two readings before the board, which is on next week's agenda. She said the actual Option #2 plan will be presented by Dr. McCann at the September curriculum meeting and to the full board at the September work session.

Mr. Medio asked how many high schools in the state have Option #2 at this time. Dr. Banks said Cherry Hill, Hunterton, Voorhees, Edison and Lenape. Mr. Medio asked if there is an option to have all classes outside of the high school registered as pass/fail. Dr. Gruccio said some of the districts may have pass/fail. She said we still need to meet and review the final format that will be presented in September. Mr. Medio would like the answers to these questions emailed to the board by Friday.

Dr. Mounier thinks there is a potential problem having a pass/fail grading system for students who are taking a class at a college and could use the credits for college once they graduate.

Mr. Medio said if you put Option #2 into effect in this manner has a student who is taking these courses in order to learn and improve himself as opposed to the problem that everybody is dancing around, which is the attempt to be the Valedictorian or Salutatorian. He said if you make it that you have to take your course grades that count towards your GPA at Vineland High School it will take care a lot of the problem.

**20. Reimbursement of Board Members Costs for Criminal History Background Check**

Mr. Ulrich mentioned that the Department of Education charges you \$11.00 just to apply.

Mr. Medio asked for an explanation on what this process involves. Mr. Franchetta said the state passed a law that all board members have to be fingerprinted and go through a criminal background check. Mr. Medio asked if this could be done in this office. Mr. Franchetta said you have to use the state established vendor for the fingerprinting process.

Mr. Ulrich said the board has thirty days to complete this and urged his colleagues to please get this done.

**21. First Reading of Policies/Regulations – Reg #7430, Policy #2431.4, Reg #2431.4 – No discussion.**

B. Board

1. None.

Review of Bills: No discussion.

Public Comments: None.

Committee Reports: Ms. Rios said discussed at the Policy & Personnel Committee meeting was Policy/Reg 2624 Grading System, Policy #2340 Field Trips, Policy #5410 Social Promotion, Policy #5530 Substance Abuse, Policy 5512 Bullying, Policy 5200 Attendance and Bylaw #0142 board member background checks. She said they also discussed the assistant principal positions, Option #2 and donation of sick time.

Mrs. Phillips said the entire discussion at the Curriculum & Technology Committee meeting was about curriculum changes and revisions.

Mr. English said discussed at the Facilities Committee meeting was technology issues related to facilities, athletic maintenance and district wide facility project updates. He said Mr. Weaver stated that he along with Larry Merighi are working on the bid documents for new lockers, corridor re-lamping and painting, a new computer lab and a new faculty bathroom for Landis Middle School. Mr. English said that Mr. Weaver stated that the Department of Education has not approved this project but we are moving forward with the bid documents. The project will not be completed by September but will continue in to the school year. Mr. English said Steve Dantine provided the committee with a technology summer project report.

Mr. DeSanto departed at 10:15 p.m.

Unfinished Business: Mr. Ulrich asked for an update on the Solar Project. Mr. English said we are moving on this and the Cumberland County Improvement Authority (CCIA) is expected to receive bids within the next month. Mr. Ulrich stated that we are going to have one of the most ambitious solar projects for our school district.

Mr. Mercado requested an update on the master schedule. Dr. Gruccio said she spoke with Mr. McKeever today and he said they were able to link biology, chemistry and physical education. She said that there will be about 160 students moving between buildings along with some business and art students. Dr. Gruccio said all special education has now been placed in to the computer. She said that Mr. McKeever feels we are getting close to being able to pull everything together. Mr. DiGiorgio asked if we are going to need a master scheduler every year. Dr. Banks said she would hope not. She said they are looking at the possibility of a different master scheduler program. Dr. Banks said the current Fusion program that we use is a little antiquated and she thinks we need a better program for next year.

Mr. DiGiorgio asked what Fusion is. Dr. Banks said it is part of the Keystone Program package.

Ms. Rios asked if we are going to be up and running for September with no chaos. Dr. Gruccio said she certainly hopes so.

Dr. Mounier asked whose discretion was it to hire the master scheduler. Mr. Franchetta said last year when this discussion came up he reached out to Keystone, who is our software vendor, to see what options they can recommend to help us with the schedule issues. He said they offered their services but they would have sent a programmer whose daily rate was higher than the person we hired. Mr. Franchetta asked Keystone if there was someone they could recommend. He said they recommended Mr. McKeever who is a user of the system in one of their school districts is retired and does this for a living. Dr. Mounier asked at what point the board should be involved in that sort of decision. Mr. Franchetta said we continuously hire consultants and he has the current authority to contract services that are under \$36,000 without board permission.

Mr. English asked how we are progressing with the restructuring committee. Dr. Banks said the July internal meeting was postponed because the high school was going through three days of school improvement team training. She said the next meeting is scheduled for August 30<sup>th</sup>. The central office staff will be working very closely with the high school administration and school improvement team in starting to work on the restructuring. Dr. Banks said this will include parental involvement and town hall meetings. Mr. Mercado asked what the procedure is to have parents and students as volunteer members of the restructuring committee. Dr. Banks recommended sending the list of names to Dr. McCann. Mr. Medio asked what committee will come up with the final adopted plan. Dr. Banks said the final plan that is adopted and presented to the board for approval is going to come out of the school improvement team plan. Mr. Medio asked if this is a state requirement then you cannot do anything unless you have state approval of an approved plan that will work when implemented according to the state regulations. He said somewhere along the line you have to demand state approval with someone from the state signing that they accept this plan and Vineland is doing all they can to improve the high school. Dr. Banks said prior to this year the high school was not a Title I school. She said now the high school will have a unified plan and a CAPA corrective action plan that will be constantly reviewed by the state. Mr. Medio said he wants approval. Mr. Ulrich said he does not think the state will do that.

Mr. Medio said he does not see any reason for this board to go through what they went through with the Small Learning Communities. He said it is ridiculous to sit here after four or five years of trying and then get reprimanded that you did not do it right.

Mr. DiGiorgio said we have to rely on those professionals because we do not know the business of education.

Mr. Ulrich thinks a collaborative effort would be the best effort for us to pursue but in the end it will be the educational professionals that make the decision. He said we have interesting challenges and need to support the administration and staff.

New Business: None.

Adjournment: The Board adjourned the meeting at 10:33 p.m.

Respectfully submitted,

Kevin J. Franchetta, CPA  
Board Secretary