

**MINUTES
MARCH 1, 2018**

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
SPECIAL MEETING
MARCH 1, 2018
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the high school auditorium, 201 President Street, Hempstead, New York 11550. The meeting was called to order at 7:45 P.M. All of the Board Members were present, Trustee Jackson and Touré arrived at 7:49 P.M. The Acting Superintendent thanked the staff and Trustees for their assistance in the renaming ceremony changing the Franklin School to the Joseph A. McNeil School.

BOARD MEMBERS PRESENT:

| | |
|-------------------|--------------------|
| Maribel Touré | President |
| Gwendolyn Jackson | Vice President |
| David B. Gates | Trustee |
| LaMont Johnson | Trustee |
| Randy Stith | Trustee |
| Jack Bierwirth | Trustee-Ex-Officio |

STAFF MEMBERS PRESENT:

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| Regina Armstrong | Acting Superintendent of Schools |
| Rodney Gilmore, Ed. D. | Assistant Superintendent for Human Resources |
| James Clark | Assistant Superintendent for Secondary C & I |
| Andrew Hardwick | Supervisor of Security |
| Patricia Wright | District Clerk |
| John Sheahan | General Counsel |
| Jonathan Scher | Labor Counsel |
| Monte Chandler | Special Counsel |

Trustee Johnson moved, seconded by Trustee Gates to appoint Trustee as President Pro-tem

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| MOTION | YES 3 | MOTION CARRIED |
| To appoint Trustee Stith as President Pro-tem | 2 NOT PRESENT (Trustees Jackson & Touré) | |

Trustee Touré moved, seconded by Trustee Jackson to permit Trustee Jackson to introduce three (3) hand carry items for emergency reasons.

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| MOTION | NO 3 | MOTION FAILED |
| To introduce hand carry items for emergency reasons | YES 2 (Trustees Jackson & Touré) | |

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Trustee Jackson moved, seconded by Trustee Gate to convene to executive session at 8:02 P.M. for legal counsel and personnel.

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| MOTION | YES 5 | MOTION CARRIED |
| To convene to executive session | | |

Trustee Jackson moved, seconded by Trustee Stith to reconvene to open session at 10:33 A.M.

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| MOTION | YES 5 | MOTION CARRIED |
| To reconvene to Open session | | |

Trustee Johnson moved, seconded by Trustee Touré to approve security the consultant as amended in bold italics

1. **RESOLVED**, that the Board of Education approves the Acting Superintendent's recommendation to enter into contract with Willie Freeman, Security Consultant ***for the district to the Board of Education*** at an all-inclusive daily rate of \$700.00 not to exceed forty (40) days between March 2-5, 2018 and June 30, 2018.

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| MOTION | YES 4 | MOTION CARRIED |
| To approve security consultant | | |
| | ABS. 1 (Trustee Touré) | |

Trustee Touré moved, seconded by Trustee Gate to approve the waive policy # 2342

RESOLUTION TO SUSPEND POLICY #2342

2. **RESOLVED**, the Board of Education waives policy 2342 requiring the agenda, together with supporting background materials to be distributed to Board members seven days in advance of a Board meeting, and the Board shall permit the consideration of the hand-carry resolutions presented at the March 1, 2018 meeting of the Board; and it is further:

RESOLVED, that the emergency basis for waiving such policy is to address the expiring Administrative Leave of Absence with Pay for EMPLOYEE #4622, that is due to expire 60 days from January 9, 2018, and that commenced on January 10, 2018 and otherwise would expire on March 10, 2018 (the 60th day), and the Board wishes to avoid the possible expiration of the ALOA with pay, by addressing the subject matter today; and it is further:

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RESOLVED, the waiver of policy 2342 is effective only for the hand-carry resolutions considered at the March 1, 2018 meeting.

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| MOTION | YES 3 | MOTION CARRIED |
| To waive policy 2342 | NO 1 (Trustees Jackson & Touré) | |

Trustee Gates moved, seconded by Trustee Stith to approve to extend leave under policy 9520.3

**RESOLUTION TO EXTEND LEAVE UNDER POLICY #9520.3
FOR EMPLOYEE #4622**

3. **RESOLVED**, that the Board of Education extends the placement of Employee #4622 on Administrative Leave of Absence with Pay, which was due to expire 60 days from January 9, 2018, and that commenced on January 10, 2018 and otherwise would expire on March 10, 2018 (the 60th day), for an additional twenty two (22) days, under the District's Administrative Leave of Absence (ALOA) with Pay Policy (Policy #9520.3), from March 11, 2018 through and inclusive of April 1, 2018, so that there is no gap in the Board's placement of employee # 4622 on such leave; and it is further

RESOLVED, that Employee #4622 shall continue to receive full pay and all benefits due to employee # 4622 as required by the District's Administrative Leave of Absence (ALOA) with Pay Policy (Policy #9520.3), while employee # 4622 remains on such Administrative Leave of Absence with Pay; and it is further

RESOLVED, the District Clerk is directed to send a copy of this resolution by email and certified mail, return receipt requested, to Employee #4622, within 24 hours of the adoption of this resolution.

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| MOTION | YES 3 | MOTION CARRIED |
| To extend leave under Policy 9520.3 | NO 1 (Trustees Jackson & Touré) | |

Trustee Gates moved, seconded by Trustee Johnson to approve to waive attorney client privilege

**RESOLUTION TO WAIVE THE ATTORNEY CLIENT PRIVILEGE
WITH RESPECT TO A PENDING BOCES INVESTIGATION REGARDING
EMPLOYEE #4622 AND/OR THE NEW AMERICAN INITIATIVE**

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4. **RESOLVED**, that the Board of Education, on behalf of itself, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, hereby waives the attorney-client privilege with respect to communications, whether verbal or in writing (inclusive of any and all electronic means of communication), between the law firm of HAMBURGER, MAXSON, YAFFE & McNALLY, LLP, and the Board, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and it further

RESOLVED, that the Board of Education, on behalf of itself, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, hereby directs the law firm of HAMBURGER, MAXSON, YAFFE & McNALLY, LLP, to disclose, furnish and supply to The Scher Law Firm, LLP, on or before Wednesday, March 14, 2018, the following:

- (1) Any and all communications, whether verbal or in writing (inclusive of any and all electronic means of communication), between the law firm of HAMBURGER, MAXSON, YAFFE & McNALLY, LLP, and the Board, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and
- (2) Any and all documents, including all drafts of documents, whether in paper or electronic form, in the possession, custody or control of the law firm of HAMBURGER, MAXSON, YAFFE & McNALLY, LLP, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and it is further:

RESOLVED, the District Clerk is directed to send a copy of this resolution by email and certified mail, return receipt requested, to the law firm of HAMBURGER, MAXSON, YAFFE & McNALLY, LLP, within 24 hours of the adoption of this resolution.

RESOLVED, that the Board of Education, on behalf of itself, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, hereby waives the attorney-client privilege with respect to communications, whether verbal or in writing (inclusive of any and all electronic means of communication), between the law firm of GUERCIO & GUERCIO, LLP, and the Board, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and it further

RESOLVED, that the Board of Education, on behalf of itself, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees,

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hereby directs the law firm of GUERCIO & GUERCIO, LLP, to disclose, furnish and supply to The Scher Law Firm, LLP, on or before Wednesday, March 14, 2018, the following:

- (1) Any and all communications, whether verbal or in writing (inclusive of any and all electronic means of communication), between the law firm of GUERCIO & GUERCIO, LLP, and the Board, its President, its Vice President, its Trustee-Members, the District, and any of the District's employees, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and
- (3) Any and all documents, including all drafts of documents, whether in paper or electronic form, in the possession, custody or control of the law firm of GUERCIO & GUERCIO, LLP, concerning, regarding, involving and in any way relating to Employee #4622 and/or The New American Initiative; and it is further:

RESOLVED, the District Clerk is directed to send a copy of this resolution by email and certified mail, return receipt requested, to the law firm of GUERCIO & GUERCIO, LLP, within 24 hours of the adoption of this resolution.

MOTION
To attorney client
Privilege

YES 3
NO 2 (Trustees Jackson & Touré)

MOTION CARRIED

Trustee Touré moved, seconded by Trustee Jackson to waive policy 2342 to present resolutions.

HAND CARRY ITEM # 1
(Introduced by Trustee Jackson)

RESOLVED, the Board of Education waives policy 2342 requiring the agenda, together with supporting background materials to be distributed to Board members seven days in advance of a Board meeting, and the Board shall permit the consideration of the hand-carry resolutions presented at the March 1, 2018 meeting of the Board; and it is further:

RESOLVED, that the waiver of policy 2342 is effective only for the hand carry resolutions considered at the March 1, 2018 meeting.

MOTION
To waive policy
2342

YES 3
NO 2 (Trustees Jackson & Touré)

MOTION CARRIED

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Trustee Touré moved, seconded by Trustee Jackson to approve the rescind action resolution as written.

**HAND CARRY ITEM # 2
(Introduced by Trustee Jackson)**

On February 14, 2018, an emergency meeting was called at 9:00 A.M., according to Board Policy # 2300 "School Board Meeting", In an **EMERGENCY**, if all members are present, the 24 hour notice may be waived by unanimous Board action;

Since President Touré was at work in Manhattan and Vice President Jackson arrived 10:45 A.M. and the meeting was over;

BE IT RESOLVED, that the action of February 15, 2018 be rescinded and the action of February 14, 2018 be null and void.

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| MOTION | NO 3 | MOTION FAILED |
| To rescind action | YES 2 (Trustees Jackson & Touré) | |

Trustee Stith moved, seconded by Trustee Jackson to adjourn the meeting at 10:41 P.M.

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| MOTION | YES 5 | MOTION CARRIED |
| Meeting adjourned | | |

Respectfully submitted:

Patricia Wright
District Clerk