

**Freeport Public Schools
235 N Ocean Avenue
Freeport, NY 11520-2135**

Minutes of the Board of Education Meeting

April 9, 2003

The regular planning/action meeting of the Board of Education of the Freeport Union Free School District was held on Wednesday, April 9, 2003, in the Library of the Caroline G. Atkinson School. Ms. Coward, President of the Board of Education, called the meeting to order at 7:55 p.m. She then led in the pledge of allegiance.

Those present were:

- Ms. Sunday F. Coward, President
- Mr. Ronald Ellerbe, Trustee
- Ms. Carmen J. Pineyro, Trustee

Absent were:

- Dr. Joseph Cattano, Vice President
- Mr. Michael Raab, Trustee

Also present were:

- Dr. Eric L. Eversley, Superintendent of Schools
- Mr. Kishore Kuncham, Assistant Superintendent for Business
- Dr. Mary Bediako, Assistant Superintendent for Personnel & Clerk of the Board
- Dr. Joshua Starr, Executive Director of Operations
- Mr. Robert Harris, Executive Director for Curriculum, School Improvement, Professional Development and Planning

Also absent were:

- none

Guests were:

- none

The number of people in the audience at the opening of the meeting was 50.

Superintendent's Report

Dr. Eversley, Superintendent of Schools thanked the Finance/Budget Advisory Committee for their dedication to the Freeport School District and asked Kishore Kuncham, Assistant Superintendent for Business to introduce the Chairperson of the committee, Mrs. Pat Lewis.

Mr. Kuncham also thanked each and every committee member for his or her hard work and dedication to the District. He then introduced Mrs. Lewis who gave the recommendations as attached.

Dr. Joshua Starr, Executive Director of Operations gave a presentation of the vision building process as attached.

The Board reviewed the tentative 2003-2004 Board of Education Meeting Calendar.

Questions on the Item for Action

At this time, the public was given the opportunity to address the Board of Education on items on the agenda. Each speaker was allowed to address the Board for 6 minutes.

Board of Education Committee Reports

Ms. Pineyro reported to the Board that the Library Committee and the Community Outreach Committee were ready to schedule their first meetings.

Mr. Ellerbe, Chairperson of the Legislative Committee, reported that the group had met on April 7, 2003 and he gave a brief summary of the meeting as attached.

The Board reviewed the tentative agenda for April 15, 2003 and April 29, 2003.

Items for Action

Approval of CSE and PSE Meetings

Ms. Pineyro offered the following resolution for adoption:

RESOLVED that the Board of Education hereby accepts the minutes of the meetings of the committees on special education and preschool special education for the following dates:

The motion was seconded by Mr. Ellerbe and unanimously carried: Coward, Ellerbe and Pineyro.

Board Comments

Ms. Pineyro reported to the Board and community on her recent visit to the National School Boards Association convention in San Francisco.

Executive Session

At 8:50 p.m., it was moved by Ms. Coward to adjourn to Executive Session for the purpose of discussing two particular matters of personnel.

The motion was seconded by Mr. Ellerbe and unanimously carried: Coward, Ellerbe, and Pineyro.

At 9:40 p.m., Mr. Ellerbe moved to adjourn to Open Session. The motion was seconded by Ms. Pineyro and unanimously carried: Coward, Ellerbe, and Pineyro.

Other Business

Mr. Ellerbe made the following motion:

WHEREAS, Strolyn Ashby, a member of the instructional staff of the District (hereinafter referred to as "Respondent"), a tenured Teacher's Assistant employed by the Board, has been absent without authorization from her position since June 30, 2002;

WHEREAS, on March 12, 2003, the Superintendent recommended disciplinary charges pursuant to Section 3020-a of the Education Law against Respondent for misconduct and insubordination based upon her unauthorized absence from her position as a Teacher's Assistant;

WHEREAS, on March 12, 2003, the Board found probable cause to prefer said disciplinary charges against Respondent pursuant to Section 3020-a of the Education Law and informed her of the charges and provided her with all documentation required under the law; Respondent was further informed that if she waived her right to a hearing, the Board would meet to determine the case and if found guilty, Respondent would be terminated;

WHEREAS, by March 31, 2003, Respondent failed to request a hearing within the ten (10) day period mandatorily required under Education Law Section 3020-a, such waiver being an implied waiver of Respondent's rights under Education Law Section 3020-a, entitling the Board to proceed, within fifteen days of such waiver, by majority vote, to determine the case against Respondent and to fix the penalty, if any, in accordance with Education Law Section 3020-a subsection 2(d) and 4.

WHEREAS, on April 9, 2003, the Board, having had the opportunity to review and carefully consider the case against Respondent, has found that there is substantial evidence for it to find Respondent guilty of Charge 1 (Insubordination – Specifications 1 and 2) and Charge II (Misconduct – Specifications 1 and 2) based upon her unauthorized absence from her position as a Teacher's Assistant since June 30, 2002;

WHEREAS, the Board specifically finds that the Board granted and Respondent received one (1) leave of absence for the period September 20, 2000 to December 1, 2000 for medical reasons as well as three (3) approved extensions of said leave of absence for the additional periods from November 3, 2000 to February 1, 2001 by Board approval. The Board finds that thereafter Respondent failed to report to work in September, 2002. On October 4, 2002, Respondent submitted a fourth request for an extension of her original leave of absence. Respondent's request for a fourth extension of her original leave of absence was not granted because of the Board's need to fill the position in the best interest of its students; because there was no contractual obligation to further extend the leave; because Respondent did not provide any medical documentation to support her request for a further extension of her original leave of absence. Respondent was informed of the disapproval of her last leave request on October 15, 2002, and was directed to report to work immediately; the Board finds that despite repeated telephone calls and numerous supervisory letters from Dr. Mary R. Bediako, Assistant Superintendent for Personnel, in which Respondent was directed by Dr. Bediako to report to work or face disciplinary charges, Respondent failed to report to work. Evidence is compelling that she received notice of said supervisory direction and of consequences for failure to return. Respondent never returned to work for the 2002-2003 school year. Respondent has neither indicated to the District that she is not able to work nor has she resigned her position;

IT IS HEREBY RESOLVED that Respondent is guilty of misconduct and insubordination as set forth in the Charges dated March 12, 2003, and that the penalty is termination, to be immediately effective.

The motion was seconded by Ms. Pineyro and unanimously carried: Coward, Ellerbe, and Pineyro.

Executive Session

At 9:50 p.m., it was moved by Ms. Coward to adjourn to Executive Session for the purpose of discussing a particular matter of personnel.

The motion was seconded by Mr. Ellerbe and unanimously carried: Coward, Ellerbe, and Pineyro.

At 10:20 p.m., Mr. Ellerbe moved to adjourn to Open Session. The motion was seconded by Ms. Pineyro and unanimously carried: Coward, Ellerbe, and Pineyro.

Adjournment

At 10:21 p.m., with no other business, on a motion by Mr. Ellerbe and seconded by Ms. Pineyro, the Board adjourned the meeting. The vote was unanimous: Coward, Ellerbe and Pineyro.

Next Meeting

The next regularly scheduled meeting of the Board of Education will be a budget workshop on April 15, 2003 and an action meeting held on April 29, 2003.

Respectfully submitted,

Mary Bediako, Ed.D.
Clerk of the Board

