

June 6, 1978

Brick Town, New Jersey

The Brick Township Board of Education held their Pre-Agenda Meeting on Tuesday, June 6, 1978 at 7:00 p.m. in the Board of Education Office, Brick Township High School, for the purpose of discussing items to be presented for approval at their Regular Meeting on Wednesday, June 14, 1978.

Pre-Agenda
Meeting

Present were: Mr. Schue, Mrs. Riley, Mr. D'Ambola, Mr. Bertrand (7:10 p.m.), Mrs. Fox and Mrs. Frake.

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

President Schue 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.

Open Public
Meetings 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: Board Office Bulletin Board, Asbury Park Press, Observer Courier-Sun and Municipal Clerk on June 1, 1978.

Dr. Aragona presented the pre-agenda items, taking said agenda page by page, and each item explained where necessary.

The employment of an Attorney on a full time basis was discussed and agreed to; salary to be determined at a later time.

At 7:59 p.m., Mr. Schue made a motion, seconded by Mrs. Riley and agreed to unanimously that this meeting be adjourned.

Adjourn

Respectfully submitted,

Josephine Damadio

Tuesday, June 6, 1978
Brick Town, New Jersey

Hearing
Student

The Brick Township Board of Education held a Special Meeting at 8:00 p.m. in the Board of Education Office, Brick Township High School to conduct hearings for students involved in drug problems on Tuesday, June 6, 1978.

Present were: Mrs. Fox, Mrs. Frake, Mrs. Riley, Mr. Bertrand, and Mr. Schue.

Also present: Dr. Aragona, Mr. Wolf, Mr. Stutts, Mr. Anton, and Mr. Dempsey.

President Schue 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.

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: Board Office Bulletin Board, Asbury Park Press, Observer Courier-Sun, and Municipal Clerk on June 1, 1978.

Student DY did not arrive until 8:20 p.m. at which time hearing began. This hearing lasted until 10:50 p.m.

Executive
Session

At 10:50 p.m., Mr. Schue made a motion to go into executive session. This motion was seconded by Mrs. Riley and carried unanimously. The following resolution was read in this regard:

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

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 matter involving student DY.
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.

Public
Session

At 11:59 p.m. Mr. Bertrand made a motion, seconded by Mrs. Riley and carried unanimously to return to public session.

Resolution

Motion was made by Mrs. Riley, seconded by Mr. Bertrand and carried unanimously that the Board of Education accept the following resolution as prepared by Mr. Martin Anton, School Board Attorney with regard to student D.Y.:

RESOLUTION - DY

WHEREAS, a student designated as D.Y. at the Brick Township High School, situate and located in the school district of the

the Township of Brick, County of Ocean, and State of New Jersey, was charged with possession and/or consumption of alcohol on May 9, 1978 at approximately 12:45 p.m.; and

WHEREAS, said student was suspended for a period of ten (10) days from May 9, 1978 to May 22, 1978; and

WHEREAS, said student was referred to the Child Study Team at the end of said suspension and placed on home instruction; and

WHEREAS, said student was afforded a meeting with Mr. Bart H. Brooks, Principal of the Brick Township High School to discuss said charges, and was given due notice of said suspension by letter of May 9, 1978 from Principal Bart H. Brooks; and

WHEREAS, a letter dated May 15, 1978 was forwarded to student D.Y., and to the parents of said student, wherein said student and his parents were notified of the charge against said student, and that there would be a hearing before two members of the Board of Education and the School Administration concerning the aforementioned charge and suspension on Monday, May 22, 1978 at 5:30 p.m. in the Board of Education Room in the East Building of the Brick Township High School; and

WHEREAS, said hearing did not take place because of an insufficient number of members of the Board of Education as scheduled on May 22, 1978; and

WHEREAS, a hearing date was scheduled for June 6, 1978 at 8:00 p.m. at the Board of Education Room at the Brick Township High School at 300 Chambers Bridge Road, Brick Town, New Jersey; and

WHEREAS, by Order of the Commissioner of Education dated May 24, 1978 said student was reinstated as a student in his regular class room setting; and

WHEREAS, notice of said meeting was given on May 26, 1978 to Joseph N. Dempsey, Esq., attorney for the student and parents; and

WHEREAS, on June 2, 1978, further notice was hand delivered to Joseph N. Dempsey, Esq., attorney for the above named student and parents of the witnesses on behalf of the Board of Education and of the fact that an opportunity would be afforded to cross-examine said witnesses as well as to present witnesses on the student's behalf, and an opportunity would be afforded to interview said witnesses prior to that hearing by contacting Mr. Warren Wolf, Deputy Superintendent of Schools at the Central Administration Office located at the Brick Township High School, East Building, 477-2800, extension 201; and

WHEREAS, Mr. Dempsey was likewise provided with a copy of the Child Study Team Report, as well as a copy of the student's record; and

WHEREAS, student D.Y. and his parents were notified by letter of June 2, 1978, hand delivered, which notified said student and parents once again of the charges against said student, and made reference to letter of May 15, 1978 wherein said student

and parents received a copy of the incident report dated May 9, 1978 from Mr. Edward Musgrave, Assistant Principal, to Dr. Louis Aragona, Superintendent of Schools, reflecting the results of the aforesaid preliminary hearing of May 9, 1978; and

WHEREAS, by said letter of June 2, 1978, student D.Y. and his parents were advised of the new hearing date of Tuesday, June 6, 1978 at 8:00 p.m. in the Board of Education Office at the Brick Township High School, 300 Chambers Bridge Road, Brick Town, New Jersey; and

WHEREAS, in said letter of June 2, 1978, said student D.Y. and his parents were notified that their attorney, Joseph N. Dempsey, Esq., has likewise been advised and consented to said date; and

WHEREAS, by said letter of June 2, 1978, said student D.Y. and his parents were once again notified of the witnesses on behalf of the Board of Education, and of their right to cross-examine the witnesses in question and of their right to present witnesses on their own behalf, and were likewise provided with a copy of the Child Study Team report and student's record, and of their right to interview the witnesses prior to said hearing by contacting them through the office of Mr. Warren Wolf, Deputy Superintendent of Schools at the Central Administration Office located at the Brick Township High School, East Building, 477-2800, Extension 201; and

WHEREAS, notice was given to the general public that at a meeting of May 31, 1978 that the Board would consider the adoption of a Resolution for a closed meeting and hearing to consider the matter of juvenile, D.Y. on Tuesday, June 6, 1978 at 8:00 p.m. at the Board Office in the Brick Township High School, 300 Chambers Bridge Road, Brick Town, New Jersey; and

WHEREAS, at said meeting of Wednesday, May 31, 1978, a Resolution was duly passed and adopted to conduct a closed meeting and hearing at the exclusion of the public to consider the matter of juvenile D.Y. on Tuesday, June 6, 1978 at 8:00 p.m. at the office of the Board of Education, situate and located in the Brick Township High School, 300 Chambers Bridge Road, Brick Town, New Jersey, and that disclosure to the public would be made not more than seven (7) days thereafter unless it becomes necessary for same to remain confidential for a longer period of time to protect the interest of said juvenile; and

WHEREAS, notice was given to the general public of the June 6, 1978 hearing on June 2, 1978 stating the time, place and location of same concerning the matter of juvenile D.Y. and the purpose of said hearing to study and pass on the merits of same with formal action as may be required, said notice having been advertised and noticed in the Asbury Park Press, Observer Courier Sun, Board Office Bulletin Board, and Municipal Cler, said notice further stated that said hearing would be closed to the general public and that the general public would be notified as soon as possible when circumstances no longer required the confidentiality of said hearings; and

WHEREAS, a hearing was held pursuant to all of the above on

Tuesday, June 6, 1978 at 8:00 p.m. at the Board of Education Office, 300 Chambers Bridge Road, Brick Town, New Jersey before the full Board of Education with all members being present except Thomas D'Ambola and Richard Hancock; and

WHEREAS, pursuant to the above hearing, the Board of Education has found D.Y. to have committed the offense as aforesaid herein; and

WHEREAS, the Board of Education considers pupils under the influence of alcohol and/or in possession of alcohol on school grounds as a serious offense that cannot be condoned, which if allowed to go unpunished would create a school atmosphere which would encourage more pupils to experiment with its use.

NOW, THEREFORE, BE IT RESOLVED that student D.Y. receive ten (10) days suspension which has been served as aforesaid and be required to report to detention on a daily basis from June 9, 1978 to the end of the 1977-78 school year. Furthermore, it shall be required that student D.Y. receive home visits from the school district's Social Worker and meet with his guidance counselor on a regular basis to assist student D.Y. in his adjustment to the school setting. In addition, it is strongly recommended that student D.Y. attend the Brick Township Outreach Center.

Motion was made by Mrs. Riley, seconded by Mrs. Frake and carried unanimously that the Board of Education adjourn this Special Meeting at 12:03 a.m.

Adjourn
Spec.Meet.

Motion was made by Mrs. Riley, seconded by Mrs. Fox and carried unanimously that the Board of Education continue their agenda session as of 12:04 a.m.

The discussion was with regard to hiring Mr. Martin Anton as Board Attorney for the 1978-79 school year at a set fee of \$35,000. for all legal services. Mrs. Riley, seconded by Mr. Bertrand with unanimous approval moved that this item be placed on the Action Agenda for June 14, 1978.

At 12:51 a.m., Mrs. Riley made a motion, seconded by Mr. Bertrand and carried unanimously that the Board of Education adjourn this meeting.

Adjourn

Respectfully submitted,

Robert K. Stutts