

The regular meeting of the Board of Education of the City of Vineland was held in the Board Room, 625 Plum Street, Vineland, New Jersey, Wednesday, September 8, 2010, at 7:02 p.m., pursuant to notice with Mr. Franceschini presiding and the following members present: Mr. DeWinne, Mr. DiGiorgio, Mr. English, Dr. Mounier, Mrs. Phillips and Mr. Ulrich. Absent: Mr. Fanucci and Ms. Rios.

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

Mr. Franceschini 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

Presentation (s): None.

Approval of Minutes: Upon motion by Mr. DeWinne, seconded by Mr. English, the Board approved the minutes from August 4, 2010, August 11, 2010, August 17, 2010 and August 25, 2010. All Members voted "yes" except for Mr. DiGiorgio who voted "yes" on August 17, 2010 but "abstained" on August 4, 2010 and August 11, 2010, Mr. English and Mr. Franceschini who voted "yes" on all minutes but "abstained" on August 17, 2010 and Mr. DeWinne who voted "yes" on all minutes except August 25, 2010 he "abstained."

Report of the
Secretary/Custodian
Of School Monies:

Upon motion by Mr. DeWinne, seconded by Mr. English, the reports of the Secretary and Custodian of School Monies for the month of July 2010, which are in agreement were approved as submitted and on file in the Minute Book, and the Board approved its monthly certification of budgetary major account fund status and the Board Secretary's monthly certification as on file with the Secretary. All Members voted "yes."

Solicitor's Report:

Mr. DeSanto said a number of issues have arisen in the past few weeks and after discussion with Mr. Franceschini they thought it might be appropriate to address some of these issues. Mr. DeSanto explained the meaning of the word "Meeting."

Mr. DeSanto said emails are a form of communication that could take place outside the presence of this room. If a quorum of board members get involved with instant messaging or engage in real time chat and take it beyond a majority of the board you are in effect having a meeting outside of this room. Mr. DeSanto said if you are having a meeting you must provide a “48 Hour Notice” and the public must be invited to observe. He said email communication could be used for housekeeping matters, dissemination of information and discussions among four or less members. Mr. DeSanto said the employee exception to a public meeting is called the “Rice Notice.” Any matter involving the employment, appointment, termination, terms/conditions of employment, evaluation, performance, promotion and discipline etcetera can be held privately unless all of the individual employees whose rights can be adversely affected request in writing that such matter be discussed at a public meeting. Mr. DeSanto said a “Rice Notice” only applies if the board intends to discuss an employee in executive session.

Mrs. Phillips asked if an issue comes up can a board member send out an email to other board members explaining how they feel about the issue. Mr. DeSanto said that is not a violation but is a difficult process to govern. Mr. Ulrich asked what would be the difference if you seen a board member out in public and brought up an issue. Mr. DeSanto said that is an exception because the decision law talks about chance encounters.

Dr. Mounier asked if there were specific definitions of words such as discuss, act, inform and comment that are applicable to our situation. Mr. DeSanto said he thinks the definition of discussion is so broad.

Mr. DeSanto said another issue is the Bylaws and how board members can get issues on the table for discussion. He said and if there is a question as to where things stand on matters that have already been discussed it can be brought up under “Old Business” on the agenda. Mr. DeSanto said “New Business” is different because you cannot bring up matters of complaint. Under the Code of Ethics board members first have to give the superintendent the opportunity to address the matter. Mr. DeSanto said any board member seeking to propose an item for discussion at a work session shall notify the board president and superintendent prior to or at the scheduled work session agenda conference.

Mr. DeSanto said as a result the item can be included on the written agenda outline prepared by the superintendent. The board member seeking to propose the item shall supply pertinent information relating to the item to the superintendent. The superintendent shall transmit to the board those materials together with reasonably pertinent materials in the administration's possession relating to the agenda item. Mr. DeSanto said items not previously discussed at a work session shall not be placed on the regular meeting agenda as a recommendation of the superintendent unless the board president and superintendent have determined that the item in question is of such an emergent and important nature that board consideration is warranted.

Mr. DeWinne asked what if an item is brought up just to be informed or have a general discussion on. Mr. DeSanto said if you know about a discussion item it should be put under 6b. Mr. DeWinne asked what if the opportunity has been missed for something to be put on the agenda. Mr. DeSanto said if it has been determined by the board president and superintendent that it is such an emergent and important nature it could be placed on the agenda as a matter of discussion. He said if a matter is important but not emergent a board member can discuss it or make a remark under board member comments. Mr. DeSanto said the Bylaws could be waived to allow discussion under board member comments.

Mr. Ulrich asked if an item was so emergent that it needed board discussion would it not fall under executive session. Mr. DeSanto responded no.

Dr. Banks said there may be something that happens the day of a board meeting that is so emergent and needs to be addressed she would call the board president.

Public Comment on
Agenda Items:

None.

Recommendations:

RECOMMENDATIONS

It is recommended that:

1. The Board authorize the assignments of the pupils, whose names are provided and on file with the Secretary of the Board, to special education programs outside the district with tuition costs to be borne by the Board.

Further, the Board approve the acceptance of the tuition pupil(s), whose names are on file with the Secretary of the Board, for placement in special education programs offered in Vineland with tuition costs to be borne by the sending district(s).

(Tuition payment and assignments shall be regulated by Chapter 46, Laws of 1966, as amended, and the rules and regulations of the State Department of Education.)

All Members voted "yes."
(7-0-0)

2. The Board approve budgetary transfers in accordance with the list provided and on file with the Secretary of the Board:

- a. General Fund

All Members voted "yes."
(7-0-0)

3. The Board authorize a Resolution which awards contracts to the childcare providers in accordance with the list on file with the Secretary of the Board for the 2010-2011 school year in accordance with the form of contract approved by the Department of Education.

All Members voted "yes."
(7-0-0)

FRANCESCINI	ULRICH	DEWINE	DIGLIO	ENGLISH	FANUCCI	MOUNIER	PHILLIPS	RIOS
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Vineland Board Of Education
 Report to the Board – September 8, 2010

FRANCHETTA	ULRICH	DEWINE	DIGIORGIO	ENGLISH	FRANCIS	MUNIER	PHILLIPS	RIOS
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4. The Board approve the tentative tuition charges for the 2010-2011 school year and the Secretary of the Board be authorized to notify the sending districts:

All Members voted "yes."
(7-0-0)

	<u>Annual</u>	<u>Daily</u>
Preschool/Kindergarten	8,921.00	49.57
Grades 1 – 5	10,249.00	56.94
Grades 6 – 8	11,779.00	65.44
Grades 9 – 12	10,206.00	56.70
Cognitive Mild	17,221.00	95.68
Cognitive Moderate	41,389.00	229.94
Learning/Language Disabilities	14,540.00	80.78
Visually Impaired	5,322.00	29.57
Auditorily Impaired	66,055.00	366.98
Behavior Disabilities	20,084.00	111.58
Multiple Disabled	5,322.00	29.57
Autism	22,591.00	125.51
Preschool Disabilities/Full Time	14,690.00	81.62

Mr. Ulrich asked if we currently have any students coming in. Mr. Franchetta said if we do they are usually auditorily impaired students.

5. The Board approve a Resolution authorizing the settlement for the employee whose name is on file with the Secretary of the Board.

All Members voted "yes."
(7-0-0)

6. The Board approve the Preschool Teacher Performance Report rubric that will be used for teacher evaluations beginning in September of the 2010-2011 school year.

All Members voted "yes."
(7-0-0)

F R A N C E S C H I N I	U L R I C H	D E W I N N E	D I G I O R G I O	E N G L I S H	F A N U C C I	M O U N I E R	P H I L L I P S	R I O S
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7. The Board approve a Teacher in Training Agreement between the Vineland Board of Education and Rutgers, The State University of New Jersey.

All Members voted "yes." (7-0-0)

8. The Board approve an Agreement with Catapult Learning to enter into a Non-Public Services Agreement for the 2010-2011 school year for Nursing Services in a form acceptable by the board Solicitor and the Superintendent

All Members voted "yes." (7-0-0)

9. Bids:

All Members voted "yes." (7-0-0)

A. Award:

Quote #CE1 – Summer Camp at Belleplain State Forrest
 June 30 through August 18, 2010

In the amount of\$1,952.00

B. Rejection:

Mobile Surveillance Cameras & Mobile Digital Video
 Recorders Systems

10. The Board approve the second reading of the following policies:

All Members voted "yes." (7-0-0)

Policy #8420 – Emergency and Crisis Situations

REG #8420.1 – Fire and Fire Drills (this Regulation is required by statute law or administrative code to be adopted by the Board)

Policy #5111 – Eligibility of Resident/Nonresident Pupils (Reg included for information only)

Policy #6360 – Political Contributions

Policy #6422 – Budget Transfers (Reg included for information only)

Vineland Board Of Education
 Report to the Board – September 8, 2010

FRANCESCINI	ULRICH	DEWINNE	DEGLISH	ENGLESH	FANUCCI	MOUNIER	PHILLIPS	RIOS
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		1		2				

11. The Board approve travel for district members as required by N.J.A.C. 6A:10A-8.3 and school field trips as per lists provided and on file with the Secretary of the Board.

All Members voted “yes” on all travel except for Mr. DeWinne, Dr. Mounier, Mr. Ulrich and Mr. Franceschini who “abstained” on their travel only.
 (7-0-0)

12. The Board suspend with pay, the employee whose name is provided and on file with the Secretary of the Board.

All Members voted “yes.”
 (7-0-0)

B. Proposed for review or discussion or adoption by Board Members: None.

Approval of Bills: Upon motion by Mr. DeWinne, seconded by Mr. English, the bills were approved and warrants issued for same. All Members voted “yes” (\$5,566,099.31).

Emergent Item(s)
(with prior approval) None.

Public: None.

Committee Report: Mrs. Phillips said discussed at tonight’s Curriculum & Technology meeting was enhancing the security system in all of our schools. The K-12 System is up and running and a form will be mailed out to parents next week who would like to use the parent portal. Parents who have used the parent portal last year do not have to fill out a form. Mrs. Phillips said all parents, staff and students will be re-surveyed on their ideas about the Small Learning Communities.

Board Member
Remarks:

Mr. English thanked Dr. Gruccio and Mr. Dantine for the nice presentation they gave at the Curriculum & Technology meeting. He also thanked the Petway Staff for being very hospitable at the Meet & Greet they held last week. Mr. English commented on the great job that was done at the First Day Celebration held at Mennies Elementary School.

Mr. DiGiorgio commended and thanked the administration, teaching and support staff for getting off to a great start.

Mrs. Phillips wished everyone a great school year. She gave special recognition to Petway and D’Ippolito Schools for the creative way they welcomed back their teachers along with the Mennies staff or their First Day Celebration. Mrs. Phillips mentioned that Tuesday is Mr. English’s Birthday and she wished him a Happy Birthday.

Dr. Mounier thanked Mr. DeSanto, Board Solicitor, for his presentation. He said it strikes him as very peculiar that the Sunshine Law casts such a big shadow that they have to work in the dark.

Mr. DeWinne requested for the Personnel & Policy Committee to review the policy regarding communications and board member comments. He wished Dr. Banks along with central administration, teachers and students a great school year.

Mr. Ulrich said it looks like we got off to a good start with a lot of hard work going on behind the scenes. He thanked everyone for the invitations and thinks it is important that when the schools are open for board member's to visit.

Dr. Banks said she is very pleased to report that we had a smooth opening with nothing major happening. She complimented and thanked the central office staff and building administrators for all of their hard work in preparing for the opening of school. Dr. Banks extended her best wishes to everyone for a rewarding and successful school year.

Report/Remarks by
Board President:

Mr. Franceschini said he was very pleased that school got off to a great start thanks to Dr. Banks and the entire leadership team. He mentioned that Dr. Banks will be celebrating her birthday this Friday and wished her along with Mr. English a Happy Birthday.

Resolution:

Mr. Franchetta read a resolution to recess into executive session on **Wednesday, September 8, 2010** and **Wednesday, October 6, 2010** regarding budget issues, personnel matters, contract negotiations, student residency/disciplinary matters and anticipated or pending litigation.

Motion:

Upon motion by Mr. DeWinne, seconded by Mr. English, the resolution was passed. All Members voted "yes".

Adjournment:

The Board adjourned to executive session by voice vote at 8:04 p.m.

Respectfully Submitted,

Kevin J. Franchetta, CPA
Board Secretary

KJF:df