

# CONFIDENTIAL

## CLOSED EXECUTIVE SESSION MINUTES

July 17, 2012

President Hemant Marathe called the executive session of the West Windsor-Plainsboro Regional School District Board of Education to order at 6:04 PM in the media center at Community Middle School. The following Board members were present:

Ms. Rachelle Feldman Hurwitz  
Mr. Robert Johnson

Ms. Michele Kaish  
Mr. Richard Kaye

Ms. Dana Krug  
Mr. Hemant Marathe

Board Member Walsh arrived at 6:15 PM and Board Members Fleres and Xu were absent. Present also were: Dr. Victoria Kniewel, Superintendent of Schools; Dr. David Aderhold, Deputy Superintendent; Mr. Larry Shanok, Assistant Superintendent for Finance/Board Secretary; Martin Smith, Assistant Superintendent, Curriculum & Instruction; Mr. Russell Schumacher, Special Assistant for Labor Relations; and, Ms. Alicia Boyko, Director of Human Resources. Richard Golden, Esq., board attorney, and High School North administrators Mike Zapicchi and Melissa Levine were also present.

Purpose: Matters concerning personnel; matters covered under attorney-client privilege; pending and potential litigation; and, labor negotiations.

1. Attorney-Client Privilege: Easement. Dr. Aderhold provided an update on the Penn Lyle Project. The district received DOE approval. Next step is site plan approval from West Windsor Township.
2. Attorney-Client Privilege: DRCC. Dr. Aderhold stated that earlier this evening, Delaware and Raritan Canal Commission gave their approval of High School South's 2006 bond referendum addition and the proposed athletic field lights. The documents will now go to the Department of Community Affairs, then to the West Windsor Planning Board in September.
3. . . . . Richard
4. Personnel: Informal Appearance by C.C. and her Legal Counsel before the Board. At 6:30 PM C.C. and her attorney appeared. Her attorney asserted reasons, including prior performance evaluations, for reinstating C.C. to her position.
5. Personnel/Attorney-Client Privilege: Board Discussion Regarding C.C. Principal Zapicchi described what occurred this past school year that led him to believe that continuing employment was not in the best interests of students. The administrators responded to Board discussion. The administrators departed at 7:01 PM and the board attorney at 7:05 PM.
6. Personnel: Recommendation for Transfers of Teacher and Guidance Counselors. The Superintendent and Deputy Superintendent addressed the coming transfers.
7. Personnel: Recommendations for Increment Withholdings of Teachers. The Superintendent and Deputy Superintendent spoke of the three withholdings of increment under consideration.

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8. Personnel: Superintendent's Review of Community Education Personnel Matter. The Superintendent and Deputy Superintendent spoke of the review to date concerning an employee responsible for the adult program of Community Education. The Superintendent recommended continued employment with a Personal Improvement Plan.
9. Negotiations/Personnel: Decertification of WWPSSSA. Mr. Schumacher described the actions taken by the group formerly known as the WWPSSSA. These employees are likely to be included among the non-affiliated employees of the district should PERC allow the decertification.
10. Negotiations/Pending Litigation: 8<sup>th</sup> Grade Special Ed Teacher Grievance. The Superintendent and Mr. Schumacher described the grievance and the remedy sought by the union. Dr. Aderhold noted that steps had been taken so that this is not an issue for 2012-2013 school year schedules.

By motion of Mr. Johnson, seconded by Mr. Kaye, it was the unanimous vote of all Board members present to return to public session at 7:59 PM.

The closed session was reconvened at 8:31 PM.

In attendance were Board Members Marathe, Feldman Hurwitz, Kaish, Kaye, Krug, and Walsh. Board Members Fleres, Johnson and Xu were absent. Also present was administrators Kniewel, Aderhold, Shanok, Schumacher, and Boyko.

11. Litigation: Charter School. Virtual and hybrid charters will impact districts as additional legislation comes to pass. There was discussion of what the district might do and how it might act in concert with other districts and professional associations.

At 9:17 PM Eric Harrison, Esq., special legal counsel for the Board, joined the meeting.

12. . . . .  
that Mr. Harrison

By motion of Mr. Kaye, seconded by Ms. Feldman Hurwitz, it was the unanimous vote of all Board members present to return to public session for immediate adjournment at 9:58 PM.

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Larry Shanok, Board Secretary