

# UNION COUNTY LOCALSOURCE

THURSDAY, DECEMBER 28, 2017

UNIONNEWSDAILY.COM

VOL. 100 NO. 51

75 CENTS

## Suit against Roselle school complex gets boost

By Rebecca Panico  
Staff Writer

A Superior Court judge on Dec. 19 threw out a request by Roselle and Union County officials to dismiss a lawsuit that seeks to derail a \$59 million school and recreation center in the borough.

Roselle Board of Education attorney Allan Roth said Judge Robert Mega, who read his ruling from the bench, indicated he would consider a summary judgment for Anthony Esposito, a former school board member who filed the lawsuit in August.

"They didn't have the standing to do what they wanted to do in the first place," Esposito said in a Dec. 19 phone call. "They really messed this whole thing up legally."

Esposito sued the school board, borough and county — which voted to guarantee bonds to finance the Roselle Mind and Body Complex — claiming that the project was based on a lease agreement that had expired in 2015. He said the municipality had agreed to lease land on Chandler Avenue from the school board for the recreation portion of the complex in 2014, but that deal was contingent upon the borough securing financing by the end of 2015.

The Union County Board of Chosen Freeholders did not vote to approve to guarantee the bonds for the project until August 2016.

The Mind and Body Complex has created a rift in the borough, which has an estimated population of 21,625.



A lawsuit by a former school board member to halt the proposed \$59 million Roselle Mind and Body Complex between Chandler and Harrison avenues, a combined school-recreation project, received a boost on Dec. 19 when a judge threw out government officials' request to dismiss it.

Residents at multiple Roselle Borough Council and school board meetings have raised concerns about the potential tax increase the project could create in the bor-

ough. The project, meanwhile, has the support of a majority of school board and council members.

Esposito's suit also includes the Union

County Improvement Authority, which was slated to issue bonds for the project. Although the bonds were guaranteed, the

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## Springfield leaves 'looping' in superintendent's hands

By Jenny Goldberg  
Staff Writer

The Springfield Board of Education is declining to develop a policy on its practice of "looping," in which a class of students continues with the same teacher from one grade year to the next, despite parents requesting the option to have their children excluded.

After four months of calls from parents for change, the board is allowing looping to remain at the discretion with Springfield Schools Superintendent Michael Davino.

"The board has made a decision to leave this in the hands of Mr. Davino," board attorney Janelle Edwards-Stewart told Springfield parent Robert Matos during the Dec. 18 school board meeting.

Parents who want a choice regarding their child's participation in looping have continued to advocate for a policy that will accommodate their preferences.

This push for a written policy has dominated school board meetings since September.

"What this boils down to is not a matter of not being heard, it's a matter of sheer disagreement, Edwards-Stewart said. "The board has taken a position. They have respected the authority vested in the superintendent to make these determinations about which classrooms these kids go into.

"That's not a problem that hasn't been solved, this matter has been pursued and addressed," she said.

The looping issue was highly publicized during a recent district dispute and later, federal lawsuit, between Irina Spektor, a mother who claims her 9-year-old child was bullied, and the Springfield school system.

Spektor requested her child be moved out of her looped classroom to another class within Sandmeier Elementary.

Despite being offered a place for Spektor's child at Caldwell Elementary School, the district's other elementary school, Spektor refused and took the matter to federal court Nov. 14.

Spektor's child has received home instruction, in accor-

dance with state law, since October.

The lawsuit was ordered into mediation in November, but according to court records obtained by LocalSource, mediation did not resolve the complaint, and both Spektor and the Springfield Board of Education are slated to appear before U.S. District Court Judge Claire C. Cechi in Newark on Jan. 3 for a hearing.

Parents have recently pressed the school board to codify the looping policy so as to understand and know their options when disputes arise.

Springfield parent Sylvia Gils Caggiano has been among those pushing for the written policy since first addressing the board Sept. 18, saying she has seen her child struggle with an ineffective teacher.

At the Nov. 6 board meeting, Caggiano presented an online petition that received more than 100 signatures asking school officials to adopt a parent choice provision.

"So when you say we're heard, and we give examples

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# Looping decision left to Springfield administrators

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 where we don't feel that the teacher is a good fit for our child, but then we get that same teacher, we don't feel heard," Caggiano told the board Dec. 18.

"It is not that we are not happy we didn't get our way, but we come with genuine concerns and our consolation from the board is, 'we've heard you, but we feel the best decision is that your child has the same teacher.'"

Additionally, Matos and his wife, Laura Limone, were dubious of the board using legal reasons to justify its unwillingness to write a formal policy.

While Limone produced a written policy from another district that hadn't been used since 2009, Matos asked why the board is still asking for more information, if it has already made a decision on the matter.

Springfield Board of Education Vice President Scott Silverstein said it was the board's responsibility to listen to the concerns and questions of parents. He added that members want to be more educated and informed on the issues, but it didn't mean they would immediately take action.

Silverstein, board President Robin Cornelison and board member Hilary Turnbull assured parents that they had discussed the looping policy at length and conducted their own research on the subject.

Silverstein said 75 district policies were examined, but the districts appeared "pretty black and white" when it came to classroom placement, saying they left it up to the administrators' discretion.

Cornelison confirmed Silverstein's statements in an email to LocalSource on Dec. 13, stating the administration is charged with the regular operations of the schools and the district as a whole.

"The board is prohibited from interfering with the day-to-day operations of the district and the school by virtue of the School Ethics Act," Cornelison said. "As we have repeatedly stated at our meetings, the practice of 'looping' is an administrative issue relating to staffing and scheduling and educational best practices, as determined by our district's superintendent and his administrators, is what guides those determinations."

It was clear, Edwards-Stewart said, that certain parents have continued to take issue with that conclusion.

"What is sounds like is that certain parents are dissatisfied with the decision that has been made, so they're choosing to think that there has not been a decision made, that this is open, a problem that no one is deciding," Edwards-Stewart said in response to public comments.



Photo by Jenny Goldberg

Springfield Board of Education Vice President Scott Silverstein, center in pink shirt, addresses parent Robert Matos, foreground with jacket and back turned, at the board's Dec. 18 meeting at Jonathon Dayton High School on the subject of looping.

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