

**STATE OF DELAWARE**  
**PUBLIC EMPLOYMENT RELATIONS BOARD**

BRANDYWINE EDUCATION ASSOCIATION, DSEA/NEA,	:	
	:	
Charging Party,	:	
	:	
v.	:	<u>U.L.P. No. 98-07-235</u>
	:	
BRANDYWINE SCHOOL DISTRICT	:	
	:	
Respondent.	:	

**ORDER OF DISMISSAL**

1. The Brandywine Education Association, DSEA/NEA (“BEA”), is an employee organization within the meaning of §4002(h) of the Public School Employment Relations Act, 14 Del.C. Chapter 40. BEA is the exclusive bargaining representative of the certificated, nonadministrative employees of the Brandywine School District, not including substitutes, supervisory or staff personnel, within the meaning of 14 Del.C. §4002(i).

2. The Brandywine School District is a public school employer within the meaning of 14 Del.C. §4002(n).

3. On February 23, 1998, the Board of Education of the Brandywine School District adopted a resolution which “awards any teacher who received national accreditation an annual bonus of \$1,000 per year for a period of ten years.” [February 23, 1998 Minutes of the Brandywine School District Board of Education, @ p. 4]

4. On July 6, 1998, BEA filed the instant unfair labor practice charge alleging the Board of Education’s refusal to either rescind the resolution or to enter into collective bargaining over the national accreditation bonuses violates 14 Del.C. §4007(a)(5).

5. At its regular meeting of July 20, 1998, the Board of Education “voted unanimously to rescind the Boards [*sic*] bonus plan as administered by Mr. Hart for National Teacher Accreditation.” [July 20, 1998 Minutes of the Brandywine School District Board of Education, @ p. 5]

6. The resolution which was the subject of this charge was rescinded by the Board and the Board has advised PERB by and through its counsel that “none of the nationally accredited teachers employed by the Brandywine School District were paid a bonus pursuant to the resolution adopted by the Board on February 23, 1998.”

**WHEREFORE**, the underlying issue in this case is moot and the charge is hereby dismissed, without prejudice.

**IT IS SO ORDERED.**

*/s/Deborah L. Murray-Sheppard*  
**DEBORAH L. MURRAY-SHEPPARD**  
Principal Assistant/ Hearing Officer  
Del. Public Employment Relations Bd.

Issued: 22 September 1998