

**MINUTES OF THE PATERSON BOARD OF EDUCATION
SPECIAL MEETING**

September 26, 2022 – 5:56 p.m.
Remote - Zoom

Presiding: Comm. Vincent Arrington

Present:

Ms. Eileen F. Shafer, Superintendent of Schools
Dr. Susana Peron, Deputy Superintendent
Bryant Horsley, Esq., General Counsel
Boris Zaydel, Esq., Board Counsel

Comm. Emanuel Capers
Comm. Jonathan Hodges
Comm. Dania Martinez

Comm. Manuel Martinez
Comm. Nakima Redmon, Vice President
Comm. Corey Teague

Absent:

Comm. Oshin Castillo-Cruz
Comm. Kenneth Simmons, President

Comm. Arrington read the Open Public Meetings Act:

The New Jersey Open Public Meetings Act was enacted to insure the right of the public to have advance notice of, and to attend the meetings of the Paterson Public School District, as well as other public bodies at which any business affecting the interest of the public is discussed or acted upon.

In accordance with the provisions of this law, the Paterson Public School District has caused adequate and electronic notice of this meeting:

**Special Meeting
September 26, 2022 at 5:30 p.m.
Remote
90 Delaware Avenue
Paterson, New Jersey**

to be published by having the date, time and place posted in the office of the City Clerk of the City of Paterson, at the entrance of the Paterson Public School offices, on the district's website, and by sending notice of the meeting to the Arab Voice, El Diario, the Italian Voice, the North Jersey Herald & News, and The Record.

RESOLUTIONS FOR A VOTE:

Resolution No. 1

WHEREAS, the awarding of this contract is in line with the Paterson - A Promising Tomorrow Five-Year Strategic Plan 2019-2024, Goal Area #1: Teaching & Learning; To create student-centered learning environments to prepare students for career, college readiness and lifelong learning; and

WHEREAS, the Paterson Public School District recognizes the need for complying with the New Jersey purchasing laws for obtaining the most competitive and responsive bid for goods and/or services; and

WHEREAS, the Supervisor of Science determined that the District has a need for Science Supplies & Related compliance services and provided the technical specifications for the bid process for the 2022-2023 & 2023-2024 school years, and

WHEREAS, five (5) vendors were mailed/e-mailed bid specifications (the list is available for review in the Purchasing Department), which one (1) vendor responded to the district's solicitation, and

WHEREAS, this solicitation was made by advertised public notice appearing in the Bergen Record and the North Jersey Herald News on August 18th, 2022. Sealed bids were opened and read aloud on August 31st, 2022, at 1:00 pm at 90 Delaware Avenue, Paterson, NJ 07503 by the Purchasing Department; and

WHEREAS, as per the attached bid summary, the Departments of Science and Purchasing recommend that the bid for Science Supplies & Related, PPS-184-23, be awarded to the sole, responsive and responsible bidder for the 2022-2023, & 2023 & 2024 school years to the following vendor:

Flinn Scientific, Inc 770 N. Raddant Road P.O. Box 219 Batavia, IL 60510

THEREFORE, BE IT RESOLVED that the Superintendent of Schools supports the above-mentioned recommendation that Flinn Scientific, Inc. be awarded a contract for Science Supplies & Related Table PPS-184-23, for the 2022-2023, school year not to exceed \$548,000.00 annually.

Resolution No. 2

Whereas, the Paterson Public School District approves the payment of bills and claims dated September 26, 2022, beginning with check number 233433 and ending with check number 233443, in the amount of \$3,393,616.36;

Be It Resolved, that each claim or demand has been fully itemized, verified and has been duly audited as required by law in accordance with N.J.S.A. 18A:19-2.

Resolution No. 3

WHEREAS, The Superintendent recommends the appointment, salary adjustments, transfers, supports the Paterson: A Promising Tomorrow Strategic Plan 2019-2024 which amongst its strategies goals is Priority I- Effective Academic Programs-Goal 1 - Increase Student Achievement; and

WHEREAS, The Board of the Paterson Public School District has reviewed the recommendation of the Superintendent; and

WHEREAS, The Board of the Paterson Board of Education communicated expectations that such recommendations are made on a timely basis and include the proposed appointment, transfer, personnel in compliance with the contractual and/or statutory requirements.

NOW THEREFORE BE IT RESOLVED, The Board of the Paterson Board of Education accepts the personnel recommendations of the Superintendent adopted in the September 26, 2022 Board Meeting.

PERSONNEL

F.1 Motion to take action on personnel matters, as listed below; and appoint and submit to the County Superintendent applications for emergent hiring and the applicant's attestation that he/she has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18A:6-7.1 et. Seq., N.J.S.A. 18A:39-17 et. seq., or N.J.S.A. 18A:6-4.13 et. seq. for those employees listed below:

(All appointments are contingent upon receipt of proper teaching certification and all salary placements are pending receipt of college transcripts verifying degree status and letter stating years of service in other districts).

A. POSITION CONTROL ABOLISH/CREATE

B. SUSPENSIONS- N/A

C. RESIGNATION/ RETIREMENT

D. TERMINATIONS

E. NON-RENEWAL

F. LEAVES OF ABSENCE

G. APPOINTMENT

Last Name	First Name	School/Location	Title	Salary	Reason
Adams	Philomena	655 Chief Sped.	Teacher Reading Specialist	\$96,625 + \$1,100 + \$400 = \$98,125	filling vacancy
Akilli	Gozde	School #9	Teacher Grade 4 ELA	\$70,055.00	filling vacancy
Akpara Jr.	Ogbonnaya	Paterson P-Tech	Teacher Science	\$59,455.00	filling vacancy
Alnsour	Saba	School # 7	Teacher ESL	\$78,055	filling vacancy
Atalla	Amira	School# 24(.49)/RC (.51)	Teacher Guidance Counselor	no change	filling vacancy
Cashaw	Erica	Adult School	Substitute Teacher	\$35 p/h	as needed basis
Davis	Rashad	Adult School	Part-Time Teacher	\$35 p/h	filling vacancy
De Marco	William	Adult School	Part-Time Teacher	\$35 p/h	filling vacancy
DeFelice	Anthony	School #13	Teacher Grade 6-8 SS	\$65,455.00	filling vacancy

Elsayed	Tarek	School# 10	Teacher Grade 6-8 Social Studies	\$74,080.00	filling vacancy
Gardner	April	Newcomers (.8), NSW (.2)	Teacher ESL	\$82,555.00	filling vacancy
Gomez	Isaiah	Napier	Teacher Grade 6 Science	\$74,080.00	filling vacancy
Hartig	Keith	School # 15	Teacher Phys. Ed/Health	\$57,455.00	filling vacancy
Inestroza	Paula	School # 5	Teacher Bilingual	\$96,625.00	filling vacancy
Kaplan	Maya	School # 24	Teacher Sped. Resource	\$58,455.00	filling vacancy
Kindler	Filiz	School # 27	Teacher Grade 1	\$61,455.00	filling vacancy
Miller	Lamar	Eastside Highschool	Teacher HS Guidance Counselor of Student Soc/Emotional Services	no change	filling vacancy
Miller	Erica	Silk City Student Center	Teacher In School Suspension	\$70, 055.00	filling vacancy
Muhammed	Kamal	Rosa Parks High School	Teacher Social Studies	\$58,455.00	filling vacancy
Pesci	Dina	School # 24	Teacher Sped. Resource	\$82,555.00	filling vacancy
Sarch	Gagan	School # 24	Teacher Grade 1	\$61,455.00	filling vacancy
Ugwuneri	Zephaniah	JFK HS	Teacher Chemistry	\$74,080.00	filling vacancy
Velazquez	Ann Marie	School #18	Teacher Grade 1	\$70,055.00	filling vacancy

H. TRANSFERS

I. RECALL FROM RIF

J. LEAVE REPLACEMENT

Last Name	First Name	School/Location	Title	Salary	Reason
Lebron	Sherika	School # 15	Leave Replacement Teacher Preschool	\$59,955.00	leave replacement

K. DISTRICT/SCHOOL PROGRAM HIRING - N/A

L. STIPENDS

M. AMENDMENTS

N. ATTENDANCE INCENTIVES

O. SICK/VACATION DAY PAY OUT

P. WITHHOLDING OF INCREMENTS

Q. HEALTH BENEFITS

R. MISCELLANEOUS

Effective July 1, 2022, the titles and the individuals listed below shall cease accumulating longevity. Any longevity earned thus far shall be added to the staff members base salary. As such, any future member of the Superintendent's Cabinet, shall not be entitled to earn longevity. Increases for the Superintendent's Cabinet members for the 2022/2023 school year are detailed below. Additionally, the Board has raised the minimum starting base salary to \$170,000 per year for the School Business Administrator and Assistant Superintendents; as a result of the minimum starting salaries, increased responsibilities, the above Assistant Superintendents and School Business Administrator requires a salary adjustment commensurate with the size of the district.

The following administrators will receive 3.25% increase and/or rightsizing and obtaining doctorate degree \$3,500.00, for the 2022-2023 fiscal year.

David Cozart	\$195,019
Cheryl Coy	\$186,195
Richard Matthews	\$200,764
Susana Peron	\$251,129
Luis Rojas	\$202,973
Joanna Tsimpedes	\$184,714
Cicely Warren	\$194,999

S. MISCELLANEOUS (FUNDING.)

T. ADDITIONAL RESPONSIBILITIES

U. ADMINISTRATIVE LONGEVITY

V. RESTORE INCREMENTS

W. NEGOTIATIONS

X. JOB DESCRIPTIONS

Y. GRIEVANCE SETTLEMENTS

Resolution No. 4

WHEREAS, to achieve the goal of reducing and eliminating teacher vacancies, Paterson Board of Education ("DISTRICT") is implementing solutions to lessen the impact of the nationwide Statewide, and local teacher shortages;

WHEREAS, in furtherance of its constitutional obligations, statutory authority under N.J.S.A. 18A:11-1, managerial prerogatives, and education policy-making duties, DISTRICT seeks to establish and implement managerial prerogatives and education policies that improve the hiring and retention of high-quality teachers to educate our students, and eliminate or reduce teacher vacancies;

WHEREAS, DISTRICT understands that in a competitive environment to recruit and retain teachers during a period of nationwide and Statewide teacher shortages, it is sound education policy to financially incentivize teachers in a manner that is likely to improve teacher recruitment and retention, and eliminate or reduce teacher vacancies;

WHEREAS, the Supreme Court concluded that matters of recruitment and retention of employees fall within a school employer's managerial prerogatives and education policy-making duties;

WHEREAS, consistent with DISTRICT's managerial prerogatives and education policy to recruit and retain teachers in a competitive environment by offering pre-employment financial incentives, DISTRICT intends to offer a \$7,500 pre-employment bonus with a deferred payment to teacher candidates in exchange for their commitment to remain employed with the DISTRICT for at least two consecutive, full school years;

WHEREAS, the School Business Administrator has allocated the funding from the ESSER grant for the \$7,500 pre-employment bonus incentive with a deferred payment;

WHEREAS, on September 14, 2022, DISTRICT passed Resolution No. P-42, authorizing a \$7,500 pre-employment bonus with a deferred payment (misabeled therein as a "sign-on bonus") to financially incentivize job candidates for teacher positions, and to assist in DISTRICT's managerial prerogatives and education policy to recruit / retain teachers; and

WHEREAS, due to the mislabeling of the financial incentive as a "sign-on bonus", DISTRICT finds it necessary to amend Resolution No. P-42 to provide more specificity and accuracy as to the classification, identification, and type of pre-employment bonus incentive offered, and to provide more clarity and detail that the \$7,500 pre-employment bonus with a deferred payment is in furtherance of DISTRICT's managerial prerogatives and education policy making.

NOW, THEREFORE, BE IT RESOLVED, that:

- A. In furtherance of DISTRICT's constitutional obligations, statutory powers under N.J.S.A. 18A: 11-1, managerial prerogatives, and education policy-making duties, it is the prerogative and policy of DISTRICT to eliminate or reduce teacher vacancies, and improve the recruitment and retention of teacher job candidates for the 2022-2023 school year, by offering them a \$7,500 pre-employment bonus incentive with a deferred payment;
- B. It is a more practical, effective, and efficient use of funds, and better exercise of DISTRICT's managerial prerogatives, to defer payment of the \$7,500 pre-employment bonus incentive instead of paying the entire \$7,500 pre-employment bonus up front;
- C. The \$7,500 pre-employment bonus incentive with a deferred payment should be paid in two equal installments of \$3,750 by December 31st of the first and second years of employment, if any;

- D. The \$7,500 pre-employment bonus incentive with a deferred payment shall be offered and effective only during the recruiting phase of non-employee teacher job candidates, during the time period where the District exercises its managerial prerogatives for the recruitment/ retention of non-employee teacher candidates who are not governed by the local teachers' union contract;
- E. The \$7,500 pre-employment bonus incentive with a deferred payment should be advertised and offered to a teacher job candidate before the job candidate is offered or presented an employment contract;
- F. The teacher job candidate shall sign a pre-employment bonus agreement consistent with this resolution before an employment contract is offered, presented, or signed;
- G. The offering or presentation of a pre-employment bonus agreement shall not be deemed or construed as an offer of employment;
- H. The effective date of the pre-employment bonus agreement shall be prior to the date that the teacher job candidate is: i) offered, or signs, an employment contract with DISTRICT; (1) deemed an employee of District; or iii) deemed a member of the local teachers' union, whichever is the earliest;
- I. The pre-employment bonus agreement shall inform the teacher job candidate that the consideration for the contract is the teacher job-candidate's pre-employment commitment to remain employed with DISTRICT for a least two consecutive, full school years;
- J. The pre-employment bonus agreement should establish a bonus payment reimbursement procedure if the job candidate does not complete their two-year commitment;
- K. To carry out DISTRICT's education policy and managerial prerogatives to recruit / retain teachers, the Department of Human Resources is hereby authorized to: i) advertise the \$7,500 pre-employment bonus incentive with a deferred payment; and it) present teacher job candidates with a pre-employment bonus agreement consistent with this resolution;
- L. The Board should reconvene in or before the spring / summer of 2023 to determine whether to eliminate or extend the 2022-2023 pre-employment bonus incentive with or without modifications, for the 2023-2024 school year; and
- M. Resolution No. P-42 of September 14, 2022, is hereby amended, replaced, and superseded by this Resolution, which shall have retroactive effect beginning September 14, 2022.

It was moved by Comm. Teague, seconded by Comm. Capers that Resolution Nos. 1 through 4 be adopted. On roll call all members voted as follows:

Comm. Capers: Yes.

Comm. Hodges: No on 3, abstain on the rest.

Comm. D. Martinez: Yes.

Comm. M. Martinez: No.

Comm. Redmon: Yes.

Comm. Teague: Yes.

Comm. Arrington: Yes on 1 and 2, no on 3, and abstain on 4.

The motion carried.

Paterson Board of Education Standing Abstentions

Comm. Arrington

- Self
- Family

Comm. Capers

- Self
- 4th and Inches
- Westside Park Group
- Insight
- Jersey Kids
- NFL Foundation

Comm. Castillo-Cruz

- Self
- City of Paterson
- Transportation
- Downtown Special Improvement District
- Celebrate Paterson

Comm. Hodges

- Self
- City of Paterson

Comm. Dania Martinez

- Self
- City of Paterson
- Ilearn Schools
- Paterson Arts & Science Charter School

Comm. Manuel Martinez

- Self

Comm. Redmon

- Self
- Historic Preservation of the City of Paterson
- County of Passaic

Comm. Simmons

- Self
- Family

Comm. Teague

- Self
- YMCA

PUBLIC COMMENTS

It was moved by Comm. Capers, seconded by Comm. D. Martinez that the Public Comments portion of the meeting be opened. On roll call all members voted in the affirmative. The motion carried.

Ms. Jayne Barry: This is Jayne Barry, a teacher at School 27, and I just want to express my concern about what you're doing to draw in teachers. I know it is very needed and the idea of giving the \$7,500 to the people coming in and not compensating the people who have been here, I don't think is really fair. The other thing that I believe is going on is that teachers are being brought in at higher steps, like step 10 or so, about equivalent with what Newark is doing and you guys are doing it on a sly and not appreciating the teachers that have stayed with you. Those are my concerns and I hope that we can get a contract so that everyone can be fairly compensated. Thank you.

Ms. Christine Cifelli: Hi, my name is Christine Cifelli. I live at 61 Deer Park Road in Fairfield. I have been a teacher with Paterson Public Schools for the last 10 years. I've also been in an abusive relationship with you where I am undervalued and unappreciated. I'm worth more than 0%. If you look at my paychecks, I make \$59,455 a year. By my 20th paycheck in December of 2021, I had \$27,780.92 hit my checking account. That's painful. Do you know in 2013 when I was making \$45,356.98 that I only had \$27,416.39 hit my account? That's only an increase of \$364.53 since 2013. And here you guys are, handing out \$7,500 to people with no proven track record in Paterson. They don't love the kids. They're coming for the money, which I get. I would be too at this point. We are struggling, we are drowning, and you guys are drowning us. Please, negotiate with us. This is becoming ridiculous. I am a highly effective teacher in Paterson and you're going to lose me. No amount of 'sorry' and 'I love you' is going to fix this abusive relationship that we are in. You'd better fix it now because you have a whole bunch of teachers who are waking up. Thank you very much. Have a good night.

Ms. Danielle Bespalko: Tonight, I come to you as a heartbroken teacher because of the situation we're currently in. The teachers of Paterson are working with no raise, no contract, and minimal support, but we still show up every day only to leave feeling burnt out and unhappy. It brings me to literal tears every single day where 1,300 teachers have walked away from this job since 2019 because of this. And let me tell you, there's going to be more soon that walk away if this continues. I've never seen anything like this and it's getting worse by the day. And to find out you're going to give \$7,500 to strangers with little to no experience just for taking a job, regardless of their performance, who've invested nothing into this city and these kids like we have, it just makes me livid. The teachers that have put in actual blood, sweat and tears here, who have stayed and decided to stick this out and hope to settle this contract, who maybe finally will get what they deserve did it for one thing only, the kids. It's clearly not the money or the way we've been treated. We get nothing for caring about these kids and their future. We care about them to the point that we place them above ourselves. Is it worth nothing to you? I've never been this sad about my job in Paterson. I used to love coming here, but these days I find myself thinking about calling it quits. I teach kindergarten, I have students with IEP's and special needs, and I don't have an aid. I don't get a sub's help and I take out time from my own lunch to make sure they get

theirs. I barely get to use the bathroom and I spend my own time and money on the things they need. These vacancies are taking a horrendous toll on us, but my students tell me they love me, and they run to class every morning with a smile on their face and they hug me all day long. Ask them what they think I'm worth. I doubt they'd say 0. Let's stop this! Negotiate and settle before things get irreversibly bad. Remember, this is about the kids. If you want quality teachers to come to Paterson to fill these vacancies, we need a contract.

It was moved by Comm. Teague, seconded by Comm. Redmon that the Public Comments portion of the meeting be closed. On roll call all members voted in the affirmative. The motion carried.

BOARD COMMENTS

Comm. Capers: Madam Superintendent, can you explain what you explained in the last Board meetings concerning the contract negotiations and all those different things?

Ms. Shafer: Sure. Let me first say that the Board of Education negotiating team, our legal team, and the administration went to negotiate with the PEA in good faith. The PEA put a number on the table that was five times the average number of settlements throughout the State of New Jersey. When we asked for a realistic number, they decided to go to impasse. We were ready to negotiate, but they decided to go to impasse. This happened back in August. We lost the remainder of August, and we lost the month of September. When the mediator was assigned for impasse, they gave us dates in September and October. The district negotiating team cleared their calendar and was willing to meet whenever the mediator wanted to meet. The PEA did not want to meet until mid-October. Therefore, no negotiations took place during that period of time. I certainly understand the first speaker who spoke about the minimal raise in the early years of the contract. Again, the Paterson Education Association put that salary guide together. Not the district, not the Board of Education. The PEA put the contract steps and the guide together so that the first 7 steps are an increase of only \$500. The Board of Education negotiating committee, the administration, and our legal team are ready and willing to negotiate, but it takes two sides to negotiate. We cannot negotiate with ourselves. In the meantime, we have vacancies that we need to fill, and it is extremely competitive out there with a minimal pool of teachers. That's why we have the pre-employment agreement with the bonus. We can't compete with other districts that are providing bonuses as well when you have a minimal pool. What's extremely disheartening for the district and for the recruitment that we're trying to do is when the president of the union puts in the newspaper to think twice before you come to Paterson. What does that say about the membership? In order for us to recruit teachers for the children that we serve, this is what we needed to do, and we certainly appreciate the Board for supporting us in this recruitment effort. I don't know, Comm. Capers, if there was something else. I don't know if I addressed everything.

Comm. Capers: You did. The other thing is, just to be clear, the Board can't negotiate until we go to impasse, right, with the arbitrator?

Ms. Shafer: Can you repeat that?

Comm. Capers: We cannot do any negotiations until we go to impasse, correct?

Ms. Shafer: We're at impasse now.

Comm. Redmon: I'm sorry, Comm. Capers. I'm going to jump in right now. We're not going to discuss anything at this public meeting about negotiations until we meet in October.

Comm. Capers: Yeah, that's all I was getting at.

Comm. Arrington: Thank you, Comm. Capers. Is there anything else?

Comm. Capers: That's it, thank you.

Comm. Arrington: Any other discussion?

OTHER BUSINESS

Mr. Horsley: Before we break, can we go over the resolution roll call one-by-one? I think I remember hearing different votes than what was tallied. Can we go one-by-one?

Comm. Arrington: Cheryl, can you review the vote, please?

Ms. Williams: Sure.

Resolution No. 1

Comm. Capers: Yes.

Comm. Hodges: Abstain.

Comm. D. Martinez: Yes.

Comm. M. Martinez: No.

Comm. Redmon: Yes.

Comm. Teague: Yes.

Comm. Arrington: Yes.

Resolution No. 2

Comm. Capers: Yes.

Comm. Hodges: Abstain.

Comm. D. Martinez: Yes.

Comm. M. Martinez: No.

Comm. Redmon: Yes.

Comm. Teague: Yes.

Comm. Arrington: Yes.

Resolution No. 3

Comm. Capers: Yes.

Comm. Hodges: No.

Comm. D. Martinez: Yes.

Comm. M. Martinez: No.

Comm. Redmon: Yes.

Comm. Teague: Yes.

Comm. Arrington: No.

Resolution No. 4

Comm. Capers: Yes.

Comm. Hodges: Abstain.

Comm. D. Martinez: Yes.

Comm. M. Martinez: No.

Comm. Redmon: Yes.

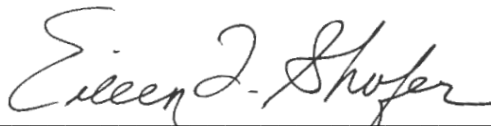
Comm. Teague: Yes.

Comm. Arrington: Abstain.

ADJOURNMENT

It was moved by Comm. Redmon, seconded by Comm. D. Martinez that the meeting be adjourned. On roll call all members voted in the affirmative. The motion carried.

The meeting was adjourned at 6:17 p.m.

A handwritten signature in cursive script, reading "Eileen F. Shafer", written in dark ink.

Ms. Eileen F. Shafer, M.Ed.
Superintendent of Schools/
Board Secretary