

**HEMPSTEAD PUBLIC SCHOOLS  
BOARD OF EDUCATION  
SPECIAL MEETING  
MAY 14, 2021  
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the A.G.B.S. Middle School music room, 70 Greenwich Street, Hempstead, New York 11550. The meeting was called to order at 5:32 P.M. All of the Board Members were present. Trustee Ayala attended via zoom. Trustee McNeill arrived at 5:35 P.M. during executive session.

**BOARD MEMBERS PRESENT:**

LaMont Johnson	President
Patricia Spleen	Vice President
Carmen Ayala	Trustee-Zoom
Patricia McNeill	Trustee
Victor Pratt	Trustee

**STAFF MEMBERS PRESENT:**

Patricia Wright	District Clerk
Stuart Besen	Special Counsel
John Sheahan	General Counsel

**Trustee Spleen moved, seconded by Trustee Pratt to call to order at 5:32 P.M.**

<b>MOTION</b>	<b>YES 4</b>	<b>MOTION CARRIED</b>
Call to order		

**Trustee Spleen moved, seconded by Trustee Pratt to convene to executive session at 5:33 P.M. to discuss removal of a particular Board member.**

<b>MOTION</b>	<b>YES 4</b>	<b>MOTION CARRIED</b>
To convene to executive session		

**Trustee Spleen moved, seconded by Trustee Pratt to reconvene to open session at 6:30 P.M.**

<b>MOTION</b>	<b>YES 4</b>	<b>MOTION CARRIED</b>
To reconvene to open session	<b>NO 1 (Trustee Ayala)</b>	

**Trustee Spleen moved, seconded by Trustee Pratt to approve to waive policy # 2342.**

**HAND CARRY**

1. **BE IT 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 14, 2021 meeting of the Board; and

**BE IT RESOLVED**, the waiver of policy 2342 is effective only for the hand-carry resolutions considered at the March 14, 2021 meeting.

<b>MOTION</b>	<b>YES 3</b>	<b>MOTION CARRIED</b>
To waive policy # 2342	<b>NO 2</b> (Trustees McNeill & Ayala)	

*“Trustee Ayala, “Trustee Johnson, I’d like to make a statement for the record:”*

*“I would like that request that Victor Pratt be recused from any vote pertaining to any further actions of this Board of Education, as each member of the Board of Education is aware, based on precedent and Victor Pratt in Ayala exhibit 2 placing himself at the scene of the complainant making himself present, a complaining witness, being the accuser, the witness and now the executioner, he needs to be recused, each of you is also aware that based on Johnson v the Board of Education when Gwendolyn Jackson attempted to do the same, not only did the Commission overturn that decision, it was strongly admonished, and that is the reason why there is a Monitor and at that point immediately triggered a Distinguishes Educator. This community has been dragged through so much unnecessary turmoil, and constant discord to the point where not only is it costly to the tune of over \$600,000, it is abusive, the attempt to remove me days before an election is an attempt at upending democracy, and taking the choice away from the voters in the Hempstead School District, not only is it unconscionable , it is morally outrageous and reprehensible, this Board is in defiance of state law, while there is a sitting monitor and general counsel who is supposed to be there to protect the district, and to ensure that they de risk from any further financial abuse by poor governance of the Board of Education, so to be clear, Victor Pratt must be recused from this vote or this Board is deciding that it will abandon its oath that each person took by putting the District at risk for further financial abuse. In addition, you all are flaunting, flaunting your in Johnson –v- the Board of Education and at this time the monitor based on his responsibilities under state monitoring law has an obligation to protect this District and that is my statement.”*

**Trustee Spleen moved, seconded by Trustee Johnson to approve the resolution for removal.**

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**2. WHEREAS**, the Board of Education of the Hempstead Union Free School District (“Board”) is the duly constituted governance body of the School District; and

**WHEREAS**, Trustee Carman Ayala is a member of the Board and bound by the District Policy and legal requirements that confidential information acquired in executive session shall not be disclosed and disclosure of same is a violation of General Municipal Law Section 805-a(1)(b) and the Hempstead Union Free School District Code of Ethics and policies; and

**WHEREAS**, the Board has been advised that there is reasonable suspicion that Trustee Carman Ayala violated General Municipal Law Section 805-a(1)(b); the Hempstead Union Free School District Code of Ethics and policies and the Commissioner of Education Decisions and her duty of confidentiality and disclosed confidential information to a third party who is not on the Board of Education and was not in executive session; and

**WHEREAS**, the Board of Education on February 17, 2021 approved special counsel to prepare charges of official misconduct against Hempstead School Board Trustee Carmen Ayala and designated James Clark, Esq., as hearing officer to preside over removal proceedings and authorized him to report to the Board of Education such findings and conclusions of law for final determination by the Hempstead Board of Education; and

**WHEREAS**, that on March 23, 2021 the Hempstead Board of Education approved charges against Trustee Carmen Ayala and scheduled hearing dates before Hearing Officer James Clark, Esq., for April 12 and April 13, 2021; and

**WHEREAS**, that a hearing on the charges was presented before James Clark, Esq., on April 12th, April 13th and April 27<sup>th</sup>, at said hearing Douglas L. Thomas, Esq., appeared for Trustee Carmen Ayala to defend against said charges; and

**WHEREAS**, on 14<sup>th</sup> day of May 2021 Hearing officer James Clark, Esq., submitted a report to the Hempstead Board of Education together with the transcripts and exhibits introduced and admitted into evidence at said hearing; and

**NOW THEREFORE BE IT RESOLVED**, the Trustees of the Hempstead Union Free School District having reviewed the report issued by James Clark, Esq., and the transcripts and exhibits presented at the hearing and after due deliberation accepts and adopts the report issued by James Clark, Esq, and hereby removes Trustee Carmen Ayala for her position as Trustee of the Hempstead Union Free School Board effective immediately.

**MOTION**

To approve removal

**YES 3**

**NO 2** (Trustees McNeill & Ayala)

**MOTION CARRIED**

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*Trustee Ayala for the record:*

*“This motion and action has been contrived, with receiving the hearing officer’s report after 5:00 P.M., after the start of this meeting means that this is a premeditated move, there is no evidence that could ever possibly support that there was any misconduct on my part because there was not. This Board received a communication from me about Victor Pratt’s blatant disregard of policy and the request to have his Facebook live reviewed, and you all ignored it, he openly to the public made a Facebook live posting deliberately divulging executive session information and this Board refused to take that up, but because there is an election you all are attempting to try ensure that I am disqualified because you fear you cannot bet me at the ballot box, that is abusive to the Hempstead voters, and what I call on every voter in the village of Hempstead School District to do is to come out on Tuesday, because I am still on that ballot an your action will not prevent me from being reelected, so be clear this decision is in defiance of state education law, Commissioner Mary Ellen Elia ‘s decision of LaMont Johnson-v- the Hempstead Board of Education and every one of you knows it. Victor Pratt you are out of order, I’d like to call a point of order right now and Bill Johnson, this is your opportunity to step and exercise the reason that you are sitting here being paid by the Hempstead tax payers, because your silence right now is sending a deafening message to this community that you support this banana republic and this kangaroo court and this attempt to up end democracy and as you inserted you are a Catholic, a man of God in your testimony and you could sit here and let these people abuse not only the community, but these children, it’s wrong, why are you’re here? Why are you taking funds from the taxpayers and not executing your responsibility at this moment when it’s required?”*

**Trustee Spleen moved, seconded by Trustee Pratt to adjourn the meeting at 6:37 P.M.**

<b>MOTION</b>	<b>YES 3</b>	<b>MOTION CARRIED</b>
Meeting adjourned	<b>NO 2</b> (Trustees McNeill & Ayala)	

Respectfully submitted:

Patricia Wright  
District Clerk