

BOARD OF EDUCATION
(Official)

September 12, 2019
Elizabeth, New Jersey

The regular agenda meeting of the Board of Education was called to order on September 12, 2019 at 6:00 p.m., in the MultiPurpose Room, Donald Stewart Center for Early Childhood Education, 544 Pennsylvania Avenue, Elizabeth, New Jersey.

Board President Stephanie Pestana presented the following statement at 6:04 p.m.

“Ladies and Gentlemen, good evening. This is a regular agenda meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to The Star Ledger and Cablevision of Elizabeth on September 5, 2019. In addition, this notice is posted 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.”

“We want to welcome everyone present and our television viewers to this September 12, 2019 meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The Superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.”

“This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. We also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, we may have to ask for order periodically should noise begin to interfere with our recording capabilities. We are pleased that you have taken time this evening to join us here for our Board of Education meeting. Thank you for your interest in the Elizabeth Public Schools.”

“There will be a public portion for citizens to address the Board. Participants for the public portion may sign in up to the start of the meeting so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Present: Mrs. Barbosa, Ms. Bathelus (arr. 6:07 p.m.), Mmes. Chevres, Hernandez, Mr. Jacobs, Mrs. Moreno-Ortega, Mr. Neron, Mrs. Pestana – 8
Absent: Mrs. Carvalho – 1

Superintendent of Schools Olga Hugelmeyer, School Business Administrator/Board Secretary Harold E. Kennedy, Jr., Assistant Superintendent for Teaching and Learning Jennifer Cedenio, Assistant Superintendent for Schools Rafael Cortes, Assistant Superintendent for Schools Judy Finch Johnson, Chief of Operations Francisco Cuesta, Comptroller Rajeev Malhotra, Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP and members of the public were in attendance.

Pledge of Allegiance
National Anthem
Pledge of Ethics

Mrs. Pestana introduced a video presentation of the core beliefs.

Superintendent of Schools Olga Hugelmeyer stated that the Elizabeth Public Schools serves close to 29,000 students each day. Mrs. Hugelmeyer stated that we serve students of all

ages and disabilities. Mrs. Hugelmeyer stated that our Division of Special Services provides appropriate support and educational services to more than 3,600 students, team members, as well as parents. Mrs. Hugelmeyer stated that each year multidisciplinary teams develop program-based objectives aligned with the district's goals to ensure that all children are given opportunities to reach their individual potential for academic and social emotional success. Mrs. Hugelmeyer stated that we have a department that assists children by teaching them to develop the necessary skills to think critically, socialize appropriately, and become responsible citizens in their community. Mrs. Hugelmeyer stated that our district upholds the principles established by both the Individuals with Disabilities Education and Improvement Act (IDEIA) and the Americans with Disabilities Act (ADA). Mrs. Hugelmeyer stated that both laws support the educational experience and protect the right of our children. Mrs. Hugelmeyer stated that the district believes in the collaborative process to develop programs for our children involving the child study team that includes key contributions from parents who know their children best. Mrs. Hugelmeyer stated that the professional educators on the team have knowledge of instructional practices and have experience in guiding children with disabilities to become both productive learners and positive citizens in the school and community. Mrs. Hugelmeyer stated that we take pride in working together so that each child with special needs is provided a free appropriate education in an appropriate environment. Mrs. Hugelmeyer stated that this environment will foster their ability to develop the skills and utilize their strengths. Mrs. Hugelmeyer stated that as educators, we know that many of our students face challenges that can affect their behavior at school and outside the classroom. Mrs. Hugelmeyer stated that this is true in every school district. Mrs. Hugelmeyer stated that students enter our classrooms with different abilities and different skills but it is our job as educators to teach those skills, academic or behavioral. Mrs. Hugelmeyer stated that on Thursday, September 5th, challenging behaviors were exhibited in one of our classrooms between two non-verbal students. Mrs. Hugelmeyer stated that our teacher and assistants responded appropriately and our students were attended at all times. Mrs. Hugelmeyer stated that challenging behaviors can occur when a child lacks adequate skills for communicating needs or emotional state. Mrs. Hugelmeyer stated that additionally, challenging behaviors may occur quickly and without an obvious warning to the adults present. Mrs. Hugelmeyer stated that our teachers and assistants are provided with professional development that focuses on addressing difficult and challenging behaviors. Mrs. Hugelmeyer stated that she is limited in providing information because of the confidentiality of student records pursuant to the Family Education Rights and Privacy Act, known as FERPA. Mrs. Hugelmeyer stated that what she can share is that several administrators including the Director of Special Services, principal of the school, and herself immediately reached out to the family and met with them to address their concerns and provide support to ensure the physical and emotional well-being of our student. Mrs. Hugelmeyer stated that all of the members of the Elizabeth Board of Education have expressed their concerns repeatedly and the Chair of the Special Education Committee Vice President Diane Barbosa immediately coordinated a meeting to learn the details of what had occurred and to discuss whether additional resources were needed to support our students. Mrs. Hugelmeyer stated that we will continue to work diligently in fulfilling our mission to see every child with a disability thrive within their learning environment. Mrs. Hugelmeyer repeated the statement in Spanish for our bilingual families.

Mrs. Hugelmeyer stated that there is another important issue. Mrs. Hugelmeyer stated that an essential element to our district providing safe and secure learning communities is the safe and efficient transportation of students to and from school. Mrs. Hugelmeyer stated that at the onset of the school year we have experienced some significant issues including delays. Mrs. Hugelmeyer stated that we have high expectations for our team members as well as our contracted vendors and hold them all to high standards. Mrs. Hugelmeyer stated that we are continuing to work with our contracted vendors to remedy the issues that have taken place during these first days of school. Mrs. Hugelmeyer stated that, in fact, we have this evening several representatives from Durham School Services to address some of the issues that have taken place. Mrs. Hugelmeyer stated that many of our parents had the opportunity, prior to the start of the Board meeting, to engage in conversations with our vendor with regard to their concerns. Mrs.

Hugelmeyer stated that based on percentages of on-time arrivals of busses to school in the morning provided by the district Department of Transportation we are encouraged to see that there has been progress over the past two days in terms of busses arriving to their respective schools in a timely manner. Mrs. Hugelmeyer stated that we encourage our families to have students at the bus stops just a few minutes prior to the scheduled time to support the efforts of our transportation department in getting our busses to schools as scheduled. Mrs. Hugelmeyer repeated the statement in Spanish for our bilingual families.

Mrs. Pestana thanked the Superintendent.

Board President Pestana presented the following public participation statement.

“At this time, the microphones are open for public comment to those who have signed in. I shall call individuals to the microphones 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 sixty 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 participants 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.”

Mrs. Pestana introduced Co-General Counsel Jonathan Williams to speak about the process of public speaking.

Co-General Counsel Jonathan Williams, Esq. of DeCotiis, Fitzpatrick & Cole, LLP, stated that, for point of clarification, sometimes there is confusion about the public speaking portion of each board of education meeting. Mr. Williams stated that the purpose of the public speaking portion is for the board members to hear comments from members of the public with regard to any educational or any other issue which may be of some concern to the speaker. Mr. Williams stated that the board of education members are expected to listen to those comments and there is no contemplation in the law for there to be a dialogue or questions and answers back and forth. Mr. Williams stated that sometimes people seem to think that they are supposed to ask questions and get answers in this portion of the meeting. Mr. Williams stated that if there are questions of the board of education or of the school district, the school district has regular business hours and any questions or information which is sought can be secured at the district offices during regular business hours. Mr. Williams stated that the purpose of this portion of the meeting is simply for members of the public to make public comment so that the board members can hear directly from the public about those matters which are of concern to the people who are attending the meeting.

Mrs. Pestana called upon the first public participant, Delf Hernandez, to address the Board.

Delf Hernandez, 502 Fulton Street, stated that her daughter is in pre-kindergarten and requested transportation.

Mrs. Hugelmeyer requested the Director of Transportation Mike Rijo speak with her.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Lee Pereira, to address the Board.

Lee Pereira, 1106 Chilton Street, stated that her special needs child has a great teacher and spoke about the incident at School No. 22.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Maria Echavarria, to address the Board.

Maria Echavarria, 321 Westfield Avenue, spoke about special education and the incident at School No. 22.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Christina Moreira, to address the Board.

Christina Moreira, 805 Gebhardt Avenue, spoke about the cuts in the afterschool, summer, and Saturday programs and stated that the problems with transportation are unacceptable. Mrs. Moreira thanked the Superintendent for putting the curriculum on the website and requested that the school websites be updated.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Maria Lorenz, to address the Board.

Maria Lorenz, 103 Murray Street, spoke about the incident at School No. 22 and special education. Mrs. Lorenz requested a flyer be posted on the district website for a special education PTA meeting.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Mariver Perez, to address the Board.

Mariver Perez, EPS graduate, spoke about minorities being failed by the school district.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Kason Little, to address the Board.

Kason Little, 225 S. Seventh Street, stated that the district is failing our students and spoke about the incident at School No. 22.

Mrs. Pestana thanked him for his comments and called upon the next public participant, Jennifer Hohmann, to address the Board.

Jennifer Hohmann, kindergarten assistant, stated that the students are eating lunch in the classroom and asked for a lunch assistant for the classroom.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Debora Johnson, to address the Board.

Debora Johnson, 127 First Street, stated that there is a problem with transportation for her special needs son and spoke about the incident at School No. 22.

Mrs. Hugelmeyer requested Director of Transportation Mike Rijo speak with her.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Suzette Negron, to address the Board.

Suzette Negron, 130 Franklin Street, spoke about the marching band chaperones.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Pasita Guevara, to address the Board.

Pasita Guevara, 306 E. Jersey Street, spoke about problems with her special needs child and transportation.

Mrs. Hugelmeyer requested Assistant Superintendent Jennifer Ceden and Director of Transportation Mike Rijo speak with her.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Celia Nunez, to address the Board.

Celia Nunez, 231 South Second Street, stated that she has a special needs child and spoke about the case managers, translation of documents, and the special education PTA.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Stace Gragee, to address the Board.

Stace Gragee, 40 Sunrise Road, Rockaway Township, spoke in support of parents of special needs children and the incident at School No. 22.

Mrs. Pestana thanked her for her comments and called upon the next public participant, Luis Muriel, to address the Board.

Luis Muriel, student at Alexander Hamilton Preparatory Academy, asked for a math tutor to help him and his fellow students and thanked the vice principal for helping them.

Mrs. Hugelmeyer requested Assistant Superintendent Judy Finch Johnson speak with the student.

Mrs. Pestana thanked him for his comments. Since there were no other public participants signed in to address the board, Mrs. Pestana closed this portion of the meeting.

Vice President Diane Barbosa stated that there are nearly 130,000 Elizabeth residents including herself and fellow Board members and those sitting at this meeting. Mrs. Barbosa stated that each and every morning we send our children to school. Mrs. Barbosa stated that we get it, we understand, and we care. Mrs. Barbosa stated that, as Board members, we take things that occur in our district seriously. Mrs. Barbosa stated that we take it seriously and we create meetings, analyze, and address and that is our top priority. Mrs. Barbosa stated that she sits here tonight as a proud representative of those nearly 130,000 residents, 29,000 students, and 3,600 staff members. Mrs. Barbosa stated that as Chair of the Special Education Committee she knows firsthand what the school board puts in ensuring that the teachers, staff, and administrators have the best tools to do their difficult job. Mrs. Barbosa stated that by definition, special needs students present special challenges but each and every one of our approximately 3,600 special needs students is loved, cared, and educated to the fullest of their unique learning abilities. Mrs. Barbosa stated that we care about every single student that walks in that door and every single student needs their needs to be met. Mrs. Barbosa stated that they sit up here because we care. Mrs. Barbosa stated that please don't sit out there and think we are not listening because we are.

Board President Stephanie Pestana requested a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for discussion of personnel, specifically, tenure charges S.B., interview, noncertified administrator contract; legal matters, specifically, transportation contract, use of facilities requests, and award of contracts for Netta Architects, In-Line Heating and Air Conditioning, and lead testing; and workers' compensation matters, specifically, K.D. The board will reconvene in public and may add to the agenda.

A motion was made by Ms. Bathelus, seconded by Mrs. Barbosa, to go into private session at 7:15 p.m.

The motion was carried by the following vote:

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

Negative: None

A motion was made by Mrs. Hernandez, seconded by Mrs. Moreno-Ortega, to reconvene in public session at 10:55 p.m.

The motion was carried by the following vote:

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

Negative: None

Board President Stephanie Pestana stated that this is an agenda setting meeting. Mrs. Pestana stated that we will go tab by tab and each board member may ask questions. The board reviewed the agenda.

Minutes of the Agenda and Business Meetings of August 22, 2019

Secretary/Treasurer's Report for the Month of July 2019

Mrs. Pestana asked if there were any questions.

Personnel Report

Supplemental Personnel Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer requested Chief of Operations Francisco Cuesta speak about the report.

Chief of Operations Francisco Cuesta gave a summary of the Personnel Report.

Mr. Jacobs stated that in the spirit of our adoption of the equity policy last year he is requesting the diversity breakdown of our appointments and also the transfers from different titles to see if we really are pursuing diversity in our workforce.

Tuition Report

Mrs. Pestana asked if there were any questions.

Superintendent's Report – Use of Facilities

Mrs. Pestana asked if there were any questions.

Supplemental Superintendent's Report – Use of Facilities

Mrs. Pestana asked if there were any questions.

Superintendent's Report - Harassment, Intimidation and Bullying Investigative Results

Mrs. Hugelmeyer presented the Harassment, Intimidation and Bullying Investigative Results. Mrs. 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. Pestana added the Minutes of the Meetings, Secretary/Treasurer's Report, Personnel Report, Supplemental Personnel Report, Tuition Report, Superintendent's Report – Use of Facilities, Supplemental Superintendent's Report – Use of Facilities, Superintendent's Report – Field Trips, and Superintendent's Report - Harassment, Intimidation and Bullying Investigative Results to the agenda.

Authorizations Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer stated that there is a recommendation to apply for the NJDOE World Language Model Program for Dr. Orlando Edreira Academy School No. 26 which has provided sustained world language instruction to PreK to 8th grade students for over 15 years. Mrs. Hugelmeyer stated that there are also recommendations for a College Fair to be held at Dunn Sports Center on October 29th, a modified high school schedule for testing days, and a Senior Seminar on October 26th at John E. Dwyer Technology Academy.

Supplemental Authorizations Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer stated that this report includes authorizations for School No. 7 to apply for the STEM Grant, Whole Kids Foundation Garden Grant, and the Apple Distinguished Schools recognition. Mrs. Hugelmeyer stated that this report also includes an authorization for School No. 15 to apply for the 2020 National Schools of Character application. Mrs. Hugelmeyer stated that there is an authorization to submit a Letter of Intent to serve as a partner with the Statewide IRC and the NJDOE Bureau of Bilingual/ESL Education for a SEL Convening Grant to provide our district with the opportunity to advise on training content and co-facilitate at an organized convening as it pertains to the impact of forced migration on our English Language Learners.

Finance and Accounting Report – Authorization to Pay Vouchers, etc.

Mrs. Pestana asked if there were any questions.

Supplemental Finance and Accounting Report – Transfer of Funds

Mrs. Pestana asked if there were any questions.

Award of Contracts Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer stated that this report includes contracts for Frontline Technologies Group, LLC, to provide a license renewal for the professional learning management system; Panorama Education, Inc., to focus on social emotional learning measurement and data analysis for six K-8 and four high schools; Prevention Links to conduct a presentation on Smartphone and Social Media Overuse; Hispanics Inspiring Students Performance and Achievement (HISPA) Role Model Program; Middlesex County Community College for students to receive dual enrollment credits for successful completion of Introduction to Chemical Process Technology; Renzulli Learning Systems Legacy Partners International, LLC, to provide licenses, online support, and professional development services for grades 4-8; Jamf Software, LLC, to provide the renewal of software for maintenance and support for IT; Iron Mountain Offsite Data Protection to provide back-up system for IT; and HealthCorps, Inc., to provide on-site support and virtual resources to create wellness opportunities for grades 9-12 physical education.

Supplemental Award of Contracts Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer stated that this report has contracts to repair the boilers at School No. 4, snow plowing and removal, and Naviance, Inc. for access to its College and Career Readiness Planning Platform Program.

2nd Supplemental Award of Contracts Report

Mrs. Pestana asked if there were any questions.

Mrs. Hugelmeyer stated that this report has change orders for the installation of air conditioning which should be completed by the end of September for School No. 2, the end of October for School No. 15, and the end of November for School No. 16.

Miscellaneous Communication - None

Claims List

Mrs. Pestana asked if there were any questions.

Mrs. Pestana added the Authorizations Report, Supplemental Authorizations Report, Finance and Accounting Report – Authorization to Pay Vouchers, Supplemental Finance and Accounting Report – Transfer of Funds, Award of Contracts Report, Supplemental Award of Contracts Report, 2nd Supplemental Award of Contracts Report, Miscellaneous Communication, and Claims List to the agenda.

Resolution – Requisition for Taxes

Resolution – Adoption of New Policy File Code 5145.7 Gender Identity and Expression

Resolution – School Violence Awareness Week

Resolution – Anti-Bullying Week of Respect

Resolution – Christopher Columbus Day

Resolution – National Disability Employment Awareness Week

Resolution – Italian American Heritage Month

Resolution – National Hispanic Heritage Month

Resolution – Payment for Medical Health Insurance Waiver

Resolution – Payment for Unused Sick Days

Resolution – Payment for Unused Vacation Days

Resolution – Increased Minimum Bid and Quote Thresholds

Resolution – Amendment to Power Purchasing Agreement for the Renewable Energy Program

Resolution – Consent for Waiver of Wholesale Distribution License

Resolution – Approving First Renewal of Contract – Guardian Fence Co., Inc.

Resolution – Appointing EBS Health Care Services, Inc.

Resolution – Amending Maximum Amount of Contract - McCloskey Mechanical Contractors, Inc.

Resolution – Appointing Cooper Friedman Electrical Supply Co., Inc., Pyramid Paper Company, Imperial Bag and Paper Co., and School Specialty, Inc. to Provide Janitorial Supplies

Resolution – Annual Renewal Amounts of Certain Shore Vans, Inc. Student Transportation Contracts to Include Consumer Price Index Increase

Resolution – Renewing Contract with Eric Armen, Inc. to Provide and Deliver Calculators

Mrs. Pestana asked if there were any questions on the above resolutions.

Mrs. Pestana added the above resolutions to the agenda.

Mrs. Pestana added the following to the agenda:

Superintendent's Report – Use of Facilities – additional requests

Supplemental Award of Contracts – additional contracts for Netta Architect and In-Line Heating and Air Conditioning Co.

Resolution – Settlement Agreement and Resignation – S.B.

Resolution – Settlement of Workers' Compensation Claim (2014-27157) – K.D.

On a motion by Mrs. Hernandez, seconded by Ms. Bathelus, the agenda meeting was adjourned at 11:17 p.m.

The motion was carried by the following vote:

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

Negative: None

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