



LIVINGSTON BOARD OF EDUCATION VOTING/WORKSHOP MEETING MINUTES

February 6, 2024

Executive Session - Administration Building - 6:15 p.m.

Public Session - Administration Building - 7:00 p.m.

A **Voting/Workshop Meeting** of the Livingston Board of Education was held on this date in the large conference room in the Administration Building and via a Facebook Livestream. The meeting was called to order at 6:15 p.m. by Pamela Chirls, Board President, who announced that adequate notice of this meeting has been provided by amendment to notice approved at the Board's reorganization meeting on January 3, 2024 and posted at the Board of Education office and communicated to *The Star Ledger*, *West Essex Tribune*, *TAPinto Livingston* and the Livingston Township Clerk.

Members Present: Jenissa Arnette, Pamela Chirls, Seth Cohen, Fang Gong and Parul Khemka

Members Absent: Jake Ferrans

Also in Attendance: Dr. Matthew Block, Thomas Lambe, Lisa Capone-Steiger, Mark Stern, Susan Burman and Joann Goldberg

Ms. Arnette moved the following:

Executive Session

Whereas, the Open Public Meetings Act, N.J.S.A. 10:4-11, permits the Board of Education to meet in closed session to discuss certain matters; now, therefore be it

Resolved, that the Livingston Board of Education adjourns to closed session to discuss:

- student and legal matters and personnel

Action may be taken upon return to the public session. The full length of the meeting is anticipated to be approximately 45 minutes; and be it

Further Resolved, the minutes of this closed session be made public when the need for confidentiality no longer exists.

Mrs. Khemka seconded the motion.

Vote all in favor.

At 7:20 p.m., Mrs. Chirls reconvened the meeting. There were approximately 100 members of the public and staff watching in person and remotely through the webinar and a Facebook Live Stream.

Mrs. Chirls asked for a moment of silence for Charles Bryant, who was a former Director of Student Services in the district; for Amanda Nicole Magenheimer, LHS Class of 2021 and Penn State University student; and Annie Blair Eisner, Class of 2021 and Syracuse University student.

Public Comment on Agenda Items

Yael Alexandron provided an update on the personal story of someone she knows who was taken hostage in Israel and thanked the board for approving Dr. Block to visit Israel.

RECOMMENDATIONS FOR APPROVAL

PROGRAM/CURRICULUM

Mr. Cohen moved the following:

1.1 Dissertation Site Permission

Resolved, that the Livingston Board of Education approves *Nicholas Brooks*, Doctoral Candidate of the American College of Education, to give approximately 60 Algebra II students a short assessment examining graphing calculator competency as part of his dissertation research.

Ms. Arnette seconded the motion.

ROLL CALL VOTE - Ayes - Ms. Arnette, Mr. Cohen, Mrs. Gong, Mrs. Khemka, Mrs. Chirls
Nays - None

BUSINESS

Mrs. Khemka moved the following:

3.1 Termination of Participation under the SEHBP

Resolved, that the Livingston Board of Education approves the resolution to terminate the district's participation under the SEHBP as shown on ***Attachment A***.

3.2 Club Trips

Resolved, that the Livingston Board of Education approves the addition of *Rita Ricciardi* as a chaperone to approximately 47 members of the Ski and Snowboarding Club on daily ski trips to Camelback Resort in Tannersville, PA, on February 18, 2024 and March 4, 2024, at no cost to the district.

3.3 Purchases - R&D Data

Resolved, that the Livingston Board of Education approves PO# 24-01661 and PO# 24-01979 in the amounts of \$181,837.74 and \$6,498.83, respectively, for the lease purchase of technology equipment, licenses and subscriptions.

3.4 Purchase - CDW-G

Resolved, that the Livingston Board of Education approves Requisition# 24-02500 in the amount of \$662,062.50 for the lease purchase of Acer Chromebooks and services for the class of 2028 and 2032.

3.5 Certification of 2023-24 SDA Grant

Resolved, that the Livingston Board of Education authorizes the Business Administrator to certify the district's receipt of funding from the New Jersey Schools Development Authority and the Department of Education for emergent projects and capital maintenance projects in the amount of \$153,845.

3.6 Amended Submission of American Rescue Plan (ESSER III) Grant Application

Resolved, that the Livingston Board of Education approves the submission of the **amended** American Rescue Plan-ESSER III Grant Application to the New Jersey Department of Education for approval. The amendment includes expanding the use of funds for the ARP ESSER allocation to include non-instructional software, additional instructional supplies and consultants.

Mr. Cohen seconded the motion.

ROLL CALL VOTE - Ayes - Ms. Arnette, Mr. Cohen, Mrs. Gong, Mrs. Khemka, Mrs. Chirls
Nayes - None

PERSONNEL

Mr. Cohen moved the following:

4.1 Resignations & Retirements

Resolved, that the Livingston Board of Education accepts the resignations of:

Name	Position	Reason	Location	Last Day of Employment
<i>Amedeo Ciminnisi</i>	Teacher of Music	Retirement	LHS	June 30, 2024
<i>Nancy Ciminnisi</i>	Teacher of Music	Retirement	LHS	June 30, 2024
<i>Robin Altomare</i>	TOSD	Retirement	HMS	June 30, 2024
<i>Laurence Seltzer</i>	Teacher of French	Retirement	MPMS	June 30, 2024
<i>Ellen Goldstein</i>	Teacher of Spanish	Retirement	MPMS	September 30, 2024
<i>Tasmire Leslie</i>	ABA Discrete Trial TA	Resignation	BHE	February 2, 2024
<i>Lucia Ammerata</i>	ABA Discrete TA	Resignation	BHE	February 29, 2024

Name	Position	Reason	Location	Last Day of Employment
Elysa Ruderman	Life Skills TA	Resignation	LHS	February 16, 2024

4.2 Leaves of Absences

Resolved, that the Livingston Board of Education approves the leaves of absences of:

Name	Location	Position	LOA w/pay and benefits	LOA w/o pay, but with benefits (if applicable)	Extended LOA w/o pay or benefits	Return Date
Jennifer Loniewski*	CO	Director of Elementary C&I	10/30/2023-11/15/2023	11/16/2023-2/19/2024**	NA	2/20/2024
Elizabeth Waldron*	Collins	Instructional Aide	1/23/2024-1/29/2024	1/30/2024-2/15/2024**	NA	2/16/2024

*as amended from a previous agenda

**Designates time counted toward NJFLA/FMLA

Ms. Arnette seconded the motion.

Mrs. Chirls thanked the retirees on tonight's agenda for their service to the district.

ROLL CALL VOTE - Ayes - Ms. Arnette, Mr. Cohen, Mrs. Gong, Mrs. Khemka, Mrs. Chirls
Nays - None

MISCELLANEOUS

Mr. Cohen moved amending 5.1 to remove #LHS-01 from the HIB report:

5.1 HIB Report

Resolved, that the Livingston Board of Education accepts the findings of HIB cases.

Ms. Arnette seconded the amended motion.

ROLL CALL VOTE - Ayes - Ms. Arnette, Mr. Cohen, Mrs. Gong, Mrs. Khemka, Mrs. Chirls
Nays - None

Mr. Cohen made a motion to add the following resolution:

5.2 HIB Report

Resolved, that the Livingston Board of Education reverses the determination of HIB #LHS-01.

Mrs. Khemka seconded the motion.

ROLL CALL VOTE - Ayes - Ms. Arnette, Mr. Cohen, Mrs. Gong, Mrs. Khemka, Mrs. Chirls
Nays - None

Superintendent's Report

Budget Preview

Mr. Lambe reviewed the budget process and calendar, read through the Board Budget Goals and then explained the district's Revenue History from the 2019-20 budget year through the upcoming budget year.

Mr. Lambe explained that historically, the local tax levy supported about 93% of the general fund revenues but that in the past several years, revenues and expenditures increased at a higher rate than the tax levy. Mr. Lambe continued that a way to bridge the gap is to utilize a small portion of fund balance.

Mr. Lambe continued with an explanation of the district's banked cap availability and that he plans to use \$4,384,210 in the 2024-25 budget so that the maximum tax levy would be 5.75%. Mr. Lambe added that this preliminary budget keeps all programming and staffing currently in place, including necessary technology upgrades, mandated math curriculum changes and salary increases as per agreements with the associations. The district is also planning to make a change in health benefits to provide an additional \$900,000 in savings. The preliminary budget does not include requests for \$1,295,551 in new programs and staffing at this time; however, once we receive our state aid funding and the administrative team meets to prioritize our needs, this figure will be adjusted so that we are able to submit a balanced budget to the County.

Mrs. Chirls asked about financial implications if we obtain the Monmouth Court Campus and Mr. Lambe responded that a request for an additional custodian is already in the budget. Once we obtain ownership of the building, if we decide to make capital improvements, those funds can come out of our capital reserves.

Mr. Cohen suggested moving the March 12 meeting up a week so that the Board has enough time to discuss and review the budget after state aid numbers are provided to us at the end of February.

Update on Diversity, Equity and Inclusion

Dr. Shelley Zion, from a2z equity coaching, provided an addendum to her presentation from December after going back to review the pieces that community members felt were missing from the first report.

Dr. Zion began with a few reminders that they don't claim to have found the "truth," but they do uncover and share perspectives that they can communicate to the district so they can engage in a process of continuous improvement.

Dr. Zion reviewed the perceived concerns by special education parents such as out-of-district students not being included in school communications and events, fear of retaliation, lack of programming/support for neurodiverse students, limited access to courses/electives, overrepresentation by race, staff turnover, bullying of neurodiverse students and lack of co-curricular activities. Dr. Zion also reviewed the perception that there is a retaliatory culture in the district.

Dr. Zion provided a number of recommendations, including some reference links, on how to address these concerns in her presentation.

Mrs. Chirls asked what to say to people in the community who don't see themselves in this work that the district is taking on and Dr. Zion responded it is important as you engage in this work to define the things that are actually happening and to create a space where people can share perspectives without it being hateful and hurtful.

Mrs. Gong asked how to collaborate with the community and Dr. Zion responded in another district, the superintendent took the lead and invited a group of community and cultural leaders to meet on a regular basis to focus on what is happening for kids in the community. This group worked together to support all students and through continued conversations, made an intentional commitment to work against bias throughout the whole community.

Dr. Zion continued this requires a commitment of people's time to develop the skill set but recommended that the administrative team, school level teams and community based equity team all do foundational training so there is a common language and common understanding of our goals.

Ms. Arnette asked if a2z facilitates this type of work and Dr. Zion responded that they do.

Ms. Arnette and Mr. Cohen asked for Dr. Zion's recommendation on how to put community groups together and how to build a theory of action and/or overarching strategy.

Dr. Zion suggested the groups consist of the administration, volunteers from different positions at the building level and volunteers from the community. Dr. Zion added we should encourage those who need to be represented to volunteer so that different perspectives are heard. The groups will learn how to listen for understanding and work on skills to learn and practice. The goal is to create spaces where everyone can feel valued and included.

Mrs. Khemka asked how they can best research the retaliatory culture claims in the report and Dr. Zion responded it depends on the comments. For overrepresentation by race in self-contained classrooms, there must be a report with data that can be reviewed. For comments about retaliation, you would need to look at those on a case by case basis. Coaching can be used to address language and tone that feel disrespectful.

Mr. Cohen added that we can't lose sight that perception is someone's reality and cautioned that we don't want to invalidate the way someone feels.

Dr. Zion added you can address perception by teaching people how to listen for understanding versus listening to convince. These are strategies and skills that you learn and practice.

The Equity Audit Addendum Report presentation as well as the Equity Audit Reports are all available on our website.

Mr. Cohen asked that the budget presentations include the continued Investments we would need to continue to address this work.

Public Participation on Equity Audit

Richard Tepper stated he thinks that the district denies and ignores the problems that he and other parents have expressed exist in the special education department.

Helen Engel stated that the district run SEPAC is ineffective, gave kudos to the parents who have come forward and thanked those who advocate for all special education children to be included in extracurricular activities.

Ken Heilpern asked Dr. Zion if she was told who parents and staff feel is responsible for the retaliatory culture and if she could share the names privately with the board. Mr. Heilpern asked when the actual plan to address these issues will be shared with the community.

Harsh Raju asked that the board look at the historical data of placement of students in self-contained classrooms.

Ari Gourvitz stated he thinks a lot of things are being swept under the rug and this is not being taken seriously by the administration and board. Mr. Gourvitz asked if Dr. Zion or her company fact checks the information and believes we need a third party auditor to dig deeper into the comments.

Pam Tepper asked Dr. Zion who she suggests the staff reach out to when they feel intimidated or retaliated against, that she is hearing that aides are being pulled from their posts to fill in for teachers, is being told that out of district students are getting important emails but finds that is not true and that a third party audit is necessary.

Joanna Rothenberg, asked that we check with the Social Studies supervisor about a resource entitled *Teaching While Muslim* that she feels is unacceptable and promotes lies about Israel.

ADJOURNMENT

At 9:04 p.m., Mrs. Chirls asked for a motion to return to Executive Session to discuss personnel adding that no action will be taken and the Board will not be returning to public session.

Mr. Cohen moved the following:

EXECUTIVE SESSION

Whereas, N.J.S.A. 10:4-1 et seq., also known as the "Sunshine Law," authorizes a public body to meet in executive or private session under certain limited circumstances, and

Whereas, said law requires the Board to adopt a resolution at a public hearing before it can meet in such an executive or private session, now, therefore, be it


Resolved, by the Livingston Board of Education that:

- (A) It does hereby determine that it is necessary to meet in executive session on February 6, 2024 to discuss the matters stipulated, in conformance with the subsections of said act which are indicated.
1. Matter rendered confidential by federal law, state statute or rule of court.
 2. Matter in which the release of information would impair a right to receive federal funds.
 3. Matter, the disclosure of which would constitute an unwarranted invasion of individual privacy unless the individual concerned shall request in writing that the same be disclosed publicly.
 4. Collective bargaining matters.
 5. Matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates, etc. where it would adversely affect the public interest if discussion were disclosed.
 6. Tactics and techniques utilized in protecting public property where disclosure could impair protection.
 7. Investigation of violations or possible violations of law.
 8. Pending or anticipated litigation or contract negotiation other than collective bargaining agreement.
 9. Personnel matters unless the individual employees or appointees affected requested that such matter be discussed at a public meeting.
 10. Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty.
- (B) The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.
- (C) No action will be taken.

Mrs. Khemka seconded the motion.

Vote all in favor.

Respectfully submitted,


Thomas J. Lambe, Board Secretary