

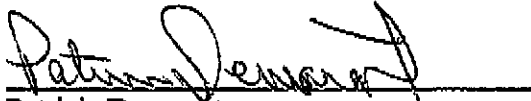
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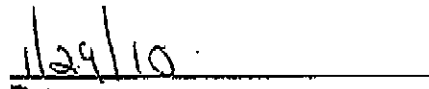
WAYNE SPELLS,	:	BEFORE THE OFFICE OF
	:	ADMINISTRATIVE LAW
Petitioner,	:	
	:	OAL Docket No. EDUOR 11499-2008S
v.	:	
MATAWAN ABERDEEN REGIONAL	:	AFFIDAVIT
BOARD OF EDUCATION,	:	
	:	
Respondent.	:	

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1. My name is Patricia Demarest and I reside at 35 Ingram Circle, Aberdeen, New Jersey 07747.
 2. From April 28, 2003 until April 27, 2009 I was a member of the Matawan-Aberdeen Regional Board of Education.
 3. From April 28, 2008 until April 27, 2009 I was the President of the Matawan-Aberdeen Regional Board of Education.
 4. On March 10, 2008, I was present during the meeting of the Matawan Aberdeen Regional Board of Education. The Board went into closed session during this meeting and discussed Mr. Wayne Spells and an issue related to the administration of the 9th grade Terra Nova test in 2007. At no point during that closed session meeting was Mr. Wayne Spells present.
 5. On May 19, 2008, I was present at the meeting of the Matawan Aberdeen Regional Board of Education where the Board voted to withhold Mr. Spells' increment for the 2008-09 school year.
 6. On June 30, 2008, I was present during the meeting of the Matawan Aberdeen Regional Board of Education. At that meeting, Mr. Spells for the first time spoke to the Board of Education, along with his representative John Lichtenberg, regarding the withholding of his increment.


7. As a Board member, I generally relied upon the Superintendent to inform me of the existence of relevant Board policies that would impact upon actions taken or considered by the Board.
8. I have now had the opportunity to review Board Policy 4117.51, entitled "Withholding an Increment." At no time prior to the Board of Education vote to withhold Mr. Spells' increment on May 19, 2008 was the existence of this policy brought to the attention of the Board of Education.
9. I believe it is reasonable to interpret Board Policy 4117.51 as being applicable to any increment withholding action taken by the Board, including increment withholdings related to school administrators.
10. If Board Policy 4117.51 had been brought to my attention prior to the Board voting to withholding the increment of Mr. Spells, as Board President I would have recommended that the Board follow all of the due process provisions in this policy.

I certify that the foregoing statements are true to the best of my knowledge. I understand that if any of the foregoing statements are knowingly false I am subject to penalty.


Patricia Demarest


Date


NOTARY


Date

Donna Sakowski
Notary Public State of New Jersey
My Commission Expires May 19, 2010