

Monday, January 7, 2019

MINUTES OF THE SPECIAL MEETING OF THE BRIDGEPORT BOARD OF EDUCATION, held January 7, 2019, at Bridgeport City Hall, 45 Lyon Terrace, Bridgeport, Connecticut.

The meeting was called to order at 6:00 p.m.

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

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

Ms. Pereira asked why the board's attorney was present and who requested a copy of a legal opinion that the board never discussed or voted on.

Ms. Pereira said Mr. Weldon reports to a nine-member board and board policy requires expenditures to come from the nine-member board. She said to Attorney Floyd Dugas, who was present, that he does not work for Mr. Weldon, but for the nine-member board.

Mr. Weldon said the board had a choice: to proceed and get some business done or it could adjourn.

Ms. Pereira read the policy she said Mr. Weldon was violating indicating the board acts as a committee of the whole and individual members shall make no commitments for the board. She said another provision said board

members have no individual authority unless authorized by a vote of the board. She said this had been a constant problem with Mr. Weldon. She said even legal opinions from the city attorney, which do not involve an expense, require approval by the board.

Ms. Pereira said her point of order was Mr. Weldon violated board policy. Mr. Weldon said he not done so. Ms. Pereira appealed the ruling of the chair. Mr. Walker seconded the appeal.

Ms. Pereira said the entire board specifically told Mr. Weldon not to do this.

Mr. Weldon said he made the decision in consultation with the superintendent. Ms. Pereira said Dr. Johnson is not a board member.

Mr. Weldon said we're getting into nonsense. He said Atty. Dugas was present to discuss an MOU related to school athletic directors' assignments and the legal opinion.

Atty. Dugas said information had been shared with him by Mr. Taylor and representatives of some of the board's unions. He said he expressed an opinion to Mr. Weldon. Mr. Weldon asked him to meet with Mr. Taylor and address some of Mr. Taylor's concerns.

Ms. Pereira asked if other board members could meet with Atty. Dugas as well without board approval. She said nobody has the authority to request the attorney's presence or legal advice except the nine-member board.

Atty. Dugas said when he had some concerns that presented potential exposure to his client, this board, he

expressed his concerns about those issues.

Ms. Pereira said she wanted to see all Atty. Dugas's billable hours since he's been hired and how many hours he's billed for communicating with board members.

Ms. Pereira said the board members were Mr. Weldon's equals and peers. She objected to Mr. Weldon saying that the board had never had a conversation about this. She said board members got up and walked out of a meeting because Mr. Weldon tried to provide a legal opinion about us, without our knowledge or our permission.

In response to a question, Atty. Dugas said one union passed on a concern to him. When he spoke to Mr. Weldon he learned there had been a similar concern from a different union.

Mr. Taylor arrived at the meeting.

Mr. Weldon said there had been sensitive matters that occurred recently and he has been endeavoring to give the board an opportunity to discuss those matters through a legal opinion with its counsel in executive session to protect the board and various members.

Mr. Walker said he would love to discuss the matters described by Mr. Weldon, but he did not believe Mr. Weldon had the authority to bring the matter to our attorney prior to bringing it to the board. He said he believed the board would have agreed if Mr. Weldon had brought it to the board. He said Mr. Weldon had incurred expenses on behalf of the board that he was not authorized to do more than three times. He added that Atty. Dugas has to follow the board's policies as well. He said he did not think the board should

have to pay for Mr. Weldon's mistakes. He said he believed Mr. Weldon was lying when he said he followed the board's policies.

Mr. Weldon said when Attorney Dugas is done discussing the MOU, he can leave and the board can avoid that expense. Ms. Pereira said Atty. Dugas had already written a legal opinion that the board would be paying for.

Mr. Taylor said he requested in writing to meet with the attorney and it was granted.

Mr. Sokolovic said he agreed with a lot of what Mr. Weldon and Ms. Pereira said. He said Mr. Weldon put the cart before the horse. He said he didn't expect Atty. Dugas go through the board's minutes to see if each and every item brought to him has been approved by the board. He said it was reasonable to expect the head of a group to be able to speak with authority. He suggested a policy be created to avoid this from happening over and over again.

Ms. Martinez arrived at the meeting.

Ms. Pereira said Atty. Dugas simply had to ask if the board had taken a vote authorizing the legal work.

In response to a question, Ms. Pereira said she was referring to Policies 9000, 9010, 9124, and 9128.

Mr. Illingworth said he can't blame Atty. Dugas for relying on the board chair. He said now that it was done he did not mind hearing the legal opinion.

Ms. Martinez said sometimes the board needs direction and advice and she agreed expenses needed to be vetted

through the board. She said she wanted to make sure a board member was not doing anything to damage her reputation or the board as a whole.

Ms. Pereira said nobody was opposed to discussing the issue; she objected to how it was handled.

Ms. Pereira said Mr. Weldon indicated the board members had never talked to him about unauthorized expenditures before. She said this was not the case. Mr. Weldon said it had been an issue for Ms. Pereira. He added Dr. Johnson concurred with his decision.

Ms. Pereira said the intent of her point of order was to put on the record that Mr. Weldon has violated board policy again around expending legal funds without the board's knowledge or permission.

Mr. Taylor said there were different interpretations of the bylaws and he did not feel confident getting legal advice from one vocal board member who doesn't possess a JD degree. He said Ms. Pereira was a brilliant woman, but lacks a legal degree. He said he believed he was entitled to legal representation as a member of the board, particularly if he is making errors or feels his rights are being violated. He said he thought he acted in a proper manner to understand his legal obligations. He said he did not believe there was a violation of the bylaws or any malice involved.

Ms. Pereira said if the board is ever sued for its actions or the actions of an individual board member they would be protected with legal counsel funded by the board.

In response to a concern raised by Atty. Dugas about whether the proposed action was on the agenda, Ms.

Pereira said it was an ancillary motion that is not required to be on the agenda.

Atty. Dugas said it was not appropriate to add something to the agenda and he believed the vote on the issue would violate the Freedom of Information Act. Ms. Pereira said Atty. Dugas didn't know what he was talking about. She said Atty. Dugas needed to be fired. Ms. Martinez said she was not in agreement with Ms. Pereira's comment and she was out of control. Mr. Taylor said the pot was calling the kettle black.

The appeal of the ruling on the point of order was approved by a 3-2 vote. Voting in favor were members Sokolovic, Pereira and Walker. Voting in opposition were members Taylor and Weldon. Ms. Martinez, Ms. Allen and Mr. Illingworth abstained.

The next agenda item was discussion and possible action concerning an MOU related to school athletic directors' assignments/stipends. Mr. Weldon noted it was related to collective bargaining.

Ms. Allen moved "*the board go into executive session to discuss this item.*" The motion was seconded by Ms. Martinez. Invited to participate were the board members, Atty. Dugas and Dr. Johnson.

The motion was approved by a 6-0 vote. Voting in favor were members Sokolovic, Weldon, Walker, Allen, Martinez and Illingworth. Mr. Taylor and Ms. Pereira abstained.

The executive session began at 6:31 p.m.

The board reconvened in public session at 6:49 p.m.

Ms. Pereira moved *“to move discussion of attorney opinion of board personnel relations to number four”* on the agenda. The motion was seconded by Mr. Sokolovic and unanimously approved.

Mr. Walker moved *“the board go into executive session, including all board members and our board attorney.”* The motion was seconded by Ms. Martinez.

In response to a question, Atty. Dugas said he believed the item qualified for executive session because it was to discuss an opinion of counsel. He said he spoke to Mr. Hennick at the FOI Commission about the matter and he concurred it was acceptable.

Dr. Johnson left the meeting.

Ms. Martinez moved to call the question. The motion was seconded by Mr. Taylor. The motion was approved by a 7-1 vote. Voting in favor were members Weldon, Illingworth, Martinez, Sokolovic, Taylor, Walker and Allen. Ms. Pereira was opposed.

The motion to go into executive session was unanimously approved.

The executive session began at 6:54 p.m.

The board reconvened in public session at 7:43 p.m.

Mr. Weldon announced the board's committee appointments.

Facilities Committee: Mr. Illingworth(chair), Ms. Pereira, Ms.

Allen and Mr. Weldon.

Finance Committee: Ms. Martinez(chair), Mr. Bradley and Ms. Pereira.

Teaching & Learning Committee: Mr. Walker(chair), Mr. Bradley and Mr. Sokolovic.

Students & Families Committee: Mr. Sokolovic(chair), Mr. Illingworth, Ms. Martinez and Mr. Taylor.

Governance Committee: Mr. Weldon(chair), Mr. Illingworth, Mr. Taylor and Ms. Allen.

Personnel Committee: Mr. Weldon(chair), Mr. Walker and Ms. Martinez.

School Building Committee representatives: Mr. Weldon and Mr. Sokolovic. Ms. Martinez is the alternate.

Males of Color Committee: Mr. Sokolovic is chair.

Ms. Pereira said the Males of Color committee had been meeting for four years and it had never produced a single actionable item. She said an ad hoc committee is supposed to be temporary.

Mr. Weldon said the Ad Hoc Committee on Policies 5166 and 5116.1 would consist of Mr. Sokolovic(chair), Mr. Illingworth, and Ms. Pereira.

The CES representative is Ms. Allen.

Charter school representatives are Mr. Bradley (Achievement First), Ms. Allen (Bridge Academy), and Ms.



Martinez (Capital Prep). Great Oaks, New Beginnings and Park City Prep are superintendent designees.

Ms. Pereira said committees or boards should never have an even number of members because it creates a problem if there is a tie. She said it also makes it harder to obtain a quorum of the committee.

Mr. Taylor said he would not be serving on any committees this year because he is in the process of trying to obtain a law degree or a Ph.D in political science. He said he informed the chair he would not be attending any committee meetings.

Mr. Weldon said Mr. Illingworth was not worried about four members being on the Facilities Committee. Mr. Illingworth noted that the bylaws indicated each board member had to serve on two committees. Ms. Pereira said Mr. Taylor could submit a letter of resignation from the committees.

In response to a question, Mr. Weldon said the referrals currently pending should continue with the current committees.

Ms. Pereira asked Mr. Weldon why he requested board members to submit preferences for committee assignments if he ignored them. Mr. Weldon said he had seen Ms. Pereira be very vocal in the Facilities and Finance Committees so he appointed her to those so she would have a vote. Ms. Pereira said Mr. Weldon should have spoken to her about the issue.

In response to an inquiry, Mr. Weldon said he would welcome it if someone else wanted to chair the Personnel Committee. Ms. Allen said she had an interest in chairing the

committee.

Mr. Illingworth and Mr. Taylor left the meeting.

Ms. Pereira said the School Building Committee alternates should be submitted to the city.

The next agenda item was on the board's goals. Ms. Pereira said 2018 goals were gone and the board was discussing 2019 goals.

Ms. Martinez left the meeting.

Ms. Pereira said there were two iterations of the board goals. Mr. Weldon said he edited a draft submitted by Ms. Pereira.

Ms. Pereira said she agreed with the current draft. Mr. Sokolovic and Mr. Walker said they agreed with the language involving the committees they chaired.

Ms. Pereira moved *"to approve the 2018-19 Bridgeport Board of Education goals and objectives after extension by Mr. Weldon with the edits under Governance Committee."* The motion was seconded by Mr. Walker.

Ms. Pereira said each committee chair should look at the strategic plan and put one or two of each item on the agenda of every committee meeting. Mr. Weldon said the committees would do an end-of-year report.

Ms. Pereira suggested the reports take place at the first Regular Meeting of June due to the volume of business typically transacted at the second meeting in June.

Ms. Pereira moved *“to amend that under end-of-year reports that it read, to ensure accountability with respect to the above, each committee will submit a report to the full board at the first Regular Meeting for June.”* The amendment was seconded by Mr. Sokolovic and unanimously approved.

The motion as amended was unanimously approved.

Mr. Walker said these were the first goals and objectives that had been approved in a long time.

Mr. Weldon said he would modify the document as agreed and send it to the superintendent’s office for publication on the district’s website.

The next agenda item was on professional development for the board. Mr. Weldon said the Connecticut Conference of Municipalities had a series of training sessions coming up this quarter that would be free for board members to attend. Topics include how to run meetings, managing union employees, Freedom of Information Act, and ethics, accountability and conflicts of interest.

Ms. Pereira said under the contract with Berchem Moses they had to provide training to the board.

Mr. Walker recommended that Mr. Weldon ask Berchem Moses to provide the same services locally. Ms. Pereira said she believed Berchem Moses was contractually obligated to present on Robert’s Rules and FOI.

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

The meeting was adjourned at 8:11 p.m.

Respectfully submitted,

John McLeod

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