OCEAN CITY FAIRNESS IN TAXES
POST OFFICE BOX 565
OCEAN CITY, NEW JERSEY 08226

Tuesday, June 20, 2023

Mr. Chris Halliday, Board President
Ocean City Board of Education
501 Atlantic Avenue – Suite 1
Ocean City, New Jersey 08226

Subject: **School Superintendent Attendance Record**
Private Consulting Work – Ashland School District

Dear Mr. Halliday:

On May 9, 2023, Ocean City Fairness in Taxes (FIT) directed correspondent to your attention regarding Dr. Friedman's outside employment with the educational consulting firm of Hazard Young Attea and Associates (HYA). In particular, the work that Dr. Friedman was performing in the Ashland School District (in Massachusetts) on behalf of HYA this past fall. As part of FIT's ongoing effort, FIT is in the process of reviewing in detail Dr. Friedman's attendance record and matching it up against outside employment and has noted the following:

1. According to Dr. Friedman's attendance record, on Monday, October 17, 2022, he took or used a SICK day and therefore was absent from the district. (Exhibit "A")

2. Based on minutes from the Ashland School Committee meeting held on Thursday, October 20, 2022, Dr. Friedman participated in strategic plan update workshop as a private consultant for HYA on Monday, October 17, 2022. According to the meeting minutes, the workshop that Dr. Friedman participated in lasted four (4) hours, not including prep time for the meeting along with after action reporting or meeting minute's preparation after the workshop. FIT is in the process of determining whether Dr. Friedman attended the meeting in person or remotely. (Exhibit "B")

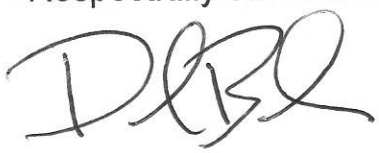
3. When an employee takes a SICK day from their primary employer that means they have an illness to such a degree that they are unable to perform work duties or an immediate member of their family is ill requiring the direct care of the employee. Dr. Friedman employment agreement governs the use of sick days and a copy of that section of his employment agreement is attached for your review. (Exhibit "C")

4. Dr. Friedman cannot take a SICK day with Ocean City and then engage in work for a private consulting firm, especially if that work is in a public forum. Use of a vacation or a personal day would have been acceptable in this case but not a SICK day.

5. Dr. Friedman has a daily pay rate of $791.67. When Dr. Friedman departs the district on June 30, 2023, he will receive a "buy out" check for any unused vacation time. However, since he is not retiring, he will not receive a check for any remaining sick time or personal leave. That is why it is so important to properly allocate leave time as it could have a direct impact on the finances of the district.

Having brought this to your attention, hopefully as board president you will take the necessary steps to adjust Dr. Friedman's attendance record accordingly. You cannot take a sick day from Ocean City and then work for somebody else. It does not work that way. In addition, rest assured that FIT will continue with our review and analysis of Dr. Friedman's conduct while in Ocean City and make you aware of any matters deserving of your attention as board president.

Respectfully submitted,



David Breeden, President
Ocean City Fairness in Taxes

ATTACHMENTS:

Exhibit "A" – Friedman Attendance Record as of June 13, 2023
Exhibit "B" – Ashland School Committee Meeting Minutes – October 20, 2022
Exhibit "C" – Friedman Employment Agreement – Article IV Section B

cc: Tim Kelley, Board Secretary/Business Administrator
Ocean City Board of Education Members
Ocean City Fairness in Taxes Board of Directors

Exhibit "A"

CREATE ABSENCE | CREATE VACANCY | ABSENCE MODIFY | DAILY REPORT | SCHOOL | FIND EMPLOYEE | FIND SUBSTITUTE

General Information | Permission | Configuration Settings | Absence Reasons | Preferred Substitutes | Absence Approvers | Reports

Absence History | Qualified Substitutes | Communications to Employee | Change Log | Login History

Select Another Employee | Create an Absence | Add Employee | Send Letter/Email

Employee: FRIEDMAN, MATTHEW
Absence history for the next 366 days as well as the past 366 days

CONF#	Substitute	Feedback ABOUT Substitute	Feedback Left by Substitute	Start Date	Absence Reason	Days	School	Status
584978028				06/02/2023	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
584211314				05/26/2023	Personal Day	1.00	Ocean City Board of Education Office	Substitute Not Needed
580955069				05/10/2023	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
580277231				05/08/2023	Personal Day	1.00	Ocean City Board of Education Office	Substitute Not Needed
579325645				05/03/2023	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
575939215				04/19/2023	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
560411706				04/03/2023	Professional	2.00	Ocean City Board of Education Office	Substitute Not Needed
571481935				03/28/2023	Vacation	1.00	Ocean City Board of Education Office	Substitute Not Needed
571247870				03/22/2023	Personal Day	1.00	Ocean City Board of Education Office	Substitute Not Needed
560411320				03/20/2023	Professional	1.00	Ocean City Board of Education Office	Substitute Not Needed
562094389				03/16/2023	Professional	1.00	Ocean City Board of Education Office	Substitute Not Needed
559681923				03/13/2023	Professional	2.00	Ocean City Board of Education Office	Substitute Not Needed
566483583				03/06/2023	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
565779314				03/03/2023	Vacation	1.00	Ocean City Board of Education Office	Substitute Not Needed
559664330				03/01/2023	Vacation	1.00	Ocean City Board of Education Office	Substitute Not Needed
				02/28/2023	Professional	1.00	Ocean City Board of Education Office	Substitute Not Needed
559664070				02/13/2023	Professional	5.00	Ocean City Board of Education Office	Substitute Not Needed
557164991				01/25/2023	Professional	3.00	Ocean City Board of Education Office	Substitute Not Needed
551234429				12/21/2022	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
551382441				12/20/2022	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
548628937				12/08/2022	Vacation	2.00	Ocean City Board of Education Office	Substitute Not Needed
547119138				12/01/2022	Vacation	2.00	Ocean City Board of Education Office	Substitute Not Needed
544123602				11/17/2022	Vacation	2.00	Ocean City Board of Education Office	Substitute Not Needed
				11/03/2022	Personal Day	0.50	Ocean City Board of Education Office	Substitute Not Needed
537160835				10/17/2022	Illness	1.00	Ocean City Board of Education Office	Substitute Not Needed
532139112				10/12/2022	Professional	4.00	Ocean City Board of Education Office	Substitute Not Needed
532138323				10/03/2022	Professional	2.00	Ocean City Board of Education Office	Substitute Not Needed
521938940				07/04/2022	Professional	1.00	Ocean City Board of Education Office	
				07/01/2022	Professional	5.00	Ocean City Board of Education Office	Substitute Not Needed

OCTOBER 17, 2022 - WORKING FOR HYA FOR ASHLAND PUBLIC SCHOOLS
PRIVATE WORK

subsidize the cost of the trip for those students who need financial aid. The fundraising needs would be approximately $55,000 to $80,000 to make the trip accessible to all 8th grade students.

Secondly, there are staffing concerns: We currently do not have a Trip Coordinator. The previous Trip Coordinator, Mary Moynagh, retired at the end of last school year, and no other AMS staff member has indicated interest in this position. In addition, we need 20 adult chaperones to supervise students on the trip. We currently have 9 staff members who have shown a willingness to volunteer to chaperone. In addition to adult chaperones, we will need nursing/medical chaperones, and our existing nursing staff is not available to participate in the trip.

A School Committee member asked if parent chaperones could help to fill the gap. Superintendent Adams reported that Mr. DiGirolamo is not fully comfortable with that idea, as the parent volunteers may not know the kids as well as their teachers do.

Ms. Williams asked, for those students who need financial assistance, what has the District done in the past? Superintendent Adams noted that the percentage of students in need was much lower in years past. He also noted that not all students choose to attend the trip.

Mr. Terry asked if we should consider making the trip shorter to make it more affordable to families, and easier to secure chaperones.

Superintendent Adams noted that other districts in the area have changed their 8th grade field trip plans from a Washington DC trip to a day trip to New York. He reminded the group that there are still concerns around Covid.

Mr. Terry asked what the cost of the trip was pre-pandemic. Mr. Adams reported that it was in the $500-$600/ per student range.

Mr. Kendall feels strongly that the trip should happen. He proposed reconsidering the grade that goes on this trip, perhaps moving it to the High School level.

No final decision has been made yet about this trip, but Superintendent Adams noted that a decision needs to be made in a timely manner, one way or the other.

Monday October 17, 2022

Strategic Plan Update

Superintendent Adams reported that the School Committee had a 4-hour workshop session with the educational consulting firm, Hazard, Young, Attea and Associates (HYA) on Monday. Together, they are ready to present a potential District "vision statement" to staff and the community at large to get feedback. The group discussed whether they should put forth a single vision statement or multiple iterations to get feedback.

Ashland School Committee Meeting Minutes
Thursday, October 20, 2022 Pages 2 and 3

Mr. Terry and Ms. Tosti both think the group should put forth one vision statement. Mr. Kendall thinks the group should present two statements. Superintendent Adams weighed in to say that Options 1 and 3 as drafted by HYA Associates resonated best with him. Ms. Tosti wanted to make sure the survey question is framed as "What might be missing from this statement?"

Prem Aithal and Matthew Friedman (from HYA Associates) will write the brief survey language to get feedback from staff and community members around the substance of the vision statements. The first review opportunity of the proposed vision statements will go to current staff members and administrators, then to the community at large.

School Choice Allocations

Mr. Terry moved to approve the FY23 allocations as presented. Mr. Kendall seconded the motion. Vote:
Mr. Kendall: AYE
Ms. Williams: AYE
Mr. Terry: AYE
Ms. Tosti: AYE

AMS Art Club Stipend

Ms. Williams moved to approve the amended stipend amount of $1,429 as presented. Mr. Terry seconded to motion. Vote:
Mr. Kendall: AYE
Ms. Williams: AYE
Mr. Terry: AYE
Ms. Tosti: AYE

Superintendent's Update

Superintendent Adams noted that Monday, October 24 is No School for Diwali. He then provided an update on the new bus GPS system. The software was due to be rolled out October 1, but there is still work to be done. The system is intended to allow families to monitor when the school bus picks kids up and drops kids off. Superintendent Adams will be communicating the status update of this initiative to families through email.

Esmer Casas is working on branding and logo adjustments/modifications to clean up and streamline the Ashland Clocker logo.

Superintendent Adams met with Michael Caira, Christy Arnold and Esmer Casas to brainstorm ideas about an outreach program for our English-Language Learner community. They are hoping to develop a District-wide outreach program into a quarterly event for families.

Exhibit "C"

B. Sick Leave, Vacation, Holidays and Personal Days

1. Sick Leave. The Superintendent shall receive twelve (12) sick days annually. Unused sick leave days shall be cumulative in accordance with the provisions of Title 18A. Upon retirement from the District under a State administered retirement system, the Board shall pay Dr. Friedman for his accumulated sick days at the rate of $160.00 per day for each sick day, subject to a maximum payment of $15,000. Payment for Dr. Friedman's unused, accumulated sick leave shall be made by the Board within sixty (60) days of his last day of employment and shall be consistent with the law in effect at the time this Contract is signed.

2. Vacation

(a) Dr. Friedman shall be entitled to twenty (20) paid vacation days for each full fiscal year of employment, and pro-rata for less than a year. For bookkeeping purposes, vacation days for the entire year are credited as of July 1, the start of the fiscal year, but are only earned on a pro-rata basis. In the event the Superintendent resigns or retires prior to the completion of the fiscal year, the number of vacation days shall be adjusted downward to reflect the partial year's service. Any unused vacation days earned by Dr. Friedman during a school year as Superintendent may be carried for one school year. Any vacation days carrier over from the preceding school year must be used or they will be forfeited.

(b) Dr. Friedman agrees to schedule his vacation days so as to minimize interference with his primary responsibilities to directly administer the school district.

(c) Upon separation from employment, Dr. Friedman will be compensated for his unused accumulated vacation days. Payment for unused accumulated vacation days

shall be at his then current per diem rate of pay (defined as 1/260th of then annual base salary) times the number of unused days. Payment shall be made by the Board within sixty (60) days of the Superintendent last day of employment. In the event of Dr. Friedman's death during the term of this contract, compensation for unused vacation days under this paragraph shall be payable to his estate.

(d) In accordance with N.J.S.A. 18A:30:9, vacation days not taken in a given year because of duties directly related to a state of emergency declared by the Governor may accumulate at the discretion of the Board pursuant to a plan established by the Board until such time as the Superintendent uses the accumulated vacation days or the Superintendent is compensated for the accumulated unused vacation days following a Board resolution approving payment of same.

3. Holidays. Dr. Friedman shall be entitled to all holidays granted to other Administrators in the District in accordance with the Board approved school calendar.

4. Personal Leave. Dr. Friedman shall be entitled to take up to four (4) personal days per year with pay for personal business which cannot be taken care of outside of normal business hours. Unused personal days shall convert to sick days at the conclusion of the fiscal year, subject to a maximum accumulation of fifteen (15) sick days per year pursuant to N.J.S.A. 18A:30-7.

5. Bereavement Leave. Dr. Friedman shall be entitled to up to five (5) days leave with pay per occurrence for a death in the immediate family and up to three (3) days for other close relatives. "Immediate family" shall be defined the same as spouse/partner, child, parent, brother, sister, or a member of the Administrator's immediate household,