

WEST ORANGE BOARD OF EDUCATION
Public Board Meeting December 16, 2021
7:30 P.M. Public Session
Administration Building
179 Eagle Rock Avenue
Minutes

I. ROLL CALL OF THE MEMBERS AND PLEDGE OF ALLEGIANCE

Present: President Trigg-Scales, Mrs. Tunnicliffe, Mrs. Huerta, Ms. Merklinger (arrived at 7:47 p.m.), Mr. Rothstein

II. NOTICE OF MEETING: Please take notice that adequate notice of this meeting has been provided in the following manner:

- A. That a written notice was sent from the Office of the Secretary of the Board at 4:00 p.m. on December 10, 2021.
- B. That said notice was sent by regular mail to the West Orange Township Clerk and the Editors of the West Orange Chronicle and the Star-Ledger.
- C. That said notice was posted in the lobby of the Administration Building of the Board of Education.

Board Goals
→ The West Orange Board of Education will support the work of the administration to define multiple measures to assess and evaluate student achievement. Such measures will evaluate effectiveness of programs, equity and access for all students, identify achievement gaps, and be used to improve instructional delivery with student achievement presentations to the Board and community mid-year and at the end of the year. → The West Orange Board of Education will be an active participant in monitoring and providing input into the strategic planning process which will include community input and participation. The Board will allocate the necessary and appropriate resources for the completion of the Five Year Strategic Plan by June, 2023. → The West Orange Board of Education will provide support to the administration in its development of district resources to support students and staff with social - emotional and mental health needs throughout the school year with mid-year and end-of-year presentations to the Board and community. → The West Orange Board of Education will direct the administration to issue Requests for Proposals (RFPs) for all of the district's major vendors, including: insurance, legal, financial, architects, transportation, etc. → The West Orange Board of Education will seek ways to continue to improve communication between the Board and the community by relying on the work and recommendations of the Board's Public Relations Committee and consensus of the Board in developing an action plan. → The West Orange Board of Education will strive to have effective, open, respectful, and professional communication among board members, between board members and the administration and exhibiting the highest level of boardsmanship at Board meetings by regularly participating in NJSBA trainings, meetings and workshops. → The West Orange Board of Education supports the administration in the submission of the Preschool Expansion Grant Application to the NJ Department of Education in an effort to provide our community with public preschool opportunities and access.

III. PETITIONS AND HEARINGS OF CITIZENS**IV. BOARD POLICY WORKSHOP****A. FIRST READING OF THE FOLLOWING BYLAWS/POLICIES/REGULATIONS:**

POLICY #	POLICY TITLE
0000	BYLAWS
0131	Bylaws and Policies
0145	Board Member Resignation and Removal
0164.6	Remote Public Board Meetings During a Declared Emergency (M)
1000	ADMINISTRATION
1643	Family Leave (M)
1648.11	The Road Forward COVID-19–Health and Safety (M)
1648.14	Safety Plan for Healthcare Settings in School Buildings – COVID-19 (M)
2000	PROGRAM
2422	Health and Physical Education (M)
2464	Gifted and Talented Students
2467	Surrogate Parents and Foster Parents (M)
3000	TEACHING STAFF MEMBERS
3134	Assignment of Additional Duties
3142 & Reg	Nonrenewal of Nontenured Teaching Staff Member
3221 & Reg	Evaluation of Teachers (M)
3222 & Reg	Evaluation of Teaching Staff Members, Excluding Teachers and Administrators (M)
3223 & Reg	Evaluation of Administrators, Excluding Principals, Vice Principals, and Assistant Principals (M)
3224 & Reg	Evaluation of Principals, Vice Principals, and Assist. Principals (M)
3421.13	Postnatal Accommodations
4000	SUPPORT STAFF MEMBERS
4125	Employment of Support Staff Members (M)
4146 & Reg	Nonrenewal of Nontenured Support Staff
4421.13	Postnatal Accommodations

5000	STUDENTS
5116	Education of Homeless Children
5330.01 & Reg	Administration of Medical Cannabis (M)
5330.05 & Reg	Seizure Action Plan (M)
5460.02 & Reg	Bridge Year Pilot Program (M)
5751 & Reg	Sexual Harassment (M)
6000	FINANCE
6115.01	Federal Awards/Funds Internal Controls – Allowability of Costs (M)
6115.02	Federal Awards/Funds Internal Controls – Mandatory Disclosures (M)
6115.03	Federal Awards/Funds Internal Controls – Conflict of Interest (M)
6311	Contracts for Goods or Services Funded by Federal Grants
6360	Political Contributions (M)
6470.01&Reg	Electronic Funds Transfer and Claimant Certification (M)
6471 & Reg	School District Travel (M)
7000	PROPERTY
7425 & Reg	Lead Testing of Water in Schools (M)
7432 & Reg	Eye Protection (M)
8000	OPERATIONS
8320	Personnel Records (M)
8330 & Reg	Student Records (M)
8420 & Regs	Emergency and Crisis Situations (M)
8540	School Nutrition Programs
8561	Procurement Procedures for School Nutrition Programs (M)
9000	COMMUNITY
9713	Recruitment by Special Interest Groups (M)

First Reading**MOTION:** Mr. Rothstein**SECOND:** Mrs. Huerta**VOTE:** 5-0 (VV)

ABOLISH THE FOLLOWING BYLAWS/POLICIES/REGULATIONS:

POLICY #	POLICY TITLE
1648	Restart and Recovery Plan (M) Abolished N/A
1648.02	Remote Learning Options for Families (M) Abolished N/A
3431.1	Family Leave (M) Abolished Now found in 1643
4431.1	Family Leave (M) Abolished Now found in 1643
3431.3	New Jersey's Family Leave Insurance Program Abolished Now found in 1643
4431.3	New Jersey's Family Leave Insurance Program Abolished Now found in 1643
5114	Children Displaced by Domestic Violence Abolished N/A
7430 & Reg	School Safety (M) Abolished N/A
8810	Religious Holidays Abolished N/A

Abolish Policies**MOTION:** Mr. Rothstein**SECOND:** Mrs. Huerta**VOTE:** 5-0 (VV)**V. WEST ORANGE BOARD OF EDUCATION RESOLUTION AUTHORIZING EXECUTIVE SESSION**

WHEREAS, while the “Sen. Byron M. Baer Open Public Meetings Act” (N.J.S.A. 10:4-6 et seq.) requires all meetings of the West Orange Board of Education to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," without the public being permitted to attend, and

WHEREAS, the Board has determined that two (2) issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on Thursday, December 16, 2021 immediately following the Open Session, and

WHEREAS, the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written:

☐ “(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

☐ "(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

□ "(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matters, described as specifically as possible without undermining the need for confidentiality are: _____.

■ "(4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body." The collective bargaining contracts discussed are: WOEa and Local 68.

□ "(5) Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

□ "(6) Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

□ "(7) Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

□ "(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality are:

□ "(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is:

WHEREAS, the length of the Executive Session is estimated to be thirty (30) minutes after which the public meeting of the Board shall (select one) ☒ reconvene and immediately adjourn or ☐ reconvene and proceed with business where formal action will be taken.

NOW, THEREFORE, BE IT RESOLVED that the West Orange Board of Education will go into Executive Session for the above stated reasons only; and

BE IT FURTHER RESOLVED that the Board hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure.

MOTION: Mrs. Huerta

SECOND: Mrs. Tunncliffe

VOTE: 5-0 (RC)

Yes
Huerta

Yes
Merklinger

Yes
Rothstein

Yes
Tunncliffe

Yes
Trigg-Scales

VI. ADJOURNMENT at 9:35 p.m.

MOTION: Mrs. Huerta

SECOND: Mrs. Tunncliffe

VOTE: 5-0 (VV)

Respectfully submitted,

Tonya Flowers, Board Secretary