

**Atlantic City Board of Education  
Special Meeting  
October 26, 2021– 6:00pm**

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**Call To Order**            Mr. Steele called the meeting to order at 6:01pm.

**Roll Call**            Mrs. Bailey, Mrs. Byard, Mr. Chowdhury, Mr. Cupeles, Mr. Devlin, Mr. Islam, Mr. Johnson, Mr. Steele.

Also present    Mr. Caldwell, Ms. Morris, Mrs. Riley, Mr. Riley, Ms. Yahn, Ms. Saunders, Mrs. Brown.

**Statement of Notice**

A notice of the special meeting was published in the Press of Atlantic City, mailed to the City Clerk and posted on the bulletin board of the Citi Center Building at 1300 Atlantic Avenue, Atlantic City, New Jersey 08401 on October 24, 2021.

**Flag Salute**        Mrs. Brown led those assembled in the flag salute

**Vision & Mission Statement**

**Vision:**    Atlantic City Public Schools and members of the community believe in the development of the whole child. Together we are committed to providing a nurturing, safe and stimulating environment for all students to continuously learn and grow.

**Mission:**    All students will be actively engaged and supported as they learn and grow on the journey to become independent, life-long learners equipped for the 21st Century.

**Superintendent Report – No Report**

**Board Vacancy – Applicants Address the Board**

\* Jennifer Speed – Ms. Speed advised she is a lifelong resident, walks the streets of Atlantic City daily as a City Carrier and would like the opportunity to serve on the Board. Ms. Speed is running in the upcoming general election.

\* Jarrod Barnes – Mr. Barnes thanked for the Board for the opportunity to speak, advised of his college degrees and his work in healthcare. Mr. Barnes advised he is a father of three and supports the community.

On a motion made by Mrs. Bailey and seconded by Mr. Johnson, the Atlantic City Board of Education voted to appoint Mr. Jarrod Barnes to fill the board vacancy unexpired seat through December, 2021. At the call of the roll the vote was as follows: Mrs. Bailey-yes; Mrs. Byard-yes; Mr. Chowdhury-yes; Mr. Cupeles-yes; Mr. Devlin-abstain; Mr. Islam-yes; Mr. Johnson-yes. Mr. Steele-yes. Of eight members present, seven voted in the affirmative and one abstained. The motion carried.

**Oath of Office**    Solicitor Mrs. Riley administered the oath of office to Mr. Jarrod Barnes.

**Revised roll call** – Mrs. Bailey, Mr. Barnes, Mrs. Byard, Mr. Chowdhury, Mr. Cupeles, Mr. Devlin, Mr. Islam, Mr. Johnson, Mr. Steele.

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**President's Comments** – Mr. Steele thanked those in attendance for their time to attend the special meeting. Mr. Steele advised of the process of how the district got to this point in selecting a new superintendent of schools. The District originally hired Dr. Gary McCartney to spearhead the committee at a cost of \$25,000 and \$3,000 for advertisement in the Star Ledger. The committee consisted of non-conflicted board members (Devlin, Chowdhury, Islam, Hossain). Previous board member Mr. Thomas was unable to participate, Ventnor Representative Ms. Bassford resigned and replaced by Mr. McDevitt who passed away. In light of litigated matters, it was decided to stop the search and begin a new one. Mr. Steele appointed three board members (Mike Cupeles, Kazi Islam, Subrata Chowdhury) and three members of the community (Bruce Weeks, Joyce Mollineaux, Paula Gardner) to conduct the superintendent search in conjunction with Solicitor Mrs. Riley. Advertisements were placed in the Press of AC, Courier Post, Shore Jobs.com, NJASA, NJSBA, Stockton University, ACCC, letters were sent to Atlantic City, Ventnor and Margate Civic Associations. A total of 21 applications were received, reviewed, first and second interviews were conducted and a selection was made. Mr. Steele thanked the committee for their service and time. Lastly Mr. Steele advised due to recent technical difficulties, all meetings will be held via Zoom.

**Public Comments** – Ms. Beth Holtzman, Ventnor City Mayor, addressed the Board regarding the selection of Dr. Small as Superintendent. Ms. Holtzman advised that Atlantic City is in her heart, it has a high level of education and discussed a medical condition her son had while attending ACHS and that Dr. Small remedied the problem immediately and advised the leader of a district is critical. Mr. Joe Jacobs advised he believes everyone has their own definition of education and the intent of knowledge is the first thing. In 1966 Ms. LaQuilla Matthews was the first black president of the ACBOE and she found it as a rewarding and special opportunity that previously did not exist in Atlantic City. Mr. Jacobs advised Dr. Small is a current resident that speaks volumes and she has experience in elementary, middle and high school. KaShawn McKinley, advised it would be an honor to have Dr. Small as superintendent. Dr. Small is passionate, has big shoes to fill, is fair and positive, creative and has a background and goals. Student SaNye advised Dr. Small is a good principal, student Tyrone advised Dr. Small is a great principal and role model and student My-Kel advised Dr. Small is great. Mr. Craig Callaway advised the majority of the board is immoral, most board members are not qualified to vote and sold their souls, Dr. Small has failed miserably and is a molester protector and that is her claim to fame. LaToya Dunston discussed she received 5 letters regarding her son missing school and asked where truancy and advised her child is not a district student. Mr. Floyd Tally advised Dr. Small is an excellent educator, the students that spoke have a troubled past but respect Dr. Small. Mr. Tally advised the first family in Atlantic City is one the best, asked the public to watch where they are receiving bad information from and do not judge. Mr. Tally advised some have messed up their own lives so don't judge others. Ms. Mimi Nambo advised Dr. Small knows the school system inside and out, has great instructional leadership and is extremely educated. Ms. Brenda Braithwaite advised Dr. Small is vested in her goals, she should be supported as the next Superintendent of School, she has moved her way through the ranks of the district, is always available. Dr. Small brings experience, change does not come without discomfort and asked the Board to vote unanimously in favor of Dr. Small. Mr. Henry Green discussed the legality of the process, asked why the meeting was happening one week before the election, the board is made up of upper class black people. Mr. Jeff Dorsey advised Dr. Small is the most qualified candidate. Mr. Steven Young advised he has been before the Board several times, he is tired of seeing nepotism, he is not afraid of threats and intimidation and advised of children being abused in the school system. Mr. Young inquired about the status of the Porzio report and for transparency. Mr. Wilbur Banks someone in the community is qualified and rose from the bottom from the top and the feeling is right.

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**PERSONNEL 1 – 1**

**1. Approve the following Doctrine of Necessity:**

WHEREAS, the School Ethics Commission (“SEC”) has provided guidance in Public Advisory Opinion A03-98, regarding how a Board should invoke the Doctrine of Necessity when a quorum of a board of education has conflicts of interest on a matter required to be voted upon; and

WHEREAS, the opinion set forth that, when necessary for a Board to invoke the Doctrine of Necessity, the Board should state publicly that it is doing so, the reason that such action is necessary and the specific nature of the conflicts of interest; and

WHEREAS, the SEC by resolution dated February 25, 2003, clarified and required a Board of Education invoking the Doctrine of Necessity to adopt a resolution setting forth that they are invoking the doctrine, the reason for doing so, and the specific nature of the conflicts of interest; and

WHEREAS, the SEC further directed Boards of Education that invoke the Doctrine of Necessity to read the resolution at the regularly scheduled public meeting, post it where it posts public notices for thirty days, and provide the Commission with a copy; and

WHEREAS, the State Department of Education promulgated *N.J.A.C. 6A:23A-6.2*, which places additional standards and restrictions and restrictions upon the ability of a board member to vote on a particular issue; and

WHEREAS, the five board members’ conflicts are as follows:

- (1) Board Member Mrs. Ruth Byard’s daughter is a Board approved teacher; and
- (2) Board Member Ms. Patricia Bailey’s son is a Board approved truancy officer; and
- (3) Board Member Mr. Walter Johnson’s spouse is employed by the Board as a teacher; and
- (4) Board Member Mr. Shay Steele’s spouse is employed by the Board as teacher; father parent center employee and.
- (5) Board Member Mr. Albert Herbert’s sister-in-law is employed by the Board as a teacher.

WHEREAS, the inability of the aforementioned Board members to participate in the naming and approving of the Superintendent; and

WHEREAS, as required by law, the Board desires to invoke the Doctrine of Necessity in accordance with Procedures established by the Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Atlantic City Board of Education, County of Atlantic, State of New Jersey, that the aforementioned Board Members are prohibited from the naming and approving of the position of Superintendent; and approving

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board invokes the Doctrine of Necessity in order to allow the full body of the Board to approve the naming and approving the Superintendent in accordance with State law; and

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NOW, THEREFORE, BE IT FURTHER RESOLVED that this Resolution shall be read at a regularly scheduled meeting of the Board and be publicly posted by the Board; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the School Ethics Commission.

**Personnel 1-1**

On a motion made by Mr. Johnson and seconded by Mrs. Byard, the Atlantic City Board of Education voted to approve Personnel #1. At the call of the roll the vote was as follows: Mrs. Bailey-yes; Mr. Barnes-yes; Mrs. Byard-yes; Mr. Chowdhury-yes; Mr. Cupeles-yes; Mr. Devlin-yes; Mr. Islam-yes; Mr. Johnson-yes; Mr. Steele-yes. Of nine members present, nine voted in the affirmative. The motion carried.

**Closed Session**

On a motion made by Mrs. Bailey and seconded by Mr. Johnson, the Atlantic City Board of Education voted unanimously to go into closed session at 7:09pm.

**BOARD OF EDUCATION OF THE CITY OF ATLANTIC CITY  
RESOLUTION AUTHORIZING AN EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and  
WHEREAS, the Board of Education of the City of Atlantic City has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and  
WHEREAS, the regular meeting of this Board of Education will reconvene at the conclusion of closed session, at approximately 7:10pm this evening for approximately 1 hour.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the City of Atlantic City will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public (Provision relied upon);

Any matter in which the release of information would impair a right to receive funds from the federal government;

Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;

Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body;

Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection;

Any investigations of violations or possible violations of the law; Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer: - **Appointment of Superintendent of Schools**

(If contract negotiation the nature of the contract and interested party is) (Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the District's position in the litigation or negotiation, this

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information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact);

Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless

all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting (Subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 N.J. 478, the employee(s) nature of discussions are employment requirements/modifications.

Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

BE IT FURTHER RESOLVED that the Board of Education hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Board Attorney advises the Board of

Education that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the School District or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Board of Education, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Board Secretary to take the appropriate action to effectuate the terms of this resolution. I, Angela Brown, Board Secretary do hereby certify the above to be a true and correct copy of a resolution adopted by the Board of Education of the City of Atlantic City at their meeting held on October 26, 2021.

## **RETURN TO OPEN SESSION**

On a motion made by Mrs. Byard and seconded by Mrs. Bailey, the Atlantic City Board of Education voted to return to open session at 8:29pm.

## **AFTER EXECUTIVE SESSION**

### **Personnel #2**

On a motion made by Mr. Johnson and seconded by Mrs. Bailey, the Atlantic City Board of Education voted to approve the recommendation of the superintendent search committee to appoint Dr. LaQuetta Small as Superintendent of Schools for a four-year contract at a salary of \$210,000, pending Executive County Superintendent of Schools approval, effective January 1, 2022. At the call of the roll the vote was as follows: Mrs. Bailey-yes; Mr. Barnes-yes; Mrs. Byard-yes; Mr. Cupeles-yes; Chowdhury-yes; Mr. Devlin-abstain; Mr. Islam-yes; Mr. Johnson-yes; Mr. Steele-yes. Of nine members present, eight voted in the affirmative and one abstained. The motion carried.

**Adjourn**                      There being no further business to come before the Board of Education, on a motion made by Mrs. Bailey and seconded by Mr. Johnson the meeting adjourned at 8:32pm.

Respectfully submitted,  
Angela Brown  
Board Secretary