

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, May 11, 2011 at 7:01 p.m., pursuant to notice with Mr. Ulrich presiding and the following members present: Mr. English, Mr. Fanucci, Mr. Medio, Mr. Mercado, Dr. Mounier and Ms. Rios. Absent: Mr. DiGiorgio and Mrs. Phillips.

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, press and public. Absent: Ms. Greenfield, Executive Director of Personnel.

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: None.

Comments by

Board Solicitor: None.

Items for Review:

A. Superintendent

1. **Appointment of Board Secretary** – No discussion.
2. **Appointment of Custodian of School District Records** – No discussion.
3. **Appointment of Custodian of School Monies – a. Alternate appointment of Custodian of School Monies – 1. Law Eliminating Treasurer, 2. Eliminating Treasurer – Chapter 39, 3. Resolution to Eliminate Treasurer** – No discussion.
4. **Appointment of Contract Agents** – No discussion.
5. **Appointment of Qualified Purchasing Agent** – No discussion.
6. **Appointment of Legal Depositories** – No discussion.
7. **Appointment of Bank Depositories** – No discussion.

8. **Appointment of Daniel M. Smith to fill the following positions in the absence of Kevin J. Franchetta – a. Board Secretary, b. Custodian of School District Records, c. Contracting Agent, d. Transfer/Investment of Funds at authorized district depositories** – No discussion.
9. **Appointment of Conscientious Employee Protection Act Contact Person** – No discussion.
10. **Appointment of Certifying Officer/Appointing Authority for the NJ State Civil Service System** – No discussion.
11. **Appointment of Section 504 Employee Compliance Officer** – No discussion.
12. **Appointment of temporary Appointing Authority and Civil Service Hearing Officer** - No discussion.
13. **Appointment of temporary Conscientious Employee Protection Act Contact Person** - Mr. Ulrich noted that these appointments are regulatory standard reappointments that the board has to do regarding employees in the district who have certain responsibilities.
14. **Appointment of Section 504 Student Compliance Officer** – No discussion.
15. **Appointment of Working Papers Issuing Officer** – No discussion.
16. **Appointment of Title IX Coordinator** – No discussion.
17. **Appointment of Affirmative Action Officer** – No discussion.
18. **Appointment of Americans with Disabilities Act Coordinator** – No discussion.
19. **Appointment of Right to Know Officer** – No discussion.
20. **Appointment of Integrated Pest Management Coordinator** – No discussion.
21. **Appointment of Indoor Air Quality Designee** – No discussion.
22. **Appointment of PEOSHA Officer** – No discussion.
23. **Appointment of Asbestos Management Officer** – No discussion.
24. **Appointment of Chemical Hygiene Officer** – No discussion.

25. **Appointment of Auditor** – Mr. English asked why items 25 through 30 are not put out for bid. Mr. Franchetta said we could do request for proposals and evaluate them.
26. **Appointment of Architect of Record** – No discussion.
27. **Appointment of Solicitor, Collective Bargaining & Alternate Counsel** – No discussion.
28. **Appointment of Alternate Counsel** – No discussion.
29. **Appointment of Attorney for Collection of Delinquent Accounts Receivables** – No discussion.
30. **Appointment of Insurance Broker** – No discussion.
31. **Appointment of Official Newspapers** – No discussion.
32. **Tuition Agreements for Homeless Students** – No discussion.
33. **Recognition of Bargaining Units** - No discussion.
34. **Annual Travel Stipends** – No discussion.
35. **Establishment of Petty Cash Funds** – No discussion.
36. **Approval of Partnerships with Colleges/Universities** – No discussion.
37. **Approval of Textbooks and Courses of Study** – No discussion.
38. **Approval of Date, Time & Place of 2012 Commencement** – No discussion.
39. **Approval of Dates, Times & Location of Work Sessions & Regular Meetings** – No discussion.
40. **Approval of Hourly Rates for Substitute Personnel for 2011-2012** – No discussion.
41. **Personnel Items** – Mr. English questioned the large amount listed under summer school transportation and registration. Dr. Elliott said this is to approve all of the available personnel and we may utilize only a portion of the personnel.

42. **Travel** – Dr. Mounier asked if the board needs to know the cost of the Dutch Wonderland trip on June 3. Mr. Ulrich said this is the safety patrol trip and the approval is for permission for the students to go on the trip. Mr. DeSanto said if we do not incur the expense then it is just permission. Dr. Mounier said on June 6th Johnstone Elementary School is taking a trip to the Indian Trail Farm in Vineland to explore an authentic tepee. He would like to know what the curriculum is relative to native cultures on the trip. Dr. Mounier said he is a little concerned because he does not know what “authentic tepee” means.

Mr. Medio asked who pays for the field trips for elementary school students. Mr. Ulrich said they are all fund raised by the Parent Teacher Organizations. Dr. Mounier asked if the alternative schools have a PTO that pays for trips. Dr. Banks said they are paid by special education and ECPA funds.

Ms. Rios asked why all the forms can not have the objective and purpose of the trip listed. Dr. Banks said all the forms are supposed to have that information.

43. **Reasonable Assurance of Continued Employment** – No discussion.
44. **Placement of Special Education Students** – No discussion.
45. **VHS Tennis Court Resurfacing Project** – Mr. Ulrich asked if this includes the lighting. Mr. Weaver said yes the lighting is included but there are a couple things that we are going to do differently in the original configuration. The plans are to eliminate most of the internal site lighting and development perimeter lighting. Mr. Ulrich asked if there is a chance that the lighting can eventually be part of the solar project at the school. Mr. Weaver said that would probably work under the secondary program that was discussed in regards to the boiler situation. Mr. English asked for an explanation on the swivel light. Mr. Weaver said on the West side we are planning to install two sets of fixtures and heads to illuminate that practice field. Mr. Ulrich asked if the baseball fields can be illuminated. Mr. Weaver said yes and it will be done by September 30th.
46. **Use of Impact Building as a Mass Care Shelter** – No discussion.
47. **Free Breakfast and /or Lunch for Students with Disabilities at Private Schools** – No discussion.
48. **Bus Evacuation Drills** – No discussion.

49. **Preschool through First Grade Elementary Program for Students with Hearing Impairments** – No discussion.
50. **Bayada Nurse Contract** – No discussion.
51. **Approval of Corrective Action Plan for The Courtyard School, Inc & Little Lamb Preschool/keener Kids, Inc.** – Dr. Mounier asked if there is any red flag here that the board should know about. Mr. Franchetta responded no and explained that the Department of Education annually chooses two or three of our providers randomly for an audit. He said this is the recommendations from the audit and the provider has to write a Corrective Action Plan to correct any deficiencies that are found during the audit.
52. **Summer 2011 Programs** – Mr. English asked if we decide yearly whether or not to have summer school, which is then approved or disapproved by the county superintendent. Mr. Ulrich said the county superintendent decides whether or not to cut summer school from out budget. Mr. English how do we go about staffing. Dr. Banks said the posting will go out as soon as the board approves the summer school program.
53. **Submission of Annual Statement of Assurances for the Comprehensive Equity Plan**
- No discussion.
54. **Submission of Amended 2011 No Child Left Behind Application** – No discussion.
55. **Submission of ECPA Budget** – No discussion.
56. **Submission of ING Unsung Heroes Grant** – No discussion.
57. **Bids: a. VHS Locker Renovations b. Instruction of Homebound Students** – Dr. Mounier asked if the locker renovations are for locker rooms. Mr. Franchetta said this is a bid to add restrooms at both the North and South buildings. Mr. Weaver said this will give us two ADA compliant restrooms. Mr. English asked how we are with the Landis School locker project. Mr. Weaver said Landis School is scheduled through the School Development Authority (SDA) for a full rehab. He said we have had discussion in regards to replacing the lockers this summer.
58. **Adoption of Policy #3270 Professional Responsibilities** – No discussion.

59. **Approval of FIRST Reading of the following Policies: Policies #1230, #1522, #2414, Regulation #2414, Policy #2440, Regulation #2440, Policy 2461, Regulations #2461, #2461.01, #2461.02, #2461.03, #2461.04, #2461.05, #2461.06, #2461.07, #2461.08, #2461.09, #2461.10, #2461.11, #2461.12, Policy #5561, Regulation #5561, Policies #6220, #6311, #6820, #2415.04, #2423, and Regulation #2423** – Mr. DeSanto wanted to clarify that the board is the only body authorized to adopt policy and administration adopts regulations to implement the charge that the board is giving them. He said that is why the board does not need to vote on all of these regulations. Mr. DeSanto said the only votes will be on the policies themselves.

Mr. Ulrich said we are reviewing a lot of policies and this will be a common occurrence over the next few months.

Mr. Medio asked why there are three or four policies that have the same policy number. Mr. Ulrich said one is a regulation and the other is a policy. Mr. Medio asked why we have a policy if we already have a regulation in place. Dr. Elliott explained that some of the policies have regulations that are attached to them, which is what Mr. DeSanto was alluding to. Mr. Medio asked if the revision of Policy #2440 is coming from the school board or the state. Dr. Elliott said that was an existing policy that was revised due to a change in legislation. Mr. Medio asked if the revision is of the board and administrations current policy. Dr. Elliott said that is correct. Mr. Medio asked why we have a policy on something that already has a state directive on it. Mr. DeSanto said many times the statute requires a board to adopt a policy to put the new requirements in place.

B. Board

1. None.

Review of Bills: Mr. English questioned the \$7,386 to Brodys and asked if that was the furniture store. Mr. Franchetta said there was furniture purchased for the Life Skills room from ARRA funding. Mr. Ulrich said the Life Skills room is an impressive set up that will help children transition into living in a household and doing different tasks to become productive members of society.

Dr. Mounier asked what the rules are for petty cash. Mr. Franchetta said most of our petty cash allocations are around \$50.00. He said we produce vendor checks every week for petty cash to be replenished. Mr. Franchetta said the only exception is for the athletic director who has a petty cash checking account of about \$1,500 to write checks out to officials.

Mr. Medio asked what the Sodexo check is for. Mr. Franchetta it is for the contract for the management services of the food service department.

Mr. Medio asked if there is a limit as to how much money Sodexo receives from the board. Mr. Franchetta said there is a detailed contract that he would be glad to provide a copy of. Mr. Medio asked if there is a ceiling. Mr. Franchetta said there is a profit that we are guaranteed at the end of the year. Mr. Medio asked if this is money that is being passed through the board from the federal program for free and reduced lunch. Mr. Franchetta said yes.

Public Comments: Ronald Walker, Vineland Resident
Mr. Walker expressed his concern in regards to the configuration of the high school.

Lee Burke, Vineland Resident
Mr. Burke said it is sad that we take so long to resolve things that could be handled better through management practices. He said that at the last meeting Mr. DeSanto mentioned that the bylaws have not been reviewed in ten years. He said policies and bylaws are issues that in his opinion cannot be postponed. Mr. Burke expressed his concern in regards to conflicted board members voting on employment contracts.

Allison Heather, Mennies ESL Teacher
Ms. Heather expressed her concern in regards to the moving of the ESL Program.

Carol Fiore, Grandmother of Vineland Student
Ms. Fiore expressed her concern in regards to the way parents and special needs children are treated.

Mr. Medio asked if board members can ask questions on the public comments. Mr. DeSanto said the practice has been that public comment is not an interchange between the board and the individual. He said at the end of the regular meeting under board comments a board member can speak on any issue.

Committee Reports: None.

Unfinished

Business: Mr. Medio said when he ran for the board he stated that he wanted to make a motion to return the 9/10 building back to a 9/10 building and the 11/12 building back to an 11/12 building. He would like this motion put on the agenda for the May 18 meeting and entertain discussion. Mr. Ulrich said there is no discussion at this point.

Mr. DeSanto said the bylaws provide that matters can be brought up at a regular meeting by board members under VI. B for a vote.

Mr. Ulrich asked what the board's authority is regarding an administrative decision based upon a previous board vote to remove the Small Learning Communities and develop an interim plan until the CAPA Report and reconfiguration occurs in the 2012-2013 school year.

Mr. Medio asked if at the last board meeting there was a vote on the configuration. Mr. Ulrich said no there was not. Mr. Medio asked if that means there has not been a vote yet. Mr. Ulrich said that is correct. Mr. Medio asked if the vote will be in June. Mr. Ulrich said he does not believe it was a board vote because it was an administrative decision informing the board on how they were going to send the students to the high school. Mr. Medio asked if this is an administrative decision. Mr. Ulrich said the board directed the Small Learning Communities to be dismantled, which they were. He said Dr. Banks was instructed to come up with an administrative plan to do restructuring. Mr. Ulrich asked for a legal opinion as to if this can be voted on. Mr. Medio said it was his understanding that the previous board vote was only to abolish the Small Learning Communities. Mr. Ulrich said and to also re-establish a new plan. Mr. Medio asked when the board voted to re-establish a new plan. Mr. Ulrich said we have not voted on the new plan because it has not been developed yet. Mr. Medio said the high school is now being split geographically and he does not understand why there cannot be a board vote on that. Mr. Ulrich asked for Dr. Banks and Mr. DeSanto to discuss this and if it is within our purview to do this it will be added to the agenda for discussion and a vote. Mr. Medio requested for this to be added to the agenda. He said if it is not voted on we can have it on record why it was not voted on. Mr. Medio said that he does not think it is unreasonable to revert to something that worked and address the real problems which were there when it was a 9/10 11/12 set up. He said he was elected to discuss matters that the public brings to him and see where the board falls on them. Mr. Medio said there are issues that need to be discussed and he plans to discuss them. He cannot believe anywhere in policy, law or directives that we cannot have a vote on how we are going to set up one third of our school district. Mr. Ulrich said in his view the board acted harshly to a situation that was problematic. He said if we are truly going to put the children first then we need to come up with a collaborative plan that involves parents, students, faculty and staff to have a say on how this goes. Mr. Medio said a vote will be one step towards improving the situation at the high school. He said there are other steps to follow.

Mr. Medio said committees do not work and the problems have to be addressed. He said you are going to create problems by splitting up the ninth graders into two separate buildings. This will eventually create two separate high schools and will not improve anything educationally. Mr. Medio said the problems with the 9/10 11/12 configuration did not have anything to do with education. He would like to see a vote on next week's board agenda to see where everybody stands. Mr. DeSanto said Mr. Medio brings up two issues one is the fundamental threshold issue whether or not the configuration of the school is an administrative or board issue. He said he will have that opinion prior to next week's meeting. Mr. DeSanto said assuming that it is a board decision the bylaws have a mechanism when a board member wants to present an issue for a vote that is prior to a work session. The board member brings to the attention of the superintendent and board president prior to the agenda setting meeting the motion that he or she would like to have considered for a vote. Mr. DeSanto said the superintendent is allowed to gather materials and information together to discuss at a work session. He said it is then advanced to the next board meeting for a vote. Mr. Ulrich said Mr. Medio did contact him to have this put on the agenda for discussion. He asked if it would be prudent to have a full blown discussion now in lieu of the circumstances. Mr. DeSanto said yes there is no reason you cannot have that discussion. He said the idea of having it under VI. B is for the superintendent to provide background information. Mr. Ulrich said at next week's meeting Dr. McCann will present the CAPA and reconfigurations. He is sure that the information presented is something board members would want to consider before making an informed decision on whether or not it can be voted on. Dr. Banks said we are already in the process of scheduling for September. She said the issue is that the recommendations should be for the 2012-2013 school year. Dr. Banks said the decision to eliminate the Small Learning Communities came in January. She said between January and now the discussion was to decide how we would transition the eighth graders to the high school. Dr. Banks said this is not the model that will be in place permanently but we needed to decide how we were going to handle this September in a short period of time. She said it was recommended by the high school administration that the current staff and students remain in place. Dr. Banks said the immediate goal now is to transition the eighth graders to the high school and get the scheduling under way for the 2011-2012 school year. She said the decision regarding how the eighth graders are going to be transitioned is the natural zoning currently in place in this district.

Dr. Banks reemphasized that what is in place now is for this coming school year. She said everything is on the table for discussion and for presentation to the board. Mr. Medio said he does not know how this idea with busing is going to save any money. He said tensions will be a problem that will be created in the community because you are going to split up the ninth graders. Mr. Medio said he heard the goal was to have two nine through twelve buildings. Dr. Banks said it is one of the things on the table for discussion but is not the permanent decision. Mr. English asked if we are capable of making that transition if the vote went down next week. Dr. Banks said because of how late it is in the school year it would be a disaster. Mr. Fanucci agrees with most of Mr. Medio's thoughts but agrees with Dr. Banks. He feels we need to plan and prepare for this. Ms. Rios said she likes the 9/10 11/12 theory because of the unity but does not know if it should be done for this coming school year. She said maybe we should have a committee meeting on this for parental input. Mr. Mercado asks who is on the high school reconfiguration committee. Dr. Banks said those committees are being formed as we speak to address the concerns presented in the CAPA report. Mr. Ulrich said he never had the pleasure of attending school at the North building because of split sessions. He said when it was a North/South configuration there probably was more discipline matters in the North building. Dr. Banks said we do have statistics and asked Mr. Ulrich if he wanted Dr. Elliott to present them now. Mr. Ulrich said yes if she has them.

Dr. Elliott said the statistics clearly show that 2005 had the highest amount of discipline including weapons, aggravated assault, assault simple threats and fights. She said there was a slight decline in 2006, 2007 and 2008. Dr. Elliott said the statistics spiked in 2009 and declined in 2010. She said the total incidences over that span was 201 assaults of simple threats against a teacher or student, 202 assaults aggravated and 203 total fights that spans all grade levels. Dr. Elliott said in 2007-2008, which was the last year of the 9/10 11/12 configuration there were 74 acts of violence, 14 acts of vandalism, 5 acts including weapons and 13 acts of substance abuse. She said the first year of the Small Learning Communities in 2008-2009 there were 52 acts of violence, 13 acts of vandalism, 7 acts including weapons and 4 acts of substance abuse. Dr. Elliott said in the 2009-2010 data there were 76 acts of violence, 20 acts of vandalism, 2 acts including weapons and 15 acts of substance abuse. She said the EVVRS data is not complete for this year and we are at the half way point with statistics.

Mr. Medio asked if there was a spike in acts of violence when the high school went to the Small Learning Communities. Dr. Elliott said no there was a spike in the second year. Mr. Medio said the discipline problem was not solved by going with the Small Learning Communities. Mr. English asked when was there only one principal at the high school. Dr. Banks said this year. Mr. English asked if the general consensus is the fear of the incoming freshmen with discipline. Dr. Elliott said that would be a question for administration at the high school. Dr. Mounier said it seems to him that these statistics may be meaningless for a variety of reasons. He said you can have very different reporting from one building to another. Dr. Mounier said we could probably eliminate the problems if we had a different approach to discipline. He said instead of finding excuses why chronically anti-social behavior should be rewarded, we should find a way to remove chronically misbehaving students from those schools. Dr. Mounier said we should put these students some place where they can learn to remediate and leave the other students to study. Dr. Elliott said she could not agree more. She said there is legislation that we are working on that will aid us and change the statistics for the positive. Mr. Ulrich said he does not think there is much debate that we need to have a change in vote. He said the debate concerns how rapidly we move into that. Mr. Fanucci said the majority of us are in favor of doing that concept in some capacity it is just a matter of when. He asked if we still vote on this next week. Dr. Banks requested for the board to wait for Dr. McCann's presentation next week. Mr. Ulrich said you are now asking the board to disrupt this school year and the 2012-2013 school year. He said if this could logistically be done he would say just pull the trigger. Mr. Medio said you are already disrupting this coming school year by splitting the ninth graders by building so either way it is disrupted. Dr. Banks said do not forget with the Small Learning Communities the students self selected. She said this is actually less disruptive because we are not moving the current ninth, tenth and eleventh graders who are currently dispersed throughout the two buildings. Mr. Medio said he disagrees because theoretically the Small Learning Communities are no longer in place. He said there is going to be change either way. Mr. Fanucci asked if course selection has started. Mr. Medio said course selection has nothing to do with it. Mr. Fanucci asked what exactly Dr. McCann's presentation will be about next week. Dr. Banks said Dr. McCann's responsibility is to present the findings of the entire CAPA report. She said in that CAPA report there is discussion about scheduling. One of the recommendations was to hire a specialist to assist the high school with scheduling, which is what we have already done. Dr. Banks said that individual has expressed some concern that that it is so late in the school year to change the scheduling.

Dr. Banks said she is not disagreeing with anybody in terms of any of the discussion regarding what the configuration should be. She said that her concern is for a smooth transition and being the least disruptive as possible. Mr. Medio said he is glad to hear with have a scheduling specialist on board because that makes it even easier to do. Dr. Banks said one of the reasons she was not in favor of eliminating the Small Learning Communities because she felt that all along it was a scheduling problem more than anything else. She was hoping that the board would have given her the opportunity to bring this specialist in while we had the Small Learning Communities in place. Dr. Banks said she agrees and has issues and concerns at the high school with the fact that we are overstaffed and there are some staff underutilized. She also agrees that if some staff needed to be moved because we do not need them at the high school they can be utilized elsewhere in the district. Mr. Medio said he never said that we were overstaffed anywhere. He said there is possibility money can be saved by not needing as many people. Mr. Medio said hiring a scheduling specialist has to make it much easier to put in any configuration that you want. Mr. Ulrich said he will get clarification from Mr. DeSanto regarding this issue.

New Business: None.

Adjournment: The Board adjourned to executive session 8:45 p.m.

Respectfully submitted,

Kevin J. Franchetta, CPA
Board Secretary