

EAST WINDSOR REGIONAL SCHOOL DISTRICT, HIGHTSTOWN, NJ 08520

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION
OCTOBER 22, 2012**

The Board of Education of the East Windsor Regional School District, Hightstown, NJ, held a Regular meeting on **Monday, October 22, 2012** at 7:30 p.m. in the Hightstown High School Cafeteria located at 25 Leshin Lane, Hightstown, NJ.

Members Present: Pete Bussone, Paul Connolly, Bruce Ettman (7:40 pm), Suzann Fallon, Bonnie Fayer (7:45 pm), Christine Harrington, Robert Laverty, Kennedy Paul
Members Absent: Lisa Abel (with advance notice)
Also Present: Dr. Edward J. Forsthoffer, Chief School Administrator
Kurt Stumbaugh, SBA/Board Secretary
David Coates, Board Legal Counsel

AGENDA ITEMS

1. WELCOME/SUNSHINE NOTICE

Board President Robert Laverty called the meeting to order at 7:30 p.m. and read the Open Public Meeting Act Statement as follows: "Written advance notice of this meeting has been given in accordance with law. Minutes of this meeting are being kept by the Board Secretary and will be made available to any member of the public requesting them from the Board Secretary at the Administration building, 25A Leshin Lane, Hightstown, NJ. Minutes will be provided at cost and in accordance with Board policy." Mr. Laverty asked "Are there any Board members present who believe this meeting to be in violation of the Open Public Meeting Act?" No one objected. "There being none, we may proceed."

Fire Code Compliance: Mr. Laverty made the following announcement: "In compliance with the fire code of the State of New Jersey, I call your attention to the emergency exits for this room, which are located...." (Mr. Laverty pointed to the emergency exits.)

2. PLEDGE OF ALLEGIANCE

3.A APPROVAL OF AGENDA

Mr. Paul moved seconded by Ms. Fallon, to approve the agenda as submitted. On a roll call vote of the Board, motion to approve was carried unanimously.

3.B RESOLUTION FOR CLOSED SESSION

Mr. Paul moved, seconded by Ms. Fallon, to approve the following resolution:

BE IT RESOLVED, that the Board of Education of the East Windsor Regional School District will hold two closed sessions during its regular meeting on October 22, 2012. These closed sessions concern:

1. Contract Matters – Update on Negotiations
2. Student Matters – Bullying

Minutes of these closed sessions will be available in accordance with Board policy when the need for confidentiality no longer exists. On a roll call vote of the Board, motion to approve was carried unanimously.

4. RECOGNITION: DONATIONS TO EWRS

Dr. Forsthoffer thanked all the individuals and vendors who have generously donated to the District. He read aloud their names, and each received a certificate of recognition. Dr. Forsthoffer stressed the value of these donations to help students and staff in some of our programs and how very much they are appreciated.

List of Donors

Americana Diner – Constantine Katsifis and Tory Roth
BJ's Wholesale Club – Rich Nocerino and Alex Novatkoski
Canal's Discount Liquor – Sam Patel
CCL Label – Parmit Sen
Chartwells Food Service – Diane Tomori
Clairmont Diner – Leon Melas
Comisky's Greenhouses – Ed Comisky
Conair Corp - John Mayoreck
Costco Warehouse – Lauren Cohen
Costco Warehouse – Pete Gwathmey
Crate & Barrel – Susan Kanopka
Cream Ridge Winery – Eileen and Hector
Dairy Queen – George Vardakis
East Windsor Bowl and Recreation Center – Karen Kleber
Fernando's American Cuisine – Fernando Suquilanda
Fulton Bank – George Fisher
HHS Football Team & Coach Pete Brescia with team captains Kevin Lenart, Max Kutler, Jude Brenya, Joey DeCristofaro and Joe Radley
Home Depot – Al Quinn
James Medley of East Windsor
Kerstin Nemecek of Dallas Texas
Krackerjack Farm Market – James and Irena Krajcsouces
Live Wire Society of First Baptist Church – Charlotte McCallum
Longhorn Steakhouse – Bill Behany
McCaffery's Food Market – John Staszak
Moe's Southwest Grill – Bhadrash Patel
National Amusements – Elaine Purdy
Outback Steakhouse – Jim Barbour
Papery of Princeton – Laura Weber
Pechters Bread Company – Tommy Strickland
Perkins Family Restaurant – Jon Bennett
Prestige Diner – Nick Sifonis
Rita's Italian Ice – Wayne and Roberta Barry
RKM Enterprises – Dave Babcock
Shiseido America – Edward Houlihan
South Pacific Flowers – Shelley Lightman
Staples – Mike Benci
Superior Restaurants / Wendy's – Robert Cammarano
Target – Jen Mannino
Tavern on the Lake – Henry Palumbo
TGI Friday's – Chuck Zielinski
WalMart – Jessica Utz and Kathy Coleman
Wawa Food Market – Kathy Santucci
Wegman's Food Market – The Giving Circle / Kandie Johnson.

5. SECOND READING OF BOE POLICY

Action: Mr. Paul moved, seconded by Ms. Fallon, that the following policy be approved on **second reading**:

A. Policy 5561 - USE OF PHYSICAL RESTRAINT (New/Suggested)

Several districts have requested policy guidance regarding the use of physical restraint. N.J.S.A. 18A:6-1 permits the use of reasonable force to control a pupil for certain emergency situations outlined in N.J.S.A. 18A:6-1. The use of physical restraint in schools is the subject of much debate. Although New Jersey law expressly permits the use of reasonable force to control a pupil in an emergency situation, there is no statute or code to provide specific guidance on the use of physical restraint. Policy and Regulation Guides 5561 were developed upon reviewing the current research and other State laws regarding the use of physical restraints. These Guides provide a very conservative approach to the use of physical restraint by school staff members in an emergency situation. These Guides should be reviewed by district staff members and may be revised to meet a district's individual needs. The district may want to review this issue with the Board Attorney and insurance specialist in making a decision if adoption of these Guides may be beneficial in the school district.

Policy Guide and Regulation Guide 5561 is SUGGESTED

Discussion:

Mr. Laverty asked about the changes made to this policy.

Dr. Forsthoffer responded with details on the implemented revisions.

Mr. Ettman had questions on who actually writes the policies.

Dr. Forsthoffer responded that the vendor (Strauss Esmay) gives us recommendations per State legislation. As this is a suggested policy we have freedom to revise it.

Mr. Ettman commented that the language is ambiguous and it also contains poor grammar. Maybe we should be looking at another vendor.

Ms. Harrington commented that the Board can look into another vendor that can provide this type of service to us. We should not get bogged down with grammar and spelling issues and should focus on the substantive content issues.

Ms. Fayer added that it seems the vendor may be quoting directly from NJSA: 18A 6-1 and they are probably using its language.

Mr. Laverty suggested that we table action on this policy for further review of NJSA: 18A6-1 as it pertains to the policy and get some feedback prior to next meeting; and to possibly have a policy committee review these.

Ms. Fallon moved to table this policy and adjoining regulation.

Dr. Forsthoffer commented he is concerned about tabling this policy if it is just due to grammatical issues. He assumes that if this policy reflects the intent of the Board it makes sense to approve it and we can later revise it to provide a better understanding of the language.

Ms. Harrington noted that we can vote on the content of it as it stands now, and once it is in place, revise it later.

Mr. Laverty concurred and added we will proceed to vote on it and ask administration to review the language and offer recommendations at the next meeting.

Mr. Coates commented that it wouldn't be unusual for a statute to be poorly written. If this reflects the actual statute, the Board could effectively vote on it despite the desire to edit it.

Mr. Laverty noted that since there was no second to the original motion to table action on this policy, he asked Ms. Fallon to withdraw her motion.

Ms. Fallon withdrew her motion to table action on Policy 5561.

Mr. Paul's original motion, seconded by Ms. Fallon, to approve item Policy 5561 on second reading remained.

Vote:

On a roll call vote of the Board, members voting Yes: Mr. Bussone, Mr. Connolly, Ms. Fallon, Ms. Fayer, Ms. Harrington, Mr. Laverty, Mr. Paul. Voting No: Mr. Ettman. Abstaining: no one.

Motion was carried with 7 'YES' votes.

6. SECOND READING OF MANDATED REGULATION (posted on Sharepoint)

A. 5600 - PUPIL DISCIPLINE/CODE OF CONDUCT (Revised/Mandated)

Action: Mr. Paul moved seconded by Ms. Fayer to approve Regulation 5600.

Discussion:

Mr. Laverty asked Dr. Forsthoffer to explain the revisions made to this regulation.

Dr. Forsthoffer detailed the changes that were made. Two sections, one on Harassment, Intimidation and Bullying, (HIB) and one on Dating Violence, were the only infractions written in narrative form. Now all infractions are listed in a chart form. The charts of discipline had some modifications (spelling/wording errors) in the descriptive paragraphs that were revised and the charts were also alphabetized. A change under the "Disruption Category" on the chart (under elementary schools) has been changed from suspension to detention; and we retitled the infraction of "Misuse of Language" to read as "Offensive Language".

Mr. Ettman commented that the categories in this policy can be confusing. He noted that similar behaviors have different consequences. He pointed out all the ambiguities within this policy specifically the wording of Paragraph E on page 6-7.

Mr. Coates commented that he agrees the last sentence in paragraph 'E' on page 6-7 should be revised. The word *need* is too strong. His suggestion was to revise it to read as follows: "On occasion, administrators *may deem it appropriate* to deviate from the charts of discipline and assign more lenient or severe consequences."

Dr. Forsthoffer added that this is a long standing regulation that gives us flexibility and guidelines for student discipline.

Mr. Laverty stated that the incorporation of the specific new language per the revisions specified by Dr. Forsthoffer and with the suggested sentence change from Mr. Coates (on page 6-7 paragraph E), is what we are voting to approve in this regulation. Mr. Laverty then asked the Board secretary to poll the Board to vote on Regulation 5600 on second reading.

Vote:

On a roll call vote of the Board, members voting Yes: Mr. Bussone, Mr. Connolly, Ms. Fallon, Ms. Fayer, Ms. Harrington, Mr. Laverty, Mr. Paul. Voting No: Mr. Ettman. Abstaining: no one.

Motion was carried with 7 YES votes.

7. ANNOUNCEMENTS

Dr. Forsthoffer spoke on the following topics:

- The 2013-14 school calendar is ready and up for approval.
- The High School conferences took place with the new format. Noticed that attendance was up.
- The joint PTO - PTA council meetings are scheduled to start in early November.
- Attended the HHS Athletics Hall of Fame Induction. It was a great event and very well attended.
- We are looking at cafeteria expansion and upgrade to the athletic fields with our newly appointed site engineer.
- We have a couple of presentations to the Board coming up in November and December.

8. FIRST OPPORTUNITY FOR PUBLIC COMMENT

Stu Dolgon, of East Windsor, commented on policy language. Policies are the voice of the Board. The policy on physical restraint is important to inform staff on what their rights are in terms of use of discipline and physical force. Mr. Dolgon also commented on his substituting experience in the Robbinsville school district. He noted as a result of his experience as a middle school substitute, he has an even greater respect for these teachers, and described his experience as the longest 7 hours of his life. The middle school years are the toughest years for parents and teachers. Wondered if our district includes the expected behavior is towards substitute teachers within the code of conduct handbooks that are given to students.

Dr. Forsthoffer responded that statistically the most difficult grades to work with are the middle school grades. He knows that teachers do not want to see a bad report from a substitute when they are absent. He thanked Mr. Dolgon and all the substitutes for their efforts as it is not an easy position, and can be very challenging.

9. FIRST OPPORTUNITY FOR BOARD MEMBER'S COMMENTS

Ms. Fallon attended the high school Athletic Hall of Fame Inductions. It was great to see our athletes from years ago and it's amazing to hear how they come back and credit their coaches with impacting their lives. She thanked Mr. Bushelli, Athletic Director for a great job with his staff. Ms. Fallon also noted that our district is ahead of the game regarding defibrillators in each school, as we already have them throughout the district. We should continue the practice of ongoing training of our staff that need to use them.

Mr. Paul commented that he attended the high school parent teacher conferences. Though at first skeptical, he found the new format worked out great. He was able to see all his son's teachers and noticed that a lot of freshman parents attended. He noted some teachers commented that parents they needed to see were not there.

Dr. Forsthoffer added that going forward we will talk now about playing with the configuration of having a portion of the conferences open for invitation only and another portion open to all.

Ms. Fayer added her comments that the high school conferences were very well coordinated and noticed that the ninth grade parents seemed the most interested and had the highest attendance. She also commended the District administration for getting next year's school calendar out early.

10. EXECUTIVE SESSION

Not needed.

11. MOTION TO APPROVE ROUTINE ITEMS BY EXCEPTION

Mr. Paul moved seconded by Ms. Fayer to approve the following item as submitted:

- A. Staffing (voted on separately)

Members voting yes: Mr. Connolly, Mr. Ettman, Ms. Fallon, Ms. Fayer, Ms. Harrington, Mr. Laverty, Mr. Paul

Voting no: no one Abstaining: Mr. Bussone. Motion to approve was carried with 7 YES votes.

Mr. Paul moved, seconded by Ms. Fayer to approve the following items as submitted:

- B. Bullying Report – October 8, 2012
- C. 2013-14 School Calendar
- D. Field Trips
- E. Non- Paid Clubs
 - 1) Foundation of Youth Club at HHS
 - 2) Photography Club at HHS
- F. Out of District Placement
- G. Travel and Related Expenses
- H. Approval of Minutes for September 24, 2012
- I. Staff Eligible for Mileage Reimbursement
- J. Contract for Architect and Engineer for Capital Projects
- K. Change Order #3: High School Gym Floor & Bleacher Renovations

- L. Joint Transportation Agreement with Bergen County Council for Special Education
- M. Joint Transportation Agreement with Roosevelt Public School District
- N. Appointment of District Designee for Provision of Non-Public Aid
- O. Bill List for October 22, 2012

A. Staffing - as submitted.

B. Bullying Report - October 8, 2012

C. The 2013-14 School Calendar - as submitted (on District Website)

D. Field Trips

- MCCC Communications Building
1200 Mercerville-Edinburg Road, West Windsor, NJ
- New Amsterdam Theatre - 214 West 42nd Street, NYC, NY
- Ellen’s Stardust Diner - 1650 Broadway, NYC, NY

E. Non-Paid Clubs

1. Foundation of Youth Club at HHS

Hightstown High School would like to start a new club entitled “Foundation of Youth” which would fall under the category of a non-paid extracurricular activity with a teacher advisor. The advisor will be Carolyn Ross, one of the English teachers at HHS. The students will volunteer their services to a number of different organizations and projects which will be decided upon by the membership.

2. Photography Club at HHS

Hightstown High School would like to start a club entitled “Photography Club” which would fall under the category of non-paid extracurricular activity with a teacher advisor. The advisor will be Amy Gawrys, a photo imaging teacher HHS.

F. Out of District Placement in Private and Public Schools

Applied Behavioral Concepts, Inc.

Tuition September 1, 2012 through June 30, 2013

- 1. Student: #720019 RSY \$ 143,520.00

Manalapan-Englishtown Regional Board of Education - Howard C. Johnson School

Tuition September 6, 2012 through June 26, 2013

- 1. Student: #101002 RSY \$ 33,952.00

G. Travel and Related Expenses

C. Ross	Guidance	Nov.19, 2012	Registration Fee to Attend NJ Advanced Assessment & Diagnosis Using the DSM-IV-TR. PESI, Edison, NJ	189.00	189.00
M. Beckman	Student Services	Dec. 3, 2012	Registration Fee to Attend NJAPSA - Hot Button Issues in SPED, Long Branch, NJ	149.00	149.00
G. Bushelli	HHS	Nov.13-14, 2012	Registration Fee to Attend LEGAL ONE Series Workshops, Foundation for Educational Administration Offices, Monroe, NJ	300.00	300.00
Total for Month					953.00
<u>YTD Total</u>					<u>12,092.97</u>

H. Approval of Minutes for September 24, 2012 - As submitted (on District website).

I. Staff Eligible for Mileage Reimbursement

State travel regulations require the Board of Education to approve in advance payment for school related travel in accordance with collective bargaining agreements and unaffiliated employee terms of employment.

- Ina Wolfson Teacher WCB/PLD

J. Contract for Architect and Engineer for Capital Projects

The District currently has a need for renovations including: expansion of the Hightstown High School main cafeteria, installation of a motorized movable wall in the Hightstown High School main gym, installation of artificial turf and lighting upgrades at HHS main athletic field. The District will amend the Long Range Facility Plan to include these projects. There will not be State aid funds for this project. This work requires the engagement of a licensed Architect and licensed professional engineer to assist the District with these efforts. This appointments and related contract is entered into as a professional services contract pursuant to 18A:18A.5a(1). It is recommended that the Board authorizes the engagement of the architectural firm of **Garrison Architects** and the engineering firm of **Edwards Engineering** and execution of the associated contracts for professional services.

K. Change Order #3 High School Gym Floor and Bleacher Renovations

The District currently has a need for renovations including: expansion of the Hightstown High School main cafeteria, installation of a motorized movable wall in the Hightstown High School main gym, installation of artificial turf and lighting upgrades at HHS main athletic field. The District will amend the Long Range Facility Plan to include these projects. There will not be State aid funds for this project. This work requires the engagement of a licensed Architect and licensed professional engineer to assist the District with these efforts. This appointments and related contract is entered into as a professional services contract pursuant to 18A:18A.5a(1). It is recommended that the Board authorizes the engagement of the architectural firm of **Garrison Architects** and the engineering firm of **Edwards Engineering** and execution of the associated contracts for professional services.

L. Joint Transportation Agreement with Bergen County Council for Special Education

BE IT RESOLVED that the East Windsor Regional School District Board of Education approves the following joint transportation agreement with the Bergen County Board of Ed. Region #5 Council for Special Education. East Windsor Regional School District will be the "Joiner" District for the following route:

<u>HOST DISTRICT</u>	<u>DESTINATION</u>	<u>ROUTE</u>	<u>COST</u>
Region #5/River Edge	Sawtelle Learning Center Montclair, NJ	#1907	\$9,388.00

M. Joint Transportation Agreement with Roosevelt Public School District

The Roosevelt Public School District in Monmouth County, is requesting an agreement with the EWRSD to provide transportation for its 7th through 12th grade students for the 2012-13 school year.

BE IT RESOLVED that the East Windsor Regional School District Board of Education approves the joint transportation agreement with Roosevelt Public School as submitted.

N. Appointment of District Designee for Provision of Non-Public Aid

The Board of Education in each public school district in New Jersey having nonpublic schools within its boundaries is responsible for providing technology, textbook supplies and nursing services to these schools within the limits of the funds provided by the program. This aid may come from the Board of Education, an employee of the school district (professional development) or by agreements with an educational service commission, or independent contractor. The Chief School Administrator or his / her appointed designee must confer with the administrator of each of the participating nonpublic schools to facilitate the provision of the nonpublic aid and the funds available. For this purpose, it is recommended that the Board approve Thaddeus Thompson, Assistant School Business Administrator as the EWRSD Board of Education Designee for the provision of nonpublic aid.

O. Bill List for October 22, 2012

Recommended for Board Approval: \$5,653,715.22 as submitted.

Discussion:

Ms. Fallon asked for clarification on the wording of exception item 11.J in regard to artificial turf. Have we already incorporated it into the long range facility plan, and asked if this is a done deal.

Mr. Stumbaugh explained that there is no more long range facility plan per se. The procedure has been modified so that any type of capital improvement has to go through Board action. This is basically to memorialize the application by the District architect and engineers for this work.

Dr. Forsthoffer added that this is to get all the information first. The architect and site engineer will do the legwork to see if this is even feasible; and of course to see what the cost of it would be, and then present the information to the Board to approve.

Mr. Stumbaugh commented that it is far from being a done deal. There will be contracts that the Board will approve. This is just the first action which will allow the professionals to provide and detail a plan. Everything will be brought back to the Board for approval. We will enforce full disclosure and discussion on the topic.

Ms. Fayer asked if we plan to have someone talk to us about what the cost would be to install solar panels.

Dr. Forsthoffer responded that we have had preliminary conversations with our financial advisors regarding "going green" concept and paying less for power/ fuel costs. Though at this time the installation of solar panels is quite expensive, we are keeping an eye on it. We will continue to look at funding options and if any grants are available

Vote:

On a roll call vote of the Board, motion to approve exception items 11. B - O was carried unanimously.

12. SECOND OPPORTUNITY FOR PUBLIC COMMENT

Stu Dolgon, of East Windsor, commented upon reviewing the Roosevelt transportation agreement, he was reminded that for many years he really didn't know much about Roosevelt and shared some information with the Board on the community (first called the NJ Homestead) instituted by President Roosevelt. He didn't realize how much fascinating history it has.

Mr. Laverty added that there is a mural in the Roosevelt school that has a fascinating history as well

13. SECOND OPPORTUNITY FOR BOARD MEMBERS COMMENTS

Ms. Fallon thanked Ms. Feaster and the staff involved in negotiations. Acknowledges the huge amount of work and time devoted to this effort. She also thanked Dr. Forsthoffer for his support throughout the process.

14. EXECUTIVE SESSION - OPTIONAL

The Board went into executive session.

15. OPEN SESSION

16. ADJOURN

Ms. Fayer moved to adjourn the meeting

Kurt Stumbaugh, Board Secretary