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Update (2/23) *As of yesterday, February 22, the Board filed a Verified Complaint and Order to Show Cause with the Chancery Division of the Superior Court seeking an order to have the Association return to phase 3 hybrid instruction and to compel the Association to follow the grievance process regarding individual room complaints, which is what they agreed to in the Sidebar Agreement.*

The filing of this complaint does not derail the mediation process. The Board will continue with the mediation process and the Board's representatives have a meeting with the mediator today, February 23. As previously indicated, pursuing mediation and a legal remedy are not mutually exclusive. While the Board is hopeful that a voluntary agreement can be reached through mediation, the Board also believes its unique reopening circumstances provide support for a legal remedy. As we are committed to the South Orange-Maplewood Community's message to increase in-person instruction, it is appropriate to pursue both avenues toward the goal of safe, healthy, and reopened schools.

Superintendent Taylor's Statement to the SOMSD Community from 2/22 BOE Meeting

SOMSD Community,

I am reaching out to you as your Superintendent of Schools to offer you clarity on our current unfortunate circumstances. The South Orange & Maplewood School Board hopes to resolve recent disagreements with our local teacher's association, SOMEA. The union met with the Public Employment Relations Commission (PERC) a third-party mediator on Friday for a hearing, and the District is meeting with the mediator on Tuesday, February 23. The Board is hopeful that an outcome can be reached as it is undoubtedly consistent with the community stakeholders' interests to resume in-person instruction as soon as possible.

Early evening on Monday, February 15, our local Association that represents many of our educators, SOMEA, directed its members to not report to schools to continue in-person hybrid instruction. On February 17th the Association expanded its stoppage to include bus drivers that refused to drive completely unoccupied buses and support staff, including clerical personnel that work alone or with limited other personnel in large workspaces where they are socially distanced well-beyond the minimum six feet.

During these recent disagreements, the Board, my Administration and I have worked to do all we can to negotiate in good faith and be empathetic to the concerns that teachers and other employees have during the Pandemic that has left us all with what some call, 'a damp blanket of depression and exhaustion.' We have expressed this empathy by investing heavily in our virtual learning approach (via our learning management platform and procuring/distributing thousands of Chromebook devices). We convened a Task Force throughout the summer with more than 100 professionals, to painstakingly plan for this school year. We also of course have purchased a stockpile of mitigation supplies (Disinfectant, Masks, signage, hand sanitizer, etc.) and added a significant number of personnel (additional evening custodians and bus attendants), while doing all we can to improve our HVAC systems (which most would describe as antiquated and due to be replaced).

Were things perfect? No...but we were flexible and SOMEA agreed that concerns could be addressed through our grievance process, but that was not allowed to continue to fruition. Our building administrators have been responsive to the needs put forward. While the District facilities are old, they are safe. Even in the best years, systems break down, it gets hot or cold in a room and we take action to fix it. We've had poorer weather this year than the last three years combined, which is unfortunate. But

because so few students are in the buildings and we have a Sidebar Agreement, principals were relocating a small population of teachers as needed on a daily basis to put them in suitable rooms. Just like with anything else, we had to prioritize our responses to complaints and grievances, and there needed to be some patience to allow our facilities staff time to look into the issues presented.

We are continuing forward with a professional mediation process and we will also pursue any other legal options as agreed upon by our District counsel. We do this not because we are angry with our teachers, but because we love our students and are committed to serving our families who have been not only patient but very supportive.

In addition, we have been committed to being transparent, developing and launching a weekly dashboard of COVID-19 infections, and publicly acknowledging when there have been missteps along the way. I say all of this to again confirm to you, our stakeholders, that we have not taken this lightly. We have not done this to receive accolades, it was done to give our parents a choice and to most importantly serve our children during a time when they are most vulnerable.

The District has and continues to prepare rooms consistent with guidelines established by The Road Back, the New Jersey Department of Health, Federal CDC Guidance, and Industry standards. We take this work very seriously and we would not open the schools if we did not believe we could do it in a safe and healthy manner for both staff and students.

We're not doing anything unique by returning for in-person instruction. Many Districts in our State are open for their kids and have invested far less, and hundreds of schools are doing this to a greater degree than we are. In our instance, we have chosen to implement a measured reopening approach consistent with what we've determined is safe for our community and staff.

As a District, we stand by science and data. Unequivocally, the science and data both nationally and from our Phase 3 days in-person, support what we already know...if students and staff follow mitigation steps (masks, social distancing, and hand hygiene) the chances of school-based transmission of COVID-19 are very unlikely. We designed our reopening re-entry approach to be phased so that we would be able to be nimble and shift/pause if necessary. We designed our approach to get our most vulnerable students in first (Pre-K-2nd, 6th, and 9th) and most often (Special Services and English Language Learners). We were conservative, as most classes had 5 or fewer students in them.

The NJ Department of Education has given every family a choice as to whether to be fully remote or to go in-person consistent with the District's plan. The families that have chosen to have their children resume in-person instruction have relied on us to provide safe in-person instruction, and in good faith, we had been providing that.

The District's primary goal at this point is for students and staff to return for in-person instruction safely within the rooms that have already been designated by the District as "ready", meaning they meet safety standards. We want to bring students back to school and most importantly continue to serve them and our families.

Educationally Yours,

Dr. Ronald G. Taylor
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