

BOARD OF EDUCATION
(Official)

August 20, 2020
Elizabeth, New Jersey

The combined regular agenda and business meeting of the Board of Education was called to order on August 20, 2020 at 6:30 p.m. via an online platform. The meeting was previously noticed to be held in the Multipurpose Room of the Donald Stewart Center for Early Childhood Education located at 544 Pennsylvania Avenue, Elizabeth. However, in light of the public health emergency caused by Coronavirus and the recent issuance of the Governor's Executive Order reducing the allowed capacity for indoor gatherings, the Elizabeth Board of Education will conduct the meeting remotely using online platform technology without providing a physical meeting place. Video conferencing technology is available to the public at <https://www.facebook.com/epsnj> and <https://www.youtube.com/user/epschools>.

Board President Diane Barbosa presented the following statement at 6:55 p.m.

"Ladies and Gentlemen, good evening. This is a combined regular agenda and business meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting using an online platform was sent to The Star Ledger and Cablevision of Elizabeth on August 17, 2020. In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth, New Jersey.

There will be an online public portion for citizens to address the Board. Participants for the public portion must register online up to the start of the meeting so that they may have the opportunity to speak. The public participation form states the name, email, and phone number of the person who wants to comment. Members of the public who prefer not to or do not have the means to participate using the online platform may continue to participate by emailing statements relative to agenda items and/or educational matters to the Secretary of the Board at kennedha@epsnj.org. All statements received will be read into the record during the meeting's public comment portion. All emails must be submitted and received by the Secretary of the Board up to the start of the meeting and, as is always the case, must include the public member's full name for the record. Each statement submitted by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to 60 minutes. Emails received but not read after the 60-minute duration will be spread in full in the Official Board Minutes of this meeting."

Present: Charlene Bathelus, Maria Carvalho, Iliana Chevres, Nathalie Hernandez, Jerry Jacobs, Rosa Moreno-Ortega, Stanley Neron, Stephanie Pestana, Diane Barbosa – 9

Absent: None

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP and members of the community were present via an online platform.

Mrs. Barbosa stated that she hopes everyone continues to be safe and healthy. Mrs. Barbosa stated that this is our last board meeting before school is underway. Mrs. Barbosa welcomed everyone to the 2020-2021 school year and stated that we are just a few short weeks away from the start of the school year. Mrs. Barbosa stated that tonight you will learn more about how our schools have been working tirelessly to prepare for remote instruction. Mrs. Barbosa stated that our team members are deeply committed to providing families with the resources necessary for their students to receive the highest quality education. Mrs. Barbosa stated that sadly, COVID-19 continues to affect our community and countless others throughout the world. Mrs. Barbosa stated that we remain efficient as we continue on this challenging

journey and our community keeps showing a relationship of spirit and a sense of working together throughout this pandemic. Mrs. Barbosa stated that we were hoping that the pandemic would be behind us for this time but since it is not we are going to start this year very proactive. Mrs. Barbosa stated that she is confident that despite the uncertain road ahead, all the members of our learning community will come together to make this successful. Mrs. Barbosa stated that she looks forward to the date during the 2020-2021 school year that we all eventually get back into our schools and celebrate our students' successes. Mrs. Barbosa stated that while we do not know when that will come, she knows that when it comes our learning community will be stronger than ever. Mrs. Barbosa stated that school begins with full remote learning on September 11th for our students and as we continue to fine tune our virtual learning, we also continue working to bring all students back into class. Mrs. Barbosa stated that is what we are working for and we understand that it has to be safe and responsible to bring all of our students back. Mrs. Barbosa stated that we will ensure that we will enhance our remote learning. Mrs. Barbosa stated to the parents in our community that since our Reopening Plan on August 10th we do hear what you have brought to us and your concerns. Mrs. Barbosa stated that a major concern was our communication so we have developed this plan where we are communicating with our parents and community daily if not every other day on numerous amount of questions and concerns that come to us daily through public speaking, Facebook live, roundtables and conversations. Mrs. Barbosa stated that we continually bring information and have been putting out communications to address the questions and concerns.

Mrs. Barbosa stated that she has been working with the Board, Superintendent, and the team to come up with a timeline so that it is a countdown to our first day of school. Mrs. Barbosa stated that it is important for everyone to know what is going to happen at particular times in our short period before we start school. Mrs. Barbosa introduced Superintendent of Schools Olga Hugelmeyer to present the Countdown to the First Day of School.

Superintendent of Schools Olga Hugelmeyer presented the Reopening Together Plan Countdown to First Day of School. Mrs. Hugelmeyer stated that it is her intent to provide a countdown to our first day of school and, as our Board President stated, to continue to provide updates with regard to the various projects that we have undertaken in preparation for the first day of school.

Mrs. Hugelmeyer presented a PowerPoint slide with a laptop distribution chart showing the schools and dates. Mrs. Hugelmeyer stated that as a reminder to all our PreK 3 parents, our Division of Early Childhood uploaded the preschool placement letters to the parent portal on Friday, July 31st. Mrs. Hugelmeyer stated that we are asking our parents to accept or decline placement by logging into the PowerSchool Parent Portal and once you have accepted the preschool placement, you will be contacted and provided with a date and time to pick up your child's computer device. Mrs. Hugelmeyer stated that parents of PreK 3 & PreK 4 will receive a phone call from our Division of Information Technology with an appointment date and time to pick up the laptop device. Mrs. Hugelmeyer stated that parents will be able to pick up the laptop device with minimal contact and without having to access our schools. Mrs. Hugelmeyer reminded the parents to please wear your face mask and exercise proper social distancing upon arrival.

Mrs. Hugelmeyer presented a PowerPoint slide showing the K-3 distribution of laptops and stated that parents will receive a call from our Division of Information Technology with an appointment date and time to pick up the laptop device. Mrs. Hugelmeyer stated that parents will be able to pick up the laptop device with minimal contact and without having to access our schools. Mrs. Hugelmeyer reminded the parents to please wear your face mask and exercise proper social distancing upon arrival.

Mrs. Hugelmeyer presented a PowerPoint slide showing information for special needs families and stated that as a reminder to all our parents, we are offering to our eligible students related services for speech, occupational therapy, and physical therapy in-person at three centralized locations. Mrs. Hugelmeyer stated that we are requesting that our parents complete a brief survey on the PowerSchool Parent Portal indicating your preference to continue to receive related services remotely or in-person. Mrs. Hugelmeyer stated that the schedule for special services computer device centralized distribution is that parents will receive a phone call from our division of special services with an appointment date and time to pick up their laptop device. Mrs. Hugelmeyer stated that parents will be able to pick up the computer device with minimal contact and to please wear your face mask and exercise proper social distancing upon arrival.

Mrs. Hugelmeyer presented a PowerPoint slide about school uniforms and stated that we recognize the importance of family planning and the steps that you will be taking to prepare your children and family for school when we begin in September. Mrs. Hugelmeyer stated that the decision to resume in-person learning will be made by the District at the end of the first marking period based on health conditions at the time. Mrs. Hugelmeyer stated that we suggest that you postpone the purchase of new uniforms until that time.

Mrs. Hugelmeyer presented a PowerPoint slide about the High School August Graduation that will take place at Williams Field on August 25, 2020 at 9:00 a.m. Mrs. Hugelmeyer stated that temperatures will be checked as they enter Williams Field, everyone will be required to wear a mask including graduates, graduates will receive two tickets each, Williams Field including bleachers and seats will be disinfected, and graduates will sit six feet apart during the ceremony.

Mrs. Hugelmeyer presented a PowerPoint slide on the 9th grade academy virtual orientation and the schedule for each high school freshman class virtual orientation beginning August 26th.

Mrs. Hugelmeyer presented a PowerPoint slide on the parent virtual academy and stated that it includes information on the parent portal, Office 365 log-in and overview, TEAMS web-conferencing and sharing, basic Wi-Fi troubleshooting and connecting to Wi-Fi network, Class Link, Unified Classroom log-in, navigating, and how to submit student work, Cyber security, basic computer skills, and Microsoft Translator to enhance communication for parents whose first language is not English. Mrs. Hugelmeyer stated that the workshops begin the week of August 24th.

Mrs. Hugelmeyer presented a PowerPoint slide about the Grab-n-Go Breakfast and Lunch Program. Mrs. Hugelmeyer stated that the last day for the Grab-n-Go Breakfast and Lunch Summer Program will be Monday, August 31st. Mrs. Hugelmeyer stated that the Federal Breakfast and Lunch Program will be available at all school locations from 12:30 p.m. to 2:30 p.m. Mrs. Hugelmeyer stated that the information required includes the student name, parent/guardian name, school child attends, and child's identification number. Mrs. Hugelmeyer stated that there will be no cost for free and reduced. Mrs. Hugelmeyer stated that for the students in the paid lunch there is no cost for breakfast and \$3.00 per meal (lunch) and on Monday the cost will be \$6.00 and on Wednesday the cost will be \$9.00. Mrs. Hugelmeyer presented a PowerPoint slide showing the Grab-n-Go Breakfast and Lunch Program that will be available. Mrs. Hugelmeyer stated that on Thursday, September 10th the Grab-n-Go will include 2 breakfasts and 1 lunch (breakfast and lunch for Friday, September 11th and breakfast for Monday, September 14th). Mrs. Hugelmeyer stated that the Grab-n-Go for Monday, September 14th will include 2 breakfasts and 2 lunches (lunch for Monday, breakfast and lunch for Tuesday, and breakfast for Wednesday). Mrs. Hugelmeyer stated that the Grab-n-Go for Wednesday, September 16th will include 3 breakfasts and 3 lunches (lunch for Wednesday, breakfast and lunch for Thursday, breakfast and lunch for Friday, and breakfast for Monday). Mrs. Hugelmeyer stated that, except for the first week, the Grab-n-Go schedule is for pick up on Mondays and Wednesdays.

Mrs. Hugelmeyer presented a PowerPoint slide showing the online student registration and stated that parents can register their children online for the 2020-2021 school year. Mrs. Hugelmeyer stated that parents can visit the district website at <http://www.epsnj.org> and click on the online student registration icon. Mrs. Hugelmeyer stated these are the various initiatives that we have launched in the last two weeks and that we will continue to keep our families updated as we continue to work toward the countdown which is twenty-one days to the opening of schools.

Mrs. Barbosa thanked her for her presentation.

Superintendent Olga Hugelmeyer stated that the Elizabeth Public Schools was asked to participate in the Amistad Collaborative to determine the district's effectiveness in implementing the mandate. Mrs. Hugelmeyer stated that the Amistad Collaborative has been led by Reverend George Britt of Mt. Teman AME Church and after an initial meeting of the collaborative Dr. Davida Lindsay-Harewood was hired by the Board to conduct a comprehensive review of the district's compliance and offer her insights and recommendations. Mrs. Hugelmeyer stated that Dr. Lindsay-Harewood submitted an executive summary at the end of May and July 2nd she presented her findings to the members of the collaborative via Zoom. Mrs. Hugelmeyer stated that tonight we are honored to have Dr. Lindsay-Harewood present an abridged version of the presentation.

Dr. Davida Lindsay-Harewood, consultant for DLH Enterprises, presented the Curriculum Assessment of the Amistad Mandate. Dr. Lindsay-Harewood presented a PowerPoint slide and quoted William Payne, "The ignorance of each other's backgrounds, etc. is really at the base of the problem. So education will resolve this, I believe." Dr. Lindsay-Harewood quoted Desmond Tutu, "Inclusive, good-quality education is a foundation for dynamic and equitable societies." Dr. Lindsay-Harewood presented a PowerPoint slide and stated that legislation calling for New Jersey schools to infuse African American history into their social studies curriculum became law in 2002. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that The Amistad Bill (A1301) was sponsored by Assemblymen William D. Payne and Craig A. Stanley. Dr. Lindsay-Harewood stated that New Jersey students are to learn American history inclusive of African American history and schools are charged with teaching inclusive history that includes the contributions, sacrifices, and advances African Americans have made and continue to make in this country. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that during the 2019-2020 school year DLH Enterprises was retained by the Elizabeth Public School District to conduct a comprehensive review of the district's compliance to the Amistad mandate. Dr. Lindsay-Harewood stated that a report was issued in May which concluded that the district has put resources in place to meet the mandate to ensure educators and students know that Africans and African Americans have a foundational role in the establishment, growth and expansion of the United States of America.

Dr. Lindsay-Harewood presented a PowerPoint slide on the background and stated that beginning in December 2019, numerous contacts were made between Superintendent Olga Hugelmeyer, Director of Curriculum and Instruction Aaron Goldblatt, Supervisor of Social Studies Bruce Elflein, and Consultant Dr. Davida Lindsay-Harewood of DLH Enterprises. Dr. Lindsay-Harewood stated that emails were also sent from Rev. George Britt related to the commencement of the project. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that the purpose was to evaluate the district's curricula in social studies and language arts. Dr. Lindsay-Harewood stated that the evaluation sought to answer the following questions including if the district is meeting the Amistad legislative mandate, will students from kindergarten through grade 12 know American history is inclusive of Africans and African American history, are district teachers prepared to teach an inclusive curriculum, and what are the areas for improvement in the implementation of the Amistad legislative mandate within the Elizabeth Public Schools. Dr. Lindsay-Harewood presented a PowerPoint slide about the evaluation and stated that evaluations pose risks. Dr. Lindsay-Harewood stated that they inevitably identify areas in need of improvement and challenge the status quo. Dr. Lindsay-Harewood stated that the social studies and language arts curricula documents and eleven social studies textbooks were provided by the district. Dr. Lindsay-Harewood stated that the documents include electronic files with marking period and weekly pacing guides, benchmark and unit assessments, final examinations, links to websites, student handouts, and other materials such as the strategies and resources to achieve the desired student learning objectives. Dr. Lindsay-Harewood presented a PowerPoint slide showing the conclusions and stated that the Elizabeth Public Schools District has invested resources to meet the requirements of the New Jersey Amistad legislative mandate. Dr. Lindsay-Harewood stated that there is evidence of the Amistad legislative mandate in social studies and language arts courses analyzed. Dr. Lindsay-Harewood stated that K-12 public school students will learn that Africans and African Americans have played and continue to play a major role in the history, culture, and achievements of the United States. Dr. Lindsay-Harewood stated that in social studies the curriculum includes information related to the history of Africans and African Americans highlighting sacrifices, contributions, and achievements. Dr. Lindsay-Harewood stated that in language arts more than twenty books in the curriculum support the Amistad legislative mandate. Dr. Lindsay-Harewood stated that the seventh grade social studies curriculum stands out as an exemplar and should be the model for all social studies courses and use of a similar model will enable students to see the tapestry of history as inclusive of Africans and African Americans. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that the district success remains incomplete without additional resources and work on improving the curriculum. Dr. Lindsay-Harewood stated that more should be done to move toward integration of Africans and African Americans into courses and away from units and mini-units that teach African American history in isolation from the mainstream of American history. Dr. Lindsay-Harewood stated that Africans and African Americans must be included in US History 1 MP 1 and 2 as students learn about the early years of the nation that focus on the struggles inherent in establishing a unique identity. Dr. Lindsay-Harewood stated that through research and discussions students

must come to understand how history, politics, economics, religion and culture influence the development of the New World and that Africans and African Americans defined the entirety of the colonial and national story. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that improvement is needed in the implementation of the Amistad legislative mandate within all US History Advanced Placement (AP) level courses, anthropology, AP economics, psychology, and personal finance. Dr. Lindsay-Harewood stated that AP courses have less flexibility in content variability as these courses have prescriptive content driven by the College Board. Dr. Lindsay-Harewood stated that there are many opportunities to include Africans and African Americans if teachers are encouraged and have the needed resources. Dr. Lindsay-Harewood stated that lessons can be modified to identify and include African and African American experiences and teachers should guide and encourage the inclusion of African Americans in student papers and presentations on topics within AP requirements. Dr. Lindsay-Harewood presented a PowerPoint slide on the recommendations and stated that the district should continue to assess, implement, and deepen the Amistad legislated mandate. Dr. Lindsay-Harewood presented a PowerPoint slide on the updates and stated that the updates to social studies courses to further integrate the African American experience include utilizing the NJ Amistad Commission's resources including the professional development institutes and interactive web-based curriculum for all educators, utilizing the resources of the NJ African American History Curriculum Guide for grades 9-12 in both the general and advanced placement levels, and utilizing additional K-12 web-based resources that provide materials for inclusion of Africans and African Americans in the curriculum such as local and state historical societies, National Archives, Smithsonian, National Parks Service, and museums. Dr. Lindsay-Harewood presented a PowerPoint slide showing the resources to provide teachers and classrooms as needed including augmenting K-6 classrooms and school libraries with literary resources from the NJ Amistad Commission's book list for primary grades and to provide resources at the district and classroom levels to ensure teachers are equipped to professionally implement the Amistad legislative mandate in each classroom by surveying educators, providing targeted training and professional development using workshops, coaching, seminars, and subject matter experts for social studies and language arts educators. Dr. Lindsay-Harewood presented a PowerPoint slide about expanding the Amistad legislative mandate beyond social studies and language arts classrooms. Dr. Lindsay-Harewood stated that expansion includes increasing public and district awareness of the work of the district related to the Amistad legislative mandate by hosting events, workshops, and programs, distributing and or posting information for educators, parents, and community partners regarding the Amistad Law, the Amistad Commission, and the work Elizabeth Public Schools is doing to implement the law and to expand the implementation of the Amistad legislative mandate beyond social studies and language arts to other areas of student education including, but not limited to, art, sports, and science. Dr. Lindsay-Harewood presented a PowerPoint slide and stated that African American history is American history and relegating Africans and African Americans to the margins of history limits and distorts our students' education and their understanding of themselves and their society. Dr. Lindsay-Harewood stated that the Amistad legislative mandate seeks to redress these distortions and omissions to ensure the educational excellence that accompanies an inclusive curriculum. Dr. Lindsay-Harewood stated that the need for all students and Americans to obtain a more inclusive education becomes more evident daily. Dr. Lindsay-Harewood encouraged the Elizabeth Public Schools and all stakeholders to be part of this expansion to engage and to encourage our children to see how diverse our American history is.

Mrs. Barbosa thanked Dr. Lindsay-Harewood for the presentation. Mrs. Barbosa stated that the statement, that the need for all students and Americans to obtain a more inclusive education is evident daily, is powerful. Mrs. Barbosa thanked Dr. Lindsay-Harewood for giving us the guidance for us to move forward and the help that we need to incorporate this and make sure that it is incorporated.

Mrs. Moreno-Ortega thanked Dr. Lindsay-Harewood for the great presentation. Mrs. Moreno-Ortega stated that she is happy that we implement the curriculum and asked how we can improve.

Dr. Lindsay-Harewood stated that she recommends that the District build on the foundation that is already there and spread it and go deeper in all areas of American history. Dr. Lindsay-Harewood stated that in our shared history African Americans are there so let us help our children to see it, whether they are in a physical education course, music program, technology program, or in a STEM program. Dr. Lindsay-

Harewood stated that let us encourage our teachers and give them the resources so that they are able to infuse the African American experience because it is there. Dr. Lindsay-Harewood stated let us build on what we have, let us expand it, and Elizabeth is now poised to move into the next step since you have mastered the foundation and let's move forward.

Mr. Neron thanked Dr. Lindsay-Harewood for the awesome presentation. Mr. Neron spoke about world history and getting that context to really teach students and touch on these things and it should increase as it relates to ancient African history and philosophy, sciences, and arts. Mr. Neron stated that when you look at the fundamental sciences and the origins you have to start there to change the perspective and once the perspective changes then we start understanding. Mr. Neron stated that when we do our research we understand where that comes from. Mr. Neron stated that there have been a series of things with the film industry and asked how we make that point at home.

Dr. Lindsay-Harewood stated that some of his statement was broken off and what she heard Mr. Neron ask is where are we in terms of the Elizabeth Public Schools in ensuring that the teaching of the contribution of African history is embedded as students learn about the expansive nature of history.

Mr. Neron responded yes and stated that if you never address the root of the misnomers of civilization then you start at a point where you are not getting through to the problem. Mr. Neron stated that when you look at history there is credit given to the Greeks for coming up with the origin of math and the origin of science but we know when we do our study the origins of that was ancient Africa. Mr. Neron stated that when we discuss those things how do we go from that point and really get professional development for teachers, for students, and for the educators so that they understand you have to start from the origin and give credit where credit is due.

Dr. Lindsay-Harewood stated that Mr. Neron is correct and history is told by who is telling the story. Dr. Lindsay-Harewood stated that the curriculum in Elizabeth does include world cultures where students learn about the contributions of Africans. Dr. Lindsay-Harewood stated that the Amistad Legislative Mandate specifically talks about Africans and African Americans and Mr. Neron is right. Dr. Lindsay-Harewood stated that our challenge is ensuring that our educators have the resources in order to continue to support our children and ensuring that they have the knowledge that is continually being uncovered and put forward. Dr. Lindsay-Harewood stated that the beginnings are there in the Elizabeth curriculum and more work needs to be done and that is across the board and there is more work to be done.

Mr. Jacobs thanked Dr. Lindsay-Harewood for her hard work and analysis on evaluating our Amistad curriculum. Mr. Jacobs stated that it was always a burning question whether the Amistad initiative was infused into the curriculum and now, at least we have some more clarity on that question. Mr. Jacobs stated that his question is when you look at the quote at the beginning of the presentation from the Honorable William Payne as it refers to racism does the curriculum implemented in the Elizabeth Public Schools address the issue of racism which is so important now in today's society with the issues that we have been seeing and the uprisings that have been going on in the name of social justice. Mr. Jacobs stated that is something that he is very interested in knowing because we want to know if our children are being exposed to the detriments of racism and how exactly we are addressing it with the curriculum.

Dr. Lindsay-Harewood commented that is a phenomenal question and stated that these are challenging times. Dr. Lindsay-Harewood stated that in her opinion our nation is grappling with a lack of knowledge. Dr. Lindsay-Harewood stated that had there been an Amistad mandate implemented effectively for our generation and those who were before us, she believes there would be greater understanding of each other and greater understanding of the role of systemic racism. Dr. Lindsay-Harewood stated that having said that the curriculum as it is written does touch on the historical activities related to racism. Dr. Lindsay-Harewood stated that she strongly suggests that there are many areas for the evils of racism and the need to do away with it to be implemented across all of the curriculum. Dr. Lindsay-Harewood stated that, however, this legislation deals with specifically social studies and many districts like Elizabeth to its credit have expanded it to language arts. Dr. Lindsay-Harewood stated that as we look at the need for more

restorative justice courses, as well as the Holocaust mandate and bullying curriculums, there was an opportunity to teach about the negative impacts of racism and what we can do as upstanders to do away with some of this faulty historic thinking. Dr. Lindsay-Harewood stated that there are opportunities for growth there. Dr. Lindsay-Harewood stated that the Amistad mandate looks at ensuring our students learn about those contributions and challenges and the sacrifices the Africans and African Americans have made that has benefited the nation but too often has not benefited them or their descendants. Dr. Lindsay-Harewood stated that when we begin with that basis of information that is our springboard to uncover the systemic racism that is plaguing our nation today. Dr. Lindsay-Harewood stated that we are moving in the right direction.

Mr. Jacobs thanked Dr. Lindsay-Harewood and stated that he hopes they will be able to work with her again in the future in strengthening that curriculum and also increasing the diversity in the district. Mr. Jacobs stated that her work is much appreciated.

Mrs. Barbosa thanked Dr. Lindsay-Harewood and stated that it was important to bring this presentation to the Board and the community. Mrs. Barbosa stated that they appreciate her work with the Elizabeth Public Schools and want to continue to work with you to build on that foundation.

Mr. Jacobs stated that Reverend Britt spoke with him today about the progress report for the Amistad evaluation for the Amistad conference that was held in November in Elizabeth. Mr. Jacobs asked Superintendent Hugelmeyer about the status of the progress report.

Mrs. Hugelmeyer responded that they have received the progress report and after tonight's board meeting our intent is to be able to distribute the progress report to the community. Mrs. Hugelmeyer stated that it was very important for Dr. Lindsay-Harewood to join us this evening to be able to provide an overview of her extensive review of our curriculum and resources. Mrs. Hugelmeyer stated that after tonight the progress report will be distributed to the Director of Curriculum Aaron Goldblatt who has been in communication with Reverend Britt and we are ready to proceed to the next step.

Mr. Jacobs thanked Superintendent Hugelmeyer and asked if the presentation can be posted on our website for the community to see it.

Mrs. Hugelmeyer responded yes.

Dr. Lindsay-Harris stated that the Elizabeth Public School District has a story to tell. Dr. Lindsay-Harris stated that these are challenging times and you know that more because you are making it, doing the work, and you are making it happen. Dr. Lindsay-Harris stated that there are demands on your time and your talents and she believes strongly that they should tell their story and encourage other districts to partner with you to learn from your experience and all of us get better in that process.

Mrs. Barbosa thanked Dr. Lindsay-Harris.

Mrs. Barbosa stated that we hear the parents and families and the communications we are putting out are to address the questions and concerns such as uniforms and laptops. Mrs. Barbosa stated that the presentation for the countdown to the opening of schools will be posted and translated and it is very important to keep that communication. Mrs. Barbosa addressed some of the highlights of the presentation including parent trainings as part of our parent academy to help our parents through videos to understand and the professional development for teachers has been happening since August 3rd and continues. Mrs. Barbosa stated that communication with our teachers is happening and it is so important that everyone understands the virtual element of this. Mrs. Barbosa re-emphasized the videos and there will be an educational piece that will be helpful to our special education parents. Mrs. Barbosa stated that we are working diligently to provide the related services for our special needs children. Mrs. Barbosa stated that we are listening and we are with you. Mrs. Barbosa thanked the public speakers for waiting.

Mrs. Barbosa presented the following public participation statement.

“At this time, the meeting is open for public comment to those who have registered with the online participation form prior to this session. I shall call individuals to participate based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to 60 minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participation shall apply: time limits will be strictly enforced, no personal attacks on individuals, no vulgar or indecent language, a person may address the board no more than once during a single meeting, speakers should refrain from naming individuals, and comments or questions posed during public participation will not be debated. As a reminder, this is a meeting of the Board in public, not a meeting of the public.

If the 60 minute public comment period expires before all registered online participants have been called, remaining participants can email their statements to the Secretary of the Board at kennedha@epsnj.org and they will be spread in full in the Official Minutes of this meeting. The Secretary of the Board will read into the record all emails that have been submitted up to the start of the meeting. Each statement submitted by a participant shall be limited to three minutes in duration.”

Mrs. Barbosa stated that she will call upon the participants in the order in which they registered online to speak. Mrs. Barbosa called upon the first public participant, Kason Little, to address the Board.

Kason Little, 225 S. Seventh Street, thanked the Board for the Amistad presentation.

Mrs. Barbosa thanked him for his comments.

Mrs. Barbosa called twice upon the next public participant, Diana Vivanco, to address the Board. Diana Vivanco did not respond.

Mrs. Barbosa called upon the next public participant, Eduardo Martinez, to address the Board.

Eduardo Martinez stated that we need more guidance counselors.

Mrs. Barbosa thanked him for his comments.

Mrs. Barbosa called twice upon the next public participant, Amaru Thomas, to address the Board. Amaru Thomas did not respond.

Mrs. Barbosa called upon the next public participant, Kennice Asse, to address the Board.

Kennice Asse, senior at John E. Dwyer Technology Academy, stated that we need more guidance counselors.

Mrs. Barbosa thanked him for his comments.

Mrs. Barbosa called twice upon the next public participant, Melba Henao, to address the Board. Melba Henao did not respond.

Mrs. Barbosa called upon the next public participant, Maria Lorenz, to address the Board. Maria Lorenz, 103 Murray Street, spoke about special education.

Mrs. Barbosa thanked her for her comments. Mrs. Barbosa called upon the next public participant, Michelle Santos, to address the Board.

Michelle Santos spoke about the lack of communication and special education.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, Allison Matos, to address the Board. Allison Matos did not respond.

Mrs. Barbosa called twice upon the next public participant, Eugene D'marco, to address the Board. Eugene D'marco did not respond.

Mrs. Barbosa called twice upon the next public participant, Luz Aguado, to address the Board. Luz Aguado did not respond.

Mrs. Barbosa called twice upon the next public participant, Jackie Encarncion, to address the Board. Jackie Encarncion did not respond.

Mrs. Barbosa called upon the next public participant, Pamela Ortiz, to address the Board.

Pamela Ortiz stated that she wanted to say thank you to the Board.

Mrs. Barbosa thanked her and called upon the next public participant, Jalen Walker, to address the Board.

Jalen Walker spoke against the security guards and stated that more counselors are needed.

Mrs. Barbosa thanked her for her comments and called upon the next public participant, Danielle Fienberg, to address the Board.

Danielle Fienberg spoke about the reopening schedule.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, Amaru Thomas, to address the Board. Amaru Thomas did not respond.

Mrs. Barbosa called twice upon the next public participant, Christian Thun, to address the Board. Christian Thun did not respond.

Mrs. Barbosa called twice upon the next public participant, Alyssa Calderon, to address the Board. Alyssa Calderon did not respond.

Mrs. Barbosa called upon the next public participant, Jason DeSousa, to address the Board.

Jason DeSousa stated that more counselors and nurses are needed and less security guards.

Mrs. Barbosa thanked him for his comments and called upon the next public participant, Sierra Quijano, to address the Board.

Sierra Quijano stated that more guidance counselors are needed and less security guards.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, Bryant Cordova, to address the Board. Bryant Cordova did not respond.

Mrs. Barbosa called twice upon the next public participant, Marisa Catena, to address the Board.

Marisa Catena did not respond.

Mrs. Barbosa called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira thanked the Board President for leading and spoke about the large raise for the Chief of Operations.

Mrs. Barbosa thanked her for her comments and called upon the next public participant, Lucas Hernandez, to address the Board.

Lucas Hernandez asked about the SAT tests, college fairs, and 8th and 9th periods since there are only 7 periods scheduled for the reopening.

Mrs. Barbosa thanked him for his comments.

Mrs. Barbosa called twice upon the next public participant, Arvinder Bhatia, to address the Board. Arvinder Bhatia did not respond.

Mrs. Barbosa called twice upon the next public participant, Iraklis Vogiatzidakis, to address the Board. Iraklis Vogiatzidakis did not respond.

Mrs. Barbosa called twice upon the next public participant, Rogelio Fernandez, to address the Board. Rogelio Fernandez did not respond.

Mrs. Barbosa called twice upon the next public participant, Thomas Surdovel, to address the Board. Thomas Surdovel did not respond.

Mrs. Barbosa called twice upon the next public participant, Karina Lema, to address the Board. Karina Lema did not respond.

Mrs. Barbosa called twice upon the next public participant, Aaron Goldblatt, to address the Board. Aaron Goldblatt did not respond.

Mrs. Barbosa called twice upon the next public participant, Laura Arias, to address the Board. Laura Arias did not respond.

Mrs. Barbosa called twice upon the next public participant, Anju Chhibber, to address the Board. Anju Chhibber did not respond.

Mrs. Barbosa called twice upon the next public participant, Aiyana Deflorimonte, to address the Board. Aiyana Deflorimonte did not respond.

Mrs. Barbosa called twice upon the next public participant, Lisa DiNitto, to address the Board. Lisa DiNitto did not respond.

Mrs. Barbosa called twice upon the next public participant, Colleen Flanigan, to address the Board. Colleen Flanigan did not respond.

Mrs. Barbosa called twice upon the next public participant, Suhail Campos, to address the Board. Suhail Campos did not respond.

Mrs. Barbosa called twice upon the next public participant, Terri Bradley, to address the Board. Terri Bradley did not respond.

Mrs. Barbosa called twice upon the next public participant, Helen Needle, to address the Board. Helen Needle did not respond.

Mrs. Barbosa called twice upon the next public participant, Catherine Scheuermann, to address the Board. Catherine Scheuermann did not respond.

Mrs. Barbosa called twice upon the next public participant, Andrew Walter, to address the Board. Andrew Walter did not respond.

Mrs. Barbosa called upon the next public participant, Ester Carrera, to address the Board.

Ester Carrera spoke against the security guards and stated that more guidance counselors are needed.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, Mira Lee, to address the Board. Mira Lee did not respond.

Mrs. Barbosa called twice upon the next public participant, Michael Kowalski, to address the Board. Michael Kowalski did not respond.

Mrs. Barbosa called twice upon the next public participant, Jim Beam, to address the Board. Jim Beam did not respond.

Mrs. Barbosa called twice upon the next public participant, Phyllis Taub, to address the Board. Phyllis Taub did not respond.

Mrs. Barbosa called upon the next public participant, Kelly Diakos, to address the Board.

Kelly Diakos asked if the teachers will be in the classroom or at home.

Mrs. Barbosa thanked her for her comments and called upon the next public participant, Giovanna LaRosa, to address the Board.

Giovanna LaRosa spoke about special needs.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, George Ciggelakis, to address the Board. George Ciggelakis did not respond.

Mrs. Barbosa called upon the next public participant, Harriet Villarrubia, to address the Board.

Harriet Villarrubia spoke about teaching from home.

Mrs. Barbosa thanked her for her comments.

Mrs. Barbosa called twice upon the next public participant, Geraldine Calhoun, to address the Board. Geraldine Calhoun did not respond.

Mrs. Barbosa called twice upon the next public participant, Nedie Morsy, to address the Board. Nedie Morsy did not respond.

Mrs. Barbosa called twice upon the next public participant, Lucia Seitzinger, to address the Board. Lucia Seitzinger did not respond.

Mrs. Barbosa called twice upon the next public participant, Nicole Romero, to address the Board. Nicole Romero did not respond.

Mrs. Barbosa called twice upon the next public participant, Joseph Espinal, to address the Board. Joseph Espinal did not respond.

Mrs. Barbosa called twice upon the next public participant, Claudia Tronza, to address the Board. Claudia Tronza did not respond.

Mrs. Barbosa asked if there was anyone online who was not able to respond when called earlier. Mrs. Barbosa stated that there were no other public participants registered to address the Board. Mrs. Barbosa requested that the participants who registered on-line to speak at this meeting and were not able to respond when individuals were called to participate using the on-line platform may email their comments to the Secretary of the Board at kennedha@epsnj.org and emails received will be spread in full in the Official Board Minutes of this meeting.

Mr. Kennedy stated that he received emails prior to the start of the meeting from people who did not want to participate in the audio portion of the meeting.

Mr. Kennedy read the following email received from Lila Roggendorf:
“If teachers are required to report to their buildings to teach virtually - will they be told to stream lessons without masks? I definitely would deliver my instruction much more effectively without a mask inside my home. I will be wearing a mask inside all public buildings until a vaccine is widely available.”

Mr. Kennedy read the following email received from Lydia Collins:
“Many of our older High School students walk their younger siblings to school. A 7:30 am start time is not conducive to such situations and will impact first period attendance and credit for those students who have to prioritize family obligations.
For teachers who are parents, 7:30 am is also a struggle. As the parent of a kindergartener, I will not be able to leave him in the line unattended when his school opens for in person learning. Most schools have early care starting at 7 am but there will be lines as every school and daycare will now have a screening process. A later start time will allow smoother transitions that are in the best interest of students and staff. The later start is being modeled by other school districts.
The daily Covid Checklist needs to be emailed earlier in the morning when September comes around. I cannot fill it out as I am driving into work and 7 am emails fall within the timeframe that most will already be commuting to work.
HVAC concerns should be examined in every building. Do we have the filters recommended by the CDC and the NJEA in every school? If not, will teachers and parents be notified of this in writing prior to entering the buildings?
Thank you.”

Mr. Kennedy read the following email received from Anne Eiring, EEA Treasurer:
“Good afternoon,
As an officer with the Elizabeth Education Association, it has come to our attention that numerous principals are sending out emails to their staff with conflicting information. The district needs to be on the same page in all buildings. Please clarify if the teachers will be mandated to be present physically inside the buildings even if the students are working from home. Please also clarify the work day, as in when teachers will be instructing virtually and available for online support. Please be aware, teachers are guaranteed a lunch and prep daily.
Your response is appreciated.”

Mr. Kennedy read the following email received from Benjamin Marcune:

“As a high school teacher in the Elizabeth Public School district, I am very concerned about teachers having to do the online teaching from their respective school buildings. I thought it was very reasonable and compassionate to be concerned about the health of the students and thereby starting the school year with virtual instruction. However I can not understand the rational for putting teachers at risk of contracting the Covid-19 virus by having them do their instruction from the school building. Although the risk is reduced by not having students present it is never the less still a risk to the teachers to have to report to the school buildings.

Can you please explain your rational for your concern for the students health but not the teachers?

Thank you for your consideration.”

Mr. Kennedy read the following email received from Sandra Cunha:

“I hope that this email finds you well and safe. My name is Sandra Cunha and I am a 4th grade teacher in the district. I am currently 19 weeks pregnant and have reached out to Olga regarding my situation. I have sent 3 emails along with the doctor's note, which followed the superintendent's direction and still have not heard back yet. I understand that there is a lot going on and everyone is overwhelmed, but I would like to hear back regarding my emails. Not only as a teacher, but a parent as well I need time to make arrangements for home and to prepare myself for teaching. I would greatly appreciate to hear back soon. Thank you.”

Mr. Kennedy read the following email received from Lara Filippello:

“Much confusion still exists due to the language being used by the district. Statements have been made that the district will be “All virtual” and buildings will “remain closed” yet teachers are being told they will be teaching virtually from their classrooms.

If that is the case, when will our superintendent present a statement of assurance that:

ALL buildings have been equipped with air filters and fresh air circulation per CDC guidelines?

Rooms and furniture are being properly sanitized, along with what they are being sanitized with and how often this will occur?

What extra measures are being taken for the buildings that do not have windows that open?

Will teachers have the option to use their lunch as travel time so they can safely conduct their afternoon office hours from home?

These are only a few of many concerns I and many of my co-workers have.

Thank you for your time.”

Mr. Kennedy read the following email received from Nina Armento:

“Questions-

Remote teaching in the classroom

Will there be an alternative at “home remote” option for teachers who live in other districts and have children who will be learning at home? If teachers are not able to afford 4-5 days a week for childcare or who are not comfortable bringing someone into their home due to covid then how will teachers be able to make sure their children are cared for?

If teachers cannot afford childcare they most likely can't afford to take a leave of absence. Alternating sick days will not benefit our children of Elizabeth.”

Mr. Kennedy read the following email received from Eulalia Matos-Pedro:

“To whom it may concern,

I am very happy that the students are going to be learning virtually until it is deemed safe for them to return. The safety and health of our students is of vital importance. I would like to state that the health and safety of the Elizabeth School District Teachers and their families is also of vital importance.

Teachers should not have to report school buildings that have many HVAC system issues that will spread the virus through out the building. The lack of clean air is of major concern to teachers' health and safety. I am also concerned of coming into contact with a coworker that is asymptomatic and does not realize she/he has the virus and is spreading it to other people. I am extremely concerned that I will get the virus and I will bring it home and put my family's health and safety at risk as well.

Thank you for your attention to this matter.”

Mr. Kennedy read the following email received from Purna Patel:

“My name is Purna Patel and I teach math at Alexander Hamilton Preparatory Academy Annex. I am concerned regarding childcare for my son who is 16 months old. I would like to request accommodations if the district provides any. I am willing to work in the building from 7:30 am – 12: 20 pm and wondering I could communicate with parents from home that is required from 12: 20 pm – 2: 20 pm. My husband is planning to work from 2 pm since our schedule conflicts. I would like to request an accommodation so that we could work out childcare for my son. Thank you for your time.”

Mr. Kennedy read the following email received from Robin Berberian:

“My question is regarding the location of the teacher instruction while the students are learning virtual. Where are the teachers expected to teach their lessons? Will they continue teaching their lessons virtually from their homes, just as they have been doing successfully since March?
Thank you.”

Mr. Kennedy read the following email received from Nick Nicoletta, EEA 2nd VP:

“Madam Superintendent,
The Elizabeth Education Association has received many questions from our members, regarding the 2020-21 school year. Some common concerns include building cleanliness, HVAC system issues, air conditioning, or lack thereof, childcare accommodations, teacher shortage, class scheduling, and clarification in terms of medical accommodations. While advocating for our members, we have reached out to Central Administration for answers and guidance. To date, the response has been minimal at best. School starts in a few weeks; we need answers.
Stay safe, healthy, strong and UNITED,
The Elizabeth Education Association”

Mr. Kennedy read the following email received from Melissa Llano:

“I had some questions regarding requesting to work virtually. I know you have so much going on and are doing everything in your power to make sure all of us are safe and that our students get the best education we can offer them. As a CDA, I am honored to be a part of the team. I am also an Elizabeth District parent, I have one daughter at school 29 and one son going to school 16 for Kindergarten. Without knowing the full picture of what an average day will look like for me, I am currently lost. My husband works and I have pretty much been the sole caretaker here during the quarantine and summer months. Can you give me any information about what I am entitled to do? I have so many questions, but if we can start with this one, perhaps the others will be answered.
I sincerely appreciate all you do and have continued to do.”

Mr. Kennedy read the following email received from Raquel Rosa:

“To whom it may concern,
School districts across the country have started to communicate their fall reopening plans and many are moving ahead with full remote learning. Many districts are also allowing the teachers the option to work from home. Unfortunately, educators in our district do not have that option.
The district’s decision to begin the school year with all-remote classes, helped ease many parents’ anxiety and concerns. However, as a parent, I am still concern for my own children. I am therefore writing to you today to express my concerns with the decision to have teachers report to school for virtual learning. My children are going to begin the school year with remote only instruction and will be left home alone without the supervision and the support that they need due to the lack of flexibility to work from home and the lack of childcare caused by this pandemic. Lastly, I am also concern for my family’s health and exposing them to potential risks of Covid-19.
I ask that you think of all the educators that are in the same situation, who are struggling with childcare and medical conditions. I hope that the district makes the right decision tonight and allows teachers the option to work from home.”

Mr. Kennedy stated that the total time of public comment was more than 60 minutes. Mr. Kennedy stated that he received the following emails prior to the start of the meeting from people who did not want

to participate in the audio portion of the meeting and the emails will be spread in full in the Official Board Minutes of this meeting.

Mr. Kennedy received the following email from Harriet Villarrubia:
“We teachers are quite satisfied that the District decided that students would be safer to be taught virtually in the safety of their homes. However, we teachers would also like the security of teaching virtually due to concerns of building cleanliness, HVAC system issues, air conditioning, etc. The aforementioned concerns make me extra anxious to return to school due to the following health issues - BMI 34 and heart disease, which puts me at risk of contracting Covid 19. I sent a letter from my doctor in an e-mail to Superintendent Hugelmeyer but have not heard back from her. Thank you for your attention regarding this matter.”

Mr. Kennedy received the following email from Claudia Tronza:
“I hope all is well. As indicated by the EEA, I have posted below my concerns for the start of the 2020-2021 school year. I greatly appreciate your time and consideration. I was just informed that my own children will start out the school year remotely. I have no one to stay with them much less teach them. My husband works in the medical field and is constantly at risk of exposure to COVID 19 despite the precautions he takes. At times, he also isolates himself from our children in order to not expose them. I would like to know if I can have the option to work virtually from home for the immediate future. These are extremely challenging times for everyone but I would just like to have the ability to do my job from home so that I can take care of my own children as well. Taking a leave of absence is not a financially sound option for my family as it would be detrimental. I am willing to be flexible in any way possible to be able to serve my students that I value and miss. I would greatly appreciate anything that can be done to help my situation. Thank you.”

Mrs. Barbosa thanked everyone for their emails. Since there were no other participants for public speaking and no other emails received, Mrs. Barbosa closed this portion of the meeting.

Mr. Jacobs excused himself from the meeting at 9:08 p.m.

The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, legal matters, and worker compensation matters. The Board will reconvene in public and may add to the agenda.

A motion was made by Mrs. Pestana, seconded by Mrs. Moreno-Ortega, to go into private session at 9:10 p.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Chevres, Hernandez, Moreno-Ortega, Mr. Neron, Mmes. Pestana, Barbosa – 8

Negative: None

Mr. Jacobs returned to the meeting at 9:12 p.m.

A motion was made by Ms. Bathelus, seconded by Mr. Neron, to reconvene in public session at 12:05 a.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Chevres, Hernandez, Mr. Jacobs, Mrs. Moreno-Ortega, Mr. Neron, Mmes. Pestana, Barbosa – 9

Negative: None

Mrs. Barbosa added the following to the agenda:
Minutes of the Agenda and Business Meetings of July 16, 2020
Secretary/Treasurer’s Report for the Month of June 2020
Personnel Report
Supplemental Personnel Report

Tuition Report
 Superintendent's Report – Harassment, Intimidation and Bullying Investigative Results
 Authorizations Report
 Finance and Accounting Report – Authorization to Pay Vouchers, etc.
 Supplemental Finance and Accounting Report – Transfer of Funds
 Award of Contracts Report
 Supplemental Award of Contracts Report
 Claims List
 Resolution – Five Year Curriculum Plan
 Resolution – Curriculum Guides for 2020-2021 School Year
 Resolution – Programs of Study for 2020-2021 School Year
 Resolution – Textbooks in Use for 2020-2021 School Year
 Resolution – Approving Entry into Lease/Purchase Agreement with Hewlett Packard
 Resolution – Appointing Seashore Fruit and Produce Co., Inc. for Fresh Produce Items for Food Service
 Resolution – Appointing Clean All Tech Corp., United Sales USA Corp., Imperial Bag & Paper Co., LLC, WB Mason Co., Inc., and Spruce Industries to Provide Janitorial Supplies
 Resolution – Requisition for Taxes
 Resolution – Gloucester County Special Services School District Cooperative Transportation Agreement for 2020-2021 School Year
 Resolution – Qualifying, Appointing, and Approving Contract with First Managed Care Option, Inc.
 Resolution – Qualifying, Appointing, and Approving Contract with D&H Alternative Risk Solutions, Inc.
 Resolution – Adoption of Revised 2020-2021 School Year Budget
 Resolution – Authorizing Contract with Kelly Education for Substitute Staffing Services
 Resolution – Appointment of Acting Supervisor of Special Services Dayna Gil Ferreira
 Resolution – Settlement Agreement – G.L.
 Resolution – Settlement Agreement – G.M.
 Resolution – Settlement Agreement – P.M.
 Resolution – Enter into Contract for Excess Liability Insurance Coverage

Mrs. Barbosa introduced Superintendent of Schools Olga Hugelmeyer to present the Harassment, Intimidation and Bullying Investigative Results.

Superintendent Olga Hugelmeyer stated that according to Board Policy 5131.1 Harassment, Intimidation, and Bullying (HIB) and New Jersey Statute 18A:37 the results of each investigation shall be reported to the Board of Education no later than the date of the next Board meeting following completion of each investigation and include any services provided, training established, discipline imposed, or other action that was taken or recommended. Mrs. Hugelmeyer stated that at the next regularly scheduled meeting after Board members receive the report of HIB investigations, the statute requires that the Board issue a decision in writing to affirm, reject, or modify the Superintendent's decision pertaining to the cases that were reported to the Board members at the last meeting.

Mrs. Barbosa asked for a motion and a second to accept the agenda.

A motion was made by Ms. Bathelus, seconded by Mrs. Carvalho, that the above be accepted.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Chevres, Hernandez, Mr. Jacobs, Mrs. Moreno-Ortega, Mr. Neron, Mmes. Pestana, Barbosa – 9

Negative: None

The first reading was done of the following new and revised policies:

1250	Policy	Visitors
3510	Policy	Operation and Maintenance of Plant
3541.33	Policy	Transportation Safety
5141.3	Policy	Health Examinations and Immunizations
6173.1	Policy	Remote Learning

Mr. Kennedy read the required Resolution of Censure SEC Docket No. C09-15.

Whereas, the above-captioned matter arises from a Complaint that was filed on February 2, 2015, by Ana Maria Amin, Ely Castillo-Ospina, Tony Monteiro, Paul Perreira, and Carlos Trujillo (Complainants), then members of the Elizabeth Board of Education (Board), alleging that Jose Rodriguez (Respondent), also a member of the Board, violated the School Ethics Act (Act), N.J.S.A.18A:12-21 et seq.; and

Whereas, the multi-count Complaint alleged that Respondent violated N.J.S.A. 18A:12-24(a), N.J.S.A. 18A:12-24(b), N.J.S.A. 18A:12-24(c), N.J.S.A. 18A:12-24(d), and N.J.S.A. 18A:12-26; and

Whereas, at its meetings on November 24, 2015, and December 15, 2015, and after previously denying Respondent's Motion to Dismiss in Lieu of Answer, the School Ethics Commission (Commission/Petitioner) voted to find probable cause to credit the allegations that Respondent violated N.J.S.A. 18A:12-24(a) and N.J.S.A. 18A:12-24(d) as alleged in Count 1, N.J.S.A. 18A:12-24(b) and N.J.S.A. 18A:12-24(c) as argued in Count 2, Count 4, and Count 6, and N.J.S.A. 18A:12-26 as asserted in Count 7, but not to find probable cause for the alleged violations of 18A:12-24(b) or N.J.S.A. 18A:12-24(c) in Count 3 or Count 5; and

Whereas, on March 28, 2016 the above-captioned matter was transmitted to the Office of Administrative Law (OAL) for a plenary hearing; and

Whereas, on January 27, 2020, and following the filing of Motions for Summary Decision by both parties at the OAL, the Honorable Elissa Mazzone Testa, ALJ (ALJ Testa) issued an Initial Decision detailing her findings of fact and legal analysis; and

Whereas, in her Initial Decision, ALJ Testa concluded that Petitioner had proven, by a preponderance of the competent and credible evidence, that Respondent's actions violated N.J.S.A. 18A:12-26, but did not find that Petitioner had satisfied its burden of proof as to any other subsection of the Act; and

Whereas, based on her legal conclusion, and after considering the totality of the circumstances, ALJ Testa recommended a penalty of censure for Respondent's unethical conduct; and

Whereas, at its meeting on April 21, 2020, the Commission voted to adopt ALJ Testa's findings of fact, except for the statement that a local education association is not an affiliate of the larger statewide education association; to adopt ALJ Testa's legal conclusion that Respondent violated N.J.S.A. 18A:12-26; to adopt ALJ Testa's legal conclusion that Respondent did not violate N.J.S.A. 18A:12-24(a), N.J.S.A. 18A:12-24(b), N.J.S.A. 18A:12-24(c), and/or N.J.S.A. 18A:12-24(d) as alleged in the remaining counts of the Complaint, but to reject the statement that a local education association is not an affiliate of the larger statewide education association; and to adopt the recommended penalty of censure; and

Whereas, the Commission's decision was forwarded to the Commissioner of Education (Commissioner), pursuant to N.J.S.A. 18A:12-29, for a final determination; and

Whereas, Respondent did not file Exceptions to the recommended penalty, nor was the Commission's underlying finding of a violation appealed to the Commissioner pursuant to N.J.A.C. 6A:4; and

Whereas, by decision dated July 17, 2020, the Interim Commissioner concurred with the penalty recommended by the Commission, and agreed that censure was appropriate; and

Whereas, N.J.A.C. 6A:28-10.12(d) provides that for a penalty of censure, suspension or removal, a Resolution shall be adopted at the Commission's next meeting following the Commissioner's decision, and the Resolution shall be read at the Board's next public meeting following adoption by the Commission, and shall be posted in such places as the Board posts its public notices for no less than thirty (30) days; and

Now Therefore Be It Resolved, that the Commission adopts this Resolution stating that Respondent is hereby CENSURED as a penalty for having violated the Act as set forth herein; and

Be It Further Resolved, that the Board is ordered to read this Resolution at its next regularly scheduled public meeting, and to post it in such places as the Board posts its public notices for a period of no less than thirty (30) days; and

Be It Further Resolved, that the Board shall provide the Commission with the minutes, once adopted, from the meeting at which it reads the within Resolution.

Mr. Kennedy stated that the above Resolution will be posted for thirty days.

On a motion by Mrs. Hernandez, seconded by Mrs. Chevres, the meeting was adjourned at 12:25 a.m.

The motion was carried by the following vote:

Affirmative: Ms. Bathelus, Mmes. Carvalho, Chevres, Hernandez, Mr. Jacobs, Mrs. Moreno-Ortega, Mr. Neron, Mmes. Pestana, Barbosa – 9

Negative: None

Harold E. Kennedy, Jr.
School Business Administrator/Board Secretary