

**WEST ORANGE BOARD OF EDUCATION
Public Board Meeting - 7:30 p.m. – January 7, 2021
Virtual**

Reorganization Meeting Minutes

I. ORGANIZATION OF THE BOARD OF EDUCATION FOR THE ENSUING YEAR:

- A. The Secretary will assume the Chair; and
 - Announce the results of the Annual School Election of November 3, 2020 (Att. #1)
 - Swear in Board Member

Ms. Flores, Acting Business Administrator/Board Secretary, announced the results of the November 3, 2020 election and swore in newly elected Board Member Melinda Huerta.

- Roll call of the Members and Pledge of Allegiance

Present: Mrs. Trigg-Scales, Mrs. Merklinger, Mr. Rothstein, Mrs. Tunnicliffe, Mrs. Huerta

- Announce the notice of the meeting:
 - That a written notice was sent from the Office of the Secretary of the Board at 4:00 p.m. on January 7 and December 8, 2020.
 - 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.
 - That said notice was posted in the lobby of the Administration Building of the Board of Education.

- B. Election of President, following which the President will assume the Chair.

Jennifer Tunnicliffe nominated **Terry Trigg-Scales** for President of the Board of Education.

Motion to close the nominations for President of the Board of Education.

MOTION: Mrs. Tunnicliffe **SECOND:** Mr. Rothstein

Terry Trigg-Scales for President of the Board of Education.

<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
Merklinger	Rothstein	Tunnicliffe	Huerta	Trigg-Scales

Mrs. Trigg Scales was elected President of the Board of Education.

- C. Election of Vice President

Terry Trigg-Scales nominated **Jennifer Tunnicliffe** for Vice President of the Board of Education.

Cheryl Merklinger nominated **Cheryl Merklinger** for Vice President of the Board of Education.

Jennifer Tunncliffe for Vice President of the Board of Education.

<u>Yes</u> Huerta	<u>No</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunncliffe	<u>Yes</u> Trigg-Scales
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Mrs. Tunncliffe was elected President of the Board of Education.

D. Designation of Positions - The following positions are filled by the person(s) or firm names:

Business Administrator/Board Secretary	Ana Flores 1/1/2021-1/16/2021 Tonya Flowers 1/17/2021
Treasurer of School Monies	Joseph Antonucci
Board Attorneys	Cleary Jacobbe Alfieri Jacobs LLC Methfessel & Werbel
Attendance Officers	David Zawacki, Frank Yannuzzi
Health Benefits Insurance Broker	Brown & Brown - Michael Mauro
Property/Casualty Insurance Broker	Balken Risk Management
School Physician	ProCare Medical Associates LLC
Anti-Bullying Coordinator	Cheryl Butler
504 Officer	Cheryl Butler
Substance Assistance Coordinator	Cheryl Butler
Right-to-Know Officer	Robert Csigi 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021
AHERA Representative (Asbestos Hazard Emergency Response Act)	Robert Csigi 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021
Integrated Pest Management Coordinator	Robert Csigi 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021
Indoor Air Quality Coordinator	Robert Csigi 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021
Chemical Hygiene Officer	Robert Csigi 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021
Public Agency Compliance Officer	Ana Flores 1/1/2021-1/16/2021 Tonya Flowers 1/17/2021
Affirmative Action Officer for Curriculum and Instruction	Eveny de Mendez
Affirmative Action Officer for Personnel	Joseph Vespignani
Qualified Purchasing Agent	Tonya Flowers 1/17/2021
Custodian of Records	Ana Flores 1/1/2021-1/16/2021 Tonya Flowers 1/17/2021
District Liaison to DCP&P (Division of Child Protection and Permanency)	Kristin Gogerty-Fitzgerald
District Homeless Liaison	Cheryl Butler

Bond Counsel	McManimon & Scotland LLC
Americans with Disabilities Act Coordinator	Kristin Gogerty-Fitzgerald
Title IX Coordinator	J. Scott Cascone, Ed. D.
Claims Auditor	Ana Flores 1/1/2021-1/16/2021 Tonya Flowers 1/17/2021
Financial Advisor	Phoenix Advisors
Auditor	Lerch, Vinci & Higgins, LLP
School Safety Specialist	J. Scott Cascone, Ed. D. 1/1/2021-1/18/2021 Michael Cimmino 1/19/2021

- E. Appoint J. Scott Cascone, Ed. D., Superintendent of Schools, to submit all federal, state, and local grants on behalf of the West Orange Board of Education.
- G. Designation depositories for school funds - PNC Bank, TD Bank and Garden State Community Bank:

Bank	Account Name	Authorized Signature	Required
PNC	Gregory School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Hazel School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Kelly School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Mt. Pleasant School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Redwood School Activity Account	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	St. Cloud School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Washington School Activity Account	Principal Administrative Assistant SBA/BS ABA	2
PNC	Edison School Activity Account	Principal Assistant Principal Administrative Assistant SBA/BS	2

		ABA	
PNC	Liberty School Activity Account	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	Liberty Athletic Account	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	Roosevelt School Activity Account	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	Roosevelt Athletic Account	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	Roosevelt School, Jhaveri Memorial Fund	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	Roosevelt School, Betty L. Hardy Scholarship	Principal Assistant Principal Administrative Assistant SBA/BS ABA	2
PNC	WOHS Student Activity	Principal Assistant Principal Administrative Assistant	2
TD Bank	WOHS Athletic Fund	Principal Athletic Director Administrative Assistant SBA/BS ABA	2
PNC	General Checking Account	Treasurer Board President SBA/BS	3
PNC	Payroll Account	Treasurer SBA/BS	1
PNC	Payroll Agency Account	Treasurer SBA/BS	2
PNC	SUI Account	Treasurer Board President SBA/BS	2
PNC	FLEX Account	Treasurer SBA/BS	2

PNC	Capital Reserve	Treasurer Board President SBA/BS	2
PNC	Emergency Reserve	Treasurer Board President SBA/BS	2
PNC	Food Services	Treasurer Board President SBA/BS	2

- H. Designate The Star Ledger and West Orange Chronicle as the official newspapers.
- I. Readopt existing Bylaws and Policies.
- K. Recommend approval of the chart of accounts. (Att. #3)
- M. Authorize the Purchasing Agent to advertise for bids and competitive contracting and obtain quotes and proposals when the need arises.
- N. Designate Business Administrator, responsible for any and all Board of Education investments, and authorize Business Administrator and the Assistant Business Administrator to make wire transfers amongst Board accounts as may be necessary, and in payment of debt service to JP Morgan Chase Bank for the Benefit of the Depository Trust Company, and The Bank of New York Mellon.
- O. Authorize the use of State Contracts, as detailed in the exhibit attached: (Att. #4).

WHEREAS: Title I8A: I8A-I0 provides that, "A board of education, without advertising for bids, or having rejected all bids obtained pursuant to advertising therefore, by resolution may purchase any goods or services pursuant to a contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property"; and

WHEREAS: The Board of Education has the need, on a timely basis, to procure goods and services utilizing state contracts; and

WHEREAS: The Board of Education desires to authorize its purchasing agent to make any and all purchases necessary to meet the needs of the school district throughout the school year; and

THEREFORE BE IT RESOLVED: That the Board of Education does hereby authorize the Purchasing Agent to make purchases of goods and services entered into on behalf of the State by the Division of Purchase and Property.

- P. Authorize the Purchasing Agent to utilize Educational Data Services, Inc. contracts for services and materials, as detailed in the exhibit attached: (Att. #5)
- Q. Authorize the Purchasing Agent to utilize the following agencies for services and materials, as detailed in the exhibit attached: (Att. #6)
 - Educational Services Commission of New Jersey
 - Hunterdon County Educational Services Commission
 - Somerset County Cooperative
 - Union County Cooperative
- R. Authorize certified school personnel to collect and maintain the following mandated pupil records as per N.J.A.C. 6A:32-7.3 and Policy 5125.00:
 - a. The student's name, address, telephone number, date of birth, name of parent(s), gender, standardized assessment and test answer sheets (protocol), grades, attendance, classes

- attended, grade level completed, and year completed.
- b. Record of daily attendance;
- c. Descriptions of student progress according to the system of student evaluation used in the school district
- d. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees;
- e. Records pursuant to rules and regulations regarding the education of students with disabilities; and
- f. All other records required by the State Board of Education.

S. In compliance with statutes and rules of the State Board of Education, approve the adoption of all existing Board-approved programs and services, curriculum, school objectives and Comprehensive Equity Plan goals until and unless revised by the West Orange Board of Education.

Items D through S (with the exception of Items F, J and L).

MOTION: Mr. Rothstein **SECOND:** Mrs. Tunnickliffe **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunnickliffe	<u>Yes</u> Trigg-Scales
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F. Board Designations:

Association/Committee	Delegate(s)/Chairperson(s)	Alternate
NJ School Boards Association	Melinda Huerta	Gary Rothstein
Essex County School Boards Association	Terry Trigg-Scales	Jennifer Tunnickliffe
Legislative Chairpersons	Jennifer Tunnickliffe	Terry Trigg-Scales
Negotiations Committee	Terry Trigg-Scales/Jennifer Tunnickliffe	Not Applicable
Policy Chairperson	Cheryl Merklinger/Gary Rothstein	Not Applicable
Board/Township Liaison	Cheryl Merklinger/Terry Trigg-Scales	Not Applicable
Public Relations Committee	Cheryl Merklinger/Melinda Huerta	Not Applicable

Item F

MOTION: Mrs. Tunnickliffe **SECOND:** Mr. Rothstein **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunnickliffe	<u>Yes</u> Trigg-Scales
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J. Designate meeting dates for regular business meetings of the Board of Education; location subject to change. (Att. #2)

Item J as amended (Change May 17 to May 10)

MOTION: Mrs. Tunnickliffe **SECOND:** Mrs. Huerta **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunnickliffe	<u>Yes</u> Trigg-Scales
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- L. Adopt the following Code of Ethics as per N.J.S.A. 18A:12-21 et seq. and West Orange Board of Education Bylaw 9271.00:

The Members of the Board of Education recognize that they hold authority not as individuals but as Members of the Board. In order to make a clear public statement of its philosophy of service to the pupils of the District, the Board adopts this Code of Ethics:

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
- b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- c. I will confine my board action to policy making, planning and appraisal, and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
- d. I will carry out my responsibility, not to administer the schools, but, together with my fellow Board Members, to see that they are well run.
- e. I will recognize that authority rests with the Board of Education and will make no personal promises nor take any private action that may compromise the Board.
- f. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow Board Members, interpret to the staff the aspirations of the community for its schools.
- h. I will vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
- i. I will support and protect school personnel in proper performance of their duties.
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

Item L - Each Board Member read aloud two sub-categories of the Code of Ethics

MOTION: Mr. Rothstein **SECOND:** Mrs. Tunncliffe **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunncliffe	<u>Yes</u> Trigg-Scales
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II. CONSIDERATION OF THE CLOSED AND PUBLIC MEETING MINUTES OF December 21, 2020 (Att. #7)

MOTION: Mrs. Tunncliffe **SECOND:** Mr. Rothstein **VOTE:** 4-0-1 (RC)

<u>Abstain</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunncliffe	<u>Yes</u> Trigg-Scales
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III. STUDENT LIAISON REPORT

IV. SUPERINTENDENT/ BOARD REPORTS

- A. Library Media Specialists Presentation
- B. Hybrid Cohort Update

V. QUESTIONS FROM THE PUBLIC ON AGENDA ITEMS**VI. REPORTS, DISCUSSIONS, AND RECOMMENDATIONS****A. PERSONNEL****1. Resignations / Retirements**

- a. Superintendent recommends approval to the Board of Education for the following certificated staff resignation(s) / retirement(s):

Name	Location	Position	Reason	Effective Date
Mary Jane Carr	Gregory	Grade 2	Retirement 25 years	7/1/21

- b. Superintendent recommends approval to the Board of Education for the following non-certificated staff resignation(s) / retirement(s):

Name	Location	Position	Reason	Effective Date
Phyllis Jackson	Transportation	Bus Monitor Part-time	Retirement 32 years	2/1/21
Theodore Wahlers	Central Office	Residency Investigator	Resignation	1/8/21

2. Appointments

- a. Superintendent recommends approval to the Board of Education for the following certificated staff appointment(s). Step and salary may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Replacement / New	Guide	Step	Salary	Account Code	Effective Dates
Miji Lee	Kelly	Grade 2 Leave Replacement	Gray	BA	3	\$57,681 prorated	11.120.100.101.00.12.150	9/1/20 - 6/30/21 amended
Alexa Mermini	Liberty	ELA	DeMeo	BA	3	\$57,681 prorated	11.130.100.101.00.34.135	1/8/21 - 6/30/21

- b. Superintendent recommends approval to the Board of Education for the following non-certificated staff appointment(s). Step and salary may be adjusted upon ratification of collective bargaining agreement:

Name	Location	Position	Replacement / New	Guide	Step	Salary	Account Code	Effective Dates
Kianna Montplaisir	WOHS	Security Guard Leave Replacement	Casolaro	Security	6	\$45,958 prorated	11.000.266.110.00.03.050	7/10/20 - 1/15/21 amended

- c. Superintendent recommends approval to the Board of Education for the following negotiated co-curricular assignment(s):

Name	Location	Position	Stipend	Account Code	Effective Dates
Stacy Marcus Liberty	WOHS	Indoor Track: Assistant Coach	\$6,512	11.402.100.100.00.03.050	2020-2021

- d. Superintendent recommends approval to the Board of Education for the following substitute appointment(s) at the appropriate substitute rates for 2020-2021:

Name	Certification Code	Teacher	Paraprofessional	Administrative Assistant	Lunch Aide	Nurse	Custodian
Andrew Crozier	CEAS	X					

3. Leaves of Absence:

- a. Superintendent recommends approval to the Board of Education for the following leaves of absence for certificated staff:

Name	Location / Position	Paid Leave	Unpaid Leave with Benefits	Unpaid Leave without Benefits	Anticipated Return Date
Joyce Andreula Medical	Kelly Resource Room	1/19/21* - 3/26/21	N/A	N/A	4/5/21
Charlene Bishop-Melvin Family	Edison ELA	2/26/21 - 4/2/21	4/5/21 - 6/30/21	N/A	9/1/21
William Bradley FMLA	WOHS Social Studies	N/A	N/A	1/19/21* - 4/16/21	4/19/21
Kimberly Covington Family	Edison Science	N/A	1/19/21* - 4/16/21	N/A	4/19/21
Li DaGraca Personal	WOHS Science	1/19/21* - 1/26/21	N/A	1/27/21 - 6/30/21	9/1/21
Rebecca Figueiras Family	Kelly Special Education	4/5/21 - 5/19/21	5/20/21 - 6/30/21 (20/21) 9/1/21 - 10/8/21 (21/22)	N/A	10/11/21
Lisa Gray Medical	Kelly Grade 2	9/1/20 - 11/20/20	11/23/20 - 2/19/21	2/22/21 - 6/30/21	9/1/21
Tantanya Hodges Medical	WOHS Science	1/19/21* - 2/12/21	N/A	N/A	2/16/21
Shrina Patel Family	Liberty Mathematics	4/5/21 - 6/7/21	6/8/21 - 6/30/21 (20/21) 9/1/21 - 10/29/21 (21/22)	11/1/21 - 1/31/22 (21/22)	2/1/22
Diane Phelan Medical	Kelly Resource Room	1/19/21* - 1/29/21	N/A	2/1/21 - 4/30/21	5/3/21
Jennifer Tarullo Medical	Washington Grade 5	1/22/21* - 3/5/21	N/A	N/A	3/8/21

*start date of leave is contingent upon when a leave replacement is approved

- b. Superintendent recommends approval to the Board of Education for the following leaves of absence for non-certificated staff:

Name	Location / Position	Paid Leave	Unpaid Leave with Benefits	Unpaid Leave without Benefits	Anticipated Return Date
Paul Casolaro Medical Personal	WOHS Security Guard	7/1/20 - 1/1/21 1/4/21 - 1/15/21 amended	N/A	N/A	1/19/21 amended

Joseph Ferville Medical	Roosevelt Custodian Night Shift	11/5/20 - 1/5/21 amended	N/A	N/A	1/6/21 amended
Lisa Okyle Medical	Kelly Paraprofessional	1/7/21 - 2/5/21	N/A	N/A	2/8/21
Donna Pfarr Medical	Kelly Paraprofessional	1/19/21 - 6/30/21	N/A	N/A	9/1/21
Sandra Stein Medical	WOHS Clerical Aide	9/1/20 - 10/19/20 a.m. only	10/19/20 p.m. only - 2/4/21 amended	N/A	2/5/21 amended

4. Superintendent recommends approval to the Board of Education for 2020-2021 revised rate(s) for hourly and per diem employees/assignments. (Att. #8)

Personnel - Items 1 through 4

MOTION: Mrs. Tunncliffe **SECOND:** Mr. Rothstein **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunncliffe	<u>Yes</u> Trigg-Scales
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B. CURRICULUM AND INSTRUCTION

1. Recommend approval of Affiliation Agreement between West Orange School District and Fairleigh Dickinson University for an Educational Leadership Program Internship for multicultural parental engagement for Liliana Gallego for the 2020-2021 school year.

Curriculum and Instruction

MOTION: Mr. Rothstein **SECOND:** Mrs. Huerta **VOTE:** 5-0 (RC)

<u>Yes</u> Huerta	<u>Yes</u> Merklinger	<u>Yes</u> Rothstein	<u>Yes</u> Tunncliffe	<u>Yes</u> Trigg-Scales
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C. FINANCE

a.) Special Services

1. Recommend approval of the 2021 Extended School Year (ESY) Program to operate for the period of July 5, 2021 through July 30, 2021.
2. Recommend approval for the following tuition/extraordinary aid services adjustments as certified by the State of NJ Division of Administration and Finance:

School	Year	Certified Rate Less Adjustments	Tuition Paid	Tuition Adjustments
Mountain Lakes Board of Education	2018-2019	\$132,318.00	\$128,400.00	\$3,918.00

b.) Business Office

1. Recommend approval of November 2020 transfers within the 2020-2021 budget in compliance with N.J.A.C. 6A:23-2.11(A)2. (Att. #9)

2. Secretary’s Report - Acceptance and Certification - November 2020

Recommend that the West Orange Board of Education accept the Board Secretary’s financial report for the month of November 2020, based upon the certification of the Board Secretary, pursuant to N.J.A.C. 6A:23A-16.10(c) (3), that no major account or fund has been over expended, and that sufficient funds are available to meet the district’s financial obligations for the remainder of the fiscal year. (Att. #10)

3. Report of the Treasurer of School Monies - November 2020

Recommend that the West Orange Board of Education acknowledge and accept the Report of the Treasurer of School Monies for the month of November 2020, which report is in agreement with the Secretary’s Report. (Att. #11)

4. Recommend approval of proposed Non Public security aid program expenditures funded through the Office of State Aid Entitlements and Payments to Non Public Schools (not local funds).

School	Description	Amount
Golda Och Lower School	School Security Services-Global Mark Security LLC	\$20,300.00
Golda Och Upper School	School Security Services-Global Mark Security LLC	\$20,300.00

Finance - Special Service Items 1 and 2; Business Office Items 1 through 4

MOTION: Mr. Rothstein

SECOND: Mrs. Tunncliffe

VOTE: 5-0 (RC)

Yes
Huerta

Yes
Merklinger

Yes
Rothstein

Yes
Tunncliffe

Yes
Trigg-Scales

VII. PETITIONS AND HEARINGS OF CITIZENS

VIII. REPORT FROM THE BOARD PRESIDENT AND/OR BOARD MEMBERS

IX. NEXT BOARD MEETING to be held at 7:00 p.m. on January 13, 2021 virtually.

X. 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 one (1) issue is 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 Monday, January 7, 2021 at 1:13, 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 contract(s) discussed are between the Board and the Negotiations Committee.

□ "(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 twelve (12) 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. Tunncliffe

SECOND: Mrs. Huerta

VOTE: 5-0 (VV)

XI. ADJOURNMENT at 1:26 a.m.

Respectfully submitted,

Ana M. Flores, Acting Board Secretary