

Sent via CERTIFIED MAIL

February 13, 2015

Members of the Tredyffrin Easttown School Board
Tredyffrin Easttown School District
940 West Valley Road, Suite 1700
Wayne, PA 19087

Dear Members of the Tredyffrin Easttown School Board,

Re: Pennsylvania Sunshine Act Violation

At the TE School Board meeting of February 3, 2015, under Agenda Item IX, B: Affordable Care Act Update, you directed the Administration to offer two employment options to full-time District aides, paraeducators and paraprofessionals. The resolution was distributed during the Board meeting and it was stated by School Board President Kris Graham that the Board in five Executive Sessions had previously discussed this matter.

As residents of the Tredyffrin Easttown School District, we believe that the Board violated both the spirit and letter of the Pennsylvania Sunshine Act.

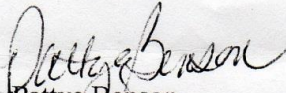
- The General Assembly states that the public has the right to be present at all meetings to witness the deliberation, policy formulation and decision making of agencies. Secrecy in public affairs undermines the faith of the public in government and the public's effectiveness in fulfilling its role in a democratic society. The five closed meetings and the non-descriptive language on the agenda ("Affordable Care Update") violate the spirit of the Sunshine Act.
- Commonwealth Court has ruled that a specific reason must be given for each Executive Session so the public can "determine from the reason given whether they are being properly excluded from the session". The Board violated the Sunshine Act as no specific reason was given for any of the five executive sessions and, in fact, we cannot determine from the record (as no meeting dates were given) whether these meetings were announced at all.
- As no agenda exists for the five Executive Sessions, it is difficult to determine whether other sections of the Sunshine Act were violated. It may be that the Board justifies the Executive Sessions using either the "personnel" exception or the "negotiations" exception but neither exception is valid for the current situation as the discussion centered around a group of employees not subject to a CBA.

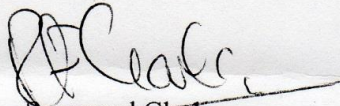
We suggest that these Executive Sessions constitute a violation of the Sunshine Act. We ask you to review your procedures and reasons behind these closed meetings. If a violation of the Act has occurred, we would suggest it be remedied by a full and transparent airing of the matter. A public challenge to a violation of the Sunshine Act could only result in individual penalties determined through the appropriate courts. We prefer the Board hold a duly advertised public meeting (preferably at its next scheduled meeting on February 23) at which the full spectrum of strategic options in response to the ACA is analyzed, presented and discussed, and at which a resolution is developed and voted upon. By so doing, the Board can assure all employees and residents that its decision is based on a thorough examination and on the values of the community.

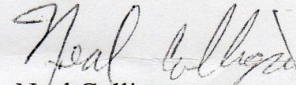
In reading the Act and interfacing with the PA FOIC, we are strongly of the opinion that a violation of the Sunshine Act has occurred, whether by misinterpretation or misapplication of the language of the Act, or by intention. We ask each of you to consider this seriously. This matter is of widespread concern in the community and time is pressing for the affected employees and for the legal process. We trust that we will receive a responsive plan from you no later than close of business on February 20, 2015.

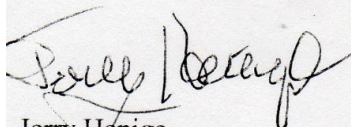
Please feel free to contact any one of the undersigned.

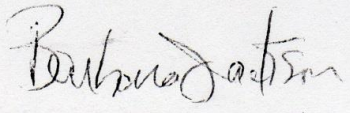
Sincerely,


Pattye Benson
1475 Swedesford Road
Malvern, PA 19355


Raymond Clarke
1564 Overlook Place
Malvern, PA 19355


Neal Colligan
467 Woodcrest Road
Wayne, PA 19087


Jerry Henige
433 Homestead Road
Strafford, PA 19087


Barbara Jackson
2037 Saint Andrews Drive
Berwyn, PA 19312


Margaret Layden
351 Coldstream Drive
Berwyn, PA 19312