WEST HAVEN BOARD OF EDUCATION MINUTES
May 9, 2007
Regular Board Meeting

The Regular Meeting of the Board of Education was held at the Blake Building, 25 Ogden Street, West Haven. The meeting was called to order by M. Toni Paine, Chairman of the Board of Education at 7:15 p.m. The meeting opened with a pledge to the flag.

BOARD MEMBERS PRESENT: M. Toni Paine, Chairman
George Monahan
Robert J. Guthrie
Howard Horvath Jr.
Eric Murillo
Mark Palmieri
Gerald E. Calabritto

BOARD MEMBERS ABSENT: Krista Pickering
Ray Collins

ADMINISTRATORS PRESENT: Dr. JoAnn Andrees, Superintendent
Neil Cavallaro, Assistant Superintendent

The meeting opened with a pledge to the flag.

Before beginning the meeting Chairman Paine asked the winners of the spelling bee contest to come before the Board. A plaque was given to each student. The names of the students are: Grade 5 winner – Carly Reynolds, Grade 8 winner – Kevin Murty, Grade 7 winner – Reine Ibala, Grade 6 and Citywide Champion – Ashley Hatt

B. PUBLIC PORTION

Patti Fusco – Shingle Hill Road, West Haven – invitation to the city wide because all the unions get together and celebrate retirement of administrators, paraprofessionals, custodians, food service workers all unions will be together. The date is June 6, 2007. Tickets are $35.00. Flyer will be coming out soon. Gave food choices. Tickets can be gotten from Patti. It is being held at Anthony’s from 6:00 p.m. to 10:00 p.m.
Carroll Brown – 56 Highview Avenue - Tuesday, June 12, 2007 – The West Haven Black Coalition will be presenting School To Prison Pipeline at 7:00 p.m. She understands we are seeking vice principals for Carrigan middle school. Her recommendation is to look seriously at the minority person male or female since the population has changed and her recommendation is to get a person with color for Carrigan middle school.

Jeanie Dudlory – 15 Main Street - She mentions that later this evening there will be a case regarding Ray Mulligan and she asks that personal feelings be set aside and to base your decision just on evidence. She states she knows Ray personally and he has had to put his personal feelings aside on many occasions.

Carla Forcelli – 139 May Street - She states she does not like the way things were handled at the Junior Prom. Her daughter spend $1,000 to attend prom and she was kicked out due to someone else drinking on the bus. She states you can not be responsible for anyone except yourself. There were 23 people on that bus. She can only be responsible for herself. She feels that things were handled extremely poorly. $1,000 out of a 16 year old girl’s pocket means a lot of work took place for this money.

Sandy McCauley– 86 Richards Street - Thanking Dr Andrees, Mr. Cavallaro, Mr. Guthrie for coming to the Walkathon at Thompson School on Friday. Thanks for your support to everyone and for thanks for a good lunch from Alan Belchak. We earned more money this year then the previous year. Thanking everyone for their support.

Kristi Malloy – 4th grade teacher at Malloy School -180 Highland Avenue – Invitation to the Board of Education, Mr. Cavallaro and Dr. Andrees to Young Celebration at Savin Rock School, Thursday, May 17, at 1:30 p.m.

There were no further speakers. The public portion closed at 7:15 p.m.

C. REPORTS

C.1. Administration

Dr. Andrees asked if any nurses are present due to today being National School Nurse Day. This has been celebrated annually since 1972 to foster a better understanding of the role of the School Nurse in the educational setting. Dr Andrees thanks all nurses for such a great job that is being done everyday to keep our students safe and healthy. Then Dr. Andrees also asked if there were any teachers in the audience and if so to please stand due to today being Teacher Appreciation Day also. She thanked all teachers for doing such a great job with all the children that walk through the doors everyday. She also acknowledges Mr. Burt Siclari for the work that he did for the Mackrille playground that was completed on Saturday. She thanks him for generating this project with no cost to the Board of Education for equipment and supplies. She also states students from Bailey did reports on SARS, Famine and Breast Cancer.
The winner who had the best presentation had $1,000 donated to their charity and as a result of the great presentations each group of students were given $100.00 donated to their charity due to a job well done. We are very proud of their work. This Friday students from Carrigan and Bailey will be going to Hartford. They competed in a program for teen pregnancy in writing. In result of their great writing 4 students from West Haven will be acknowledged from Bailey and Carrigan and one of the students (not known yet) will be the State Winner. She speaks very highly of the great work that has been done in writing from the students right here in this community. She states behind everyone on the black board are thank you notes from the students from Washington. Children are very excited about getting their new lab. The children wanted to write messages to thank everyone for their new lab because they are truly thrilled. Thanking everyone again for all their support for the children in our community. She reminds everyone that they saw one coyote and not a pack of coyotes in the back of Carrigan. She states the rationale for calling the register was to get the information out due to concern for small children being left alone in the yard. She states again it was not a pack of Coyotes. She wants to set record straight. Dr. Andrees also wishes everyone a Happy Mothers Day in the audience. She called up Paul Scanlon from the Theatre and Arts program for middle schools and the high school. Mr. Steven Dest speaks on behalf of Paul Scanlon. He will be serving as the Artistic Director of the summer theatre program. Dr. Andrees states this program is a result of a grant that was given.. Mr. Dest shared a story. He spent the first five years of his life in West Haven on Campbell Avenue and went to First Avenue Schools. He states his kindergarten teacher was Mrs. Riley and his school time in West Haven. During one year he remembers wearing a costume for a Halloween parade and he won best costume. He fooled Mrs. Riley. He feels like that started him off on his career. He has been very successful. He has been on 6 national tours and one European tour and on stage on Broadway. He returned to Connecticut, married and then started teaching and directing. That was where he met Paul Scanlon. He feels he has a relationship with West Haven. This new program will be under careful guide and direction. Dr. Andrees thanks him.

Dr Andrees states also on the Agenda is a draft that she had received for a basketball program that will be run at Carrigan for the summer. It will be one day a week post practice and 2 days a week open basketball clinic for the students. Coach Brown will be having a tournament for the students on July 27 – 29th. She states that this is another program that will be run for our students for the summer. In addition, in the packets there will be summer school programs that everyone will be voting on that will be running for the summer. She thanks everyone for their support for all the students. A group of us were engaged in a topic called Courageous conversations about Race. It happens to be a book by the author Glenn Singleton and the program is being instituted across the country. The State of Connecticut is the first state to make this a part of its state initiative. So the State Department itself is involved in this process. The search program here in our area also has a team that is involved.
Under the direction of State Commissioner Coleman the initiative is to get all students on board at some point. Dr. Andrees is very excited because we have had a chance to come on board when it was free. So we have had the opportunity to be immersed in this program from October until now. It is a three year commitment that we had to become a part of. We are members of that program with the State Department of Education, Norwich, Hampton and New Haven. We are the third quadrant that is going through this process so we have the opportunity now to have two ahead of us to give us some support. One of the first things we have to do is to establish a diversity team. Our team consists of board member Eric Murillo, Mary Janeczek, Math teacher for West Haven High School, Judy Drenzek, reading consultant for Savin Rock Community School and Modestine Vonn from Carrigan Middle School, physical education, Special Ed Director, Gary Palermo and Lisa O’Leary from Forest and last but not least there is a principal on the team Tom Hunt. Dr. Andrees explains that tonight we will explain what the process is and why we are doing what we are doing. First we will begin by Gary telling us what it is that we will be doing and the other team members tonight will each share with you what we are doing and why we are committed to what we are doing. Dr. Andrees calls Gary Palermo who started by saying thank you to the Board for allowing to share this incredible opportunity and to be a part of this year. Dr. Andrees is working with the State Department of Education, the State Special Education Resource Center to develop a district wide equity leadership team. We participated in the comprehensive professional development sessions all year. He states simply put an equity team for the purpose of our mission is raising the achievements for all students while narrowing the gaps between highest and lowest performing students and eliminating the rational predictability and disproportionality of which student groups occupy the highest and lowest in the achievement category throughout Connecticut. Our equity came in West Haven to promote and embrace changes that would lead in the transformation through the following activities. Analyze student data, participate in courageous conversations, school improvement planning, create a district wide vision and establish goals, facilitate staff meetings, do some facilitation of focus groups which would be done in districts and provide support and appreciation for those who have done the process and those who will be joining us next year as well. The process we have gone through so far has been very comprehensive. It has challenged us to allow us to learn new skills. We look forward to updating the Board during the next school year on our progress.

Judy Drenzik, reading consultant from Savin Rock School. Judy has seen a lot of changes in the schools over the years. Population has changed, faces in and out of the school have changed. She feel there are very dedicated teachers in that building and work very hard to help all the children achieve at a high level. They also feel they have helped the parents be a part of their child’s education. Over the years with all the changes going on it has been harder and harder.

Modestine Vonn, teacher at Carrigan. Modestine’s involvement is more on an administrative level. Modestine has been a teacher for 21 years. She states changes have taken place in the environment and population and just from changes from people themselves. People need to understand each other so that we can work together and develop together. If we don’t teach our children the right way they are not going to
develop and that is not good for our community. These are our children that are going to be around. So we need to teach everyone so we have a well rounded community as well as achieving children well educating children and teaching them. These are the most difficult years in every child’s life. They are going through changes. She feels during kindergarten through middle school is very important to teach our children to achieve. She feels if they are disengaged they will continue on through high school like that. At that point she feels they might try to drop out of high school. That is not what they want. We want our children to learn so we need to have a program or a process where we teach everyone to achieve and do better. She is also speaking as a parent who has 2 children in school. She states how she want her children to achieve to the highest level. She feels as a parent of black males she has to try very hard to make sure they go into the right direction. Being that she is a teacher and has to navigate this process herself growing up, she feels she can get her children to where they want to go. But not every parent in this town is able to do that. It is not because the parent is ignorant it is just because they don’t have the skills to navigate to teach their children to go in the right direction. She feels teachers need to step up and be able to teach every student so that our children will all achieve and be able to talk a little bit about the Spanish children and the Turkish children and include everybody to get the together to make everyone feel as one.

Mary Janecek - a veteran member of the District Equity Leadership Team has almost 30 years in the district she brings a little bit of history to the team. She recognizes a change in West Haven. She feels this is a wonderful opportunity which will benefit teachers and students.

Lisa O’Leary – learning process and journey of the heart and mind combined. She wants to make sure playing field is fair for all players.

Tom Hunt – Principal at Forest – As an Administrator he is assessing the needs of teachers and students and unless we are able to provide them with the tools we will not reach all students. This is something that is going to improve the achievement across the board and close the achievement gap and show improvement to all children.
We need to look at ourselves and see what we are teaching and how we are teaching.

Eric – What is a child’s right to learn. Every child has a right to learn. How can we invent a system in the United States to insure us the right to learn of all students. We should raise kids with no racism.

Dr Andrees thanks the members of the team. There will be a very aggressive plan that will be presented at a later date in terms of how we plan to address this. It is our true belief when we raise the level of performance of black and brown children we will also be raising the level of all the children in West Haven. Our goal is to for us to show a higher level of achievement because we chose to engage in this journey and make a difference for all children. She continued to thank everyone.

Neil Cavallaro – completed a staff development plan for the opening of school next year on August 28, 2007. Once draft is completed it will be brought in front of the board. We
will talk about not only the plan that day but how we are going to implement it through the school year. Before the next Board of Ed meeting we are going to bring before you 5 more curriculums for West Haven High School. Also he is hopeful by then we will be purchasing a science program for our elementary school. Neil has completed a draft for a district wide school improvement plan which is now at the State Department of Education for the initial review. Once feedback comes back we will be sharing it with our administrators and then bringing it to the Board.

C.1.b. BOARD

Bob Guthrie – Thanks everyone for the Walk-a-thon at Thompson School. He questioned the Superintendent as to when will the new student reps be seated for the Board of Education? The election will be in June

Jerry – This is the third year the rotary had the group of children from Bailey make a presentation. There were three groups of students. All three of the groups made a wonderful presentation and then the Rotary Group decided which presentation was the best and they made a $1,000 donation to the charity of their choice. One of the members was kind enough to give the other two groups $100 for their charity of choice. He wants to try to encourage the young ladies to come to a board meeting to show their winning presentation.

C.1.c. COMMITTEE

Jerry stated to Board Members– We are having a budget meeting at 5:30 on Monday, April 14th. If you would like dinner come at 5:00 p.m. so we can get started early. Hopefully we will get it done that night.

Eric Murillo requested a motion be made to add these policies to tonight’s agenda:

- Harassment, Intimidation, and Bullying policy and procedures
- Administering Medication 5141.21 policy and procedures
- Students with Special Health Care needs 5141.23 (a) procedures
- Students with HIV or AIDS 5141.24(a) procedures
- Pediculosis 5141.221 policy and procedures
- Communicable/infectious Diseases 5141.22 policy and procedures
- Vending Machines 3542.45 policy
- Limited English Proficiency Program 6141.311 (a) procedures
- Wellness Policy 6142.101 (a) procedures
- Statewide Proficiency/Mastery Examinations 6146.2(a) procedures
- Surrogate Parent Program 5145.71

Mark Palmieri made a motion to add these policies to the agenda
Gerald Calabritto seconded the motion
All members were in favor
Item **07- 57** was added to the agenda
Motion passes

Jerry Calabritto said while we are adding to the agenda do we need to add the **Senior Prom Contract** form for proms and dances?

Bob Guthrie stated since this is the first we have seen of this we should refer it to Mr. Murillo and the Policy Committee to review it.

Jerry stated that tickets re going on sale for the prom on Monday.

Dr. Andrees stated our attorney has reviewed it and has made the necessary corrections.

George Monahan made a motion to add this to the agenda for approval as a pilot program for this year and refer it to Mr. Murillo for permanent policy review as a permanent change. **Item 07-58**

Jerry Calabritto seconded the motion.
Discussion: Howard Horvath feels cautious about the right to search portion. Neil Cavallaro stated the key phrase in there is reasonable cause. This was added by Floyd Dugas our attorney. Discussion will continue once added to the agenda.

Vote: Howard Horvath Abstained
Remaining Board Members in favor
Motion Carries
**Item 07-58** was added to the agenda

Bob Guthrie made a motion to add item 07-59 to the following item to the agenda. **Approval of the West Haven Summer Youth Theatre to utilize Carrigan Middle School.**
Jerry Calabritto seconded this
All in favor
Motion Carries
**Item 07-59** was added to the agenda

The basketball program will be run at Carrigan but will be at no cost to the children. This is not a Board of Education Program.

**D.1. Approval of Minutes:**

**D.1.a. West Haven Board of Education Special Meeting,** March 29, 2007
7:00 p.m. at the Blake Building (enclosure)

**D.1.b. West Haven Board of Education Curriculum Meeting,** April 2, 2007
Bob Guthrie made a motion to approve the all the above minutes inclusive
Gerald Calabritto seconded the motion
No Discussion
All were in favor
Motion carries

D.2. Resignations: (Certified)

07-41 Valerie E. Haberl, Physical Education Teacher, Mackrille School
     Effective: July 1, 2007
     Reason: Retirement

07-42 Diane F. Nehrkorn, Reading Teacher, Pagels School
     Effective: July 1, 2007
     Reason: Retirement

07-43 Peter Harrison, Social Studies Teacher, Carrigan Middle School
     Effective: July 1, 2007
     Reason: Retirement

07-44 Carolyn E. Kuhr, Science Teacher, West Haven High School
     Effective: July 1, 2007
     Reason: Personal

07-45 Rita Smith, Science Teacher, West Haven High School
     Effective: July 1, 2007
     Reason: Retirement

07-46 Susan Chiarelli, Reading Teacher, Bailey Middle School,
     Effective: July 1, 2007
     Reason: Retirement

George Monahan made a motion to approve the above non-certified resignations inclusive.
Mark Palmieri seconded the motion
No Discussion
All were in favor
Motion carries
D.3. Resignations: (Non-Certified)

07-47 John Zullo, Assistant Custodian, Bailey Middle School
Effective: Immediately
Reason: Retirement

Mark Palmieri made a motion to approve the above non-certified resignation
Jerry Calabritto seconded the motion
Bob Guthrie was Opposed
No Discussion
Motion carries

D.4. Leave of Absence: (Certified)

07-48 Carrie A. Lucibello, Elementary Teacher, Pagels School
Effective: 2007 – 2008 School Year
Reason: Personal

Jerry Calabritto made a motion to approve the above certified resignation
Mark Palmieri seconded the motion
No Discussion
All were in favor
Motion carries

D.5. Leave of Absence: (Non-Certified)

07-49 Lisa Gorske, Para Medical, Forest School
Effective: May 29, 2007 to the end of the school year
Reason: Personal

George Monahan made a motion to approve the above non-certified leave of absence
Eric Murillo seconded the motion
Jerry Calabritto Abstained
No Discussion
Motion carries

Executive Session

George Monahan made a motion to advance to New Business and table the Executive Session at this time as Attorney Dugas had not arrived as yet.
Bob Guthrie seconded the motion
All were in favor
Motion Carries
E. **New Business:**

**07-50** Correspondence from Laurence Frattini, Liaison School Readiness Program Council/State Department of Education to Dr. JoAnn Andrees, Superintendent of Schools, requesting the Board’s approval of the School Readiness and Child Day Care Grant Program.

Jerry Calabritto made a motion to approve item **07-50** above
George Monahan seconded the motion
No Discussion
All were in favor
Motion carries

**07-51** Correspondence from Francine Coppola, Director of Adult Education Program ESL/Bilingual Education to Dr. JoAnn Andrees, Superintendent of Schools, requesting the Board’s approval of the ED244, 2007 – 2008 Adult Education Grant.

Bob Guthrie made a motion to approve item **07-51** above
Jerry Calabritto seconded the motion
No Discussion
All were in favor
Motion carries

**07-52** Correspondence from Jolene Barnes, Personnel Director to Dr. JoAnn Andrees, Superintendent of Schools, requesting the Summer School Programs/Postings for 2007.

Jerry Calabritto made a motion to approve item **07-52** above
Mark Palmieri seconded the motion
No Discussion
All were in favor
Motion carries

**07-53** Correspondence from Gary Palermo, Director Pupil Services to Dr. JoAnn Andrees, Superintendent of Schools, requesting to use Savin Rock School for the Special Education Elementary and Pre-School 2007 Summer Program.

George Monahan made a motion to approve item **07-53** above
Bob Guthrie seconded the motion
No Discussion
All were in favor
Motion carries
07-54 Correspondence from Gary Palermo, Director Pupil Services to Dr. JoAnn Andrees, Superintendent of Schools, requesting to post the staffing positions for the Special Education Summer School Program at Savin Rock School.

George Monahan made a motion to approve item 07-54 above
Mark Palmieri seconded the motion
No Discussion
All were in favor
Motion carries

George Monahan stated at the request of the Superintendent we would like to table 07-55 and 07-56 until executive session.

07-55 Letter from Dave Orio, President A.F.S.C.M.E Local 2706 requesting that Ray Mulligan’s grievance be brought forward to the next step, which is a public hearing before the West Haven Board of Education.

07-56 Letter from Trish Robles, Vice-President for Defense requesting that Grievance #2007-02 – Richard Sorensen – advance to Step 4 and be brought forward to the next Board Agenda

E. New Business (Continued)

Jerry Calabritto made a motion to approve the policies as recommended by the Policy Committee (Item 07-57)
Mark Palmieri seconded this motion
All in favor
Motion Carries

Item 07-58 Senior Prom Contract
Jerry Calabritto made a motion to approve the contract as presented.
George Monahan seconded this motion
Discussion: Howard Horvath stated that as a parent everything we do contributes to a safer environment. We want to prevent any alcohol, drugs or inappropriate materials from being a part of this and I am all for it. He shared a couple of concerns. He would like a better definition of what it means to search a student. Emptying one’s pockets could be one definition and I have read a number of incidents along the way where this
has strayed and I want to be sure this is clear. He also thinks in terms of a process. The word administrator he expects would mean only the principal and assistant principal nobody else not a parent, guardian etc. You would also have a police officer present correct? Yes. He went on to discuss how he would like the process to be handled and would have liked the contract to be stated a little more clearly.

George Monahan stated whether it is on school grounds, off school grounds, or at a school function these policies apply so there is procedure in place and I am sure that this contract invokes that those procedures will be adhered to. This also applies to non-students of West Haven who attend a prom etc. This is to ensure that we have the safest fun activity associated with our school.

Much discussion ensued.

It was decided this would be held off until after executive session.

Jerry Calabritto withdrew his motion and George Monahan withdrew his second. Item 07-58 tabled until after executive session.

07-59 Approval of the West Haven Summer Youth Theatre to utilize Carrigan Middle School.

Jerry Calabritto made a motion to approve 07-59
Bob Guthrie seconded this motion
Discussion: Bob Guthrie asked the number of students we are looking to include. 60 – 70 was the response. Bob also mentioned that there are some full scholarships through community development. There is a great need and we have some very talented students who look at the cost and become very hesitant. We should constantly remind them that there are scholarships available and let students know where to call so they have access. He doesn’t want to miss anyone who may look at the dollar amount and be frightened by it.
Dr. Andrees stated this was one of things that was stressed to them before this program was approved. They must make a concerted effort and go out to the students in the community who might not be able to afford this type of opportunity.
A further discussion ensued.
All in favor
Motion Carries

Attorney Dugas is present and we now begin our tabled items 07-55, 07-56 and 07-58

Jerry Calabritto made a motion that we approve item 07-58 for this year and refer it to the policy committee for permanent approval.
George Monahan seconded this motion.
Discussion: Howard Horvath had a few questions:
   1. The definition of a student search.
2. A process we could look to if there are multiple administrators in attendance starting with the principal, assistant principals, and police officers. If something looks suspicious does it make sense to contact the principal and have the police officer come over? There is no guidance relative to a process for this search.

Attorney Dugas stated the whole issue of school search and seizure happens everyday in a high school and is a fairly common occurrence and educators have a pretty good sense of what they need to do and not do. Case law has given broad rights to administrators once they have what is know as reasonable cause as opposed to probable cause. Police officers must have a much higher standard. As long as there is reasonable cause to believe that a specific student has engaged in any conduct there is a lot of latitude to search. This really wouldn’t be any different than the analysis that we would go though on any given day if we saw something as an administrator and thought we needed to search somebody.

He would be disinclined to bring the police into a matter his first preference would be to handle it as an administrator. Once the police are brought in it triggers another whole level of formality in terms of probable and reasonable cause.

Mark Palmieri brought up the use of a breathalyzer like what Westbrook is doing. Attorney Dugas said this can be done particularly at proms and athletic events but not during school.

A further discussion ensued.

Mark Palmieri stated he went to West Haven High and went to three different proms and they all took place in West Haven. He feels the community businesses are very good to the community as far as Up All Night Blue and White etc and I think we have the Conference Center, The IA Club, and the Gym. We had the prom in the gym when I was young. You could decorate before hand two nights in a row. Let’s keep the prom in town and give business back to some of the restaurants in town and make it a community effort. This way we get rid of the buses ad limos. This should be a fun, once in a lifetime event and I do not like seeing it being destroyed because of guilty by association. As school advisors we need to coach the children of our district to keep it in the gym, IA or Conference Center right on the water. His ideas were met with applause from the audience.

Dr. Andrees said every parent has to sign this form and if we have guests coming in we want to know more about them then they do right now. We want our dances safe for our students. We faxed it to our attorney and he made it appropriate for West Haven.

Toni Paine asked if we would change the form to read parent/guardian rather than just parent. The members thought that was fine. It was stated that without a response the student will not be allowed in to the dance.

No further discussion
All Board Members voted in favor
Motion Carries
07-55  Letter from Dave Orio, President A.F.S.C.M.E Local 2706

requesting that Ray Mulligan’s grievance be brought forward to the next step, which is a public hearing before the West Haven Board of Education.

Attorney Dugas passed out exhibits to the Board Members and stated that Mr. Mulligan was involved in a auto accident with a West Haven Board of Education vehicle and the vehicle was totaled. The police officer assigned to the case attributed the fault to Mr. Mulligan in connection with this accident at least so far as his vehicle lost control and ended up striking two other vehicles. He then spoke about the letter of reprimand from Dr. Andrees to Mr. Mulligan and stated that this was the third accident since he believes 2002 that he had been involved in. Two of those accidents resulted in the vehicle being totaled. The third accident did not. Fortunately in none of these incident to his recollection was anyone seriously injured but there was fairly significant property damage in this last incident. As a result of that Dr. Andrees issued the suspension. He then talked about the all the accident reports which were in board member packet and called their attention to the diagram portion which is a summary of what happened and is filled out by the police trooper who arrived on the scene and investigated the incident. This showed that Mr. Mulligan lost control of his vehicle which changing lanes on the highway and struck a vehicle which was traveling in the same direction as he was. Another vehicle was also struck in the rear by Mr. Mulligan’s vehicle. The officer’s remarks stated that Mr. Mulligan made an unsafe lane change but the officer obviously he didn’t witness this but this was his conclusion after interviewing the various parties involved.

Mr. Mulligan’s remarks on the accident report state that he was traveling southbound on I95 in heavy traffic and decided to change from the right lane into the left lane when he suddenly lost control due to slick road surface or possible blow out.

Attorney Dugas then talked about an accident that occurred in June of 2002 where there was significant damage to the City’s vehicle. He read the second page of the report and it stated that vehicle #1 (Mr. Mulligan’s vehicle) struck vehicle #3 which was stopped at a light and vehicle #2 then was struck by vehicle #1) This incident occurred in 2002.

Attorney Dugas then discussed the accident report for February 23, 2006. Mr. Mulligan’s vehicle #1 attempted to pass another vehicle but he must have misjudged the amount of room he had and hit the rear side part of vehicle #2.

Attorney Dugas then drew the Board Member’s attention to item 1 the letter of reprimand from Dr. Andrees and asked if there were questions before he turned the meeting over to David Orio.

Jerry Calabritto stated in document #4 the final paragraph states there was a witness that saw the tire blow out so would that not have been the cause of that accident? Attorney Dugas stated it certainly is a possibility and asked if there were any other questions before he turned it over to David Orio. There were no further questions.
Mr. Orio stated that in a little research he did there was a case in Maryland Pfister vs.
Allstate Life Insurance Company. This is the State of Maryland’s law of what an
accident is defined as. An accident is defined as a happening an event that takes place
without one’s foresight or expectation. An event which proceeds from an unknown cause
or is an unusual effect from a known cause and therefore not expected. I think what we
are trying to say here is that an accident is not a premeditated act of a wrong doing here.
He then passed around a folder full of Ray’s accommodations and evaluations and he
thought we would find that about 80% of all evaluations are above average and I am
probably underestimating this. He had a few points to make and he started out with if
there was any board pressure to proceed with a reprimand. This was objected to by
Attorney Dugas on relevance grounds. The question here is if there is just cause for the
discipline and whether the Board should sustain or deny the grievance.

Toni Paine said we need to keep to the facts at hand.

Mr. Orio asked why there was a 33 day gap between the accident and the reprimand. Dr.
Andreess stated they were waiting for the report to come from Bridgeport and they could
not act until they received the official document. Dr. Andreess wanted to make sure for
herself that there was documentation supporting her taking action.

Dave Orio stated that other than one ticket Mr. Mulligan doesn’t seem to be at fault.
Attorney Dugas stated that with three accidents we felt the need to do something and she
wrestled with more serious discipline but took into consideration Mr. Mulligan’s years of
service and some of the points that were made and offered a verbal reprimand to send a
message to him stating that three accidents are a lot and you need to be careful and if
there are further accidents we will take that into consideration. If you are rear ended I
suspect that would not trigger the next level of discipline. On the other hand if there is
another accident suggesting carelessness or speeding this is something she would take
into consideration.

Mr. Orio stated on accident #1 the off duty officer witnessed the blown tire. Probably
due to Ray’s driving ability no one was hurt and he didn’t run into a house. This is an
officer of the law who witnessed this. Ray should be commended for this particular act
and that should be in the record.

On accident #3 Ray still hasn’t had his day in court. We have three accidents here we
don’t have 1 ticket which case is yet to be determined. He also stated that according to
the contract he should have received a copy of the written reprimand. He has not been
furnished with the written reprimand. This is clearly a violation of our contract.

Toni Paine asked if there were any other questions.

Mark Palmieri asked if this was the first letter. Yes. He asked which accident is there a
ticket on. Accident 3 the most recent. A discussion ensued. Mark Palmieri asked if Ray
was supplied with snow tires. What was the condition of his vehicle? When was the last
time it was serviced and also there was the issue that the wheel fell off and was found 300 feet behind the accident. Mr. Orio stated we don’t know if it was a result of the accident or the cause of the accident but it is sort of odd it was found 300 feet behind the accident. Wheels don’t tend to fall off vehicles.

George Monahan stated he knows the accident report indicates weather conditions what were the conditions were they dry, wet, icy? Toni stated the report says it was icy. George just wanted to get clarification where that was stated on the report. Ray Mulligan stated that it was on the 21st of February and 6:41 a.m and there was something like 168 accidents in a one hour period it was a black ice day. George did happen to go by the accident going in the opposite direction later that morning and there was moisture on the road at that point.

George had one more question. Clearly everyone understands that an accident is not intentional and most people in the room would say that they have been in at least one motor vehicle accident whether it be there fault or another person’s fault. I wouldn’t sit here and think that Mr. Mulligan is out there intentionally trying to crash. You are asking us to consider the removal of the letter of reprimand and considering that one can draw the conclusion that multiple accidents at least two of them being cited as your fault regardless of what happened. Ray stated that is not true. George said he is not passing any blame and is asking if as a condition of removing (just for his thoughts now) a letter of reprimand would you consider writing a document acknowledging that these accidents occurred that you regret they occurred and that you will make it an effort on your part to in the future drive with maybe more caution than currently existed that led to the accidents. George might take that as an option in lieu of a letter of reprimand and if you went a step further and offered up that if another accident were to occur in the near future that was declared your fault then action like this would be expected or something along those lines Mr. Mulligan stated he would consider doing this.

George Monahan made the motion that Mr. Mulligan would draft a letter which was reasonably acceptable to the Superintendent expressing the points raised about being careful and the reprimand letter would be removed from his file.

Bob Guthrie Opposed this motion
Remaining Board Members voted in favor
Motion carries

07-56 Letter from Trish Robles, Vice-President for Defense requesting that Grievance #2007-02 – Richard Sorensen – advance to Step 4 and be brought forward to the next Board Agenda

Trish Robles, Vice President for Defense stated that Mr. Sorensen worked as a long term substitute for three years before being hired as a full time teacher. In November of his third year of teaching Mr. Sorensen received a durational shortage area permit from the State of Connecticut and was immediately hired as a full time teacher. A DESAP permit is granted to non-certified teachers who are working towards their certification. It must
be requested by the Superintendent of Schools and you must show that no other qualified
candidate is available to fill this position. An DESAP certificate is issued in lieu of
regular certification and allows a teacher to work in a school district for three years while
working toward certification. Mr. Sorensen worked as a long term substitute for his first
year in the district. He worked in the same classroom everyday for the next four years.
The State of Connecticut has strict regulations concerning long term substitutes. After 40
days in the same position the school district must request an extension of substitute
authorization from the state in order for that teacher to continue teaching in that same
position. If the State issues the authorization you can teach in that position for up to one
school year. The extension of substitute authorization can not be reissued after that one
year time period. If the administration wants the teacher to remain in that position the
district must DESAP the person and give them a durational shortage area permit.

Howie Horvath asked her for the explanation of the grievance. Mr. Sorensen worked for
three years and he was hired at step 1 and later moved up to step 1.5. He worked for
three years before he signed this contract. It is our position that when he was hired at
step 1 in his third year of teaching he really should have been given credit for the
previous time. Not the time that he was the long term sub but he really should have been
DESAPed in his second year of teaching but he didn’t until his third year. There was a
clerical error in the administration level that is noted in his personnel file. Mr. Sorensen
did request an DESAP in the beginning of his second year of teaching and fulfilled all the
requirements necessary however due to the clerical error mentioned he did not receive the
DESAP for his second year of teaching. He didn’t receive until November of his third
year. Until that time he was still working as a long term permanent substitute. In
November of his third year he was informed by the State of Connecticut that he qualified
for the DESAP but he also qualified for his second year so he was retroactively given a
DESAP permit from his second year of teaching. Once he received that from the State
during his third year of teaching he was immediately hired by the Board of Education as a
full time teacher.

Although Mr. Sorensen qualified for the DESAP during his second year of teaching the
Superintendent at the time asked for an extension of substitute authorization from the
State which is completely against state regulations. Regulations state that after one year
they will not reissue. It is our position that administration should be up on regulations
and how they concern teachers. Toni Paine asked how was he a substitute that year did
the State give it to him? No the State denied it but somehow it was pushed through. That
is why we are say that through no fault of his own he should have been DESAPed during
his second year. It is not allowed by the State to stay in the same position for more than a
year and he was in that classroom for four years.

Immediately after he was DESAPed he was hired by the Board of Education and given
permanent teacher status and he signed his contract at step 1. We are asking that he be
given credit for the time that he should have been hired because whatever happened at the
administration level to hold back his DESAP permit is unheard of.
We are asking that he be moved up half a step this year now in order to make him whole and he will be placed at Step 10 of the current teacher contract for the 2007 school year.

A length discussion ensued.

Attorney Dugas stated in order to sustain a grievance you must have a violation of the Collective Bargaining Agreement and I don’t see that here. If there is no violation there is no grievance and the board can’t sustain a grievance.

Only people hired at step 1 were frozen and Mr. Sorensen was hired at step 1 and then the board violated his contract by bringing him up to step 1.5 two weeks later. Toni Paine stated that violation is OK but the other isn’t.

George Monahan asked if it was her position that there is no separation between the regulations governing a substitute teacher whether they are certified or not as far as duration and DESAP Service. I’m talking about authorizations for employment. I mean how long can you employ a substitute teacher. This is to prevent a district from keeping someone on the payroll that should be certified. That is one regulation and a DESAP is specifically for shortage areas to enable school districts to go hire a person who hasn’t yet been certified to help service those shortage areas and enable the district and the teacher an opportunity. Neil stated this is considered a temporary certification which would alloy us to hire.

Many board member stated that it is clear you are a good teacher. Howie Horvath also stated he was a good teacher and felt this was an honest mistake. Attorney Dugas stated he sure that there are many stories out there like this. A lengthy discussion ensued before the vote.

Jerry Calabritto asked for a motion to deny the grievance. Bob Guthrie seconded the motion
Discussion: No further discussion
Roll Call Count was decided on:
Bob Guthrie voted in favor
George Monahan abstained
Toni Paine voted in favor
Mark Palmieri asked a question. What made Mr. Sorensen decide to do this now? The response was the steps from 1 to 9 are very minimal and at step 10 there is a big jump. He never really closely studied the contract until he realized he would be at 9 ½ when they enter into a new contract. He started asking about this around three years ago. More discussion followed.

Mark Palmieri stated he is very sorry because he knows Mr. Sorensen does an excellent job but he feels we would be hanging ourselves down the road.

Mark Palmieri voted in favor
Howie Horvath Abstained
Eric Murillo voted in favor
5 Yes
2 Abstained
Motion Carries to deny the grievance

Gerald Calabritto made a motion to go into Executive Session for the purpose of discussing litigation and personnel at 10:00 p.m.
Bob Guthrie seconded the motion.
All in favor
Executive Session began at 10:00 p.m.

They returned from Executive Session at 10:27 p.m.

F. Informational

Bob Guthrie stated we should add a policy for overnight chaperones for trips. Eric will follow up on this.

No other informational comments

Meeting ended at 10:45 p.m.

Respectfully submitted,

Marylou Amendola