

Monday, June 11, 2018 [Corrected]

MINUTES OF THE REGULAR MEETING OF THE BRIDGEPORT BOARD OF EDUCATION, held June 11, 2018, at Bridgeport Regional Aquaculture Science & Technology Education Center, 60 St. Stephens Road, Bridgeport, Connecticut

The meeting was called to order at 6:45 p.m.

Present were Chair John Weldon, Vice President Hernan Illingworth, Secretary Jessica Martinez Joseph Sokolovic, Chris Taylor, Sybil Allen, Maria Pereira and Ben Walker. Dennis Bradley arrived subsequently as noted.

Supt. Aresta Johnson, Ed.D., was present.

### **RECOGNITIONS:**

Ms. Allen moved to add to the agenda recognition of the person who was named the superintendent for a day. The motion was seconded by Mr. Illingworth and unanimously approved.

Dr. Johnson introduced students from Marin School who performed the song "Prince Ali" from *Aladdin*.

The directors of the musical theater club at Marin Meghan Brockway and Laura D'Auria were present with about half the club.

Alicia Robinson, director of performing and visual arts, said the students would receive a certificate of recognition.

Dr. Johnson said she visited the district Math Meet this year and noted Discovery Magnet was the winning school. Herminio Planas, director of mathematics, said it was an amazing competition, with 22 schools and 132 students participating. He noted he participated in the meet in 1985 when he was a student at Whittier School.

Mr. Planas recognized the winner, Discovery Magnet School; the runner-up and last year's champion, John Winthrop; and the third place school, Multicultural Magnet. The most improved school was Park City Magnet.

Mr. Planas thanked Ms. Allen and Mr. Sokolovic for attending the Math Meet.

Dr. Johnson said the Debate League held its championship event a few weeks ago. She acknowledged Ron Rapice for his hard work in the event.

Mr. Illingworth said he attended the debate league championship and said it was good to see it stronger than ever with more schools participating. He said he stayed for every round and watched the students deal with difficult questions such as immigration, arming teachers and universal health care. He noted the coaches and teachers volunteer practice hours after school and on Saturdays to work with the students. He urged the program be extended into the high schools and opportunities to compete around the state be considered.

Mr. Bradley arrived at the meeting.

Mr. Rapice said this was the fourth year of the competition. The students are not told the topics until shortly before the debate begins. He said all the topics are serious and current topics.

Mr. Rapice said Cesar Batalla School was the runner-up finisher. Two students were recognized. The best speaker in the event, from Claytor Magnet, was recognized. He said the winning team was from Blackham School.

Dr. Johnson introduced the Superintendent for the Day, Mateo Burgos, a Grade 4 student at Winthrop School. Selena Morgan, his principal, described him as a hardworking young man who came to school every day on time. Dr. Johnson presented Mateo with flowers for his mom.

Mr. Weldon said Spanish translation services were available.

Mr. Taylor moved that “*discussion on all actionable items be limited to two speakers for and two speakers against, not to exceed three minutes per speech.*” The motion was seconded by Mr. Illingworth.

Ms. Pereira said all the elected board members have a right to speak for or against any item. She said while a time limit may be placed on speakers, you may not limit the number of speakers on an elected body. She said this is not done in the U.S. Congress or our legislature. She added the board is a democratic body and every member has the right to debate for or against any actionable item on the agenda.

Mr. Walker said the board members have not only a right to debate each item, but a responsibility to do so.

Mr. Bradley said he believed Mr. Taylor was alluding to Robert’s Rules. He suggested that the rules limit each speaker to speaking twice on an issue. He suggested an amendment that “*we limit the speakers to two minutes.*” Mr. Taylor moved that amendment. The amendment was seconded by Mr. Bradley.

Ms. Pereira asked who would track the two minutes. Mr. Weldon said Ms. Martinez would track the time.

Mr. Walker said if the board were a large body he could see a time limit. He said we’re a small body and have never put a time limit on members speaking. He said he could see no reason to change the rules.

Ms. Martinez said she sees very good reason because many times the board goes around in circles repeating ourselves. She said nine times out of ten the audience can’t stay for the entire meeting. She said she wanted her time, along with the public’s time, respected.

Mr. Sokolovic said he was in opposition to the motion due to the very important issues such as the budget, which involves people’s jobs and people’s lives.

Ms. Pereira said the U.S. Senate, consisting of one hundred

members, was considered a small body. She said there is no time limit when a senator takes the floor such as when Senator Murphy engaged in a debate for 24 hours in a row. She asked, if people don't want to put in the time that it takes to fully vet items why are they on the board. She said the state legislature sometimes stays in session until 4:00 or 5:00 in the morning.

Mr. Illingworth said what it's about is these accusations such as, "Well, they're not committed." He said he was committed. He said he had to be at work at 5:30 in the morning, but he would stay at a meeting until 1:00 o'clock in the morning because it is his responsibility. He said it's not debating; it's about arguing and accusing each other. He said, let's debate the issues; either we're for it or against it.

Mr. Illingworth asked if questions by the board would be included in the time limit. Mr. Weldon said he interpreted the motion to exclude questions from the time limit applied to debate.

Mr. Taylor said Senator Murphy makes about \$160,000 a year and gets benefits for life, while the board are volunteers and we do care about the students.

Mr. Walker said the purpose of Robert's Rules is ensure that the minority voice is heard and they give him the right to speak. He said it is the chair's responsibility to maintain order during debate.

Mr. Sokolovic said it seemed counterintuitive to assume there's going to be an argument that goes in a circle. He said Robert's Rules could be used to limit debate if the board is going around in a circle, not to preemptively limit each speaker.

Mr. Taylor moved the question. The motion was seconded by Mr. Illingworth. The motion was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

Mr. Weldon said the motion as amended limited each member to two minutes and speaking twice, but not to limit the number of members

speaking on any issue.

The amendment was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

Mr. Walker said his rights have been stomped on. Ms. Martinez said it was per Robert's Rules.

Ms. Pereira noted the main motion had not been voted on.

The motion was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

Mr. Taylor moved *"to consider item 12-D, update on bid for legal services, immediately following public comment."* Mr. Bradley seconded the motion.

The motion was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

## **STUDENT REPRESENTATIVE REPORTS:**

Alayjah Evans of Central High reported on her school. Among the items she highlighted were the successful AP testing participated in by 286 students and Central students who came in first and second place in the Lions' Club oratory competition this year.

Louis Valle of Central High said the Ring Dance was held on May 18th, the prom was held on June 1st, the girls and boys track teams did well at the FCIAC championships and senior and junior officers came up with the idea of a seniors vs. juniors field day.

Jeniel Edmonds, a senior at the Aerospace/Engineering School at Fairchild Wheeler, said this was her last report. She said the Relay for Life event on June 1st raised more than \$6,000. The last Exhibition Day of the year was also held on June 1st, where students

presented projects. On June 6th, there was a field trip, which included a two-hour voyage on the *Amistad* out of Captain's Cove. Senior awards night will be held on June 14th.

The student representative of Harding High reported on her school. Among the items she highlighted were the health fair held at the school, community service by students last week, a field trip to tour the Supreme Court and legislative building in Hartford, and the graduation ceremony to be held on June 22nd at Central High. She added that on this Wednesday the school would be open for visitors.

Ms. Pereira said she understood 333 people have signed up to take a final tour of Harding.

Dr. Johnson thanked the senior student representatives for coming out on Monday nights when they have work and school obligations. She wished them well in the future.

#### **PUBLIC COMMENT:**

Albert Benejan, PTSO president at Bassick High, said he was appearing with the Parent Convention committee. He thanked Delores Mason for her work with the Parent Convention. He honored parents from Blackham, Marin, Geraldine Johnson, Harding High and Bridgeport Military Academy. He urged the board work together.

Ms. Mason said the boards displayed tonight were created by the schools for display at the Parent Convention. Harding, Johnson School and Blackham School had the most popular boards.

Crystal Mack noted it was another year that had come and gone. She said she fights for people from Trumbull, Bridgeport, Fairfield or wherever she is called. She pointed to the numbers of depressed children and homeless people. She said attorneys were making big bucks and robbing people left and right. She noted a horrible drug situation in Mount Vernon. She added students needed life skills such as home economics, art and music.

JoAnn Kennedy praised the students who performed *Aladdin* at Marin School. She said the six board members that boycotted the meeting

need to ask themselves if they're smarter than a 5th grader. She said the answer was no.

Mr. Weldon said he specifically spoke about disparaging remarks before the public speaking started.

Ms. Kennedy said, "This is from the Lord" and she urged Mr. Weldon talk to God.

Ms. Kennedy said grown-ups make commitments. She said Joshua 15:24 says choose thee this day who you will serve. She said the board members took an oath to serve the children of our district and they are failing miserably. She said the board members would answer to God. She urged the board members serve our children or get out of that seat. She said the board members had not reported on charter schools in two years.

Ms. Martinez said "shame on you" to Ms. Kennedy. Ms. Kennedy said "shame on you" to Ms. Martinez.

Ms. Pereira raised a point of order. She said Atty. Gary Brochu had told the board that our public speaking policy is unconstitutional. She said we cannot tell people they cannot criticize elected officials.

Mr. Weldon said criticizing is okay, but name-calling is not called for.

Ms. Pereira said this had already been tested in the courts and the chair could not control the content of the speech. She said plenty of people such as Tony Barr attack her during public speaking and Mr. Weldon did not stop him. She said she knows as an elected official speakers have the right to speak for her or against her.

Ms. Martinez said you can speak about me all you want, but she was upset about people coming up here and lying to the community. She said that was a disgrace and it's disgusting. She said there was no boycott – a meeting was cancelled and rescheduled. She said to stop speaking lies and she would speak truth.

Laurayne Farrar-James said she was devastated and ashamed by the vote taken to name the new school. She said there wasn't too

much research done on Warren Harding at all. She thanked Mr. Sokolovic for taking a look at how he would later explain to his son how the vote was taken and why he took the stance that he did. She cited an article that said Harding was the worst president and his admission that he was not fit for the office and should not be here. She said the Teapot Dome Scandal, involving naval oil reserves, was worse than Watergate. She said she would be coming back again and again to discuss the issue.

The next item was the update on bids for legal services. Mr. Weldon said two firms submitted proposals. The evaluation committee interviewed the firms and ranked one ahead of the other. A member of the evaluation committee, City Attorney John Bohannon, went back to the higher-ranked firm to negotiate the price proposal.

Deputy City Attorney John Bohannon said he had the pleasure of serving on the screening committee. The respondents were Pullman & Comley and Berchem & Moses. At the end of the process, by a 5-1 vote, the preferred firm was Berchem & Moses. There was concern, however, that the Berchem proposal was priced higher than the Pullman & Comley proposal.

Atty. Bohannon noted that Shipman & Goodwin's initial price proposal was also significantly higher than the final contracted amount. He said Bridgeport is financially strapped, so it has always striven for high quality representation at an extremely competitive price.

Atty. Bohannon said he went back to Berchem & Moses at the behest of the screening committee and got them to reduce prices between \$40 and \$60 per hour. He said he told Berchem & Moses the price would have to be \$285 an hour with a catch: that the lawyers that serve the board would be partners with the very rarest of exceptions. He said the current firm, Shipman & Goodwin, charges \$275 an hour, but that is a blended rate for partners and associates.

Atty. Bohannon said Marsha Moses, a senior partner in the firm, is a specialist in special education. For consultation and general representation, they have Floyd Dugas, who represents many boards of education throughout the state. For CHRO and administrative matters, Atty. Chris Hodgson is a very experienced lawyer. For



litigation, they have Richard Buturla. He said if you have the ability to litigate matters, you can always get a better settlement.

Atty. Bohannon said he made it very clear to the firm that the superintendent and the board needed partners to represent them. He said the superintendent oversees a large and complex operation, similar to a CEO running a midsized corporation.

Atty. Bohannon said he had reviewed outside counsel bills for the city for about a decade. He was originally hired by Mayor Finch to perform that task and in the first four years outside counsel expenditures were reduced by \$4.5 million. He described it as a painful and tedious task to constantly review the bills. He said in his experience Berchem & Moses has been conscientious in their billing practices. He said he finds we get a lot for our buck.

Atty. Bohannon said we're in a position to contract with Berchem & Moses for \$285 an hour.

Ms. Pereira asked about the amount of minorities in the firm who are partners or attorneys. Atty. Bohannon said it was clear Berchem & Moses has minority attorneys and partners, but no one asked the specific question.

Mr. Taylor said he asked this question at the meeting. He said Pullman & Comley showed up with a more culturally diverse team. He said Atty. Buturla said the makeup of the firm reflected the makeup of our student body because there were four minority senior partners.

Mr. Taylor said he visited the Berchem & Moses office and has personally seen this.

In response to a question, Atty. Bohannon said he thought the \$175.00 rate from Shipman & Goodwin for paralegals was high. He said Shipman & Goodwin was unyielding in bending on their rates because they represent so many boards of education and claimed they would lose clients.

Atty. Bohannon said he was working on a better rate with Berchem & Moses for paralegals.

Ms. Pereira said she didn't ever want to see two attorneys come before the board. She said Shipman & Goodwin would do this repeatedly. She said she would like to see this negotiated in the contract. She added often Shipman & Goodwin would provide unprepared, flimsy answers as to how much had been billed to date. She requested every time the firm meets to give an update to the board they explain where we are on costs, and once the bill reaches \$25,000 they should make an appointment to come before the board to provide an update. She said often the board finds out about cases where the bill is already \$75,000 or \$100,000.

Atty. Bohannon said over the years he has observed firms bringing two or three lawyers to meetings where there was no need for it. He said there are rare exceptions such as cases where there is a special education and a litigation matter involved. He said there should not be two attorneys ever at a meeting and generally there's no justification for having more than one senior partner on a case.

Atty. Bohannon said firms do monthly billing so those figures are always available. As lawyers work they submit their billable hours to the firm and a manager generates the bills. He said on a 30-day basis you're always able to see the bills.

Atty. Bohannon said when he started to scrutinize outside counsel under the Finch administration one prominent attorney said all of the city's bills are going to go down by ten percent out of the box just because people know you're looking.

Atty. Bohannon said he had good experiences reviewing Berchem & Moses's billings.

In response to a question, Atty. Bohannon said Berchem & Moses is located in Milford. Ms. Pereira asked that Berchem & Moses be asked to bill us only one way for travel as Shipman & Goodwin did.

Atty. Bohannon said he would go back and ask them to waive travel costs to and from Bridgeport. He said travel to courts would be a different situation.

Atty. Bohannon said the legal bills make more sense to the board and the superintendent because they know what service the lawyer is providing, and they have the best opportunity to scrutinize the bills.

In response to a question, Atty. Bohannon said Pullman & Comley offered a blended rate of \$285. He said this led him to insist that Berchem & Moses partners do the work for that rate.

Mr. Illingworth said Pullman & Comley offered to attend two meetings per quarter at no charge to the board. He asked if Atty. Bohannon could go back and request similar commitments from Berchem & Moses. He noted that some of the attorneys from Pullman & Coley were also some of the attorneys from Durant, Nichols.

Mr. Illingworth said he found the representation by Shipman & Goodwin to be similar to a luxury car, but not that much different from a Chevy. He said he did not mind going back to the Chevy.

Atty. Bohannon said he did request the appearances at meetings. He said Berchem & Moses gave very forthright responses. He said there is an old adage: bill low or read slow. He said a free meeting isn't free if you're paying on the back end. He said it seemed like a nebulous offer. He said he'd rather have competitive and conscientious billing. He added they weren't offering something they can't give to the board, but they stand by their billing practices.

Mr. Taylor noted the board had a foundation and asked if the firm had committed to any pro bono work or philanthropy. Atty. Bohannon said he asked Berchem & Moses to provide the training that we've been accustomed to from our lawyers. He said they are willing to offer training throughout the course of the year. He said he would go back and inquire about any contribution they can make to the foundation.

Ms. Pereira said Shipman & Goodwin provided seminars on FOI and Robert's Rules of Order for free.

Atty. Bohannon said Berchem & Moses provides such training and most employment law firms do so as well. He said he asked for such seminars and they said of course they provide such training so the clients have less problems and are happier with their services.

Ms Pereira asked Atty. Bohannon be provided with the board's requests in writing.

Mr. Weldon noted the superintendent would be the primary user of the legal services. Dr. Johnson said a particular strength was litigation. She noted oftentimes the board settles cases when we can be a little more aggressive. She said she found the background in special education attractive as well. She said the firm did mention they were willing to give scholarships to students.

Atty. Bohannon asked the board authorize and direct that he go back to Berchem & Moses to further explore the items discussed this evening and see if we can reduce the items to a proposed contract that would be brought back to the board. He said he could approach Berchem & Moses on Wednesday with the matters raised.

Ms. Pereira moved *"to add to the agenda discussion and possible action on contract negotiations with Berchem & Moses, P.C."* The motion was seconded by Mr. Walker and unanimously approved..

Ms. Pereira moved *"to authorize Attorney Bohannon to negotiate a contract with Berchem & Moses, P.C., specifically addressing all the items recommended by the Board of Education tonight and to be followed up by an e-mail from Mr. Weldon."* Ms. Pereira asked that Mr. Weldon copy all board members on the list of items. Mr. Weldon said he would send the list to the board members before sending it to Atty. Bohannon.

Mr. Taylor seconded the motion. The motion was approved by an 8-0 vote. Voting in favor were members Pereira, Walker, Sokolovic, Weldon, Martinez, Illingworth, Allen and Taylor. Mr. Bradley abstained.

## **APPROVAL OF BOARD MINUTES:**

Mr. Bradley moved approval of the minutes of the Special Meeting of May 14, 2018. The motion was seconded by Ms. Martinez and approved.

The motion was approved by a 8-1 vote. Voting in favor were members Sokolovic, Walker, Martinez, Weldon, Illingworth, Taylor, Bradley and Allen. Ms. Pereira was opposed.

Ms. Allen moved approval of the minutes of the Regular Meeting of May 14, 2018. The motion was seconded by Mr. Bradley and unanimously approved.

Ms. Pereira moved to approve the minutes of the Special Meeting of May 31, 2018, with edits. The motion was seconded by Mr. Bradley.

The motion was approved by a 8-0 vote. Voting in favor were members Sokolovic, Walker, Martinez, Weldon, Illingworth, Pereira, Taylor, Bradley and Allen. Mr. Taylor abstained.

Ms. Martinez moved *"to add to the agenda to rescind the motion taken of the removal of six principals on May 21st, 2018."* The motion was seconded by Mr. Taylor.

Ms. Pereira said the board voted to eliminate the positions, not remove principals.

Ms. Martinez said she would use the word "eliminate." Mr. Taylor seconded the motion.

Ms. Martinez said there was a vote taken on May 21st, without the majority of the board, to remove six assistant principals.

Mr. Walker said a majority of the board was present, five members.

Ms. Pereira said seven members were at the meeting, but two members got up and left. She said there was no treachery involved.

Mr. Taylor moved the question. The motion was seconded by Mr. Bradley.

The motion was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley, and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

Ms. Martinez moved that *“the vote taken on May 21st, 2018, to eliminate the six assistant principals be rescinded.”* The motion was seconded by Mr. Taylor.

Ms. Pereira said she received a Facebook message from a teacher who has been in the district for 19 years. The teacher thanked the board for eliminating the six assistant principals because in all his 19 years assistant principals don't enter classrooms or assist with instruction. He said it was a great opportunity to put savings back into classroom instruction. He suggested all 12-month assistant principals be reduced to 10-month positions.

Ms. Pereira said she had not seen one negative remark on that vote.

Mr. Walker said the motion was carefully crafted to give the superintendent the ability to assign the remaining assistant principals where they were needed. He said positions such as directors have more impact on instruction than do assistant principals. He added that none of these cuts were pleasant. He said with the help of Ms. Siegel the board had done a good job of directing our cost savings where they would stay the farthest away from the classroom.

Mr. Walker noted that three of the six positions were going to be absorbed by retirements in any event. He said the motion would add back in positions that would be dissolved. He said assistant principals had bumping rights to retain their jobs.

Mr. Sokolovic said he resurrected the motion in the special meeting. He noted the board had not made a single cut with about two weeks left before July 1 and had only added to deficit by knocking down the suggestions of the administration.

Mr. Sokolovic said every job impacts the classroom in one way or another, but vice principals are administrators with limited impact on the classroom. He said the cuts save us \$900,000 a year down the line. He said there was no debate on literacy and math coaches or the National Network Partnership of Schools position. He said he did not like any of the cuts. He noted he went to the Math Meet and had to say to math coaches that he was sorry he voted to cut their jobs.

Ms. Martinez said she did research on literacy and math coaches in order to see the impact that they had and how often they got into the schools. \She said when the district had the full amount of coaches they were fulltime, but now the ten coaches are not getting to each school fulltime. She said principals spoke up for their assistant principals. She noted Waltersville would soon after a influx of students coming in from Crescent Crossing and it would not be easy to put an assistant principal back in the school. She said the Waltersville principal depends heavily on her assistant principal because of the volume of work.

Ms. Martinez said removing the six assistant principals was a scary thought to her, while, although she did not want to eliminate math and literacy coaches, it made more sense because they were not making it into the schools fulltime.

Mr. Illingworth said it's not votes that we like or dislike; it's votes we don't want to make. He said his priority is not to affect the school level at all. He said the assistant principals do affect school level, including teacher support. He said the there are complex issues going on in the schools and we should not eliminate that support level. He said there are other cuts above that could be taken, which is where we differ. He said we're not bound by what the superintendent says, and he respectfully disagrees. He said our priorities are wrong and we need to start from the top.

Mr. Illingworth said the \$900,000 is not an accurate figure due to assistant principals bumping lower-end teachers. He said accurate numbers were needed.

Ms. Allen said she found it very discouraging when we say we can't do without. She asked whatever happened to the head teacher in a building who could act as an assistant principal to help the principal. She said a lot of teachers had the appropriate certifications.

Mr. Taylor said he had pleasure of meeting many principals during his tour of the schools. He said he did not know a lot about the question, but knows a lot about finance. He said every principal he had contact with told him how valuable their assistant principal is. He said he cannot cut what a professional has told him they need.

Ms. Pereira said Mr. Taylor said he did not want to challenge an educational professional. She said Dr. Johnson had a doctorate degree and recommended the elimination of the six assistant principals. She said in all years on the board it had never voted against a cut recommended by the superintendent because the superintendents are responsible for everything good that happens and everything bad that happens.

Ms. Pereira said Hooker School had only 350 students but had an assistant principal. She asked how that was justified when magnet schools, the premier schools, had none. She said a principal would not want to lose their right-hand person who makes their job easier.

Ms. Pereira read the statement from the educator with 19 years of service. The statement said assistant principals don't even visit classrooms, the specialists were not needed, but kindergarten aides were needed.

Mr. Walker said Ms. Martinez's statement was right spot on. He said Waltersville was an example of why it was important to give the superintendent the ability to allocate assistant principals where needed. He thanked Ms. Allen for her comment and said many teachers in the district had the 092 certification for administrators. He said he wished there was an assistant principal in every school, but it could not be done financially. He said the upper-level cuts would have to take place as well. In response to a question, he said the 092 certification is equivalent to a master's plus 30, which leads to extra pay.

Mr. Sokolovic said Park City Magnet with about 532 students had been without an assistant principal for about two years and they've been functioning fine, with a little more burden on the principal.

In response to a question, Dr. Johnson said the savings from cutting the assistant principals is not as substantial in year one, but as we move forward into years two and three savings will be recouped. She added she believed almost half of the teachers have the 092 certification.



Marlene Siegel, chief financial officer, said when administrative positions are eliminated if there is an equivalent number of vacancies the superintendent has the authority under the contract to authorize involuntary transfers and move the individuals into vacancies. In that scenario, there would be full savings.

Ms. Siegel said in the current scenario with three administrators on the excess list and contemplating the addition of six additional, there are nine in excess administrators to place. She said the bumping situation would apply to the reduction in force and the least senior administrators are bumped and go into teaching positions under a three-year demotion cycle. The salary is reduced by \$1,000 in Year 1, reduced by 25 percent of the difference between the prior salary and teacher salary in Year 2, and in Year 3 the teacher salary applies.

Ms. Siegel said in the case of bumping scenario the actual savings will not be \$150,000, but in the range of \$70,000 per position.

Ms. Pereira said Ms. Siegel previously shared the amount saved would be \$600,000, with \$900,000 in the following year. Ms. Siegel described it as an initial estimate and explained the calculations that led to her projections. Mr. Bradley said that there would not be \$600,000 in savings.

Mr. Illingworth said if all six assistant principals decided to bump teachers the total would be about \$450,000. He said the \$900,000 figure is highly inaccurate.

Ms. Siegel said the plan shared with the board by the superintendent has the actual savings of about \$70,000 per position. She said the budget impact plan of December calculated a savings of \$900,000 and included a hope that normal attrition would occur.

Mr. Bradley said the board very clearly annunciated priorities for cuts, but instead we're voting on things we didn't identify as priorities. He said schools should not be directly targeted. He said there had been no votes to cut from the superintendent's office. He said he might vote for cutting assistant principals, but not before this board cuts where we said we were going to cut first.

Dr. Johnson said the board did vote to cut one assistant superintendent. She said last week's board packet added three additional central office positions for possible elimination. Ms. Siegel said two special supervisors are on the excess list due to restructuring in the district office and the director of physical education, athletics and health was previously cut. She said the two special education supervisors were being replaced by three special educational instructional coaches.

Mr. Weldon said it seems like the members are comfortable with restoring the six positions. Ms. Pereira said if the six positions are restored it will increase the board's deficit.

The motion was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley, and Allen. Voting in opposition were members Walker, Pereira and Sokolovic.

Mr. Taylor moved "*to move items 12 a, 12b, 12c and 12e, and 13a before any other business.*" The motion was seconded by Mr. Bradley.

The vote occurred subsequently because Ms. Martinez was out of the room.

#### **CHAIRMAN'S REPORT:**

Mr. Weldon said the School Building Committee selected an architect for the Bassick project. The firm chosen was Perkins Eastman of Stamford. The construction office was able to negotiate the fee down by \$1 million to the internal estimate of \$4.4 million. The initial work will be a feasibility study as to whether or not to renovate as new or build a new facility.

#### **COMMITTEE REPORTS/REFERRALS:**

Mr. Taylor said the Facilities Committee heard from Mr. Wallack regarding a playground donated by Kiwanis of Weston, which was approved by the committee. He said it was a very gracious donation.

Ms. Pereira said she attended the committee meeting per the board policy that all board members are encouraged to attend committee meetings to engage in discussion to save time at the regular meeting. She said Mr. Taylor refused to acknowledge her, which is a violation of board policy. She said she will be putting it in a formalized letter. She said this behavior has to stop. She added if we ask the questions in committee, it saves time at a regular board meeting. She described it as unacceptable.

Ms. Martinez referred to the Facilities Committee the policy and procedure of any board members walking into school buildings and viewing security cameras and the proper steps for doing so. Mr. Taylor said he would take the item up.

Ms. Pereira said board policy is already clear on how board members visit schools and how they make appointments. She said she notified the superintendent before she visited that school, signed in and spoke with the principal. Ms. Martinez said she would like a report back on how board members can review cameras. Ms. Pereira said there was no board policy on that. Ms. Martinez said maybe we need one.

Ms. Martinez said the Finance Committee would meet on Wednesday at 6:30. Mr. Weldon said a special meeting would be held before that to hear a legal matter.

Ms. Pereira asked why the law firm was not here tonight on the legal matter. Dr. Johnson said the law firm requested to meet on Wednesday to bring the board up to date.

In response to question, Mr. Weldon said a special meeting to cover the budget was considered, but Ms. Martinez requested to come up with a solid plan in the committee and then refer it to the full board.

Ms. Martinez said she hoped all board members could attend the Finance Committee so all their voices are utilized.

The motion to move items under Old Business and New Business was approved by a 6-3 vote. Voting in favor were members Weldon, Martinez, Illingworth, Taylor, Bradley, and Allen. Voting in opposition

were members Walker, Pereira and Sokolovic.

Mr. Walker said the Teaching & Learning Committee will meet on June 18th. The agenda will include the contracts with the University School, the Harding High early learning center, the district profile and performance review, curriculum for the media specialists and the biennial academic snapshot.

Mr. Illingworth said the Personnel Committee will meet on June 20th.

Mr. Sokolovic said the Students & Families Committee will meet on June 14th.

Mr. Bradley said he had heard complaints from parents about construction at Thomas Hooker School and dust flying in the air. Dr. Johnsons said she was not aware of any construction or complaints at the school, but said she would look into it. She added she had just been told Mr. Hammond is working on it. Mr. Bradley said he would provide the parents' contact information to the superintendent.

The next item was discussion and possible approval of the Kelly Educational Staffing Contract.

Dr. Johnson said Ms. Siegel received additional input from Mr. DiDonato on the job descriptions for special education. The city attorney also collaborated on the document.

In response to a question, Ms. Siegel said the invoices would be submitted on a weekly basis. She said the company provides workers' comp for its employees and there is mutual indemnification which pertains to which party is at fault.

Ms. Pereira said the provision that allows the company to terminate with thirty days notice could create chaos in the district. Ms. Siegel said it was a valid point, but we don't expect that to happen. She noted it was a three-year contract.

Ms. Siegel said the rates were negotiated down to \$119.25 per day compared to \$121 for Source 4 Teachers(which included a dollar rebate for each placement). The rate will save \$18,000 compared to

current rates. The long-term rates are comparable to Source 4 Teacher rates: \$153.84 for Tier 2 and \$231.12 for Tier 3. She added if the placement rate of 90 percent is not met, there is a 1.5 percent markup reduction in years two and three of the contract. If Kelly achieves between 90 and 97 percent placement, the markup reduction is 0.5 percent in years two and three.

Ms. Pereira noted that the contract says substitutes cannot have sole supervision of a playground. Ms. Siegel said usually there is more than one class out during recess.

Ms. Pereira asked about a provision indicating substitute teachers will not be required to assist special education students in the bathroom. She noted many kindergarten classrooms have bathrooms in them. Ms. Siegel said the provision refers to special education assignments. She said she believed special education students in kindergarten are likely not to need bathroom assistance because of the nature of their issues.

Dr. Johnson said the language refers to special education assignment, not necessarily the special education population.

Ms. Pereira asked about a provision that indicated a substitute could not restrain a child if necessary. Ms. Siegel said they're supposed to seek assistance, like in any classroom. John DiDonato, chief of specialized instructional reform, indicated this was the case. He said he looked at the contract and made recommendations which were included.

In response to a question, Dr. Johnson said the city attorney reviewed the contract. Mr. Bradley said he believed the contract was more based on protecting from liability than how the services are going to be provided on a day-to-day basis.

Ms. Allen said teachers, substitutes in particular, should have training before they get to a class or a situation they can't handle. Ms. Siegel said Kelly has an extensive training program, including one for special education substitutes. She said if substitutes do not have CPI certification, the district will provide such training at the Bridgeport Learning Center; the cost of which will be billable at minimum rate,

\$12.22 per hour, or \$122 for two days. She said she was making a projection of 20 to 30 subs who will need such training in the first year, so the cost is absorbed in the negotiated savings. She added principals are expected to provide appropriate support to substitutes.

Ms. Pereira moved *“to approve the Kelly Education Staffing contract with the caveat that we do try to get the termination time frame changed to sixty or ninety days.”* Ms. Siegel said she thought that would be possible. Mr. Walker seconded the motion.

Mr. Bradley said it was in our best interests to limit the time we need to fire somebody. Ms. Pereira said the contract contains a provision that any substitute who is not to the district's satisfaction is to be removed immediately. She said the contract was not something that could be turned around in thirty days. She said she was worried about protecting the board from losing access to subs.

Mr. Sokolovic said there was a chance the firm could be recruited to another district for more money. He said there seemed to be nothing to hold the firm to the district other than the 30-day notice.

Mr. Bradley said that would be a violation of the contract at common law because it is unfair dealing. He said you could sue the pants off a company that dropped a contract in that fashion. He said contracts are understood to incorporate the General Statutes of Connecticut.

Ms. Siegel said she agreed it's not likely that Kelly is going to exercise the clause, which was included to protect the district.

The motion was unanimously approved.

The next item was discussion and possible action on a response to Shipman & Goodwin.

Ms. Pereira said this was the fourth time the item was on the agenda so this matter was no longer timely. She said the Shipman & Goodwin letter made an assertion that we had never enacted a policy where we held the chair accountable for using legal services without the board's approval. She said she spent about six hours researching it, reading minutes from 2015 to the present, and she found seven

different instances that the board has repeatedly addressed this issue with Mr. Weldon and previous chairs.

Ms. Pereira said it was important to respond to the letter's inaccurate or untrue assertions so that the letter they sent does not stand as true. She said she prepared a response with actual dates and motions where the board addressed the same concerns. She said it was a respectful and polite letter which contradicted their last assertion in writing.

Ms. Pereira moved that *"the board consider sending it on letterhead to Shipman & Goodwin, which contradicts their final correspondence to us saying that the board had never done this previously, which is not correct and accurate."* The motion was seconded by Mr. Walker.

Ms. Pereira noted the proposed letter was e-mailed to the board members weeks ago and she also distributed hard copies at a prior meeting and tonight. She said the board all received the Shipman & Goodwin letter electronically.

The motion failed by a 4-2 vote. Voting in opposition were members Weldon, Illingworth, Bradley, Taylor, and Allen. Voting in support were members Walker and Pereira. Mr. Sokolovic, Mr. Illingworth and Ms. Martinez abstained.

The next item was discussion and possible action on limits of authority regarding the chair and BOE members and the superintendent.

Ms. Martinez moved *"that no further action be taken on this item."* The motion was seconded by Mr. Taylor.

Ms. Pereira said she filed Freedom of Information requests regarding communications. She said she was disturbed at what she sees. She said the superintendent works for the nine-member board, not for any individual member. The board only has power as a collective body.

Ms. Pereira said she constantly sees violations of board policy, specifically 9003, which indicates the board delegates executive functions to the superintendent. She cited provisions of the section

which indicate the board shall take various actions, and “individual members shall make no commitment for the board except when executing an assignment requested by the board.”

Ms. Pereira said Policy 9010 states the board is the unit of authority. “Apart from their function as part of the unit, board members have no individual authority unless duly authorized by a vote of the board or a committee thereof.” She added the policy says a board member cannot commit the district to any policy, act or expenditure.

Ms. Pereira said she had seen correspondence where the superintendent was being directed to do things where the board had not voted on the issue. She said she was very disturbed that a letter was sent out on board letterhead about supporting Educators for Excellence without the board’s authority. She said the board never voted to do this. She added, if we don’t follow board policy, why should anyone else?

Ms. Martinez said at a leadership team meeting it was asked of Dr. Johnson and she stated “if legal services are needed go through me.” Ms. Martinez said Dr. Johnson gave him the okay to go through her. Ms. Martinez said she stated this fact to Ms. Pereira.

Ms. Martinez said even though she didn’t agree with the way he went about things, he also followed the direction the superintendent gave him.

Ms. Pereira said the superintendent works for the board; Mr. Weldon doesn’t work for the superintendent. She said board policy is not under Dr. Johnson’s purview.

Ms. Martinez said Ms. Pereira was not at the leadership meeting. Ms. Pereira said the board does not have a leadership team.

Dr. Johnson said she met with Ms. Martinez and Mr. Weldon and she indicated that if Mr. Weldon needed something placed on the agenda he could go through her. She said it was her understanding that she could do that. She said she later learned that it only applied to things under her purview. She noted she removed an agenda item she placed on the agenda that had been generated from Facilities



Committee because the item did not come from a board member. She said she realizes that items are not under her purview when it relates to the Board of Education.

Ms. Pereira asked the board to imagine if individual board members wanted to send communications to our three thousand staff members. She said we have to act together otherwise there will be chaos in the district. She said we only have one employee, Dr. Johnson.

Mr. Taylor said there was a double standard here. He said the superintendent reports to the board. He said six members were accused of a boycott and the superintendent took it on herself to put the meeting back on the website and not inform him of this via e-mail. He said the superintendent did not post the rescheduling of the Teaching & Learning Committee on the website. He said it was deeply troubling because it appeared the superintendent may be taking sides and listening to certain other members.

Mr. Taylor said he would not acknowledge Madam Pereira in any meeting he chairs from here on in after disparaging comments made at the Galaxy Diner. He said, if you choose to take action against me, fair be it. He said he will not communicate with her or let her speak at any of his meetings. Ms. Pereira said, we'll see about that.

Mr. Sokolovic said looking in the past was not going to get us anywhere. He said one of his first motions when he came onto the board was to have Dr. Johnson write a memo to the staff to start following board policy. He said in the future when the board directs Dr. Johnson to send out a global e-mail or to incur an expense that it be done by the full board. He asked if anyone had a problem with the concept that expenditures are approved by a vote of the full board.

Mr. Bradley said he agreed that we should adhere to the rules. He said he thinks all board members were upset when the issue happened and it has been addressed. He said the issue should not be belabored.

Ms. Pereira said Ms. Allen confirmed that she did not know about the cancellation and that she would be present at the meeting. Ms.

Pereira said she met with Mr. Bradley on Sunday and he told her that he was going to be in town. She said Mr. Bradley was in town and canvassing her neighborhood. She said Mr. Weldon's e-mail said there were only five available board members and he was concerned one more might not show up, so there was never a confirmation that there would not be a quorum.

Ms. Pereira said the board voted on the regular meeting schedule, so one member can't cancel a regular meeting the full board voted to approve.

Mr. Bradley said Ms. Pereira had spoken for more than two minutes. Ms. Pereira asked if everybody is being timed.

Mr. Walker said it was important to remember we are a collective body and the chair's job is to facilitate meetings and organize an agenda. He said the vice chair and secretary had some specific duties. He added we don't have an executive board that makes executive decisions. He said to act without a vote of the board is to stifle each one of our individual rights as a duly elected board member. He said if he is on the losing side of a vote it does not change his ability to have input. He said when individuals or small groups of board members make decisions outside of the sphere of a regular meeting he loses his chance to have input.

Mr. Sokolovic urged in the event there are multiple cancellations a global e-mail should go out to all the board members to see if they were available. He said four members could still meet and adjourn the meeting. The staff would not be needed and the public would get to see who comes and who doesn't.

Mr. Sokolovic moved that "*going forward we follow board policy and try to avoid these issues in the future.*" The motion was seconded by Ms. Martinez.

The motion was approved by a 8-1 vote. Voting in favor were members Pereira, Sokolovic, Walker, Weldon, Illingworth, Taylor, Allen and Martinez. Mr. Bradley was opposed. He said he was opposed to ridiculous conversations; he urged the board talk about something substantive.

The next item was on BOE member high school graduation attendance.

Ms. Pereira said two years ago not a single board member attended the Central High graduation. She asked Mr. Weldon to send out a survey because it was important that there be a board member at every graduation. Mr. Weldon said an e-mail came out this morning from Mr. Testani, who is handling the logistics.

Mr. Illingworth and Mr. Weldon said they would be at all the graduations.

Dr. Johnsons said Mr. Testani was handling ordering the caps and gowns. Dr. Johnson said she believed it looks nice and consistent for the students if everyone is in their regalia. Ms. Pereira said she wanted to wear blue and gold for the last Harding graduation in the current building.

The next item was on discussion and possible action on freshman football at Harding being reinstated with a predetermined funding amount of \$3,500 per season.

Mr. Taylor said he does work with RYASAP with retired detectives Dimbo and Kelly and Coach Eddie Santiago. He said Mr. Santiago indicated the cost for 30 to 40 players for freshman football as between \$3,200 and \$3,500.

He said all three gentlemen have expressed if they get the students as freshmen, they have a 99 percent chance at graduating, while learning sportsmanship and team efforts. He said this is the level at which the players learn to go on to the JV and varsity level.

Dr. Johnson said she asked Chris Johnson, athletic director, to speak on the issue. She said there are some equity issues involved with Central and Bassick.

Mr. Johnson said he believed athletics are great and it does give an outlet to keep kids off the streets, but there definitely is an equity issue. He said all three schools did not have freshman football and

other sports such as soccer do not have subvarsity levels.

Mr. Johnson said there would be some extra costs that are hidden that would come into it such as additional security costs for home games. He said he was concerned about putting it in one place and not the others.

Ms. Pereira said this is why she went to the Facilities Committee meeting. She said the board is facing making drastic cuts. She noted we have no substitutes in our schools in May, June and September. She said she saw a Facebook page where a district teacher is buying her own ink cartridges and paper. She said it would not be fair to do this for Harding freshmen, but no other sport in the whole city. She added the budget still had to be cut by \$2 million. She noted cuts to kindergarten paras and numeracy and literacy coaches.

Mr. Walker asked where was the request for the \$3,500 in the arts. He said just as many students or more participate in the arts as athletics.

Mr. Taylor said nobody else approached him for funding for anything else. He said according to the Bible; knock and the door shall open; ask and now you shall receive. He said he was active in his community, sits on the NRZ in the 139th and volunteers his time in a lot of organizations, and the only one to speak up was Coach Santiago and Harold Dimbo.

Mr. Taylor said he thought it was equitable because they asked. He said for the ratio of success, the money is well invested. He said if there are hidden costs he was sure Coach Santiago, the parents and the team would be happy to do a fundraiser. He said if it exceeds \$3,500, it's on them.

In response to a question, Mr. Johnson said there was a demand at the other high schools for freshman football. He said at the open house at Central there were 45 or 50 freshman who signed up for football.

Mr. Illingworth said he agreed with Mr. Walker, but we need to buckle down and make tough choices where the big money is at so we can

find extra money to provide for our students.

Mr. Weldon said the discussion may be more appropriate after we close the budget gap

Ms. Pereira said when people come to us in the community as individual board members, our answer should be that we're going to refer this to the superintendent. She said this was board policy. She noted the superintendent's office had no knowledge on the agenda item and there was no cost analysis available.

Ms. Pereira said she wanted to ask at the committee why freshman football at one school was more important than every athletics program. Mr. Taylor said nobody said it was. Ms. Pereira said we have to stop interfering in the day-to-day operation of the schools. Referrals from the community should be directed to the superintendent. She said people can't feel like they can subvert the superintendent and her staff.

Mr. Weldon said Mr. Taylor was well intended, but it may be a little premature and more information was needed. Mr. Taylor said it was freshman football, not rocket science.

Mr. Bradley said there was a robust debate about keeping the Harding name, which included the greatness of Harding sports. He said the speakers said the Harding history and tradition was about athletics. He said a farm culture would come from freshman football where students learn the fundamentals by playing with smaller players before they ascend to the varsity level. He said he almost wanted to publicly say he would pay the \$3,500. He said by any means necessary we'll get the \$3,500.

In response to a question, Mr. Johnson said two years ago about \$200,000 was cut from the athletic budget, which eliminated freshman football, cross-country and indoor track, among other cuts.

Ms. Martinez she we should have fought against that two years ago. Mr. Taylor said there was a new team here. Ms. Martinez said there should be freshman football at all the high schools.

Mr. Johnson said football equipment has a shelf life and has to be replenished every single year. New helmets cost \$200 and shoulder pads for \$150. He said a lot of equipment was obtained through grants such as girdles, pads, and practice pants and jerseys. He said the items have to be reconditioned and recertified every year for an additional cost.

Mr. Sokolovic said he echoed Mr. Weldon's sentiments that it was way premature to bring this before the board. He said after the budget is balanced, the board had to prioritize any other spending.

Ms. Pereira said Harding was known for much more than athletics. Geraldine Johnson, the first black superintendent in the state, came from Harding, along with Mayor Tedesco and Carol Birks, the superintendent in New Haven. She said she was born and raised on the East Side and a Harding graduate, and it's just not a sports school.

Mr. Bradley said let's keep it going with \$3,500 and start somewhere.

Mr. Sokolovic moved *"to table the item until the budget is in place and until we get further information on all the costs involved so we don't make a hasty decision and find ourselves with unanticipated costs."* The motion was seconded by Mr. Walker.

Ms. Pereira asked for a cost analysis.

Mr. Taylor said everybody has an excuse not to do something and that is all he hears in Bridgeport, reasons why we can't do things. He said never does he get a director up here telling me, "Hey, Board Member Taylor, I'll make it work because I'm dedicated." He said he hopes Mr. Johnson's name is not on our budget list.

Ms. Pereira said that was not acceptable. She said we cannot treat staff this way. She said Mr. Taylor just threatened a staff member's employment.

The motion failed by a 6-3 vote. Voting in opposition were members Bradley, Allen, Taylor, Illingworth, Weldon and Martinez. Voting in favor were members Walker, Pereira and Sokolovic.

Mr. Bradley moved *“to approve Harding freshman football at the cost of \$3,500. If there’s any added expenses that will fall on the shoulders of the Harding football coach to find the needed expenditures.”* The motion was seconded by Mr. Taylor.

The motion was approved by a 6-3 vote. Voting in favor were members Bradley, Allen, Taylor, Illingworth, Weldon and Martinez. Voting in opposition were members Walker, Pereira and Sokolovic.

### **SUPERINTENDENT’S REPORT AND AGENDA:**

Ms. Martinez moved to approve items I to IX on the consent agenda. The motion was seconded by Mr. Bradley and unanimously approved.

Dr. Johnson said the District at a Glance report included the document created by the math department for parents. She said the high school curriculum will be overhauled this summer.

Dr. Johnson said the SBAC testing concluded on May 25th. The district received \$25,000 from Bigelow for a music camp this summer.

Dr. Johnson said on June 26th the Connecticut Department of Education is hosting an educator networking session aimed at recruiting and retaining minority educators.

Dr. Johnson said on June 5th at Edison School there was a funders forum, with many nonprofits at the school. The social-emotional learning work in the district was showcased.

Dr. Johnson said the committee on the Harding early learning center convened and selected a potential finalist, which will be presented to the Teaching & Learning Committee.

In response to a question, Dr. Johnson said there is not yet a naming committee for the early learning center. Ms. Pereira said the board voted to establish such a committee over a month ago.

Dr. Johnson said ABCD and Creative Me, the two vendors, would

have to be involved in a conversation about the licensing. She said following selecting a vendor the naming issue could be considered. She noted the ABCD's early learning centers throughout the state contains their name.

Ms. Pereira said the naming would be covered by the state grant, so it would have to be done. Dr. Johnson said following the Teaching & Learning Committee meeting we'll be able to move into the next phase.

Ms. Martinez moved the meeting be adjourned. The motion was seconded by Mr. Bradley and unanimously approved.

The meeting was adjourned at 10:10 p.m.

Respectfully submitted,

John McLeod

*Approved by the board on June 25, 2018*