

A REGULAR MEETING of the Board of Education of the West Babylon Union Free School District, of the Town of Babylon, Suffolk County, New York was held on Tuesday, April 14, 2015, in the Board Room of the Administration Building.

Those present: Trustees Lucy Campasano, Ray Downey, Cathy Gismervik, Diane Klein, Dennis Kranz, Jennifer Longo, Peter Scarlatos, Stacy Villagran and Jennifer Wandasiewicz

Also present: Dr. Yiendhy Farrelly, Superintendent; Mrs. Christine Tona, Executive Director for Curriculum & Instruction; Mrs. Michele Psarakis, Executive Director for Finance & Operations; Mr. Shawn Hanley, Executive Director for Human Resources; Mr. William C. Morrell, Attorney; Mrs. Amy E. Jones, District Clerk; and residents

The President opened the meeting at 7:01 p.m. and led those present in the Pledge to the Flag.

Trustee Wandasiewicz seconded by Trustee Gismervik made a motion to Executive Session for contract negotiations and personnel matters at 7:02 p.m.

The motion was **CARRIED** by all present

The public portion resumed at 8:25 p.m.

Trustee Gismervik seconded by Trustee Wandasiewicz made a motion to approve the minutes of the Regular Meeting of March 24, 2015.

The motion was **CARRIED** by all present

Statement of the Superintendent and/or Board of Education:

Dr. Farrelly proposed changing the Board meeting scheduled for September 22, 2015 to September 21, 2015 due to the start of Yom Kippur at sundown on the 22nd. The Board unanimously agreed to the change.

Dr. Farrelly said that a meeting was held this afternoon to discuss the capital project. Present at the meeting were Ms. Tona, Mr. Hanley, Mrs. Psarakis, Mr. Graziano, Mr. Smith, Mrs. Grunder and Mrs. Campasano. She was happy to report that the JFK VAT replacement and site work project was approved. The JHS VAT replacement and field reconstruction was also approved. There will be a follow up with the State regarding the JHS pipes. Dr. Farrelly provided a copy of a proposed timeline submitted by our architects. Phase 1 is the scope of work that was just approved by SED (we are waiting on the JHS pipes). Proposed phases 2 - 5 are included in this packet. Dr. Farrelly asked the trustees to please review the packet and share their questions/ concerns at the next meeting.

Dr. Farrelly said that the following Board Presentations have been arranged:

- April 28, 2015 BOE meeting: SAT prep program options & BBS Presentation
- May 12, 2015 BOE meeting: 7:00 Budget Hearing 8:00 Special Education Update
- May 27, 2015 BOE meeting: 7:00 HS Senior Thesis Presentation & HS 8:00 Health & PE Program Evaluation
- June 9, 2015 BOE meeting Math & SS Program Evaluation
- June 23, 2015 BOE meeting: Security Enhancement Update & Smart Schools Grant presented by Mrs. Nocerino & Intralogic representatives

Dr. Farrelly asked the trustee to let her know if there are other topics about which the trustees would like more information.

Last but certainly not least, Dr. Farrelly said that in a time of such educational system turmoil, where so much is overlooked, she'd like to take a second to thank our administrators, teachers and teaching assistants for their dedication and commitment to our students and to enhancing their teaching craft.

Statement of West Babylon Teachers Association:

None

Statement of West Babylon Administrators' Association:

WBAA President Ellie Levy said that she is proud of the professional staff meeting the challenges of the ELA. She said that the children were all calm and peaceful. They are all prepared for day two.

Statement of CSEA Representative:

None

Statement of Student Association Representative:

None

Statement of PTA Council Representative:

PTA Council Rep Daienna Edmonds welcomed the administration building staff back to the building.

Statement of Residents (Agenda Items)

None

Superintendent's Report/Educational Presentation:

Budget Presentation – Final Budget Draft for 2015-2016 – Michele Psarakis, CPA, Executive Director for Finance and Operations

Mrs. Psarakis shared the final draft of the budget which the Board after review will adopt this evening. The information is available on the district website. Mrs. Psarakis shared that the final number for the budget is \$100,893,074.00

Discussion of Elementary Enrichment Club – Dr. Yiendhy Farrelly, Superintendent

Dr. Farrelly shared that the district is including an enrichment club for the elementary level students. There are no specific details at this time. Mrs. Tona & the building principals will develop the criteria for selection and program specifics. She said that it will be for students K through grade 6 eligible for the program based on the criteria developed.

2013-2014 School Report Card Presentation – Christine Tona, Executive Director for Curriculum and Instruction with the Building Principals

Ms. Tona discussed the results of the district’s school report card which is on file in the district’s website. She said that 914 students opted out of the state ELA exam this year which will not enable the district, nor the state, to have a clear picture of the district’s standing.

Physical Education Plan Presentation – Christine Tona, Executive Director for Curriculum and Instruction with Anthony Spinelli, Director of Athletics, Health and Phys. Ed. Mr. Spinelli and Ms. Tona shared the Athletic Plan which is on file in the District Clerk’s office. Ms. Tona said there will be a program evaluation for the department on May 27 and if there are any questions the trustees should let either Mr. Spinelli or Ms. Tona know.

Trustee Wandasiewicz seconded by Trustee Klein made a motion to approve the Consent Agenda
Trustee Scarlatos was not in the room at this time.

The motion was **CARRIED** by all present

BOARD OF EDUCATION

#BE-1

RESOLVED: that the West Babylon Board of Education approves the establishment of the Senior High School Debate Club. Mr. Christopher Losito will serve as the club’s unpaid advisor.

#BE-2

RESOLVED: that the West Babylon Board of Education approves the following school district to provide health services to West Babylon School District resident students during the 2014-2015 school year:

South Huntington Union Free School District

#BE-3

RESOLVED: that the West Babylon Board of Education, retroactively, approves the Instructional Service Agreement with the following school district to provide special education services to a West Babylon School District resident student beginning April 13, 2015 and ending June 26, 2015:

Sayville Union Free School District

#BE-4

RESOLVED: that the West Babylon Board of Education approves the contract with Kids First Comprehensive to provide vision therapy services to West Babylon School District resident students during the 2014-2015 school year.

#BE-5

RESOLVED: that, pursuant to the authority of Section 913 of the Education Law, based upon a determination that an employee, made known to the West Babylon Board of Education in executive session, is hereby directed to appear for a medical and psychological examination to determine their competency to perform the duties of their position at a time and place to be determined by central administration.

PERSONNEL

#PE-1

RESOLVED: that the following schedules, as attached, are approved:

- 14-P-18 Professional Personnel
- 14-C-18 Civil Service Personnel

SCHEDULE 14-P-18 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Benevento, Erin Lagan	Social Studies Tchr.	HS		2/12/15 -	Family Medical Leave
Powers, Joseph	Special Ed. Tchr.	HS		3/24/15 -	Family Medical Leave
Homan, Daniel	Social Studies Tchr.	HS		3/31/15 -	Family Medical Leave
Speroni, Michael	Mathematics Tchr.	HS		4/6/15	Resignation to Retire

SCHEDULE 14-P-18 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Math Review Sessions:					
		\$37.14/hr.		March - June, 2015	
Craig, Karol					up to 15 hrs.
Takseraas, Robert					up to 15 hrs.
Cammarano, Bradley					up to 5 hrs.
Dell'Isola, Robert					up to 5 hrs.
Heaton, Elise					up to 5 hrs.
Kalberer, Kelly					up to 5 hrs.
DiFruscio, Joseph					up to 3 hrs.
Ging, Frank					up to 3 hrs.
Powers, Julia					up to 3 hrs.
Science Review Sessions:					
			\$37.14/hr.	June, 2015	
Kronenbitter, Linda					up to 2 hrs.
Niles, Jennifer					up to 2 hrs.
O'Neill, Margaret					up to 2 hrs.
Intramural Advisor:					
		\$28.21/hr.		2014-2015	
Rayola, Michael		FA			
Coaches:					
				Fall, 2015	[14-15 salary schedule]
Positions Contingent Upon Budget:					
Brown, Adam	Varsity Asst.	Football	\$5,867.		[pending CPR/First Aid]
Delaney, Kevin	JV Head	Football	\$5,867.		
Mando, Brian	JV Asst.	Football	\$5,189.		

SCHEDULE 14-C-18 Civil Service Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Rodriguez, Carrie	Paraprofessional (special ed. aide)	SB		3/9/15 - 6/25/15	Leave of Absence
Thompson, Gloria	Paraprofessional (pt/clerk typist)	JH		3/30/15	Returned from LOA
Weegar, Beatrice	Paraprofessional (pt/clerk typist)	HS		4/7/15	Returned from LOA
Cali, Salvatore	Custodial Wrkr. I	HS	Step 1/ \$36,541. (prorate)	4/15/15	Probationary Appt.
Thiel, Michael	Custodial Wrkr. I	TBD	Step 1/ \$40,597.	7/1/15	Probationary Appt.
Per Diem Substitute:					
Doumas, Denise	DW	\$9./hr.		4/15/15 - 6/30/15	Clerical
Per Diem Substitute:					
Hurrell, Bruce	Trans.	\$18.85/hr.		4/15/15 - 6/30/15	Auto Mechanic

FINANCE

#FI-1

RESOLVED: that the school district budget for the 2015-2016 school year in the amount of \$100,893,074.00 proposed by the West Babylon Board of Education, in accordance with Section 1716 of the Education Law, be hereby adopted, and that said budget be voted upon by the residents on May 19, 2015.

#FI-2

RESOLVED: that the West Babylon Board of Education approves Alliance Publishing and Marketing, Inc., as the sole source provider/vendor, for the Grades 2 through 5 student organizers, adopted for use during the 2015-2016 school year.

#FI-3

RESOLVED: that the West Babylon Board of Education approves the Corrective Action Plan (CAP) in response to the findings contained in the Federal Single Audit for the year ended June 30, 2014. The Executive Director for Finance & Operations will file a copy of the CAP with the State Education Department pursuant to NYCRR Section 170.12 (e)(4).

POLICY:

The following policies are on the agenda for third time adoption.

5280: Athletics (third time adoption)

5405: West Babylon School District's Wellness Policy (third time adoption)

Trustee Villagran seconded by Trustee Wandasiewicz made a motion to adopt the policies.

Trustee Scarlatos was not in the room at this time.

The motion was **CARRIED** by all present

OLD BUSINESS/NEW BUSINESS:

Trustee Villagran seconded by Trustee Wandasiewicz made the following motion:

Resolved: that the Letter of Criticism arising out of the incident at the West Babylon High School on February 12, 2015 from the West Babylon Union Free School District, a copy of which shall be read at a public meeting, and is attached hereto, and shall be delivered to Trustee Scarlatos by the District Clerk, by overnight delivery to Trustee Scarlatos' residence.

Voting Yes: Trustees Campasano, Downey, Klein, Longo, Villagran and Wandasiewicz

Voting No: Trustee Kranz

Abstained: Trustee Scarlatos

Out of the room: Trustee Gismervik

The motion was **CARRIED**

Board President Lucy Campasano read the following letter of criticism to Trustee Scarlatos:

This letter is delivered to you not as an admonition or a censure, but rather in the spirit and hope that this criticism of your recent, and in some cases past, examples of your unacceptable conduct will be corrected and will encourage you to receive the professional assistance and guidance that we believe will help you to be the effective Trustee that we hope you can be.

On February 12, 2015 a serious incident occurred after the conclusion of a varsity playoff basketball game between West Babylon and Longwood High School. You and your sons were attending this important game at the request of a resident of the West Babylon School District with whom you and your family maintain a close relationship and whose son is a varsity player.

Unfortunately, a spontaneous exchange of words from some Longwood supporters were made and directed toward particular West Babylon players and spectators, which were followed by equally offensive comments by a particular West Babylon family. The coaches and high school staff and high school and district administrators, immediately upon this interaction, moved the exiting players of both teams from the basketball court into individual locker rooms and commenced spectator control as they are instructed to do. It appears that you attempted, along with chaperones from West Babylon, Longwood and Section XI personnel, to separate the West Babylon and Longwood fans while the coaches and some administrators quickly ushered spectators from the gym. During this process you left the gym and went into the adjacent hallway. The staff members present were able to commence to vacate the gym and the spectators exited into the hall in front of the gym and many exited the building as requested. Shortly thereafter you were noted entering and going down the hallway waving your arms and shouting "I am the Vice President of the Board of Education" and "Everyone get out of the School". It was also reported that you informed the police of your title upon their arrival. At one point, it is reported, you attempted to get all of the spectators who were in the hall back into the gym in spite of school personnel attempting to keep them out of the gym and out of the building and that you attempted to push the doors closed upon the people trying to exit the building. Your reported use of the words "I am the Vice President of the Board of Education" implied to both the spectators and the police that you were acting on behalf of the Board of Education. Later an altercation broke out between you and the sister of one of the West Babylon players and the sister hit you in the face and, as reported by a by-stander, she said to you "Touch me again, that's why your nose looks like that." Blood was noticed dripping from your nose and face. The young lady involved was arrested and charged as a result of her actions and is currently being afforded due process.

You then exchanged loud and profane words publicly with her brother at which time an Administrator in attendance made arrangements with school personnel for the brother to get the return of his keys.

The Board has been advised on numerous occasions by the school district attorney, the former Superintendent and the past and present Presidents of the Board that no single trustee can act or speak on the Board's behalf without the consent of the Board. We wish to remind you of that fact which we do not believe you would have forgotten had you been acting in a controlled, calm manner and with due consideration of the situation before you.

The video security tape from the hallway camera, which you have had a chance to review, shows you acting in an uncontrolled manner, and, according to witnesses present, shouting and using profane, obscene language in the presence of children and adults while resisting the attempts of members of the community, most of whom are known to you, requesting you to stop and exit the building, which you refused to do and you went back shouting into the crowd. We are particularly critical of your conduct here, as one of your friends, much bigger than you who can be seen on the tape attempting to keep you from returning to the unsettled area where many persons had gathered, can be seen on the tape throwing his hands into the air after you got away from his grasp and refused to calm down. Another Board member can be seen trying to push you away and toward the exit. We are critical because you had every opportunity to peacefully leave the scene and follow the suggestions of your peers and just calmly walk away and let the professional staff, trained in such matters, continue to handle the situation.

Perhaps your initial attempts to assist school personnel arose from good intentions, however, it is our opinion that your actions in the hall were not consistent with the language or spirit of policy #5300.70 which in the preamble requires all persons "...attending a school function to ...conduct themselves in a respectful and orderly manner." It is our opinion that you should be criticized for using extremely poor judgment in the basketball situation because of your uncalled for actions, and very poor choice of language. We are offering this criticism based on the reports of your refusal to follow the frequent and specific directions of school personnel and your resistance to community members trying to help you, which we believe showed poor judgment on your part. In the future, it is expected that you will adhere to the School District Policies and, in particular, allow school district personnel to handle and administer any incidents that occur on school property. It is also our opinion that your smoking while on school property is an exercise of poor judgment and should be immediately discontinued. In the future it is expected that you will adhere to District policies and, in particular allow school district personnel to handle and administer any incidents that occur on school property.

Following the basketball incident our school district attorney counseled the Board not to comment, for legal reasons, on the incident particularly because it was reported that you stated you were acting as the "Vice President of the Board of Education" and thus a school board member. Much to our disappointment, you ignored that request within hours of its making by specifically contacting a resident of the district who had been critical of your actions. Our criticism is that you should have considered that any statement that you or any other Board Member makes could be misinterpreted causing unintended liability, in spite of good intentions, and also reflect poorly upon the District. In the future, it is expected that you will follow counsel provided by our school district attorney for the benefit and protection of the Board, its members and the School District.

You have apologized to the Board and the public both privately and publicly and advised that such actions on your part "...will never, I promise you, happen again," hopefully a sincere promise which you will honor with the assistance of this criticism.

The Suffolk County Police have investigated the situation and determined that the spectator "...family had attempted to instigate the situation and is ultimately responsible for the outcome." However the police report reported that you "did not help the situation but clearly inflamed it."

As you are aware the District has policy #2160 "School Board Officer and Employee Code of Conduct"; #1530 "Comprehensive Tobacco Policy" and #5300.70 "Public Conduct on School Property". In this incident you were a spectator and, therefore considered as part of the "Public" and not on the premises as a representative of the Board of Education. You have received copies of these Policies and, in fact, have voted as a member of the Board of Education, to adopt and/or amend some of them.

The Board has been made aware that you often leave school board meetings to smoke on school property. Your actions are in violation of the District non-smoking policy. You informed the Board that you attempt to do your smoking in your car in the district parking lot which is still "...on school property." We are critical of your actions as you have been reminded on numerous occasions that this conduct is a violation of District policy and demonstrates poor judgment, especially when adults and often children entering or leaving meetings observe your actions and well know that your smoking is not permitted on school grounds.

Your inability to control your actions and language while in the hallway was, in our opinion, inexcusable, especially in the presence of members of the community and the many children and students present. It is important that in a situation such as occurred here you ignored the instructions of the staff present that are trained to handle such situations and had you been thinking clearly and unemotionally you would have reasoned that. Your actions showed, in our critical opinion, a severe anger management problem which you permitted to overrule what should have been your better judgment. Even where the basis of a person's initial actions is honorable, such later interference, as was the case here, can be dangerous and, in many cases, used to further inflame the situation. As difficult as it may sometimes be it is our responsibility as Board Members to set an example for our constituent families and guests and be most knowledgeable of and obedient to our District's Policies which we, as Board Members create until such time it is determined that a policy should be changed. We, of all people, must follow our own rules and regulations.

We hope that you will accept the criticism in the spirit in which given, to keep the West Babylon School District the great learning experience that it is and that we as Board Members are very visible role models of whom the community can look up to. If we enact the policy that we expect everybody in our district to follow, be they the Board Members, community members, students, faculty, staff or guests, then we must be the first to obey our policies.

This letter from the Board to you is not meant to be an admonition, censure or reprimand but rather a criticism of your actions at an unfortunate event and which criticism we, both individually and as a Board, all hope will be of assistance to you.

Trustee Kranz stated for the record that he believes Mr. Scarlatos' heart was in the right place and he did not commit a crime. He was the victim of a crime.

Vice President Scarlatos said that a lot of the information was based on the police report which did not have statements from Mr. Downey nor Mr. Kranz.

April 14, 2015

'14-125

STATEMENTS OF RESIDENTS:

Resident John Evola said that Officer Teufel is present to answer any questions. A discussion ensued. Officer Teufel said that he wanted to go on record stating that the district fully cooperated and the police are not pursuing any other charges. Board President Campasano said that the school district's attorney advised the Board not to discuss this any further and she requested that the discussion come to an end.

Resident Noreen Wood said that her son was suspended from high school for much less of an infraction. She asked if any trustee will be suspended.

Resident John Evola asked if there will be an answer from the Board.

Attorney William Morrell said that the Board has taken their action and as of right now they have done what they feel is right.

Trustee Kranz seconded by Trustee Wandasiewicz made a motion to adjourn at 9:45 p.m.

The motion was **CARRIED** by all present

District Clerk