

6/22/82

Pg. 8 D. PHYSICAL EXAMINATION OF STUDENTS

- 1. State Mandate
  - b. It shall be the policy of the schools to provide a compulsory physical examination for all students who participate in school athletics. These examinations will be given before the start of each athletic season.

Addendum  
School  
Health Pol.  
Continued

- Pg. 9
- 2. Local Implementation
    - d. All candidates for athletic squads must be examined by the medical inspector prior to the first practice session of the sport.

Addendum      If a candidate for a sport has been examined for another sport previously in the same school year, and has not been injured or seriously ill in the interim, he/she need not be re-examined.

Motion was made by Mr. Donofrio, seconded by Mr. Bertrand and carried unanimously that the Board of Education accept the Suspension Report as of June 12, 1981, and Secretary and Custodian of School Monies reports as of May 31, 1981.

Report

Motion was made by Mr. Donofrio, seconded by Mr. Bittmann and carried unanimously that the Board of Education approve Sports Schedule for Brick Township Memorial High School for the 1981-82 school year, and the Fall Sports Schedule for Bric Township High School.

Sports  
Schedule

Motion was made by Mr. Donofrio, seconded by Mr. Bell and carried unanimously by roll call vote that the Board of Education approve transportation of one (1) student from Brick Township to the Mental Health Clinic in Toms River at an estimated cost of \$1,200. for a time period covering May 11, 1981 through June 24, 1981.

Motion was made by Mr. Williams, seconded by Mr. Bell and carried unanimously by roll call vote to rescind the two (2) motions approved June 10, 1981 Regular Meeting whereby the firm of Anton and Sendzik was employed and granted a \$2500.stipend.

Rescind  
Motions

Motion was made by Mr. Bell, seconded by Mr. Donofrio and carried unanimously by roll call vote that the Board of Education designate Mr. Martin B. Anton as the Attorney for the Brick Township Board of Education until June 30, 1982 to handle all legal services for the Brick Township Board of Education at a salary of \$42,700.00 inclusive of pension benefits and/or any other fringe benefits which may accrue. This salary is not intended to include payment for litigation proceedings which are considered over and above normal services. Furthermore this clause shall not include any proceedings taken before up to and including a decision by the Commissioner of Education of the State of New Jersey.

Mr. Anton

Mr. Anton  
Stipend

Motion was made by Mr. Donofrio and seconded by Mr. Bell that the Board of Education approve payment of a stipend of \$2,500.00 to Mr. Martin B. Anton for services rendered over their normal services during the 1980-81 school year. A roll call vote was taken with the following results: Mr. Bell - yes; Mr. Bertrand - yes; Mr. Bittman - no; Mr. Donofrio - yes; Mrs. Fox - no; Mr. Williams - yes; and Mr. Hancock - yes.

Student  
Expulsion

A resolution was read by Mr. Anton regarding expulsion of a student. Mr. Anton directed that only board members who attended student hearing were permitted to vote on this resolution. Roll call of those five members who attended hearing was: Mr. Bittmann - yes; Mr. Donofrio - yes; Mrs. Fox - yes; Mr. Williams - yes; and Mr. Hancock - yes.

RESOLUTION

WHEREAS, a student hereinafter identified as [REDACTED] was a student at the Brick Township Memorial High School on June 2, 1981. Said school is located in the school district of the Township of Brick, situate and located in the County of Ocean and the State of New Jersey; and

WHEREAS, said student [REDACTED] was charged with possession and/or use of a controlled dangerous substance on school grounds on June 2, 1981; and

WHEREAS, as of June 2, 1981 [REDACTED] was suspended from the Brick Township School System for the above set forth charges pending a hearing before the Brick Township Board of Education; and

WHEREAS, student [REDACTED] was referred to the Child Study Team; and

WHEREAS, student [REDACTED] was afforded a meeting with James V. DiFabio, Vice-Principal, Brick Township Memorial High School on June 2, 1981, at which time Mr. DiFabio discussed the charges with student, [REDACTED] and gave said student an opportunity to explain his version of the incident. Mr. DiFabio then advised said student, [REDACTED] of student [REDACTED] suspension from the Brick Township School System pending a hearing before the Brick Township Board of Education and provided said student [REDACTED] with a copy of the written policy of the Brick Township Board of Education #456.3; and

WHEREAS, a letter was forwarded to [REDACTED] father of student [REDACTED] advising that said student [REDACTED] was found "smoking pot" in the Brick Township Memorial High School and also advising that according to said student [REDACTED] this was said student [REDACTED] second offense. Said letter also advised of said student [REDACTED] suspension from the Brick Township School System pending a hearing before the Brick Township Board of Education to be held within twenty-one (21) days of the effective date of said suspension (June 2, 1981); and

WHEREAS, letters were forwarded to student [REDACTED] and said student's father dated June 11, 1981 wherein student [REDACTED] and

said student's father were notified of the charges against student [REDACTED] and a scheduled hearing before the Brick Township Board of Education concerning the aforementioned charges and suspension on Tuesday, June 16, 1981 at 7:30 P.M. at the Administration Building of the Brick Township Board of Education at 101 Hendrickson Avenue, Brick Township, New Jersey; and

WHEREAS, the aforementioned letters advised student [REDACTED] and said student's father of the right to have an attorney at said hearing and of the student's further right to cross examine witnesses to the incident and of the student's further right to the names of the witnesses to be used by the Board of Education, and the Board did in fact supply said names, and as to the nature of the evidence to be presented at said hearing, and the student's right to give testimony on the student's own behalf and to present witnesses on the student's own behalf; and

WHEREAS, both letters were hand delivered to [REDACTED] [REDACTED] Brick Town, New Jersey on June 11, 1981; and

WHEREAS, both letters were forwarded by certified mail, return receipt requested; and;

WHEREAS, the receipts were returned signed for said communications indicating that same had in fact been received by student [REDACTED] and by the aforesaid student's father; and

WHEREAS, a hearing was convened concerning the above matter on Tuesday, June 16, 1981 at the aforementioned location before the Board of Education of the Township of Brick; and

WHEREAS, a stenographic records was made by a certified court stenographer of which all parties were advised and consented thereto; and

WHEREAS, student [REDACTED] was not represented by counsel; and

WHEREAS, student [REDACTED] was fully advised of his rights and fully advised of the applicable procedural due process afforded to him; and

WHEREAS, student [REDACTED] and said student's father and mother and others appearing for and on behalf of said student [REDACTED] were given a full opportunity to address the Board as to the incident in question, as to student [REDACTED] background and potential and as to any mitigating circumstances concerning same; and

WHEREAS, said student [REDACTED] conceded to the charges against him and his guilt of same; and

WHEREAS, the following members of the Board of Education were present at the aforesaid hearing: Richard Hancock, President, Judith Fox, / Robert Bittmann and Arthur Williams; and Anthony Donofrio

WHEREAS, the Board of Education:

- a) Gave careful and deliberate consideration to the statements made by student [REDACTED] and by others who appeared for and on behalf of said student.
- b) Made a finding of fact that student [REDACTED] possessed and used a controlled dangerous substance on school grounds on June 2, 1981.
- c) Gave careful consideration to the Child Study Team

Student  
Expulsion  
Resolution

report dated June 10, 1981 which evaluated student [REDACTED] as "not found classifiable".

d) Gave careful consideration to the competent advice of members of its administrative staff who appeared at the aforesaid hearing during its deliberations.

e) Considered the past deportment of student [REDACTED] in the Brick Township School System and student [REDACTED] background and potential and academic achievements.

f) As part of its considerations concerning the past deportment of student [REDACTED] the Board has considered the fact that said student was previously placed in the Guided Alternate School Program for a period of ten (10) days from February 20, 1981 through March 5, 1981 for smoking marijuana on school grounds; and

WHEREAS, the Board of Education of the Township of Brick considers the aforementioned charge a serious offense that cannot be condoned which does materially and substantially interfere with the requirements of appropriate discipline and safety to the students and operation of the school system and recognizes its responsibility to protect the pupils enrolled in its school system from further repeated exposure to dangerous controlled drugs.

NOW, THEREFORE, BE IT RESOLVED that student [REDACTED] be expelled from the Brick Township School System commencing on June 2, 1981 through and including the 1981-1981 school year. During the period of said expulsion, the student is not to be permitted in the school buildings or on the school grounds; nor permitted to ride the school buses or take part in any student activities, with the singular exception that said student will be permitted to take all of his final examinations for the current school year at such time and under such conditions as provided by the administrative staff of the school district.

Time Schd.  
School  
& Buses

Motion was made by Mr. Donofrio, seconded by Mr. Bell and carried unanimously by roll call vote that the Board of Education accept the time schedule for school sessions and buses for the 1981-82 school year, as submitted.

Suspend Sun-  
Shine Rules

Motion was made by Mr. Bell, seconded by Mr. Bittmann and carried unanimously to approve suspension of Sunshine Law rules to take action on the motion to follow.

Extension of  
BTMHS Occ.  
Permit

Motion was made by Mr. Bell, seconded by Mr. Donofrio and carried unanimously by roll call vote that the Board of Education approve that a request be made to the State of New Jersey to extend approval of temporary occupancy of Memorial High School until October 24, 1981.

At 9:15 p.m. this meeting was declared open by Mr. Hancock for audience participation.

Mr. Williams read his Building and Grounds Committee Report, and Mr. Stutts was directed to set up a B & G Committee Meeting with members of the Maintenance Department, Mr. Messemer and himself at the Lake Riviera Middle School site to discuss items needing attention at that school.

At 9:45 p.m. Mr. Stutts read a resolution to go into executive session for the purpose of discussing Personnel matters and possible Building and Grounds litigation. Mr. Bell made a motion to approve said resolution, Mr. Donofrio seconded it and it was carried unanimously.

It was unanimously agreed after a discussion of same that the Board of Education make a donation of \$500.00 to James Plunkett, student, to attend the Regional Teens Arts Festival Event at Rutgers University, New Brunswick for Gifted and Talented Children. He was selected due to his efforts in Creative Writing.

After this was agreed to, the attorney was directed to research policy with intent to write up board policy as to making these donations towards various student function attendance.

A request for purchase of a "trade-in" bus from the American Legion was referred to and direction given.

Mr. Wolf was given permission to add two more Child Study Teams to work this summer in an effort to clean up the backload of work.

A presentation of recommended transfers of Principals and Vice-Principals of Brick Township Public Schools was discussed at great length with many thoughts and solutions offered to solve the problem of placing the Principal of Laurelton School who was displaced due to the closing of Laurelton School. The need for Accounting help for Mr. Stutts was also discussed at this time. At Midnight, Mr. Bittmann left this discussion because of the late hour and the fact that he has to get up early for work in the morning.

All were in agreement, in this closed session, that one Vice-Principal be advised that the position presently held would be given to someone else with Tenure and a position of K-8 Curriculum Coordinator in Language Arts to be the new title.

The Board brought Mr. Birdsall in at 12:05 A.M. with regard to work supposed to be done over the summer at Memorial High School. The discussion included retainages, and non-release of same resulting in uncooperation of named contractors.

Mr. Hancock asked the attorney how we can get some work done this summer. Mr. Sendzik spelled out three avenues that could be followed 1) get seven-day notices out right away; 2) Advise Mr. Carney that we are withholding retainage; and 3) Have architect certify in writing that certain things are wrong. He also said we should check to see if the agreement is valid, and notify bonding companies as to what we are doing. Motion was made by Mr. Bell, seconded by Mr. Donofrio and agreed to by all that the attorney be authorized to take the proper legal proceeding to institute suit in an effort to correct this situation.

At 12:50 a.m. the board reconvened to public session by motion of Mrs. Fox and second of Mr. Bell and unanimous agreement.

Professional Personnel \* It was at this time that a motion was made by Mrs. Fox, seconded by Mr. Bell that the Board of Education approve items under the category of Personnel-Teaching a-q. These items were recorded beginning on page 25 of these minutes.

Non-Professional Personnel It was also at this hour that motion was made by Mr. Williams and seconded by Mrs. Fox to approve items under the category of Personnel-Non Teaching a-t. These items were also recorded beginning on page 32.

These two complete categories were actually approved at approximately 1:00 a.m. on June 23rd. When the board members returned to public session, there was one member of the audience still in attendance.

At 1:05 a.m. motion was made by Mr. Williams seconded by Mr. Bell and agreed to by all to adjourn this meeting.

Respectfully submitted,

*Josephine Damadio*  
Josephine Damadio

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July 21, 1981  
Brick Town, New Jersey

The Brick Township Board of Education held a Special Public Meeting on Tuesday, July 21, 1981 at 8:00 p.m. at Veterans Memorial Elementary School, Hendrickson Avenue for the purpose of discussing and/or acting upon employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of, and transfer and re-assignment of the following employees: all Principals, Vice Principals and Supervisors in the Brick Township School District.

Present were: Mr. Hancock, Mr. Bell, Mr. Bertrand, Mr. Bittmann, Mrs. Fox, Mr. Williams, and Mr. Hancock.

Also present: Dr. Aragona, Mr. Wolf, Mr. Anton and Mr. Sendzik.

Mrs. Damadio announced that the New Jersey Open Public Meetings Law was enacted to insure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon.

Sunshine  
Law

In accordance with the provisions of this Act, the Brick Township Board of Education has caused notice of this meeting to be published by having the date, time, and place thereof posted as follows on July 16, 1981: Board Office Bulletin Board, Asbury Park Press, Ocean County Times-Observer, Municipal Clerk and Brick Town News.

At 8:07 p.m. a resolution to go into executive session was read by Mrs. Damadio as follows: WHEREAS, C. 231, P.L. 1975, also known as the Sunshine Law, authorizes a public body to meet in executive or private session under certain limited circumstances; and

Executive  
Session

WHEREAS, said law requires the Board to adopt a resolution at a public meeting before it can meet in such an executive or private session:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BRICK TOWNSHIP SCHOOL DISTRICT: 1. That it does hereby determine that it is necessary to meet in executive session on this date to discuss matters involving Personnel matters, pertaining to Principals, Vice-Principals, and Supervisors of said district; and 2. That the matter discussed will be made public if and when confidentiality is no longer required and action pursuant to said discussion shall take place only at a public meeting.

Motion was made by Mr. Bell and seconded by Mr. Donofrio that the above resolution be approved. A roll call vote was as follows: Mr. Bell-yes; Mr. Bertrand-yes; Mr. Bittmann-yes; Mr. Donofrio-yes; Mrs. Fox-yes; Mr. Williams-no; and Mr. Hancock-yes.

Mr. Piantadosi was invited to attend the closed session as a result of his request. Mr. Piantadosi explained his feelings on his possible transfer and his reasons for requesting a particular person to work with him as Assistant Principal. After a lengthy discussion, Mr. Piantadosi was advised that his views would be considered at their discussion period to follow.

Two pre-agenda had been prepared for discussion this evening, and the items on both were referred to and discussed.

Dr. Aragona explained that the first agenda prepared was the result of many hours of working with the board attorney to come up with recommendations that would be legally sound. He further stated that the second agenda was hastily prepared after telephoned advice, this date, that certain board members were not in full agreement with the original recommendations, and wanted changes made as reflected in the said second agenda.

A consensus vote was finally taken, before going out to the public meeting, as to views on what actions could be expected. It was agreed that the item on the second agenda putting a vice-principal into a classroom be deleted and the ones on the first agenda creating a position and placing this individual in it would be used. The full board was not in agreement with all items on either list of recommendations, however, there were four votes for the ones in question.

Return to Public At 9:15 p.m. motion was made by Mrs. Fox, seconded by Mr. Bittmann and carried unanimously to go back into public session.

(At this time four motions were presented and acted upon, however, upon the advice of the attorney, before of the order in which they had been presented, a motion was made by Mr. Bell, seconded by Mr. Donofrio and carried unanimously to redo these four motions.)

Curriculum Coordinator Motion was made by Mrs. Fox, seconded by Mr. Bell and carried unanimously by roll call vote that the Board of Education approve that the position of Curriculum Coordinator, Grades K-8, be established by the Central Administration and approved by the Board of Education.

V.Oxenford Motion was made by Mrs. Fox, seconded by Mr. Bell and carried unanimously by roll call vote that the Board of Education appoint Vilma Oxenford to the position of Curriculum Coordinator, Grades K-8, effective August 1, 1981, at an annual salary to be negotiated.

Mr.DeBenedictis Motion was made by Mr. Bittmann, seconded by Mr. Donofrio and carried unanimously by roll call vote that the Board of Education assign Andrew DeBenedictis to a 12-month position as Principal of Lake Riviera Middle School, effective August 1, 1981 at an annual salary of \$41,475.00 prorated.

H.Lynch Motion was made by Mr. Bittmann, seconded by Mr. Donofrio and carried unanimously by roll call vote that the Board of Education assign Harvey Lynch to a 10-month position as Assistant Principal at Veterans Memorial Elementary School, effective August 1, 1981 at an annual salary of 32,475.00 prorated.

A.DeBenedictis Motion was made by Mr. Bittmann, seconded by Mrs. Fox and carried unanimously by roll call vote that the Board of Education assign Andrew DeBenedictis to a 10-month position as Principal of Osbornville School from a 12-month position of Principal at Lake Riviera Middle School effective Sept. 1, 1981 at an annual salary of \$33,975.00 prorated.

H.Lynch Motion was made by Mrs. Fox, seconded by Mr. Donofrio and carried unanimously by roll call vote that the Board of Education assign Harvey Lynch to a 12-month position as Assistant Principal at the Lake Riviera Middle School, from the position of 10-month Assistant Principal at Veterans Memorial Elementary School, effective August 1, 1981 at an annual salary of \$39,175.00 prorated.