

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

March 27, 2017 – 5:44 p.m.
Administrative Offices

Presiding: Comm. Christopher Irving, President

Present:

Dr. Donnie Evans, State District Superintendent
Ms. Eileen Shafer, Deputy Superintendent
Robert Murray, Esq., General Counsel
Mark Blunda, Esq., Special Counsel

Comm. Emanuel Capers
Comm. Oshin Castillo
Comm. Chrystal Cleaves, Vice President
Comm. Jonathan Hodges

Comm. Lilisa Mimms
Comm. Nakima Redmon
Comm. Flavio Rivera

Absent:

Comm. Manuel Martinez

The Salute to the Flag was led by Comm. Irving.

Comm. Cleaves 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 notice of this meeting:

**Special Meeting
March 27, 2017 at 5:30 p.m.
Administrative Offices
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.

Comm. Irving: I want to welcome everyone this evening and I want to thank you all for filing in here. Just so we can go through the agenda, the Board will in a second go into executive session to discuss personnel matters and tenure charges. After that, we will reconvene and then we will have the opportunity for the one-hour public comment section as well. If you're looking to sign up, the list is in the back. In the meantime, if

the Board is clear on where we're moving to, can I get a motion to go into closed session?

MOTION TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL MATTERS/TENURE CHARGES

It was moved by Comm. Redmon, seconded by Comm. Castillo that the Board goes into closed session to discuss personnel matters/tenure charges. On roll call all members voted in the affirmative, except Comm. Hodges who voted no. The motion carried.

Comm. Irving: Our goal is to be in executive session hopefully no more than 30 minutes, but it may go longer than that. I just want to give the public a heads-up. When we come back we'll go right into the public comments.

The Board went into executive session at 5:48 p.m.

It was moved by Comm. Redmon, seconded by Comm. Castillo that the Board reconvenes the meeting. On roll call all members voted in the affirmative. The motion carried.

The Board reconvened the meeting at 6:54 p.m.

Comm. Irving: At this point in time, I'd like a statement to be read by counsel to address the aforementioned executive session that just concluded.

Mr. Blunda: Just so the public and Board is clear, this was a special meeting called pursuant to the New Jersey tenure statutes. The statutes specifically state, "The consideration and actions of the Board as to any charge shall not take place at a public meeting." There will be no comment tonight from the Board of Education as to any action taken or not taken.

Comm. Cleaves: Excuse me. We cannot continue and we cannot hear your individual comments if everyone is screaming at the same time. We need to show respect for each other so that we can get through the meeting. Excuse me.

Comm. Irving: We give it and we get it. Thank you.

Mr. Blunda: There will be no comment by the Board members in response to any questions during public comment because of the statute. Thank you.

PUBLIC COMMENTS

It was moved by Comm. Redmon, seconded by Comm. Castillo that the Public Comments portion of the meeting be opened. On roll call all members voted in the affirmative, except Comm. Cleaves who voted no. The motion carried.

Comm. Irving: I want to remind everyone of the three-minute rule. I'm going to adhere to that three-minute rule pretty firmly. If when you hear the bell you can wrap up your statements, I'd appreciate it.

Mr. Charles Ferrer: Good evening. I'm going to be very brief. I don't know what you guys did when you went in there, but I need you to understand one thing. I don't know how many of you grew up in a union family and understand what union is all about. Any

time a union officer or delegate goes into any meeting in the capacity of representing a union, that activity is protected. That might not sit well with some people that come from states where they didn't deal with unions and some people are about busting unions. I didn't spend 22 years of my life coming out of a family of educators watching this association be built to allow someone to even make an attempt to try to chop off its head. That's not going to happen. Whatever decision you made here, I hope you can live with it because we're going to govern ourselves accordingly. I can only speak for Ms. Shafer because she was in this union at one time. I can't believe when we know that union activity is protected that we allow this to happen. That's okay. I understand John may have gotten under your skin a little bit and you have played all your cards. This was your last resort. You're not going to win this. Good try. You should have used that money that you're going to spend on tenure hearings to service the child who won their case in court to have their special education needs met. We're used to playing games. It's okay. You only made us stronger. John McEntee is all of us. You only made us stronger. Like a tree that's planted by waters, we shall not be moved. I don't care how much you pay somebody, you won't win this. As long as I have breath in my body, you will not destroy the PEA. If you come from a state that doesn't have unions, then you can go there. But New Jersey is a union state. It has always been. Not just the teachers, police, firemen, hospital workers, you name it. You can't break us. You can try, but you tried before.

Ms. Barbara Rheault: Good evening, my name is Barbara Rheault. I live down in Atlantic County. I am a union sister to John McEntee, my union brother. I am the second vice president of the Atlantic County Council of Education Association's and local association president Mullica Township School District. I also chair the NJEA committee on working conditions. What is happening can really be avoided. Whatsoever you do to the least of my brothers that you do unto me and you do unto all the people in this room, as well as all the NJEA workers, support staff, teachers, bus drivers, and custodians. When you have a union president passionately advocating for his members, he is doing that job because that is a union protected job. It is not a tenure offense to come to the defense of your members and represent them during disciplinary procedures. I've gone through this with my own local association members and it's not a winning combination for anybody. Settle your differences and move forward. The money that you spend could be the equivalent of having two or three aides in your classrooms working with children who need it or taking care of at least one or two people working in your cafeteria staff. Things can be done collaboratively. When somebody believes strongly in what they're doing, they will be passionate and you must respect that because they're doing the right thing by their members. So please, I urge you. When you start to take your vote, I'm not coming here and telling you what to do or what not to do. I'm asking you to consider that when you take these steps, it doesn't help to heal the problems in your district. You need to work collaboratively and with respect in order to get your problem solved. Filing tenure charges and certifying them tonight is not a positive step forward. I highly urge you when you take your vote to please reconsider all of what has happened and work to heal your district. Thank you.

Ms. Marcella Simadiris: Peace and blessings. I'm deeply concerned tonight first with the situation involving my bargaining unit, the Paterson Education Association, and then talk regarding the privatization of the paraprofessionals, many of who reside, pay taxes, and spend their money in this city. Words can't begin to describe how disheartening it is to fathom the idea that any elected official would entertain the idea of funneling away funds and protective rights away from residents and towards probable positions and programs founded on racist testing initiatives. It brought back stories that I was told by this wonderful woman that I know. She says that Paterson is the epicenter for the labor movement. Many people think Chicago is, and I trust her because she's the smartest

woman I know, but she said Paterson is the epicenter. In 1913, Paterson became a focal point of the labor movement when silk mill workers struck for six months demanding improved working conditions and an eight-hour work day. Striking silk workers, organizers from the industrial workers of the world, also known as Wobblies, and Greenwich Village intellectuals who were performers organized together. Solidarity in Paterson growing out of the history of the silk workers was reinforced by the influence of the Wobblies. They brought democratic and non-violent techniques of organization and ways of actively involving women and immigrants in a vision of America as a place where the working class of the world could come together. They actually put a play together to publicize what had happened and raised money for the strikers. It was called the Paterson Strike Pageant. As a result of the 1913 silk strike, national attention focused on the plight of mill workers and eventually contributed to later improvement to working conditions nationwide. The labor movement and the civil rights movement were intertwined. King spoke on it a lot and in one of his 1961 speeches he said Victor Hugo, literacy genius of that day, commented bitterly that there was always more misery in the lower classes than there was humanity in the upper classes. The inspiring answer to his intolerable and dehumanizing existence was economic organization through trade unions. It is said that after that speech they started wiring Dr. King. It was a big reason why the civil rights and labor movements were intertwined. I found something where it said that's why the labor hater and the labor baiter, that's the act of accusing, denouncing, attacking, or persecuting an organization or an individual or their president, is virtually a twin-headed creature spewing anti-racism labels from one mouth and anti-labor propaganda from the other mouth. I hope that you really consider this. I'm praying. Thank you.

Ms. Shree Martin: Hi, my name is Shree Martin. I have three sons here today who attend School 21. I would like to please ask someone from the Board after I speak to come speak to me concerning some altercations that I'm having with the administrators there. First, I would like to start off with my son Jordan Townsend. In December he was bullied by two students. After I reported it to the principals they took two weeks to investigate. He was scared to go to school. He has a stomach condition and the student actually hit him in the stomach. Even after finding out, the principal and the bullying officer, Mr. Cornish, they still didn't investigate. I had to bring in investigators called the IUEP to investigate. I never really see the letters from School 21 talking about the investigation. I believe ever since that happened they have been targeting my children. My other child, Jonathan Townsend, was suspended after tapping his friend and they said that was an assault. They suspended him for three days. They called me around 4:30 in the afternoon to tell me. After I requested to speak to Ms. Riviello, Mr. Cornish told me I couldn't speak to her about suspending him, even though I had to go to school the next day. The most recent one that I'm really getting emotional about is my other son, Justin. On March 8, he came to me at night and he said that a lunch monitor got angry at him and threw a bottle, striking him in his head. I asked him if he told his teacher and he said yes. The next morning, even though I had to go to school myself, I walked all the way to School 21 and requested to see the teacher. She confirmed the assault and I asked if she told the Principal Cadet. She said yes. I waited there for an hour, even missing school. After seeing Cadet, she looked me dead in my face and she knew why I was there. She walked past me even though I called her name three times. The security guard even called her name. She answered and I told them could I please see their video before I react. I came after school around 1:30 or 2:00 and I stayed there until 4:00 requesting to see Riviello, Cadet, and even Mr. Cornish and they did not come to my aid on March 9. It's March 27 and they still haven't contacted me about it. Can't someone please talk to me about this because there's more to the story? I contacted Warren already and nothing has happened at all. He also is still scared to go to school. I kept him home from school today.

Comm. Irving: I'll ask Ms. Powell, who's the Chief of Staff for Dr. Evans, to get your information and someone will follow up with you. Thank you so much for being here.

Mr. Gennaro Tortoriello: Good evening PEA. Thank you for coming out tonight and for supporting John. I also would like to thank our union brothers and sisters, many of whom have traveled a great way to come here to support John and our union. Where do we begin? People have asked me what happened. Why is John being tenure charged? I'll answer it loud and clear for all to understand. He's being tenure charged for advocating for our students and for our staff. These charges are bogus and they're illegal under the PERC Act. For your information, when serving in the capacity as a union representative you're the equal of management. This is being done to intimidate John and other strong advocates in this district. It's been said that Dr. Evans has filed these charges also to support school administrators. There are many good school administrators who support our students and staff and respect our contractual rights. We support them and we thank them for the professional courtesy that they have showed for our members. Unfortunately, these aren't the ones that need his support. He's supporting the ones that are abusive to the staff, habitually violate our contractual rights, and ask staff to violate legal mandates. Tenured staff can be charged for three reasons – conduct unbecoming, inefficiency, and incapacity. There are numerous examples of administrators demonstrating this type of conduct, assaulting a member of our unit, denigrating our members on social media, explicit videos on social media, fraudulent observations, directing our members to violate special education laws, not providing students with special education services mandated in their IEPs, who can forget not making insurance payments, threatening a member certification when they left the district, and using the evaluation tool in a punitive manner. If these are not examples of conduct unbecoming, inefficiency, and incapacity, I don't know what is. John McEntee and our team will not tolerate this treatment or back down from administration. We demand respect and to be treated as the hard working professionals that we are. Thank you for coming out. At the end of the day, we will be victorious. Thank you.

Councilman Luis Velez: Once again, my name is Councilman Luis Velez. Let's not leave the title out. First of all, the reason I say it is because every respectful Commissioner that goes in front of our chambers we treat with respect. We call them Commissioner and doctors. We don't take the title away. We work hard for that title and we work on behalf of the community. What offends me too is that I put the name Councilman Luis Velez on that list. I didn't put Luis Velez.

Comm. Irving: Just so you know, your time is ticking. Duly noted.

Councilman Velez: In the 1800s the Pledge of Allegiance as formed and there were three changes. There is something that they haven't changed and that's "justice for all." The reason I'm here is because we need justice. We need justice for the people that work in the custodial department. We need justice for the people that work as teacher aides or assistants. We need justice for those that cannot speak for us or can't speak for the children that are here tonight. At 65% Latino community that we have in the City of Paterson probably this room could be packed if they know what's going on. They probably don't receive notices of what's going on in the district because they're not taking the time to see Channel 76. If they take the time to see Channel 76 and go to Board meetings, they would probably know what's going on. If they find out, this room would be packed. We probably wouldn't have room out there. No matter whether they hear or not, they want justice for all. God bless you and have a wonderful night.

Mr. Alex Torres: Good evening. I'm here to support John McEntee and also the custodial maintenance. There's a big rumor going around that they're going to privatize the guys. As you know, the maintenance staff and custodial staff work very hard in this district. Our guys put in 40 hours non-stop during the snowstorm to get the schools ready. If this rumor is true, there's going to be a lot of issues in this district. If you don't put water in the boilers, they're big bombs that go off. If you don't have trained individuals working on boilers, there are bombs in our children's schools. I am born and raised in Paterson. My grandfather owns 96 properties. We spend millions of dollars in taxes and I'm sure I'll tell all our renters if there's an issue. If there's an issue with our custodial staff, please let us know. Otherwise, thank you and have a good night.

Mr. Corey Teague: Good evening, members of the Board. First of all, I want to say that it is a wonderful thing to see so many teachers here tonight when I know they had to prepare for this PARCC testing that took place today. Despite all of that, they're here tonight. I'm firmly against the PARCC. I'm going to keep fighting against it. I couldn't care less who is upset about it. They're here tonight despite that because they want to support someone. When you're passionate about something, you will express yourself very much so. I don't know what the decision was in the back, but if we're going to send a message that it's not okay to express yourself and the sentiments of the union that you have been charged to represent as the president, if that's the message we're sending that you just have to shut up and be quiet and whatever happens you just have to put up with it, is that message? When I was on the Board, I wasn't allowed to join them due to statute. I'm not on the Board anymore. I can actually get in the fight with them now. I couldn't do that before. There were a lot of statutes and state laws and limitations. There are hundreds of people watching my live feeds. I'm bringing people into the conversation because too often we just put people in office and not hold them accountable. That's going to change because people are going to continue to come to me and ask why this and that is happening. I'm going to tell them not to come to me. Go to the person that you elected. Go to the person that you put there. I don't know what happened tonight, but based on the legislation that was read about the fact that you can't talk about it, I can almost guess what decision was made. From the looks of what I see here, they're not going away any time soon. I don't know how long this may go because tenure charges can last years. I don't think they're going anywhere. Why? Because the children are here and we can't leave them abandoned. We can't leave them stranded. Please don't say we have to make a decision in the best interest of the children. Please don't tell me that when you just discussed taking \$4 million away from special education. Please don't piss me off and tell me that. This decision has nothing to do with the children. Don't tell me that when you vote on a budget that you didn't even see. Don't tell me that when you didn't even take the proper process to see what cuts were being made and you just went ahead and voted on it knowing that the children's lives were going to be at stake in the classroom. Don't tell me this decision is about the kids. I don't think they're buying it either and the parents are not going to buy it. Please understand I'm going to be that person that will be on the front lines making sure that what's going on here is sent out there. Thank you.

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

OTHER BUSINESS

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

The meeting was adjourned at 7:22 p.m.