

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, September 7, 2011 at 7:04 p.m., pursuant to notice with Mr. Ulrich presiding and the following members present: Mr. DiGiorgio, Mr. English, Mr. Fanucci, Mr. Medio, Mr. Mercado, Dr. Mounier, Mrs. Phillips and Ms. Rios. Absent: None.

Also present: Dr. Banks, Superintendent, Dr. Guccio and Dr. Elliott, Assistant Superintendents, Mr. Franchetta, Board Secretary, Mr. DeSanto, Board Solicitor, Mrs. Polof, Director of Special Education, Ms. Greenfield, Executive Director of Personnel, press and public. Absent: None.

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:

Dr. Banks introduced Dr. Thomas McCann, Principal of Vineland High School, to give a presentation on the Option 2 Program.

Dr. McCann said this evening he has the honor to present the Option 2 Program offered through Vineland High School. He said this program was previously called Senior Option offered to the high school seniors and housed at Vineland High School. Dr. McCann said this program gave students the opportunity to obtain credits and an extended learning experience outside the classroom. He said we are one of the fortunate districts to have this program and it is something that we want to expand on. Dr. McCann said Option 2 serves as an alternative to traditional high school courses and students may be permitted an early release from the school day in order to participate in some of the approved Option 2 Programs. He explained and reviewed the criteria for each of the following Option 2 Programs: College Courses/College Internet Courses, Student Exchange, School-to-Careers, Community-Based Service, Proof of Proficiency in World Languages and Credit for Algebra I Course Completed Prior to Grade 9. Dr. McCann said the applications for these programs are on the district website for anyone in the community to access. He said Option 2 is one of the most beneficial programs that opens up the world to a lot of students.

Mr. Ulrich said Mrs. Wolfe a parent that has spoke before the board on three occasions has brought up a scenario that he does not have a clear answer on. He said with the current configuration grades for the classes taken outside the Vineland High School campus would be counted as pass or fail and would not count towards GPA or class rank.

Mr. Ulrich asked what would stop a student from manipulating their grade point average (GPA) by taking a couple of regular weighted courses that are in the schedule at the college and opening up their schedule to take weighted AP courses. Mr. McCann said this has happened over the years and does give the student a leg up. Mr. Ulrich asked if that is fair for people who do not have the finances or resources to take advantage of this to have a leg up to. Dr. McCann said yes it is a sad scenario for the student who does not have that chance. He thinks if students are driven and want to succeed they have to find ways to reach out. Dr. McCann believes this is called competition and thinks competition is very healthy.

Mr. Medio said Option 2 would not go into effect until January and would not affect the current seniors who are still under the previous policy. However, at yesterday's curriculum & technology meeting there was discussion on this. Mr. Medio said everyone agreed that more discussion may be needed on how the GPA is formulated and to see if there are any changes board members would like to make.

Mr. Ulrich asked Mrs. Phillips if this is a correct representation.

Mrs. Phillips said not exactly. She feels that Dr. McCann presented a pretty fair proposal because we are going to do pass/fail, which will not affect the GPA. Mrs. Phillips said she thinks Mr. Medio is referring to the system used to determine honor graduate students. She thinks the GPA system in place now is a fairer system for all students.

Mr. Medio said the problem is that every year there are four or five students who are trying to get a leg up on each other. He said he does not have a problem with the way it is done but if we are going to solve this problem only the top four or five credit courses should be counted. Mr. Medio said this would eliminate taking courses during lunch or students who are trying to get a leg up by going to Cumberland County College.

Comments by

Board Solicitor: None.

Items for Review:

A. Superintendent

1. **Personnel Items** – Mr. Medio asked where the money is coming from for the new supervisor. Mr. Franchetta said we received an additional six million dollars in aid.

Mr. Medio asked if the six million dollars in aid should be allocated by the school board as a committee of the whole on budget matters. Mr. Ulrich said if we keep flat levels we are probably four million dollars short for next year. So we are really talking about two million dollars in additional funding to maintain our employment numbers. Mr. Medio said as a school board you are supposed to look to your future. He said we cannot afford to hire more administrators and not have money down the road. Mr. Medio said we probably should be cutting in this budget in order to get money for capital improvements.

Dr. Banks said the issue of the reinstatement of the two elementary supervisors was discussed at the Policy & Personnel meeting. She whole heartedly supports the rationale for reinstatement of these positions. Dr. Banks said we have several schools that are still in need of improvement and the high school CAPA report clearly listed a need for additional assistants to address academic and instructional issues. Dr. Banks said reinstating the K-5 positions would free up supervisors to work more closely with the secondary, middle and high schools in addressing the needs of the students academically and the teachers instructionally.

Mr. Ulrich said he would not support something like this if he thought it was a layer of administration that the district did not need. He said one supervisor who travels throughout the district servicing 10,000 students cannot give the support or provide the observations that our district needs. Mr. Ulrich said he does not see this as a wasted position and strongly feels that we have teachers that need a helping hand.

Mr. DiGiorgio asked if historically we have had supervisors in grades that have not met the goals of the district and has the additional supervision improved the education of the district. Mr. Ulrich said when that was in place we had schools that were making AYP at that time. Dr. Gruccio said it definitely made a difference and now we are going backwards.

Mr. Medio asked how many coaches in language arts and math do we have. Dr. Gruccio said four of each.

Dr. Mounier asked how we know that the failure is not because of curriculum or manner of instruction. Dr. Gruccio said she thinks everything plays a role. Dr. Mounier said he is not sure that spending huge amounts of money is the answer. He would like to see further analysis that indicates that this sort of expenditure will reap the kind of rewards that we are looking for. Dr. Gruccio thinks it is one of the factors in the decline. Dr. Mounier asked if there is a teaching problem. Dr. Gruccio said she thinks instruction is a factor across the district and believes we need to provide more support and coaching.

Mr. Medio said the district is 1.2 million dollars in the hole right now and fiscally we cannot afford this position. He said if an observation was done every morning and afternoon at the high school you could probably do 150 observations during the year. Mr. Medio said you have to think long and hard on what you are doing. Dr. Gruccio said our supervisors also write curriculum, score final exams, provide professional development and walk throughs. Mr. Medio said he agrees because they have the months of June, July and August to do those things. He said another problem we have to look at is pulling teachers out of the classroom during the day to give them staff training.

Ms. Andrea Evans, Language Arts Supervisor, explained the observation process to the board.

Mrs. Phillips asked Ms. Evans why we have three special education supervisors if she supervises the special education teachers. Ms. Evans said the special education teachers have two supervisors and are included with us in any of the content related to what they teach. She said anytime we revise the curriculum the special education teachers need to be a part of it.

Mr. DiGiorgio said we are in an era where we are going to need to quantify every single position this district has. He questioned if we have more administrators and supervisors then other districts are size. Mr. Ulrich said the administrators versus ratio of students is available on the Department of Education website and compares the special needs districts. He said we have always been on the low side when you look at the actual numbers and rankings. Mr. DiGiorgio asked what other districts in the state are similar to Vineland. Dr. Banks said we could look at the same district factor groups, school report cards and ratio of administrators to students. She said you will be surprised to find that we running very lean in Vineland.

Mr. Ulrich asked for an explanation on the Civil Service desk audit process. Ms. Greenfield said all of the Civil Service employees fall under Title 4. She said part of that is they can request a desk audit. Ms. Greenfield said there is a specific form that has to be utilized that the employees list all their duties on. She said the form is reviewed by the employee's immediate supervisor and then comes to her for review. Ms. Greenfield said the form is then sent to the Department of Personnel. She said the Department of Personnel determines if the person is doing above and beyond their duties. Mr. Ulrich said we have a non-certificated person who is going to leverage a \$9,200 raise that does not affect student achievement. Ms. Greenfield said the salary differential is the luck of the draw depending where they are on the salary guide. Ms. Rios asked why these individuals are working out of title. Ms. Greenfield said positions evolve and we have eliminated a number of positions. She said this individual assumed a lot of the responsibilities of this position that was eliminated.

Ms. Rios asked if this is the explanation for the other two positions listed. Ms. Greenfield said many times you will see clerk typists move to senior clerk typists because of the level responsibilities. She said as they become more proficient in their job they advance and assume more duties. Ms. Rios asked why the employees are doing more duties. Ms. Greenfield said she thinks positions just evolve. Mr. Ulrich asked if a desk audit is ever turned down. Ms. Greenfield said she has disagreed with some but still has to forward them on. Mr. Ulrich said the Department of Personnel is forcing the district to do this. Ms. Greenfield responded yes.

Mr. Medio how many recreation maintenance positions are there in the district. Ms. Greenfield said there were three but we now have two. Mr. Medio said what else is there to do because the work is still going to get done. He said one of those two people are going to take over the duties of the senior recreation maintenance man. Mr. Medio said in reality we have probably got away with two years of not paying the \$9,000.

Dr. Mounier asked if employees assumed additional responsibilities and duties on their own initiative or was the work assigned to them. Ms. Greenfield said it is a combination. Dr. Mounier said the bottom line is if we do not do this we are in violation. Ms. Greenfield said yes there is an appeal process but it has to be done within 30 days. Dr. Mounier asked if there was an appeal in court the probabilities are that the employee would win. Mr. Ulrich asked Mr. DeSanto to explain this.

Mr. DeSanto said an Administrative Law Judge would preside and make certain recommendations to the Director of the Department of Personnel. If you have clear support that the person is working out of title it would be a meaningless jester to appeal. Mr. DeSanto said if the district and supervisor believe that the person was exaggerating then you have some basis. He said Civil Service looks at both parties and makes a determination, which is often difficult to overturn.

Mr. DiGiorgio asked if line item twelve is just promotional. Ms. Greenfield responded yes.

Mr. English asked about the department heads at Vineland High School North and South. Ms. Greenfield said they were previously omitted. Mr. English said the stipends are different. Ms. Greenfield said they receive so much money per teacher. Mr. English asked what the procedure is for filling food service positions. Ms. Greenfield said we are meeting tomorrow regarding concerns. She said through attrition we promote our employees and when that group is complete we will use Sodexo employees. Mr. English asked if Civil Service still has the right before we hire a Sodexo employee. Ms. Greenfield explained that as we have vacancies current school employees are taken care of first then we will use Sodexo employees.

2. **Placement of Special Education Students** – No discussion.
3. **Budgetary Transfers** – No discussion.
4. **Travel** – Mr. Mercado said there are three items listed with no costs. Mr. Franchetta said there is no fee.
5. **Submission of Grants** – Mrs. Phillips thanked Mennies and D’Ippolito for these grants.  
  
Mr. English said the grant D’Ippolito submitted is great and he would like to help.
6. **Bids** – Mr. Mercado asked if it is normal to have change orders on a project of this size. Mr. Franchetta said it is not uncommon to have change orders and usually there is a contingency built in to the project.  
  
Mr. English asked if the removal of the plaster ceiling under Change Order #1 would be more cost effective to do in-house. Mr. Weaver said traditionally once it is awarded and permitted through the contractor we follow through and have the contractor do the complete project for warranty reasons.
7. **Amendment to Bylaws #0142** – No discussion.
8. **Little Smiles Agreement** – Mr. DiGiorgio asked where Little Smiles is located. Mr. Franchetta said he would find out.
9. **Catapult Evaluation and Determination of Eligibility Services Agreement** – Mr. Mercado asked if this was put out to bid. Mr. Franchetta said these are private schools and generally the Salem County Special Services School District, which is another governmental entity, provides the services.
10. **Catapult Nursing Services Agreement** – Mr. Mercado asked if the state reimburses the district for these services. Mr. Franchetta said the state gives the non-public schools an amount per student for services and we contract with someone that will provide those services.
11. **Catapult Chapters 192-193 Agreement** – No discussion.
12. **Catapult IDEIA (Part B) Agreement** – No discussion.

13. **Transfer of Blue Bird Bus** - Mr. Ulrich said this was requested by Detective Vargas for exclusive use for the PAL Center.
14. **Employee Legal Fees Reimbursement** – Mr. Mercado asked for an explanation on this item. Mr. Franchetta said if an employee in the course of their duties is charged by a parent, goes to court and is found innocent N.J.S.A. 18A:16-6.1 will provide reimbursement to them for their legal fees to defend themselves. Mr. Ulrich mentioned that would also include a traffic ticket.
15. **Bilingual/ESL Three Year Program Plan** – Mr. Medio asked if everything in the plan complies with the state law. Dr. Gruccio said the bilingual supervisor, that we recently lost, assured her that he followed all state guidelines and put everything that was required in the plan.
16. **Perkins Spending Plan** – Mr. English asked for an explanation on what this funding covers. Mr. Dantine said we have the following four Technology Student Organizations (TSO's): Skills USA, DECA, Future Business Leaders of America and Technology Student Association. He said these organizations are funded first because the state feels they are really good programs. Mr. Dantine said we are going to try to project an auto cad license for three years for our CAD Program. He said we are purchasing around 32 computers along with items to bring our automotive program up to date. Mr. English asked if supplies for the automotive program come from this funding. Mr. Dantine said that should come from the school level budget.
17. **Option 2 Program at Vineland High School** – Dr. Mounier thinks this is a program that offers great opportunities to students. He said it is his understanding that in recent years the difference in grade point average between valedictorian and salutatorian is measured in fractional points. Dr. Mounier said in any practical sense two scores that are that close are essentially equivalent. He suggested replacing the traditional valedictorian and salutatorian with a cadre of the highest ranking students to receive accolades at commencement. Dr. Mounier said this would do away with some of the competition and would not adversely affect college entry prospects. Mr. Ulrich said that is basically being done now with all the honorees recognized at commencement. Dr. Mounier said we should have a list of the highest achieving students to be recognized on the podium when the time comes. Mrs. Phillips said on the transcript you need to have class rank for the colleges to see. Dr. Mounier said this would not affect class rank and is something we should think about.

Mr. English asked if there was a way to create funding for the students who cannot afford to take college courses for that portion of Option 2. Dr. Banks said according to the regulations we are not obligated to provide funding to students for Option 2. Mr. Medio said it is hard to justify paying for a student to take a course that we offer for free.

- 18. Creation of a 12-month Principal position at Vineland High School North –Dr. Banks** said she will be pulling this item from the agenda and will be making an alternative recommendation to the board.

B. Board

1. None.

Review of Bills: None.

Public Comments: Lisa Coulter, Parent  
Ms. Coulter expressed her concern in regards to her daughter, who is a freshman at Vineland High School South, not having a schedule.

Victor Druziako, Parent  
Mr. Druziako spoke in support of the Option 2 Program and why it is relevant to his daughter. He respectfully requested for an emergent motion to be made tonight to impose an interim policy course review to take care of the students who are waiting in the wings.

William Jannarone, Parent  
Mr. Jannarone expressed his concern in regards to a Board of Education policy that has been in place for years and over ruled by the administration. He said that he completely endorses Mr. Druziako's request that the board needs to present an emergent resolution for a vote. Mr. Jannarone said the resolution should state that students who matriculated in an accredited college and received credit worthy grades be allowed to replace electives on this year's schedule with courses that are more aligned with their future endeavors.

Mr. Ulrich wanted to clarify that the board does not vote during a work session.

Mr. Jannarone said he understands but as he recalls the policy is that a board member would introduce a motion to be put on the work session or public meeting agenda for a vote to take place. Mr. Ulrich said Option 2 is on the agenda. Mr. Jannarone said Option 2 is not a policy of this board but a consideration and he asking the board to enforce for the benefit of students who are being shortchanged.

Wendi Carlon-Wolfe, Parent

Ms. Wolfe said there is no policy existing that allows students to take any college courses outside of Vineland High School, which is specifically stated in the student handbook. She expressed her concern that Dr. McCann led the public to believe that Option 2 in terms of college credits and internet courses was an existing successful policy, which is not the case. She said this is a brand new policy for the board to consider. Ms. Wolfe expressed her disappointment that the board chose this format to have this discussion. She has been requesting a public meeting since May for the parents to speak openly to the board. Ms. Wolfe said the board needs to provide equitable access for students to take courses at the college. She said there will be students who do not have the financial resources to take the only part of Option 2 that will keep them competitive, which is an internet or college course. Ms. Wolfe expressed her concern in regards to how a grievance was handled by Dr. Banks that she filed on Friday, September 2<sup>nd</sup> that required full investigation.

Committee Reports: Mrs. Phillips said discussed at yesterday's Curriculum & Technology meeting was Option 2. She said they also discussed filters on the internet and what is appropriate for students to have access to. Mrs. Phillips said that Ms. Evans discussed the Childrens Literacy Initiative (CLI), which is a reading/writing program used in kindergarten through third grade.

Mr. English said at the Facilities Committee meeting Mr. Dantine provided an overview and status update on the district's fire alarm testing. He said the conditions of the school roofs were discussed and Mr. Weaver provided an update and quote for repairs. Mr. English said they are in the process of updating the bus yard security in the district. He said all final upgrades and inspections have been done with the VHS North serving line. Mr. English said that Mr. Franchetta stated that the district has not received final approval for the Landis School renovations project. Mr. English thanked Mrs. Wallace for her generous donation of a full irrigation system for the front of Wallace School. He asked Mr. Weaver to present a brief update on the solar project.

Mr. Weaver said all the bids were rejected based on the Power Purchase Agreement (PPA). He said that he worked with the Cumberland County Improvement Authority in regards to major changes that were made to the specifications. Mr. Weaver said that he thinks the development costs are driving the final number.

Mr. Ulrich asked how long we are looking at to go through this process again. Mr. Weaver said the site visits will begin on Friday and will run about week. He said we will receive bids thirty days from the site visit, which will be around October. Mr. Weaver said hopefully something will be awarded around November.

Mr. Medio asked for a rough idea as to what it would cost to replace the roof at Rossi School. Mr. Weaver said that data is in the Long Range Facilities Plan and he would have to look at the Request for Proposal (RFP).

Mr. Weaver said the state is calling this project a Capital Maintenance Project (CMP), which is a non-urgent project that the state is informing us to budget for and do the replacement. Unfortunately, we will have to look at what needs to be done and a timeline for replacement.

Mr. Fanucci said at today's Finance Committee meeting they discussed the IT bid issues along with a possible shared services agreement with city. He said the meeting will reconvene on September 21<sup>st</sup> to review a plan that the city is going to present with respect to possible shared services and a bid proposal.

Unfinished

Business:

Mr. English asked about the athletic budget breakdown copy that he requested in August. Mr. Franchetta said he invited Don Robbins, Athletic Director, to the Finance Committee meeting that was cancelled and has not been reconvened. Mr. English said he would like to see the athletic budget numbers.

Mr. Mercado asked if a date will be scheduled for the board retreat. Mr. Ulrich said yes that he will contact Ms. Zoerb with some dates.

Mr. Ulrich announced that a special meeting will be held on September 28<sup>th</sup> at 6:00 p.m. for an expulsion hearing.

Mr. English expressed his concern that there is one social worker for both high school buildings. He is wondering if there are things that we should be addressing that would affect students in a positive way. Mr. English asked if we are looking to reinstate the after school busing. Dr. Banks said it has been fully reinstated.

New Business: None.

At 9:27 p.m. public executive session was held.

Mr. DeSanto said one of the items that the board had for executive session was a discussion of the contracts for the assistant superintendents and business administrator. The individuals were “Riced” because the discussion was going to take place in executive session. Mr. DeSanto said all three individuals invoked their rights under the Rice Decision and therefore the meeting that was scheduled to be held in the board conference room will now be held in the board room in public. He said this is an executive session and there will not be any comment from the public or the three individuals.

Mr. Medio said he thought we were negotiating these contracts with the three individuals and does not understand where the “Rice” notice comes in. Dr. Banks said historically the board has not negotiated these contracts that have been presented for approval. She said there were some issues raised with the contracts and a board member has recommended tabling one year and she pulled the second year. Dr. Banks said the county superintendent has approved these contracts so there needs to be discussion whether or not there will be any changes. She said that she was advised by the County Superintendent to “Rice” these individuals and would like this matter resolved on their behalf. Mr. Medio asked where these contracts came from. Mr. Ulrich said they came from Harold Shapiro and when the state regulations changed he authored the contracts based upon a template that was sent from the state. He said the series of one year contracts continued and were never discussed and there with no negotiations. Mr. Ulrich said the raises were at the superintendent’s and board’s decision. Dr. Banks said historically the raises were based on what VASA received. Mr. Ulrich said that is not one hundred percent accurate. Dr. Banks said some of the language in the assistant superintendent’s contract goes back to past practice especially with regard to the awarding of the stipend for the doctorate. Mr. Medio asked how the contracts go from the board to the county superintendent. Dr. Banks said the county superintendent has to approve the contracts first. Mr. DiGiorgio asked if the county superintendent approves the format, content and everything in between. Dr. Banks responded yes. Dr. Mounier said with respect to the contracts under consideration there were never any board negotiations dealing with three of the four highest paid positions in this district. Mr. Fanucci said originally a proposal was laid out by the previous superintendent and the board did not negotiate the contract only the superintendent and subordinate staff.

Mr. Fanucci said at that time a sub-committee to negotiate and work on the contracts was formed, which he was on. He said Harold Shapiro, former Associate Solicitor, was our liaison. Mr. Fanucci said at that time we were looking at three year deals but when the ruling came down the contracts were going to be for one year. He said the board was taking a hard line with respect to money. At that time in certain circumstances the board was right and in other circumstances the board was not correct, being unfair collectively. Mr. Fanucci said the deal was to go to a one year contract to isolate where we really wanted to be with a dollar figure for the assistant superintendents. Dr. Mounier asked who negotiated the three contracts that are now under consideration. Mr. Ulrich said if you recall last year we were in the midst of a financial crisis and he requested that the contract be pulled pending negotiations, changes in the law and what the legislator was going to do. He said the board agreed at that time and Dr. Banks called the county superintendent who was ok with the contracts being pulled back with all the uncertainty we were facing. Dr. Mounier asked which board members negotiated the contracts for 2010-2011 and 2011-2012. Mr. Ulrich said he did along with Dr. Banks. Dr. Mounier said the board in general did not negotiate these contracts. He said the county superintendent is not elected by the taxpayers. Mrs. Phillips said the board did not have any input as far as what the final product looks like. Mr. DiGiorgio asked if this board negotiated the Dr. Bank's contract when she was hired. Mr. Ulrich responded yes. Mr. DiGiorgio said he finds it odd that the board can negotiate the highest paid person in the district but not the next three people in line. Mr. Ulrich asked Mr. DiGiorgio if he can propose something better than 1.5% and 0%. Mr. DiGiorgio said that is not the point. Mr. Medio said we are not talking about the contracts being discussed but about how they were negotiated. Mr. Ulrich said they were not. Mr. DiGiorgio asked if the doctoral stipend language is included in the state contract. Mr. Ulrich said Dr. Banks and Dr. Stepura had a conversation about the stipend. He said the code supplied to the board members is that you cannot reduce a tenured employee's salary without a reduction in force or an increment withholding.

Mr. DeSanto said the issue of whether or not this is a personnel discussion is what triggers the "Rice" notice. He said if the discussion is now going to be contract negotiations then this is not the proper procedure to follow for that. Mr. DeSanto said if it is contract negotiations you may want to revisit the process that you have done in the past. He said if you want to handle this as a negotiated item then there should be a process set up. Mr. DeSanto said the choice is to advance this forward and take a vote or remove this with a process set up and revisit it a month or two down the road.

Mr. Ulrich said if the board sets a number that is unacceptable the county superintendent will reject it. Mr. DeSanto said he understands but what he is hearing it is the principal and the process. Mr. Ulrich asked Dr. Banks to remove this from executive session until the situation can be reconvened. Mr. DeSanto said the tabled recommendation can only be acted upon at next week's meeting. Mr. Fanucci asked if the concern is that there should be a negotiating team in place for moving forward. Dr. Mounier said either the elected representatives of the people on this board are going to have a say or they are not. He said there are things about the proposed contracts that he finds troublesome. Mr. Ulrich said we will recess into executive session to discuss the concerns.

Adjournment: The Board adjourned to (non-public) executive session at 10:01 p.m.

Respectfully submitted,

Kevin J. Franchetta, CPA  
Board Secretary

KJF:df