

NEWARK Inc.

Office of the Superintendent
Christopher D. Cerf, Superintendent
2 Cedar Street · Newark, NJ 07102
Phone: 973-733-7333 · Fax: 973-733-6834



Christopher D. Cerf
Superintendent

October 6, 2016

John Abeigon, President
Newark Teachers Union
1019 Broad Street
Newark NJ 07102

Dear John,

At September's board meeting, you continued your predictable pattern of baldly misrepresenting the truth. I do appreciate that you are running for reelection in April. For all of your puffing in meetings and in the press, I am also aware that you received only 452 votes out of a total eligible membership of almost 4000 -- less than the combined vote totals of the two runners up. So I do understand that your public position reflects your own political calculation about how to improve your standing in the next election. In my judgment, however, that is not an excuse for lying or taking positions that are contrary to the interests of the students of Newark or your members.

You contend that your members did not receive a raise last year. What you did not say is that before I even arrived in Newark, the NTU contract had expired. Upon my arrival, you essentially went into a prolonged tantrum and publicly declared that you had no interest in negotiating a new contract. In case you forgot, here is a link to your public statement: <http://www.njspotlight.com/stories/15/09/07/labor-issues-loom-large-over-state-run-newark-school-district/>. I'm curious why you did not advise the Board that you were personally responsible for the delay in getting your members the raises they deserve. Many months later, after delays and games on your end, we finally formally began negotiations in June 2016.

Since then, the negotiating committee has met multiple times. We expressed our fervent desire to close a multi-year contract before the start of school this year, **including retroactive pay for the prior year when the contract had lapsed**. At your request, we said that we were willing to meet your demand that such pay be fully pensionable. We also said that our economic position was simple: Given the district's dire economic situation, we could afford to offer \$22 million in total compensation increases (including bonuses for last year) to be spread out over the life of a four-year contract and that we were willing to entertain any reasonable proposal from the NTU about how to divide that up. You asked for additional information, financial and otherwise, and we provided it.

Neither you nor the NTU has ever countered this offer with something in a dollar range that was even plausibly affordable. (A demand for well over \$50million in raises a three-year—not a four-year—contract is not a serious response, but rather a declaration of complete lack of seriousness about reaching an agreement.). In fact, despite repeated attempts to come back to the table in August and September, the NTU's negotiating team waited over a month to find a new time for us to meet to continue contract talks. In the meantime, rather

than working to find common ground, you have engaged in communications campaign via Twitter and in the press in which, among other things, you insulted our fine security team, falsely accused NPS employees of all sorts of scurrilous things, and generally engaged in rhetorical attacks on one topic or another.

Moreover, you have repeatedly violated our agreed upon negotiating ground rules by negotiating in public. In August, you privately insisted that we pay out \$1.7 million in bonuses to your members even though the contract is expired – and we happily did. Within a week, you actually criticized that payment in the press. Which one is it, John? Do you want us to pay your members their bonuses, or not? **It is ironic that you would then stand up at a public board meeting and say that NPS was responsible for not giving your members a raise for last year when it is you, the NTU President, who is personally accountable for that unfortunate reality.**

As I have said to you repeatedly, as recently as last week, I want to meet and try to work this out. At my repeated prodding the NTU has finally proposed a date to meet. Thus far, however, you have preferred drama and rhetoric to good faith negotiation, seemingly for your own personal political purposes. Please understand that I am committed to paying our educators as big a raise as we can afford. I understand that we are losing some fine teachers to adjoining districts. Our mission of giving every child a quality education is being undermined by the reality that we need to be more competitive. But I cannot do this alone.

I am happy to give you access to our financial books –in fact we already have, responding to each inquiry that was sent to us by the NTU negotiating team. And I am open to adding a provision to our contract that provides for even larger increases if, for some unforeseeable reason, Newark’s funding from the state were to increase beyond our projections. But none of this is possible in an environment when you won’t even negotiate. (Incidentally, your statement at the board meeting that I am not advocating for more state funding is also a bald face lie; I am personally responsible for getting a substantial increase (\$27million) last year, which contrary to another lie you repeatedly tell, did not “all go to charter schools.”)

In addition to the falsehoods you have spread about negotiations, you continue to spread other misrepresentations. I am sure this list is not exhaustive, but just within the past few weeks, your behavior has included the following:

1. You maligned our security staff after a shooting incident by saying that our schools are manned with “untrained per diem security guards.” This is false. In fact, all of our superb security personnel, full time and per diem, receive extensive training. That training was in evidence that very day when they professionally and safely handled the incident in question. Instead of looking to support our schools in the midst of disheartening violence, you turned to blame and fear.
2. In September you created a “Go Fund Me” campaign asking to raise \$100,000 to “fight back.” The website indicates that you personally were soliciting this through an entity called the “ERC Foundation.” When asked by the press, you did not answer questions about this foundation with whom you affiliated yourself. After about a week, the campaign disappeared from the Go Fund Me website. What was the organization that was seeking these funds? Did you receive any funds from this campaign?
3. You falsely stated that we are spending \$700,000 per year on yoga classes for our students. You repeatedly claim that the district is wasting money on “bureaucracy and

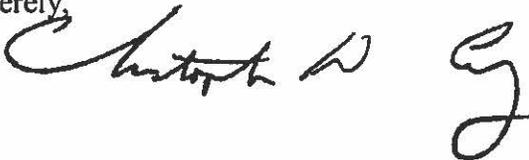
consultants.” The objective facts, as you are well aware, prove your claims to be absolutely false.

4. Given your attacks, however, I believe the public is entitled to know about NTU’s accounting and, more specifically, your income. After all, your income is paid with public money that comes out of your members’ pockets. I believe the public has a right to know what your income is from **all** sources – not just NTU but also the state and local AFT as well as other related entities? And how much of it comes in the form of “non-taxable” income?
5. You repeatedly refer to legal battles you claim to have won with the district, which in fact you lost. Your case about attendance counselors is only the most recent example. The state has confirmed that we do not need to have the specific title of attendance counselor, after your repeated attempts to fight the district on this count. Additionally, you have spent months and most likely over \$100,000 of your union’s money fighting the district on its right to change prescription providers—a move that will save the district over \$1million in one year alone and enable us to recover another million from the sale of a non-school real estate asset, a sale which you continue to block. I hope you have shared with your members the exorbitant legal costs of these suits. The legal fees they are paying could and should have gone to our educators.
6. You also repeatedly comment on your defense of tenure actions, claiming a stellar track record. Among your “wins” was the case of a teacher whom your lawyers defended who was found to have called students “monkeys” and “stupid.” You recently defended and lost a case against another teacher who was verbally and physically abusive to students and who as a means of punishment did not allow them to go to the bathroom. Despite your claims of success in this area, in fact and in accordance with the TeachNJ Act, more than three quarters of the teachers who were the subject of a tenure case are no longer with the district.

John, I simply do not know how to engage with someone who so repeatedly and consistently lies, so viciously attacks people with slanderous claims, and is so totally resistant to engaging in a resolution-oriented negotiation.

Please be aware that, going forward, I will be responding to each and every misrepresentation. I believe that your members, as well as the community, are entitled to the truth—an opinion you clearly do not share.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Cerf". The signature is fluid and cursive, with a large, stylized "C" at the beginning and a long, sweeping tail that ends in a small loop.

Chris Cerf

cc: Larisa Shambaugh, Chief Talent Officer
Brad Haggerty, Chief Academic Officer
Laurette Asante, Director of Labor Relations
DeShawn Wright, Chief of Staff