

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

PUBLIC BOARD MEETING MINUTES
NESHAMINY BOARD OF SCHOOL DIRECTORS
May 22, 2013

The Neshaminy Board of School Directors met in public session on May 22, 2013, in the District Offices Board Room at Maple Point Middle School. The following persons were in attendance:

BOARD MEMBERS:

Mr. Ritchie Webb, President
Mr. Scott Congdon, Vice President
Ms. Irene Boyle
Mrs. Susan Cummings
Mr. Mike Morris
Mr. William Oettinger
Mr. Mark Shubin

ADMINISTRATORS:

Mr. Robert L. Copeland
Mrs. Barbara Markowitz
Dr. Greet Heble
Mrs. Therese Hinterberger
Mr. Anthony Devlin

BOARD MEMBER ABSENT:

Mr. Kim Koutsouradis
Mr. Anthony Sposato

OTHERS: Approximately 60 persons from the public, staff and press

SECRETARY: Mrs. Jennifer Burns

SOLICITOR: Nathan Fox, Esquire
Charles N. Sweet, Esquire

Mr. Webb announced that prior to the meeting an Executive Session was held where contract and personnel issues were discussed.

Call to Order

Mr. Webb called the meeting to order at 7:14 p.m.

Pledge of Allegiance

Mr. Webb requested those in attendance join in the salute to the flag.

Announcements

None

Superintendent's Report

Mr. Copland advised the Board on the following:

- FBLA 2013 State Winners.
- Financial Literacy Certification for 150 Neshaminy High School students.
- 9th grade Art contest winners.
- Neshaminy High School's Family & Consumer Science Majors visit the Oncology patients at Saint Christopher's Hospital for Children.
- Poquessing Middle School - Amazing Music Adjudication.
- Neshaminy High School Advanced Art - Senior Show, May 20 - 31, 2013.
- Silent Art Auction Huge Success.
- Neshaminy School District Art Show will be held May 28th, 29th, & 30th.
- Stem Program update.

Mr. Webb read the following letter from Mr. Sweet to Thomas W. Jennings, Esquire representing the NFT:

The last formal bargaining session between the parties occurred February 13, 2013. It was the sixty-eighth (68) bargaining session between the parties since January, 2008. The Board's Final Proposal has been presented in writing on December 18, 2012, at the 64th session, and was verbally modified during the course of the December 18, 2012, bargaining session. Those modifications were proposed in writing on December 31, 2012, and submitted to you by email. Those (2) two documents, taken together by email constituted the Final Proposal of the Neshaminy School Board to the NFT.

Further verbal modifications were made to the Proposal, by mutual agreement of the parties, at the bargaining session held on January 17, 2013. Subsequent modifications to the Board's final Proposal were presented by the Board President to the NFT, Vice President, Ann Schmidt, in written format at an informal bargaining session on April 30, 2013 in a document entitled Revised Board Final Proposal to NFT, dated April 25, 2013.

It has been the expectation and intention of the Board that the Final Offer would be put to a vote of the general membership of the NFT for acceptance or rejection. Such a vote was not taken until May 16, 2013, at which time it was rejected by the general membership.

This letter will serve as notice that as a result of the rejection vote of the general membership, the Neshaminy School Board hereby withdraws its Final Proposal dated December 18, 2012, as subsequently modified, in its entirety, effective May 31, 2013.

Very truly yours,

Charles N. Sweet

Public Comment

Margie McCurdy, school aide, resident of Lower Southampton, voiced her opposition to the possible cutting of computer lab aide positions in the IT Department of the school district. Ms. McCurdy stated that the lab aides are essential to operating the IT Department smoothly and efficiently and cutting these positions would be a huge disservice to the school district.

Matt Tomlin, Carl Sandburg Middle School student, resident of Levittown, commented that he does not want to see the Family Consumer Science Program cut from the curriculum. Mr. Tomlin stated that the program offers valuable skills to students and he feels very strongly that eliminating the program would be a mistake. He asked the Board to reconsider this decision.

Mary Tomlin, literacy leader, resident of Levittown, stated that she supports her son, Matt, in his plea to save the Family Consumer Science Program. Ms. Tomlin asked the Board to explain what transition plan would be in place to provide a bridge for the students who will miss the content during the transition from middle school to elementary school. She also asked what content would be cut from other grade levels to provide room for the new content.

Ed Kern, retired, resident of Levittown, thanked those who attended the meeting at Samuel Everitt Elementary School. Mr. Kern acknowledged that the school consolidation plan involves difficult and often not popular decisions. He stated that he continues to feel that closing some schools and building a new bigger school does not solve the financial problems of the district. Mr. Kern said that this plan divides the district and only serves to drive a wedge between the community members because of the unfairness it creates. He speculated whether there are political motives for the decisions made concerning the school consolidation plan. Mr. Kern asked the Board to delay the final decision until the teacher's contract is settled.

Jim Jenca, retired, resident of Levittown, stated that he would like to see the contract offer to the NFT amended; however, he understands from Mr. Webb's announcement that the offer will be pulled. Mr. Jenca voiced his displeasure with the NFT's rejection of the Board's offer and he hopes the Board will keep that in mind when creating a new offer. He also declared that the community supports the Board one hundred percent in solidarity.

Gary Balakoff, employee of Bucks Federal Credit Union, resident of Bristol, said he has had a great working relationship with the Neshaminy Family Consumer Science program since 2007. Mr. Balakoff said that many students lack the knowledge to deal with finances and the FCS program provides the skills to provide this knowledge to students. He said the program offers a true financial lesson and how to apply this to real life situations.

William Farquer, small business consultant and psychologist, resident of Middletown Township, voiced his objection to the plan to eliminate the Family Consumer Science program. Mr. Farquer stated that curriculum matters and family and consumer science courses provide practical information that can be immediately put to use before and after school. Mr. Farquer said that financial literacy is becoming increasingly important and the cutting of the FCS program would put Neshaminy students at a distinct disadvantage.

Andrew Farquer, University of Pennsylvania graduate student, resident of Middletown Township, said he is shocked at the proposal to cut the FCS program. He said the cutting of FCS from middle schools would be to directly remove basic and essential skills and deny children of that knowledge. Mr. Farquer questioned why more time has not been spent reviewing and assessing the necessity of the program before making a decision to eliminate it. Mr. Farquer remarked that the community wants well-rounded students, not students who simply know mathematics, but cannot cook a decent meal, write a check, or manage a family.

Stephen Pirritano, self-employed, resident of Feasterville, mentioned that he still has a problem with the wording of Policy 105. He stated that the interpretation between attack and criticism is still in question and he asked the Board to either table the policy or have a motion to remove the word "attack" from the policy. Mr. Pirritano said that FCS is a good program, but if it comes to a choice between a STEM program and the FCS program, he chooses STEM. He said that Neshaminy needs to make changes and he is confident that the Board will make the right decisions.

Joseph Pimble, Neshaminy math teacher, resident of Holland, stated that he attended the NFT Union meeting and many members have questions regarding the proposal. He asked for clarification on the Master's Equivalency, the effective date for salary increases, health-care premiums, etc. should the offer be accepted by the NFT, and would the current offer still be valid if the NFT votes to accept it prior to May 31, 2013.

Approval of Minutes

Mrs. Burns presented the minutes of April 23, 2013 and May 7, 2013. Upon motion of Mr. Shubin and seconded by Mr. Congdon the Board unanimously approved the minutes of the April 23, 2013 and May 7, 2013 Board Meeting Minutes.

Approval of Treasurer's Report, Check Register, and Exonerations of Personal and Per Capita Tax

Mrs. Markowitz presented the following for approval:

- April, 2013 Treasurer's Report, subject to audit
- Check Register – April, 2013
- Personal and per capita tax exonerations for April, 2013
- Bid No. 14-01 and 14-05

Bid No: 14-01

Bid Amount: \$28,195.00

Bid Description: Various general office supplies for use throughout the District for the school year 2013/2014.

Bid No: 14-05

Bid Amount: \$77,140.29

Bid Description: Various supplies for the maintenance of District vehicles for school year 2013/2014.

Mrs. Cummings moved the April, 2013 Treasurer's Report be approved, subject to audit, Check Register for April, 2013, the Personal and Per Capita Tax Exonerations for April, 2013, and Bid No. 14-01 and 14-05 be approved. Mr. Shubin seconded the motion.

The Board unanimously approved said reports by a vote of 7 ayes and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Certified and Support Personnel Actions

Mr. Copeland presented the following for approval:

- Elections – Certified Personnel
- Resignations and Leaves of Absence – Certified Personnel
- Elections – Support Personnel
- Sabbatical Leaves – Certified Personnel
- Extra Curricular Staff and Salary Report

Mr. Copeland recommended the approval of the personnel report for certified and support personnel.

Mr. Oettinger moved the certified and support personnel actions be approved and Ms. Boyle seconded the motion.

The Board approved said reports by a vote of 6 ayes and 0 nays and 1 abstention, (Mr. Morris abstained for the reason of the \$27,500 retirement incentive bonus and believes that money in turn should go back to the children.) (Mr. Koutsouradis and Mr. Sposato were not present.)

In response to Mr. Pimble's questions, Mr. Webb stated that anyone who already has a Master's Equivalency will be honored and anyone who is working towards a Master's Equivalency will also be honored up until June, 2015. He also stated that if the contract is signed by May 31st, pay raises and healthcare contributions will take effect on the day the contract is ratified.

Motion: Appointment of Treasurer

Mrs. Cummings presented the following motion:

WHEREAS, each year during the month of May the Board must elect a Treasurer to serve for the year beginning July 1, 2013.

NOW, THEREFORE, BE IT RESOLVED, that Barbara Markowitz, Business Administrator, be appointed Treasurer of the Neshaminy Board of School Directors for the above term, beginning July 1, 2013, with no additional compensation.

Mr. Congdon seconded the motion.

The Board unanimously approved said motion by a vote of 7 ayes and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Motion: Appointment of Board Secretary and Assistant Board Secretary

Mr. Congdon presented the following motion:

WHEREAS, Sections 404 and 434 of the School Code permit the Board of School Directors to elect a Secretary and an Assistant Secretary.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors appoint Jennifer Burns to serve as Secretary for a four-year term, from July 1, 2013 through June 30, 2017.

BE IT FURTHER RESOLVED, that Debby Spadaccino be appointed Assistant Secretary to the Neshaminy Board of School Directors effective July 1, 2013.

Ms. Boyle seconded the motion.

The Board unanimously approved said motion by a vote of 7 ayes and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Motion: Approval of Special Education Contracted Services for 2013 - 2014

Mr. Morris presented the following motion:

WHEREAS, the Neshaminy School District is required by law to provide special education and related services to children from pre-school through age twenty-one; and

WHEREAS, a number of our students have severe mental and physical disabilities for which we significant do not operate programs.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors approves the contract for special education services with Bucks County Intermediate Unit #22 for the 2013 - 14 school year.

Mr. Oettinger seconded the motion.

The Board unanimously approved said motion by a vote of 7 ayes and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Motion: 2013 - 2014 Bucks County Technical High School Budget

Mr. Oettinger presented the following motion:

WHEREAS, in order to provide technical high school education for our students, six Lower Bucks County School Districts cooperatively established the Bucks County Technical High School; and

WHEREAS, each participating school district must annually approve the Technical High School's annual budget.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors approves the 2013-14 Bucks County Technical High School budget in the total amount of \$23,028,028 with the Neshaminy School District 2013-14 net fiscal payment to be \$3,445,725.

Mr. Morris seconded the motion.

Mr. Oettinger asked what the total savings were.

Mr. Webb stated it was \$180,000 less.

Mr. Webb requested a roll call vote and the tally indicated that the motion passed by a vote of 7 ayes, (Ms. Boyle, Mr. Congdon, Mrs. Cummings, Mr. Morris, Mr. Oettinger, Mr. Shubin, and Mr. Webb) and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Mr. Webb made a motion to table Revised Board Policy #105 and Mr. Congdon seconded it.

The Board unanimously approved said motion. (Mr. Koutsouradis and Mr. Sposato were not present.)

Mr. Webb made a motion to ratify the Agreement Between the Neshaminy Board of School Directors and the Confidential Secretaries.

Mr. Webb made a motion to ratify the Agreement Between the Neshaminy Board of School Directors and the Administrative Support Association.

Ms. Boyle seconded both motions.

Mr. Shubin acknowledged the hard work and dedication of the middle managers.

The Board unanimously approved said motions. (Mr. Koutsouradis and Mr. Sposato were not present.)

Motion: Approval of the Alternative Education Services Agreement Between BCIU #22 and the Neshaminy School Board

Mr. Webb presented the following motion:

WHEREAS, The Bucks County Intermediate Unit #22 has contracted with Ombudsman Educational Services, Ltd. to provide off-campus alternative education programming in accordance with Pennsylvania School Code Act 30 of 1997 Disruptive Student Programs and Act 48 of 1999 Private Alternative Education Institutions for Disruptive Students; and

WHEREAS, the Neshaminy School District has an obligation to provide educational programming to all students within our boundaries including students satisfying the criteria for disruptive youth.

NOW THEREFORE, BE IT RESOLVED, that the Board of School Directors approves the 3 year agreement with the Bucks County Intermediate Unit #22, upon the review and approval of the solicitor, and authorized the Board President to sign the contract on behalf of the Neshaminy School District.

Mr. Morris seconded the motion.

Mr. Shubin asked Mr. Copeland to explain what financial benefits has the district received by combining the two agreements.

Mr. Copeland responded that the district has insured that they are receiving every service that is available to them and they cut a significant amount out of the budget as a result.

The Board unanimously approved said motion by a vote of 7 ayes and 0 nays. (Mr. Koutsouradis and Mr. Sposato were not present.)

Federal Programs

Mrs. Markowitz advised the Board that the total amount of Federal Grants is \$1,664,152.00.

Other Board Business

None

Public Comment

Jim Jenca, retired, resident of Levittown, read a letter on behalf of Angie Manning, who was unable to attend the meeting. Ms. Manning thanked the people who came to the meeting at Samuel Everitt and said there are two additional meetings on May 29th and May 30th at Oliver Heckman and Lower Southampton. Mr. Jenca stated that if the current offer is pulled and a new contract is offered, he sincerely hopes that the new offer will be similar, but certainly not a better offer. Mr. Jenca applauded Mr. Pimble for his courage in coming forward to speak for those members of the NFT that have questions about the offer and are not in agreement with their leadership.

Stephen Pirritano, self-employed, resident of Feasterville, declared that he supports the school consolidation plan and he vigorously rejects the idea that there is any political agenda associated with the plan. He said the reason for choosing the Tawanka site is because of the size of the land parcel, the district owns the land and because it is in the middle of the largest populated area of the district. Mr. Pirritano also stated that he is familiar with Mr. Pimble and he highly praised him as one of the best teachers in the district and he is appreciative to the Board for answering his questions. He concluded by commenting that he understands that a new offer may be forthcoming; however, he is opposed to offering the NFT anything better than what has already been presented.

Mary Tomlin, literacy leader, resident of Levittown, asked for clarification regarding the differences between the current study skills and test prep and the alternative courses that are being considered.

Mark Fiori, self-employed, resident of Levittown, asked for an estimate of the cost of building the new super school. Mr. Fiori questioned whether it would have been more cost effective to have used the old Neshaminy Junior High School instead of selling that building and constructing a new school.

Board Comment

Mrs. Cummings invited the public to the Board Policy meeting on May 28th at 6 p.m. at Maple Point to discuss Policy 105 in addition to Policy 104, Policy 553 and Policy 1000.

Ms. Boyle mentioned that the Policy Committee implemented the word "attack" used in Policy 105 because that has been the standard direction to the public during Public Comment instruction.

Mr. Copeland stated that the district is looking into converting the lab aide positions into technology positions, which will not eliminate positions, but rather enhance the technology support to the system. Mr. Copeland assured the public that his recommendation regarding the FCS program was not taken lightly and was based on studies on middle schools. He said his intent is to enhance language arts through drama, public speaking, elocution and debate. Mr. Copeland stated that these fields of study are life skills that are vitally needed by students as they move forward in life. He commented that the study skills plan is being worked on with the ninth grade teachers to insure that these skills are implemented in all classes. Mr. Copeland concluded that he appreciates everyone for offering their opinions and he hopes that all will agree that the changes that will be made will project Neshaminy into the best position possible for the students.

Mrs. Cummings stated that the Tawanka site was selected because it was the most physically and financially responsible choice and there certainly is no political agenda there.

Mr. Oettinger asked if it is possible for Mr. Sweet to address questions that the NFT members may have regarding the proposal.

Mr. Webb said that all the information is posted and any further questions can be directed to him via email; however, it would not be appropriate for Mr. Sweet to address questions from the NFT.

Mr. Shubin expressed his appreciation to Mr. Pimble for his courage in coming forward with the information that there are many NFT members who are in support of the current offer. He also thanked the student who spoke in support of the FCS program. Mr. Shubin said that time is of the essence for the NFT to vote on the offer. He remarked that the Board cannot wait until the contract is settled to move forward with the school consolidation project, because it would not be fair to the students to wait and do nothing. Mr. Shubin concluded by strongly taking exception to the comment that the school consolidation project is politically motivated.

Mr. Congdon thanked the teacher that came forward with questions and comments regarding the current offer to the NFT. He mentioned that the school consolidation project has been studied and discussed for many years and the decision was not made hastily. In response to questions, he said the estimated cost of the new school is \$35 million. The Neshaminy Middle School was sold for approximately \$6.8 million. He added that

the project will save the district money. Mr. Congdon said that a political agenda could not be further from the truth regarding the consolidation project.

Mr. Webb read the following statement:

Late last week, the Neshaminy Federation of Teachers conducted a vote for the Board's most recent contract offer. Regrettably, our teachers rejected the offer, albeit by a narrow margin.

There has been some controversy that has emerged over last week's vote, with some teachers and members of the public saying the proceedings were not completely fair. That may or may not be true, but the fact is the NFT took a vote and has rejected our offer.

While I empathize with teachers who feel their voice is being ignored, I must point out that they are suffering at the hands of the people they elected. The NFT has spoken, and its leaders have acted accordingly.

In that same manner, I must now act in accordance with the wishes of the residents of Neshaminy, who as recently as with last night's election, have made it very clear what is expected of this Board.

Effective May 31, 2013, Board removed salary increases for the 2012/2013 school year from our offer. This means another year that our teachers will forego a raise, never to be recovered, unless another vote is taken before May 31, 2013.

When we set out to negotiate this contract back in 2008, it was with a goal of restoring educational and economic sanity to this district. It certainly hasn't been an easy journey, but we are bolstered by knowing that what we are doing is right.

Let me give you an example of something that is near and dear to all of us – arbitrations. You all know our history here in Neshaminy. Our administrators make a decision, the NFT files a complaint of some sort, and an arbitrator usually decides in favor of the union citing the parameters of our former contract and past practices. But every once in a while, common sense manages to find its way into our district.

In April 2012, then Superintendent Louis Muenker denied two leave of absence requests from teachers which were submitted shortly after a strike. One teacher wanted to take a family cruise during the Spring Break, and another wanted to travel to Puerto Vallarta, Mexico. The problem is that because of the teachers' strike, our students lost benefit of that holiday time away from school and instead had to attend class. Accordingly, and in the best interests of our students, Dr. Muenker felt that our teachers should also be back in the classroom.

Well, the NFT didn't agree, and they filed a grievance claiming that our Superintendent did not have the authority to disapprove a leave of absence. In essence, the NFT believed that a teacher could take as much time away from work as they wanted, and our Superintendent was powerless to stop them. In fact, the NFT sought financial retribution from the district in the amount of \$2,290.45 for lost deposits.

Based on past rulings, I'm sure most of you would have guessed that an arbitrator would have found in favor of the NFT. But that's not what happened here. No, in this case the arbitrator said that it is only reasonable to assume that a Superintendent has the power to approve or disapprove such requests. In fact, the arbitrator referred to the NFT's position in this case as being "an unreasonable and illogical interpretation."

So I am pleased to report to you that this particular grievance has been dismissed. We will post this ruling online tomorrow for public viewing.

I am giving you an update on this grievance not as a way of gloating about a victory, but rather to show everyone in our community that this Board, and our Administration, is united in taking a stand on this district. We are making decisions about our contracts, our buildings, and our curricula that make sound business and academic sense. And we aren't going to let past practices and the threat of grievances get in the way of moving this district forward.

Tonight, I once again ask the leaders of the NFT to take a good, hard look at the situation. You misjudged this Board more than 5 years ago by thinking we would just cave in to your pressure. But as you can see, we are in it for the long haul. We are united, and our resolve has never been greater. And, we continue to receive overwhelming support from the vast majority of the parents and tax payers of this district.

We are always willing to sit with union negotiators at the bargaining table, but do not mistake that gesture as a sign of weakness. As of this moment, you have the very best offer you are going to receive. And if you are not careful, you are going to lose that offer just like your members are about to lose their raises for this year.

As always, on behalf of all 9 members of your Neshaminy School Board, we thank the public for its outstanding and unwavering support.

Thank you!

Adjournment

Mr. Webb moved the meeting be adjourned and Mr. Shubin seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Jennifer Burns
Board Secretary