

NESHAMINY SCHOOL DISTRICT
Langhorne, Pennsylvania

PUBLIC WORK SESSION/PUBLIC BOARD MINUTES
NESHAMINY BOARD OF SCHOOL DIRECTORS
August 24, 2010

The Neshaminy Board of School Directors met in public work session/public board meeting on August 24, 2010 in the Harry M. Dengler, Jr. Performing Arts Center at the Maple Point Middle School. The following persons were in attendance:

BOARD MEMBERS:

Mr. Ritchie Webb, President
Mr. Kim Koutsouradis, Vice President
Ms. Irene Boyle
Mrs. Susan Cummings
Mr. Mike Morris
Mr. William D. O'Connor
Mr. William Oettinger

ADMINISTRATORS:

Dr. Louis T. Muenker
Mr. Joseph V. Paradise
Dr. Jacqueline Rattigan
Dr. Geeta Heble
Mrs. Patricia Boylan
Mr. Kevin Kane

BOARD MEMBERS ABSENT:

Mr. Richard M. Eccles
Mr. Scott E. Congdon

OTHERS: Approximately 275 persons from the public, staff and press

SECRETARY: Mrs. Jennifer Burns

SOLICITOR:

Thomas J. Profy, III, Esquire
Charles Sweet, Esquire (School Board Labor Attorney)

Mr. Webb stated that prior to the meeting an Executive Session was held regarding personnel and legal issues.

PUBLIC WORK SESSION

Call to Order

Mr. Webb called the meeting to order at 7:05 p.m.

Pledge of Allegiance

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

Announcements

Mr. Webb stated that Mr. Sweet, who is the School Board Labor Attorney, will answer any questions the public might have during Board comment.

Public Comment

George Garrison, Levittown, former labor negotiator, declared that until recently he has been a staunch supporter of the Teacher's Union; however, he now feels that the time has come when, "enough is enough." Mr. Garrison stated that the NFT has a serious responsibility to resolve the issues. He implored the NFT to make some rightful concessions with the new contract on behalf of the students and the residents of Neshaminy.

Steve Rodos, Villages of Flower Mills, Langhorne, Pa, commented that the Board has made a generous offer to the Teacher's Union. Mr. Rodos voiced that in his opinion, the School Board should consider full day kindergarten and implementing computer classes in the elementary level. Mr. Rodos mentioned that there was an increase of \$5 million dollars in revenue in the last budget that could possibly be used towards full day kindergarten. He also suggested that a dress code for students, as well as the teaching staff, be considered by the Neshaminy School District. Mr. Rodos expressed his disappointment that the leadership of the Teacher's Union has not expressed more concern for the rank and file members of the union. Mr. Rodos urged

parents not to get upset by “work to contract” action, because it can work both ways. He also urges the administration to write letters to the colleges on behalf of the students who are applying. Mr. Rodos inquired of Mr. Sweet whether “work to contract” works both ways and what curtailment of effort is as set out in the current contract.

Matt Pileggi, Levittown, computer programmer, stated that as a father of four he is hopeful that the decisions that are made today by the Neshaminy School Board will be good and lasting decisions, because these decisions will affect the students in the future. Mr. Pileggi commended the Board on their decision not to raise taxes and on their hard work to prevent program cuts. He also implored the teachers to ignore union tactics such as “work to contract,” which only hurts the children. Additionally, he acknowledged those teachers that continue to put forth every effort on behalf of the students. He concluded by stating that he hopes that everyone involved in the negotiations will remember that there is a time and place for negotiating and school should remain a place to educate the children.

Larry Pastor, Business Executive, Langhorne, Pa, voiced his disappointment in the lack of progress in negotiations over the summer. Mr. Pastor stated that after two years and three months the NFT has still not counter offered any concessions or reasonable presentations to the taxpayers of Neshaminy. Mr. Pastor stated that while the community’s expectations are high for the NFT to come back with a reasonable proposal, he is not as optimistic. Mr. Pastor stated that the NFT has to make significant concessions or taxpayers will never support a contract. He also mentioned that the only point that was discussed during the summer negotiations was the healthcare issue and not any of the other important issues were even mentioned. He also applauded the NESPA workers for their cooperation in coming to an agreement over the same issues in June. Mr. Pastor feels that the NFT has been delaying the negotiations all along while waiting for the start of the 2010/2011 school year. Mr. Pastor concluded by saying everyone needs to stay strong and committed to working towards a fair contract for students, parents, and taxpayers alike.

Items for Approval Tonight

Mr. Paradise advised the Board on the following:

- a) Appointment of Deputy Tax Collector for Pennndel

Mr. Oettinger asked if the Deputy Tax Collector was present at the meeting.

Mr. Paradise stated that he was not. He also stated that there are six tax collectors in the Neshaminy School District. A tax collector may, with the approval of the taxing body deputize a deputy tax collector. In this case, the Pennndel Tax Collector has asked for a deputy tax collector and the County and Township have approved that. There is no cost to the District.

Mr. Webb stated that there is no requirement for bonding the deputy, but the Neshaminy School District does require it with no cost to the District.

Superintendent’s Report

Dr. Muenker advised the Board on the following:

- Welcomed back students to the new school year which begins on Tuesday, August 31st. The District is closed on Friday, September 3rd and Monday, September 6th for the Labor Day Holiday.
- High School students started practices for fall activities on August 16th.
- Negotiations continue with the NFT in the hopes of settling a new contract.
- If any parent has any concerns about whether teaching is occurring they may ask their child’s teacher and/or building principal.
- Congratulations went out to the District for making AYP on the PSSA’s.
- Cautioned the public not to let the labor dispute overshadow the fact that Neshaminy School District has many dedicated professional teachers who are committed to providing a quality education for the students of Neshaminy.

- Asked the public to allow the School Board Members and the NFT to resolve the contract issues unimpeded by ridicule and divisiveness.
- Any new or updated information will be posted on the Global Connect System, Neshaminy Website and Neshaminy T.V.

Committee Reports

a) Board Policies

Ms. Boyle advised the Board that no date has been set as of yet, but when a date is set it will be posted on the website. The committee will discuss new attendance requirements and optional testing for athletes.

b) Educational Development

Mr. O'Connor informed the Board that the first meeting of the year will be held on September 20th, at 6:30 p.m. The committee will be discussing the PSSA scores. Also, throughout the year there will be discussions on elementary computer education and also an analysis of the AE program.

c) Finance/Facilities

Mr. Webb stated that a date has not yet been set.

d) IU Board

Mrs. Cummings advised the Board that the next meeting will be held on September 21st.

e) Education Foundation

Dr. Muenker asked Mrs. O'Connor to give an update on the Education Foundation.

Mrs. O'Connor informed the Board that as of June the Education Foundation awarded \$500 scholarships to four graduated seniors of 2010 who are majoring in education. Also, 12 LCD projectors were provided. One projector went to each of the elementary schools, three to the high school and one to the Learning Center. Mrs. O'Connor stated that fundraising is down and in order for the education foundation to continue to provide technology equipment, which is very important and isn't provided for in the budgets, as well as the classroom grants, and the scholarships for seniors; help is needed from the community. No donation is too small and all donations are tax deductible. All donations can be made out to the Neshaminy Education Foundation and be sent to the Superintendent's Office.

f) Technical School

Mr. Koutsouradis informed the Board that at last night's meeting the Board had approved a multi digital design program as well as two retirements and one resignation of staff. Two negotiation sessions with the teachers are scheduled for September 29th and October 7th. The committee also discussed looking back into the funding formula. The next meeting is scheduled for September 27th.

g) Technology

Mr. Congdon was not present.

Future Topics

None

Agenda Development for the August 24, 2010 Public Board Meeting

None

Other Board Business

Mr. O'Connor stated that the AD HOC Facilities Committee will be resuming this year and they will be looking at the capacity of buildings, primarily focusing on elementary schools. As soon as a date is established it will be publicized.

Adjournment of Meeting

Mrs. Cummings moved the work session meeting be adjourned and Mr. Koutsouradis seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 7:32 p.m.

PUBLIC BOARD MEETING

Call to Order

Mr. Webb called the meeting to order at 7:33 p.m.

Approval of Minutes

Mrs. Burns presented the minutes of June 23rd and June 29th, 2010, Public Board Meetings. Upon motion of Mr. Koutsouradis and seconded by Ms. Boyle the Board unanimously approved the minutes of the June 23rd and June 29th, 2010, Public Board Meetings.

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

Mr. Paradise presented the following for approval:

- June and July, 2010, Treasurer's Report, subject to audit.
- Check Register – June and July, 2010
- Investment Summary

Mrs. Cummings moved the June and July, 2010, Treasurer's Report, subject to audit, Check Register for June and July, 2010, and the Investment Summary be approved. Mr. O'Connor seconded the motion.

The motion passed by a vote of 7 ayes and 0 nays. (Mr. Eccles and Mr. Congdon were not present.)

Certified and Support Personnel Actions

Dr. Muenker presented the following for approval:

- Elections – Certified Personnel
- Resignations and Leaves of Absence – Certified Personnel
- Elections – Support Personnel
- Resignation Leaves - Support Personnel

Mr. O'Connor moved the Certified and Support Personnel Reports be approved. Mrs. Cummings seconded the motion.

The Board unanimously approved said reports. (Mr. Eccles and Mr. Congdon were not present.)

Motion: Appointment of Deputy Tax Collector for Penndel

Ms. Boyle presented the following motion:

WHEREAS, in accordance with the Local Tax Collection Law, the elected Tax Collector for Penndel Borough is authorized to appoint a Deputy Tax Collector with approval of the taxing body and the bonding company.

NOW, THEREFORE, BE IT RESOLVED, that the Neshaminy Board of School Directors accept the appointment of Luke Kauffman as Deputy Tax Collector for Penndel Borough in accordance with the request of the Tax Collector. This approval is subject to receipt of confirmation that the bond secured by the elected Tax Collector shall be applicable to the Deputy Tax Collector named above.

Mr. Koutsouradis seconded the motion.

The motion passed by a vote of 6 ayes, (Ms. Boyle, Mrs. Cummings, Mr. O'Connor, Mr. Oettinger, Mr. Koutsouradis, and Mr. Webb) and 1 nay, (Mr. Morris). (Mr. Eccles and Mr. Congdon were not present).

Federal Programs

Dr. Muenker advised the Board that at the start of the fiscal year the total for federal programs and grants are \$1,703,173.00.

Other Board Business

None

Public Comment

Charles Alfonso, Laurel Oaks, Director of Sales, asked Mr. Sweet to clarify the validity of “work to contract.” Mr. Alfonso encouraged the Board not to be influenced by extortion tactics from the teachers, or taxpayer’s fears of a teacher strike and not to be influenced by parents who are uninformed of the situation.

Cyndie Bowman, Feasterville, teacher, asked Mr. Paradise to explain two reserve fund accounts for the 2010/2011 budget. Ms. Bowman addressed a question to Mr. Sweet regarding the “work to contract” issue. Ms. Bowman referred to House Bill 1369 Collective Bargaining, Section 1101-A. Ms. Bowman stated that in her opinion the “work to contract” action is an equivalent to a working strike. Ms. Bowman implored Mr. Sweet to file an injunction to stop the “work to contract” action as of September 1, 2010. Ms. Bowman asked Mr. Sweet to declare what his position is on an injunction and to explain his reasons.

Board Comment

Mr. Sweet answered an email question regarding teachers wearing a union Tee shirt in class pictures. Mr. Sweet replied that as long as the wearing of the shirts is not disruptive to the educational program they cannot be banned. The right to free speech applies in this case allowing teachers to wear the union shirts. He also affirmed that it is the parents’ right to have the logo “photo shopped” out of the picture should they choose to do so.

Mr. Sweet replied to Mr. Rodos’ question of whether “work to contract” works both ways. Mr. Sweet referred to Article 10, Section 10-41 of the NFT contract entitled “Teacher Responsibility.” It is stated that the federation shall encourage all staff members to provide service beyond the regular school day to participate in programs designed to improve teaching skills and counsel children. Mr. Sweet declared that this is a contractual obligation that is being violated in his opinion.

Mr. Sweet replied to Charles Alfonso’s question of contractual duties, which are considered part of the job even though they are not necessarily put in writing. Mr. Sweet explained that the regulations are different in the public sector than they are for the corporate world. In Pennsylvania the duties of teachers are not enforced in the same way when there is not a labor dispute.

Mr. Sweet also affirmed that Pennsylvania Courts do not intervene in labor disputes willingly. This comment was offered in reply to the question from Ms. Bowman regarding an injunction against the “work to contract” action. An injunction at this time would be premature because the court will not issue an injunction unless a strike is preventing the completion of 180 days of school before June 30th of the school year.

Mr. Sweet stated that, although the “work to contract” is an annoyance, it is not illegal until a court declares it so. He does not think that a court is going to declare it illegal during this labor dispute, so it is not prudent to file an injunction in this case.

Mr. Webb asked Mr. Sweet if there is anything that the parents can do during the “work to contract” action along the line of enhancing the classrooms with posters and pictures, etc.

Mr. Sweet responded that such actions would be up to the discretion of the principal of the school building and the Superintendent.

Mr. O'Connor commented on the lack of computer education in the elementary schools. Mr. O'Connor also stated that in many instances by the time students reach middle school and are required to use the computer and its programs proficiently and conduct searches online, they aren't able to. Therefore, the teachers in the middle schools have to spend time slowing down the progress of the schoolwork to bring them up to speed. Mr. O'Connor stated that he will not vote for any budget that does not include a computer education curriculum. He also encouraged the Board to stand with him on that issue.

Adjournment

Mr. O'Connor moved the meeting be adjourned and Ms. Boyle seconded the motion. The Board unanimously approved the motion. Mr. Webb adjourned the meeting at 8:10 p.m.

Respectfully submitted,

Jennifer Burns
Board Secretary