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# **CONFLICT OF INTEREST: MAYOR SPILLER SIDES WITH HIS UNION ON RE-OPENING MONTCLAIR SCHOOLS**

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**FEBRUARY 2, 2021**

## CONFLICT OF INTEREST: MAYOR SPILLER SIDES WITH HIS UNION ON RE-OPENING MONTCLAIR SCHOOLS

NJEA Vice President and Montclair Mayor Sean Spiller's massive conflict of interest has reared its ugly head at precisely the wrong time: right in the middle of a pandemic and just before Montclair public schools were scheduled to be opened for in-person instruction.

### The MEA Exercises Its Veto Power

Despite Superintendent Jonathan Ponds' decision to re-open schools, Montclair's public schools remain closed because the Montclair Education Association (MEA) is refusing to return until its demands are met. Parent protests and petitions calling for re-opening have been negated. Montclair students, who have been out of school since last March, will simply have to wait until the MEA says schools can re-open. Aided by the NJEA, the MEA is effectively vetoing the decision of the superintendent. Meanwhile, away from Montclair, [some 500 New Jersey school districts](#) are offering some form of in-person instruction.

### A Conflicted Mayor Sides with His Union Not His Town

Where is the mayor of Montclair in all of this?

Exactly when Montclair needs an un-conflicted mayor to lead them out of the impasse, they get the Vice President of the NJEA, the second-highest officer in an organization that has actively inserted itself into the Montclair dispute. Three days before the planned re-opening, the NJEA helped distribute a MEA statement stating that it was not safe to return to school. Significantly, the NJEA also sponsored a letter-writing campaign calling for schools to remain closed until the entire teaching staff has been vaccinated.

Spiller's unabashed parroting of the NJEA's position is shocking. According to the *New York Times*, Spiller said that schools could open "[once everyone was convinced schools were safe](#)," and that "[vaccination remains the only way to guarantee safety](#)." It's almost as if Spiller is the NJEA's spokesman on the matter.

Of course, Spiller took the MEA's position as well. According to *NorthJersey.com*, the MEA has complained about "[the lack of information or guidance in building plans for a return to in-person instruction](#)." Likewise, the MEA told the *Montclair Local* that there has been a "[lack of clear](#)

[protocols and safety measures](#)” and called for the district to delay re-opening until it fully explained its plans for safety.

And Spiller? The *Local* reports that he called for “[an appropriate and clearly articulated safe plan for any return to in-person instruction.](#)” Again, the alignment of Spiller’s and the MEA’s stances is striking.

### Whither the Superintendent?

For the record, Superintendent Ponds maintains that the town’s schools have met state health and safety standards. He told the *Times* that “[months of preparation,](#)” including inspection and approval by engineering consultants, have ensured that schools are safe for teachers and students. The *Local* reports he has detailed many of the safety measures in place. Yet in the face of his decision to re-open schools and the MEA boycott of that plan, Superintendent Ponds sees the mayor of Montclair align with the MEA’s and the NJEA’s positions. If Ponds’ assurances are not good enough for the MEA and NJEA, they apparently are not good enough for NJEA Vice President Spiller.

### Whither the School Board?

Spiller has refused to say whether he has been involved as either an NJEA officer or as mayor behind the scenes but two things are clear: he has publically taken the side of the MEA and NJEA in the dispute with the superintendent, and the absence of the school board from the news stories has been conspicuous. The board itself is only mentioned as a place for meetings. School board members seem invisible: not one was mentioned or quoted. Indeed, on-going negotiations with a mediator are between the superintendent and the MEA, not the school board. Perhaps the school board has delegated all authority to the superintendent, but in that case the board’s silence in the face of a boycott of his plans is inexplicable. (According to the *Local*, the MEA claims that the school district has filed suit, so perhaps the board is acting covertly).

This then begs the question about Spiller’s influence over the school board: When the mayor controls the school board and sides with the MEA, do school board members become quiescent? Perhaps it is no surprise then that a new petition is circulating which calls for a referendum on changing Montclair from a mayor-appointed school board to an elected school board. Clearly, many Montclair residents are unhappy with the current state of affairs.

## Spiller's Conflict of Interest Was and Is Manifest

Sadly, Spiller's behavior was predictable. The Sunlight Policy Center alerted Montclair residents to Spiller's significant conflict of interest during the May 2020 mayoral election. The issue apparently resonated with Montclair voters because, despite substantial help from the NJEA and outspending his rival by 8-to-1, Spiller won by a mere 195 votes out of over 10,000 cast. They remembered that Spiller was removed by a Superior Court judge from the Montclair Board of School Estimates for his conflict of interest as a councilman. They recognized that as a mayor who appoints the entire Montclair school board, Spiller's conflict of interest was even greater. That conflict of interest has now come home to roost at the worst possible time.

So in a crisis for Montclair, when push came to shove, Mayor Spiller stood with his union: the same union that has [paid him over \\$2 million as an officer](#); the same union he is next in line to lead; and the same union to whose members he owes a fiduciary duty. No wonder the MEA feels emboldened to unilaterally decide the fate of Montclair's public schools. They have the mayor – who also appoints the school board – on their side. Too bad for Superintendent Ponds and too bad for Montclair parents who are desperate for their children to return to in-person learning.

## What About the Students of Montclair, Mayor Spiller?

With both the mayor and the NJEA calling for vaccines for the entire teaching staff before schools can be declared safe, the key question becomes: how long will it be before Montclair schools can re-open? Because teachers have not been prioritized for vaccination by the state, does this demand mean that Montclair public schools will remain closed for several more months, possibly to the end of the school year? NJEA President Marie Blistan has made clear that the state should be prepared for [“interruptions in learning for maybe another year.”](#) Not very promising words for Montclair students who have been remote-learning for almost a year.

As a candidate, Spiller promised to provide [“the best possible education for our students.”](#) What about the students of Montclair, Mayor Spiller?