

**SPECIAL MEETING
MARCH 23, 2021-MINUTES**

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
SPECIAL MEETING
MARCH 23, 2021
MINUTES**

The special meeting of the Hempstead Public Schools Board of Education was held in the A.B.G.S. Middle School music room, 70 Greenwich Street, Hempstead, New York 11550. The meeting was called to order at 7:22 P.M. The purpose of the meeting was to meet with special counsel assigned to an investigation. All of the Board members were present. The Board immediately convened to executive session at 7:24 P.M. with a 3/2 vote moved by Trustee Pratt and seconded by Trustee Spleen. Trustees Ayala and McNeill voted NO to convene to executive session.

BOARD MEMBERS PRESENT IN PERSON:

LaMont Johnson	President
Patricia Spleen	Vice President
Victor Pratt	Trustee

SED MONITOR IN PERSON:

William Johnson	SED Monitor
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BOARD MEMBERS PRESENT VIA ZOOM:

Carmen Ayala	Trustee
Patricia McNeill	Trustee

STAFF MEMBERS PRESENT IN PERSON:

Regina Armstrong	Interim Superintendent
Patricia Wright	District Clerk
Stuart Besen	Special Counsel
John Sheahan	General Counsel

Trustee Spleen moved, seconded by Trustee Pratt to convene to executive at 7:24 P.M. for advice of special counsel.

MOTION	YES 3	MOTION CARRIED
To convene to executive session	NO 2 (Trustees Ayala & McNeill)	

Trustee Spleen moved, seconded by Trustee Pratt to reconvene to open session at 8:11 P.M.

MOTION	YES 4	MOTION CARRIED
To reconvene to open session	NO VOTE CAST 1 (Trustee Ayala)	

Trustee Johnson moved, seconded by Trustee Pratt to approve hand carry item # 1 to suspend policy # 2342.

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**HAND CARRY# 1
RESOLUTION TO SUSPEND POLICY 2342**

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 23, 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 23, 2021 meeting.

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

Trustee Spleen moved, seconded by Trustee Pratt to approve hand carry resolution # 2 to authorize action to seek removal, approve preferred charges, conduct a hearing and report from hearing officer.

HAND CARRY # 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 Carmen 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 Carmen 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 confidential information pertained to internal discussions of the school board members that occurred in executive session relating to personnel matter; and

WHEREAS, that there is reasonable suspicion that Trustee Ayala disclosed internal discussions and confidential information held in executive session in violation of her duty as a Board Member of the Hempstead Union Free School District; and

WHEREAS, the remaining members of the Board of Education have consulted with Special Counsel or has had an opportunity to have consulted with Special Counsel on the legal options available to address this serious concern;

IT IS THEREFORE RESOLVED, that:

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1. The Board authorizes an action to seek removal of Trustee Carmen Ayala from the Hempstead Union Free School District Board of Education pursuant to Education Law 1709(18) and District Policy of her official misconduct.
2. The written charges dated March 23, 2021 are hereby approved and preferred against Trustee Carmen Ayala and the Board is authorized to conduct a hearing on April 12 & 13, 2021 at 5:00 P.M. for said matter.
3. Pursuant to its authority, on February 17, 2021 the Board of Education designated James Clark, Esq., as hearing officer for said removal proceedings and authorized him to report to the Board of Education such findings and conclusions of law for a final determination by the Board of Education.

MOTION	YES 3	MOTION CARRIED
To approve hand carry resolution #2	NO 1 (Trustees Ayala)	
	NO VOTE CAST 1 (Trustee McNeill)	

Trustee Spleen moved, seconded by Trustee Pratt to adjourn the meeting at 8:19 P.M.

MOTION	YES 3	MOTION CARRIED
Meeting adjourned	NO VOTE CAST 2 (Trustees Ayala & McNeill)	

Respectfully submitted:

Patricia Wright
District Clerk