

Regular Meeting on January 10, 2011

EAST WINDSOR REGIONAL SCHOOL DISTRICT, HIGHTSTOWN, NJ 08520

MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION

January 10, 2011 7:30 p.m.

The Board of Education of the East Windsor Regional School District held a Regular meeting on Monday, January 10, 2011 at 7:30 p.m. in the Hightstown High School Cafeteria located at 25 Leshin Lane, Hightstown, NJ.

Members Present: Paul Connolly, Bruce Ettman, Suzann Fallon, Bonnie Fayer,
Bob Laverty, Susan Lloyd, Kennedy Paul and Alice Weisman
Members Absent: Christine Harrington (with advance notice)
Also Present: Dr. Edward Forsthoffer, Chief School Administrator
Kurt Stumbaugh, SBA/Board Secretary
David Coates, Board Legal Counsel

ITEM 1. WELCOME

Board President Alice Weisman 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.

Ms. Weisman 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: Ms. Weisman made the following announcement: “In compliance with the fire code of the State of New Jersey, I call your attention to the emergency exit for this room, which is located.....”
(Ms. Weisman pointed to the emergency exit.)

ITEM 2. PLEDGE OF ALLEGIANCE

ITEM 3.A APPROVAL OF AGENDA

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

ITEM 3.B RESOLUTION FOR CLOSED SESSION

Mr. Ettman moved, seconded by Ms. Lloyd 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 January 10, 2011
These closed sessions concern personnel matters, litigation, contract matters, and attorney /client privilege.

Minutes 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.

ITEM 4. RECOGNITION OF HHS ATHLETES

Dr. Forsthoffer and Mr. Bushelli, Athletic Director, recognized the following athletes for their outstanding achievement in their sport this past fall season.

For Girls Soccer Team: Jessica Lenzo, Janyl Ventura, Lindsay Redfern

Boys' Soccer Team: Tyler Malsbury, Kyle Hoagland, Henry Suleski, Osmin Bernal, Alexander Petak, James Parrish, Kevin Flores

Boys' Cross Country Team: Luke Dermody

Football Team: Kevin Monahan, Abdul Namoya, Mick Mongiello, Wallace Cooper

All were congratulated for a job well done.

ITEM 5. RECOGNITION OF HOLIDAY STOREFRONT AND WINDOW DECORATING CONTEST PARTICIPANTS

Art teacher, Virginia Nardino , helped organize and encouraged the students to participate in this competition. The winning students recognized for their artwork are: Nicole Brooks, Samantha Brooks, Victoria Kerr, Arielle Golod, Jessica Pettway, Olivia Gerrits, Nikita Khandelwal, Kenneth Hyman, Katherine Miller, Emmanuel Curry, Tatiana Florival and Ramzi Husein

All were congratulated for their achievement.

ITEM 6. FIRST READING OF BOARD POLICIES

The following policies are being submitted to the Board for first reading:

2431.3 - Practice and Pre-Season Heat-Acclimation for Interscholastic Athletics (New)

3144 - Certification of Tenure Charges (Revised)

4159 – Support Staff Member/School District Reporting Responsibilities (New)

5516 – Use of Electronic Communication and Recording Devices (Revised)

6112 – Reimbursement of Federal and Other Grant Expenditures (New)

6830 – Audit and Comprehensive Annual Financial Report (Revised)

8310 – Public Records (Revised)

BACKGROUND:

2431.3 – Practice and Pre-Season Heat-Acclimation for Interscholastic Athletics (New)

The New Jersey State Interscholastic Athletic Association (NJSIAA) recently published recommended Pre-Season Heat-Acclimation Guidelines providing guidance for student-athlete with the purpose of minimizing injury and enhancing the player's health, performance, and well-being. The guidelines also provide parameters for the number of practices per week and the amount of practice time. School districts have requested a Policy Guide that is consistent with these NJSIAA guidelines. This new Policy Guide and these guidelines should be reviewed by administrative and athletic department staff members and revisions may be made as these guidelines are only NJSIAA recommendations. In addition, it is recommended the school physician review this Policy prior to Board approval.

Policy Guide 2431.3 is **SUGGESTED**

3144 - Certification of Tenure Charges (Revised)

Recent changes in several sections of N.J.A.C. 6A:3-5 – Charges Under Tenure Employees’ Hearing Act require revisions and updating to Policy Guide 3144 – Certification of Tenure Charges. A new Policy Guide 3144 has been developed to replace the existing Policy Guide 3144 and a new Regulation Guide 3144 has been developed to be included in the district’s Regulation Manual. Although a Policy and Regulation are not mandated by law, Strauss Esmay recommends a Board adopt this Policy Guide and include the new Regulation Guide in its Manuals. Regulation Guide 3144 is very specific in outlining the procedures and timelines to be followed when tenure charges are instituted against tenured teaching staff members.

Policy Guide 3144 is **RECOMMENDED** & Regulation Guide 3144 is **RECOMMENDED**

4159 – Support Staff Member/School District Reporting Responsibilities (New)

N.J.A.C. 6A:9-17.1 was revised in 2009 requiring certificated staff members to report to the Superintendent of Schools their arrest or indictment for any crime or offense within fourteen days. Policy Guide 3159 was developed and provided to SEA client school districts in August 2009 in Policy Alert 186. However, N.J.A.C. 6A:9-17.1 did not establish the same reporting requirement for non-certificated staff. School administrators have requested a Policy Guide to include the same reporting requirements for non-certificated staff as required of certificated staff in accordance with N.J.A.C. 6A:9-17.1. Policy Guide 4159 has been developed to include the same reporting requirements for non-certificated staff. However, N.J.A.C. 6A:9-17.1 indicates the consequence for the failure to report by a certificated staff member could result in a certificate revocation or suspension, while this is not an option for non-certificated staff members. Policy Guide 4159 for non-certificated staff members indicates a consequence for failure to report may result in disciplinary action in accordance with law. It is recommended a district discuss this Policy Guide with non-certificated staff representatives before recommending Board adoption.

Policy Guide 4159 is **RECOMMENDED**

5516 - Use of Electronic Communication and Recording Devices (Revised)

The availability and ever-changing types and uses of electronic communication and recording devices requires Policy Guide 5516 be reviewed on a regular basis. Policy Guide 5516 has been revised to provide guidance to school districts regarding a pupil’s use of electronic communication and recording devices. One option prohibits the possession or use of a device on school grounds at any time. A second option does not prohibit possession or use of a device on school grounds, but only permits the device to be used during the school day with permission. Very few school districts permit electronic communication device use during class passing times or during a pupil’s lunch and free period, which is not an option in this Policy Guide. This Guide also includes the remotely activated paging device mandated requirements of N.J.A.C. 6A:16-5.8 regarding student fire fighters, first aid, and rescue squad volunteers. Districts should carefully review the two options for electronic communication and paging devices provided in the Policy Guide. Presently, the use of electronic communication devices, except paging devices, is not governed by any statute or code and a district has flexibility when developing a policy regarding these devices. The revisions to this Policy Guide are extensive and this revised Policy Guide should replace the existing Policy Guide 5516.

Policy Guide 5516 is **MANDATED**

6112 - Reimbursement of Federal and Other Grant Expenditures (New)

Recent American Recovery and Reinvestment Act (ARRA) monitoring auditors are requiring school districts to have a formal Board approved policy concerning the reimbursement of Federal grants be submitted to the New Jersey Department of Education (NJDOE) for review. The NJDOE recently published a policy and procedure guidance, *New Jersey Department Of Education Policies And Procedures For Reimbursement Of Federal And Other Grant Expenditures – July 2008*, on the NJDOE website. New Policy and Regulation Guides have been developed using this NJDOE guidance. The Regulation Guide should be reviewed by the staff member responsible for submitting the reimbursement requests. Policy and Regulation Guides 6112 are mandated as the NJDOE is requiring a policy and regulation/procedure during ARRA monitoring.

Policy Guide 6112 is **MANDATED**

Regulation Guide 6112 is **MANDATED**

6830 – Audit and Comprehensive Annual Financial Report (Revised)

Administrative code sections in N.J.A.C. 6A:23A – Fiscal Accountability, Efficiency, and Budgeting Procedures, adopted in final form in December 2009, replaced many of the administrative code sections of N.J.A.C. 6A:23 – Finance and Business Services. Many of the new N.J.A.C. 6A:23A administrative code sections were just relocated from the now reserved N.J.A.C. 6A:23 chapter. N.J.A.C. 6A:23-2.2 – Principles and Directives for Accounting and Reporting was relocated to N.J.A.C. 6A:23A-16.2 with minor revisions. Policy Guide 6830 has been revised to include the new legal citations with a few additional minor changes.

Policy Guide 6830 is **MANDATED**

8310 - Public Records (Revised)

Two recent New Jersey Appellate Court decisions and pending legislation (A559) concerning the New Jersey Open Public Records Act (OPRA) require revisions to Policy and Regulation Guides 8310. In *John Paff v. City of East Orange*, 407 N.J. Super. 221, the Court supported a Government Records Council (GRC) decision upholding the OPRA custodian's determination to not accept OPRA requests via fax and requiring all requests to be mailed or hand-delivered. This Court decision makes accepting faxed OPRA requests an option provided requests are accepted by mail or hand-delivery. In *Smith v. Hudson County Register*, 411 N.J. Super 538, the Court indicated public agencies must charge requestors of government records no more than the reasonably approximated "actual costs" of copying such records. However, subsequent to the *Smith* decision, the Senate and Assembly approved Assembly Bill 559. This legislation establishes standard fees for paper copies made pursuant to an OPRA request and will supersede the "actual cost" provisions of *Smith*. A559 is expected to become law within the immediate future and in anticipation of A559 becoming law, Policy and Regulation Guides 8310 have been updated to make acceptance of OPRA requests via fax an option and the sections of the Guides concerning copy costs have been updated to reflect the copy fee provisions of A559. A559 includes a flat rate fee of 5 cents for letter size copies and 7 cents for legal size copies. Until A559 becomes law, districts should charge the actual cost for copies as outlined in the *Smith* decision. The formula for calculating actual cost is outlined in Section E.1. of the revised Regulation Guide 8310 included in this Policy Alert. Districts are advised to check Strauss Esmay's website to keep informed on the effective date for A559.

Policy Guide 8310 is **RECOMMENDED**

Regulation Guide 8310 is **RECOMMENDED**

Discussion:

Mr. Ettman commented that the record should note his continuing objection to mandated policies by the State.

Ms. Fayer asked about allowing students to have pagers as volunteer firemen and if students are allowed to leave the school on a fire call.

Dr. Forsthoffer responded that yes, we do allow the pagers, as mandated by State law. He will however investigate if it causes any disruption to the class environment and the frequency of occurrence.

Ms. Weisman asked for clarification on the tenure charges policy on the agenda this evening.

Dr. Forsthoffer explained it is basically procedural guidelines for when tenure charges are instituted against tenured teaching staff members.

Mr. Laverty moved, seconded by Ms. Fayer to approve the above policies on first reading.

On a roll call vote of the Board, motion to approve was carried unanimously.

ITEM 7. FIRST READING OF BY-LAW 0173 –DUTIES OF PUBLIC SCHOOL ACCOUNTANT (REVISED) The following bylaw is being submitted to the Board for first reading:

0173 – Duties of Public School Accountant (Revised)

Administrative code sections in N.J.A.C. 6A:23A – Fiscal Accountability, Efficiency, and Budgeting Procedures, adopted in December 2009, replaced many of the administrative code sections of N.J.A.C. 6A:23 – Finance and Business Services. Many of the new N.J.A.C. 6A:23A administrative code sections were recodified from N.J.A.C. 6A:23 without any revisions. N.J.A.C. 6A:23-2.2 – Principles and Directives for Accounting and Reporting was relocated to N.J.A.C. 6A:23A-16.2 with minor revisions. Bylaw 0173 has been revised to include the new legal citations with a few additional minor changes. Bylaw 0173 is **RECOMMENDED**

Mr. Lavery moved, seconded by Ms. Fayer to approve the above policies on first reading. On a roll call vote of the Board, motion to approve was carried unanimously.

ITEM 8. ANNOUNCEMENTS

Dr. Forsthoffer welcomed everyone back and wished all a Happy New Year.

- We had an excellent response to snow events, in addition to a burst pipe that occurred at PLD. There was minimal damage. He complemented and thanked Mr. Hewins and his crew for their rapid and excellent response to these situations.
- The 8th grade middle school and high school band performances were phenomenal and very impressive. Urges all to attend a future concert for a very enjoyable evening.
- The EWRSD REPORTER went out at end of last week and is posted on the District website.
- A Town Hall meeting with the community will take place at the high school on January 18, 2011.
- Eighth grade orientation will be on January 13, 2011 at the high school.
- The District Curriculum Fair will be on April 14, 2011.

ITEM 9. FIRST OPPORTUNITY FOR PUBLIC COMMENT - No one spoke.

ITEM 10. FIRST OPPORTUNITY FOR BOARD MEMBERS' COMMENTS

Ms. Fayer commented that she really appreciates we are having the curriculum fair again. It is a great way to show off our students work.

Ms. Lloyd commended the article in the Trenton Times spotlighting Athletic Director Gary Bushelli and his involvement with the Jimmy V Foundation “Tip Off Against Cancer” fundraisers. She congratulates him and commends his admirable efforts as program organizer.

Ms. Lloyd asked if there has been any discussion on security in lieu of the shooting of school board members that was in the news recently.

Dr. Forsthoffer responded yes, and in addition to the shooting in Arizona that just occurred, the topic was discussed at the administrators meeting, and is of course a concern to us all.

Ms. Fallon commented that a common denominator to the younger assailants is that they are classified as ‘loners’ and asked about how the guidance department can reach out to students that we think may have such behavior or emotional issues.

Dr. Forsthoffer responded that counselors are proactive in pursuing students who demonstrate questionable behaviors, and we do have counseling available for all students. Unfortunately, students don’t always request it or avail themselves to it. Anyone aware of such behaviors should certainly not hesitate to bring their name to the attention of a guidance counselor.

Mr. Lavery asked if there was any updated information regarding the New Jersey Anti-bullying law as it was in the news recently.

Dr. Forsthoffer responded that once the new bill is signed and he receives it, we will incorporate the new law’s procedures into our policies.

C. OUT OF DISTRICT PLACEMENT IN PRIVATE AND PUBLIC SCHOOLS

Mercer County Special Services School District - Joseph F. Cappello School

Tuition December 6, 2010 through June 30, 2011

1. Student:	#9801234	REG.	\$ 52,234.00
		One-to-One Aide	\$ 34,580.00

D. PROFESSIONAL SERVICES FOR STUDENTS

The special education department requires services of consultants to provide children with disabilities a free appropriate public education as defined by The Individuals with Disabilities Education Act (IDEA).

Name	Type of Service	Rate
Hampton Behavioral Health Center	In-hospital School Services/Instruction	Per fee schedule
Dana Hice DePugh	Educational Evaluations	\$1,000.00
Noelle A. Cauda-Laufer	Psychological Evaluations	\$1,000.00
Marie A. Fein	Speech Evaluations	\$350.00

E. VOLUNTEERS

The Board of Education approves all volunteers and chaperones who serve in the District:

Grace N. Rogers School: Jeaneth Arevalo

Hightstown High School: Peter Palmisano, Sr.

Melvin H. Kreps School: Isabel Huelbig

Walter C. Black School: Stephanie Gamler, Joanne Jarvis, Jewel Morgan, Janice Scibilia, Joe Stack, Praveena Gummadi, Carol Lane, Renuka Penta, Eric Sisteren

Perry L. Drew School: Peter Clough, Annmarie Lardieri, Mekala Mohan, Victoria Callegari, Narender Muthyala, Felicia Halligan, Jen Daunt, Nowdeep Bhathal, Lisa Lynch, Gurpreet Bhathal, Shauna Margerum, Tanja Bailey, Maggie Miller, Asha Kannan, Chuck Miller, Rosemarie Lombardo, Juan Morales, Kalpana Mahesh, Jaspreet Dalia, Rose Poravanthattil, Hetal Dalia, Deborah Zboray, Ralph Lardieri, Stephanie Horning, Gina Zilocchi, Leena Iyengar, Shefali Challani, Pam Marino, Shubha Jain, Cheryl Mikita, Angel Zavala, Neelam Gupta, Tracy Sims, Swathi Saripel, Tracy Michenfelder, Kim Reed, Gina Massoud, Sue Gross, Annalise Trancozo, Iris Rodriguez, Joanna Hudgins

F. DONATIONS

1. HHS Hall of Fame

Mr. Martin Barlow, a former principal of HHS, 5 Charlene Court, Robbinsville, NJ 08691 would like to donate \$200.00 to the Hightstown High School Hall of Fame. The donation will be used for scholarships that are awarded in June.

2. FIRST Robotics Team of HHS

Mr. and Mrs. Gordon Ely, 20 Silverbrook Drive, Bridgeton, NJ 08302 would like to donate \$20.00 to the Hightstown High FIRST Robotics Team. Mr. and Mrs. Ely are the grandparents of Ryan Ely, a HHS student and team member, and the donation will be used to help cover team costs.

3. UNITED WAY to HHS Family

United Way of Greater Mercer County, Mr. Ely S. Mateo, Assistant Vice President, 3131 Princeton Pike, Bldg. 4, Lawrenceville, NJ 08648 has donated two \$50 gift cards from Kohls and two \$25 gift cards from Barnes and Noble to a family in need of Hightstown High School. Mrs. Leigh Tsjunio, a social worker at the high school, arranged the delivery of the gift cards to the family.

4. BRISTOL MYERS SQUIB to HHS FIRST Robotics Team

Bristol-Myers Squibb, through Mr. Frederick Egenolf, Director of Community Affairs, Route 206 and Province Line Road, Princeton, NJ 08540, would like to donate \$6,000 to the FIRST Robotics Team of Hightstown High School. These funds are to be used to cover fees for the FIRST Robotics competitions.

5. DONORSCHOOSE.ORG to HHS Teacher

Mrs. Karen Goff, a special education teacher at HHS, enlisted the help of DonorsChoose.Org in order to obtain materials for her classes. DonorsChoose.org is an online charity that is dedicated to helping students in need and providing resources for those students. Mrs. Goff is petitioning for a number of reading books to be shared by her students and colleagues.

G. FIELD TRIPS

6/3/2011 - Orientation - District 5th graders from the four elementary schools to the MHK Middle School.

H. NEW NON-PAID CLUB AT HHS

Hightstown High School would like to start a new club entitled "Hightstown Music Club" which would fall under the category of a non-paid extracurricular activity with a teacher advisor. The club is for students that are interested in music and composing but not being a part of marching band. The advisor will be Justin Toomey, one of the Music teachers at HHS.

I. APPROVAL OF MINUTES FOR DECEMBER 13, 2010 REGULAR MEETING

As submitted, posted on District Website.

J. STAFF ELIGIBLE FOR MILEAGE REIMBURSEMENT

State travel regulations require the Board of Education to approve in advance payment for school related travel. The District compiles a list of individual(s) who may routinely receive the standard IRS mileage reimbursement rate for district related travel in accordance with collective bargaining agreements and unaffiliated employee terms of employment. Board approval is recommended for: Lauren Forur - School Psychologist

K. MHK STAFF AFTERSCHOOL ACTIVITY

The Melvin H. Kreps school staff is requesting to use the back gym for an afterschool activity of volleyball and ping pong games on March 10, 2011. In order for this event to be covered by the district insurance policy Board approval is required.

L. APPROVAL OF HEALTH BENEFITS BROKER

On December 3, 2010, the East Windsor Regional School District Board of Education advertised an RFQ (Request For Qualifications) for Health Benefits Insurance Broker Services. A total of 8 proposals were received. Each proposal was reviewed for the following items: Districts served, Board of Education experience, Proposed Fee and Public Purchasing Compliance. The Business office verified the references of the INTEGRITY CONSULTING GROUP of Blackwood, NJ and feels comfortable that this company best serves the interests of the East Windsor Regional School District. It is recommended that the Board approve Integrity Consulting Group of Blackwood, NJ, as the Health Benefits Broker for the East Windsor Regional School District effective January 11, 2011.

M. BOARD SECRETARY'S REPORT- NOVEMBER, 2010

WHEREAS, the Board of Education has received the report of the Board Secretary and Treasurer for the month of November, 2010 submitted pursuant to N.J.S.A 18A:17-9, and

WHEREAS, in compliance with N.J.A.C. 6:20-2A.10 (d) the Secretary has certified that, as of the date of the reports, no budgetary line item account has obligations and payments (contractual orders) which in total exceed the amount appropriated by the district Board of Education;

NOW, BE IT RESOLVED, the Board of Education accepts the above referenced reports and certifications and certifies that after review of the Secretary's monthly financial report (appropriation section), to the best of its knowledge, no major account or fund has been over expended in violation of N.J.A.C.6:20-2A.10 (a)(1), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

N. TREASURER'S REPORT-NOVEMBER, 2010

The Report of the Treasurer of School Monies for the month of November, 2010 is submitted for approval. The Treasurer's report is in agreement with the Board Secretary's report.

O. TRANSFER REPORT – NOVEMBER, 2010

The East Windsor Regional School District submits to the County School Business Administrator an updated report of budget transfers and changes in revenue and appropriations on a monthly basis.

The EWRSB Board of Education certifies to the best of its knowledge that no major account or fund has been over expended in violation of N.J.A.C. 6A:23-2.11 and that sufficient funds are available to meet the District's financial obligations for the remainder of the fiscal year.

RESOLVED, that the Board of Education ratifies the attached transfers between budget line items that have been approved by the Superintendent of Schools and reported to them pursuant to Board policy and State regulation.

P. BILL & CLAIMS REPORT – JANUARY 10, 2011

RESOLVED: That the Board of Education approves the payment of bills and claims as submitted in the attached reports for the Grand total amount of: \$8,270,171.34

13. SECOND OPPORTUNITY FOR PUBLIC COMMENT

Steven Segal, East Windsor, and a student at HHS commented on the concerns he has regarding sanitation issues at the high school, such as ceilings that have water damage and potential mold it can cause.

Mr. Segal also commented on the new schedule with "Puddle" (study hall). He and his peers feel it a waste of time and no work is getting done. In addition he spoke about student discipline at the high school.

For 3 tardies, students get Saturday detention; 3 Saturday detentions results in loss of privileges such as sports, and attending the prom. He added that students that already have 2 Saturday detentions will actually stay home from school instead of being late and a lot of his peers have done this so they can have the opportunity to go to the prom. They miss a whole day of school and this is very counterproductive to their education. He hopes that something can be done about the current detention policy.

14. SECOND OPPORTUNITY FOR BOARD MEMBERS' COMMENTS

Ms. Fallon asked Mr. Segal to put in writing a list of his concerns before he leaves tonight.

Ms. Fallon took the opportunity to wish good luck to the newly elected Hightstown mayor and councilpersons.

Ms. Weisman commented as it is not customary for the Board to respond to the public or engage in conversation with a speaker, she did not want Mr. Segal to feel he was being ignored. She thanked him for his attendance at the meeting and for presenting his concerns to the Board.

15. SECOND EXECUTIVE SESSION

16. OPEN SESSION

17. ADJOURN

Mr. Ettman moved to adjourn the meeting.

Kurt Stumbaugh, Board Secretary