

**MARPLE NEWTOWN SCHOOL DISTRICT
REGULAR BOARD MEETING
TUESDAY, September 24, 2019
BOARD ROOM
MINUTES**

Board: President, Kathryn Chandless. Vice President, Matthew Bilker, Leonard Altieri, Barbara Harvey, Matthew Catania, Atsuh J. Baker, Matthew DeNucci, Nicholas Reynolds, John McKenzie

Solicitor: Mr. Mark Sereni, Esquire

Administration: Dr. Tina Kane, Dr. Connie Bompadre, Mr. James Orwig, Mr. Jake Gallagher, Dr. Gerald Rodichok, Dr. Heather Logue, Dr. Dorie Martin-Pitone

Press: 1

Audience: 26

1. CALL MEETING TO ORDER

Mrs. Chandless called the meeting to order at 7:37 PM.

2. PLEDGE OF ALLEGIANCE

Mr. Altieri led the Pledge of Allegiance

3. PRESENT

Mr. Altieri, Mr. Bilker, Mrs. Chandless, Mr. DeNucci, Mrs. Harvey, Mr. McKenzie, Mr. Reynolds

7 members present

Absent: Mr. Baker, Mr. Catania

4. APPROVAL OF THE AGENDA

Mrs. Chandless asked for a motion to accept the agenda, as presented.

Motion was made by Mr. Altieri, seconded by Mrs. Harvey

Mr. Bilker gave the following statement regarding Cary vs. MNSD

The District's former Superintendent filed a lawsuit in federal court against the District, alleging discrimination on the basis of sex, disability discrimination, and breach of contract. The rules require a party filing a federal lawsuit to specify in the Complaint whether the amount of damages sought is below \$150,000 or in excess of \$150,000. The Complaint indicated that the former Superintendent sought to recover *in excess of* \$150,000 from the District.

The District turned this lawsuit over to its insurance carrier, which appointed a legal team to defend the District. Based upon the allegations contained in the Complaint, the District's legal team understood that the Complaint sought to recover from the District at least three years' pay—an amount which is **at least** \$560,000.

I am very pleased to notify our school community that the District's legal team was able to negotiate a proposed settlement of this federal lawsuit for a monetary amount of only \$75,000. This is paid out of an insurance fund – it is not taxpayer money. The District's legal team strongly recommends this proposed settlement, and the District's insurance carrier has agreed to pay this proposed settlement amount in full.

The proposed settlement would result in the full and complete settlement of all claims that the former Superintendent asserted in this lawsuit, as well as any and all other alleged potential claims that she has or may have against the District stemming from her employment with the District.

The School Board recognizes the value of dedicating the Administration's time and energy to efforts that directly enhance the District's ability to deliver the best quality educational services to our students and families at the lowest possible cost to our taxpayers, particularly since the District has a new Superintendent. Therefore, the School Board sees that there are significant benefits to moving beyond this lawsuit, again, particularly because this settlement is being paid by our insurance carrier. But in order to feel comfortable with approving this proposed settlement, the School Board felt strongly that certain terms be included in the proposed settlement agreement.

For example, the proposed settlement agreement contains an explicit statement that the District does not admit to any wrongdoing of any kind, and that the District expressly disclaims the allegations, along with every scrap of the claims of discrimination, set forth in the Complaint. The Settlement Agreement confirms that the District denies that it violated any contract, rule, law or regulation related to the former Superintendent's employment. Also, in the proposed settlement agreement, the former Superintendent acknowledges and agrees that neither the settlement agreement nor the furnishing of the consideration for her release of claims shall be deemed or construed at any time for any purpose as an admission by the District of any liability, wrongdoing or unlawful conduct of any kind.

Speaking as one Board member, for the reasons outlined above, I intend to vote in favor of approving this proposed settlement agreement.

Mr. Sereni explained that the School Board has asked him to support what information that the School Board was giving the community regarding the lawsuit and the proposed settlement that the Board will be taking action on tonight. He informed the audience that as legal counsel for the School District, he wanted the community to keep in mind that there are certain constraints the School District has and that Mr. Bilker has given the greatest amount of information as he could regarding personnel issues without overstepping the boundaries on a personnel decision. He also advised that the community has the right, under the Pennsylvania Sunshine Act to make comments during the public comment time of the meeting. Also, the community has the right to ask questions, but the Board does not have to answer any questions during the public meeting. Mr. Sereni advised that as the attorney for the School District it is his job to protect the best interest of the School District and advised that the School Board should take the questions one at a time. He also advised the

audience that under the Right to Know Act, that the community can ask for a copy of the lawsuit once it has been approved by the Board.

There was a brief discussion about the Board making this public without the community having to fill out a Right to Know Request. Mr. Sereni advised that would be okay, once the motion is approved, it would become public record. A majority of the Board could agree to make it available.

With no further discussion motion passed 7 – 0

Absent: Mr. Baker, Mr. Catania

5. PUBLIC COMMENTS (Agenda Items Only)

There was none

6. WE ARE PROUD OF OUR STUDENTS AND TEACHERS

Dr. Kane gave the following report:

Marple Newtown High School will be recognized on Thursday, October 3rd during an assembly by Pedro Rivera, The Pennsylvania Secretary of Education. This recognition is the only one of its kind in the Commonwealth.

7. COMMENDATIONS

There was none

8. STUDENT REPRESENTATIVES' REPORT

Hanna Fay and Andrew Tran gave the following report:

- Youth night was a success despite the weather ~ Worrall won
- Homecoming game, large shout out to Queen, Kaitlan Tran, King, Cole Robinson
- Homecoming dance had 500 plus people
- Back to School Night is Wednesday, teachers seem prepared, always a good turnout for parents, club fair during the night outside the cafeteria on Wednesday, Thursday, and Friday
- Kickoff for annual Mini THON PEP rally next Tuesday, October 1st.
- Powderpuff game on Thursday, October 21st before Thanksgiving
- Kan Jam tournament during the school day, cans will be donated to Preston and Steve campout for hunger. Last year we raised more than 3,000 pounds of food

9. SUPERINTENDENT'S REPORT

Dr. Kane gave the following report:

Student Events

Attended all the MNHS home football games, which included youth night and MNEA Teacher of the Year recognition

Made regular visit to all six school visiting classrooms in addition to assisting in morning arrival and dismissal with busing and parent pick up.

Parent Events

Culbertson's Kindergarten Orientation

Attended Paxon Hollow and all four Elementary Schools Back to School Nights

Faculty and Staff Events

Attended all elementary and middle school faculty meetings this month.

Community Connections

Invited and attended on behalf of the District to the Delaware County Veterans Memorial dedication for the POW-MIA empty chair wall and hall of prayers.

Met with the Newtown Square Business Association to gain a better understanding of the membership.

10. SECRETARY'S MINUTES

Mr. Reynolds asked for a motion to approve the minutes of the August 27, 2019 Regular Meeting.

Motion was made by Mr. DeNucci, seconded by Mr. Bilker

With no further discussion motion passed 7 – 0

Absent: Mr. Baker, Mr. Catania

11. OTHER REPORTS

Mr. Reynolds asked for a motion to accept the resignation of Matthew Catania from the Board of School Directors, effective immediately.

Motion was made by Mr. DeNucci, seconded by Mrs. Chandless

It was explained that Mr. Catania has accepted a position with a Judge in Federal Court. With this position he cannot hold an elected office of any kind.

With no further discussion motion passed 7 – 0

Absent: Mr. Baker, Mr. Catania

Mr. Reynolds asked for the following motions:

Motion to approve the tuition agreement for Student No. 883146 to attend the George Crothers Memorial School, an Approved Private School (APS), for the 2019-2020 school year. This is a not a new placement.

Motion to approve Student No. 841813 to attend Mill Creek as per the "In Lieu of FAPE" agreement for the 2019-2020 school year. This is a not new placement.

Motion to approve Student No. 880427 to attend Media Providence Friends School as per the "In Lieu of Fape" agreement for the 2019-2020 school year. This is a new placement.

Motion to approve the tuition agreement for Student No. 882315 to attend The Pathway School, an Approved Private School (APS), for the 2019-2020 school year. This is a new placement.

Motion to approve the Agreement for Behavioral Support Services from Gamut Early Intervention Services for the 2019-2020 school year. Subject to review and approval of final language by the Solicitor. This is a new contract.

Motion to approve Student No. 883442 to attend Mill Creek as per the "In Lieu of FAPE" agreement for the 2019-2020 school year. This is a new placement and a new contract.

Motion to approve Dr. Tina Kane, Superintendent, to attend the DCIU Chief School Administrators' meeting and retreat in Washington, DC from October 6 to October 8, 2017. There is no cost to the district.

Motions were made by Mr. DeNucci, seconded by Mr. Bilker

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

12. CURRICULUM, INSTRUCTION AND TECHNOLOGY COMMITTEE

12.01 Committee Report – Leonard B. Altieri, III, Chairperson

12.02 Memorandum of Understanding

Mr. Altieri asked for a motion to approve the Reading Olympics Memorandum of Understanding between the Delaware County Intermediate Unit and the Marple Newtown School District.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motion passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

12.03 Athletic Trips

Mr. Altieri asked for a motion to approve Ms. Kimberly Foster, cheerleading coach, to accompany the Marple Newtown High School Cheerleaders to travel to Hershey, Pennsylvania from January 9 to January 11, 2020 to compete in the PIAA State Competition if they qualify at Districts. The total cost of transportation is \$550.00. The total cost of the hotel/food plus entry fee is \$,1700.00. The total cost to the district is \$2,250.00.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

Mr. Altieri asked for a motion to approve Ms. Kimberly Foster, cheerleading coach, to accompany the Marple Newtown High School Cheerleaders to travel to Orlando, Florida from February 5 to February 11, 2020 to compete in the UCA Nationals if they qualify at the Regionals. The total cost of transportation is \$181.20 for bus to and from the airport paid by the students/parents. The cost of airfare is \$400.00 per student, paid by the students/parents. The cost of hotel/food is \$800.00 per student, paid by the students/parents. There is no cost to the district.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

12.04 Donation or Disposal

Mr. Altieri asked for a motion to approve the donation or disposal of the following outdated Paxton Hollow Middle School Anthology textbooks:

27 McDougal Littell Literature
ISBN 13:978-0-618-94491-0
Published by McDougal Littell
Copyright 2008

57 InterActive Reader and Writer for Critical Analysis
ISBN 13: 978-0-618-92120-1
McDougal Littell
Copyright 2008

28 Grammar for Writing
ISBN 13:978-0-618-56616-7
Published by McDougal Littell
Copyright 2008

40 Immigrant Kids
ISBN 978-0-14-037594
Penguin Groups
Copyright 1980

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

Mr. Altieri asked for a motion to approve the donation or disposal of an Ultima 65 laminator at the Marple Newtown High School which is 20 years old. The laminator is no longer working and is missing parts.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

13. HUMAN RESOURCES AND POLICY COMMITTEE

13.01 Committee Report – Matthew J. Bilker, Chairperson

13.02 Resignations

PROFESSIONAL

Mr. Bilker asked for a motion to approve the following professional resignation(s) item(s) 1.

- 1) Jeff Kuciapinski – Special Education Teacher
Culbertson Elementary School
Effective: October 4, 2019
Reason: Resignation

Motion was made by Mr. Reynolds, seconded by Mr. DeNucci

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

CLASSIFIED

Mr. Bilker asked for a motion to approve the following classified resignation(s) item(s) 1 and 2.

- 1) Renato Kocibelli – Custodian (part-time)
Marple Newtown High School
Effective: June 24, 2019
Reason: Resignation
- 2) Suzanne Stefan – Special Education Assistant
Paxon Hollow Middle School
Effective: September 5, 2019
Reason: Resignation

Motion was made by Mr. Reynolds, seconded by Mr. DeNucci

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

13.03 Leaves

PROFESSIONAL

Mr. Bilker asked for a motion to approve the following professional leave(s) item(s) 1 through 3.

- 1) Kylie Kusturiss – School Counselor
Russell Elementary School
Effective: December 6, 2019 through March 16, 2020
Reason: Medical Leave: December 6, 2019 through and including January 3, 2020
FMLA: December 6, 2019 through and including March 16, 2020
- 2) Rebecca Pullin – Elementary Teacher
Russell Elementary School
Effective: September 3, 2019 through December 1, 2019
Reason: Intermittent FMLA
- 3) Susan Salerno – Special Education Teacher
Marple Newtown High School
Effective: September 3, 2019 through December 1, 2019
Reason: Intermittent FMLA

Motion was made by Mr. Reynolds, seconded by Mr. DeNucci

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

CLASSIFIED

Mr. Bilker asked for a motion to approve the following classified leave(s) item(s) 1 through 3.

- 1) Lisa Connelly – School Assistant
Culbertson Elementary School
Effective: September 3, 2019 through October 25, 2019
Reason: Medical
- 2) Wayne Morton– Custodian (part-time)
Operations Department
Effective: July 23, 2019 through December 1, 2019
Reason: Medical
- 3) Paula Horton – Special Education Assistant
Marple Newtown High School
Effective: September 9, 2019 through October 1, 2019

Reason: Medical

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

13.04 Appointments

PROFESSIONAL

Mr. Bilker asked for a motion to approve the following professional appointment(s), pending the completion of all necessary pre-employment requirements, item(s) 1 through 7.

- 1) Jessica Austin – Special Education Teacher
Culbertson Elementary School
Salary: \$48,902.00 (BA+24 – Step 1; pro-rated)
Effective: September 27, 2019
Reason: Jeff Kuciapinski (Resignation)
- 2) Kylie Klos – LTS Special Education Teacher
Worrall Elementary School
Salary: \$46,109.00 (BA - Step 1; pro-rated)
Effective: September 24, 2019 through November 27, 2019
Reason: Brittany Milia (Medical/FMLA)
- 3) Mairney Decamillo – Homebound Instructor
Pupil Services Department/District Assignment
Salary: \$31.00 per hour
Effective: September 25, 2019
Reason: As Needed
- 4) Kelly Monaghan – Homebound Instructor
Pupil Services Department/District Assignment
Salary: \$31.00 per hour
Effective: September 25, 2019
Reason: As Needed
- 5) Thomas Gates – Homebound Instructor
Pupil Services Department/District Assignment
Salary: \$31.00 per hour
Effective: September 25, 2019
Reason: As Needed
- 6) Christine Deegan – Homebound Instructor
Pupil Services Department/District Assignment
Salary: \$31.00 per hour
Effective: September 25, 2019
Reason: As Needed

- 7) Steven Rich – Homebound Instructor
Pupil Services Department/District Assignment
Salary: \$31.00 per hour
Effective: September 25, 2019
Reason: As Needed

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

CLASSIFIED

Mr. Bilker asked for a motion to approve the following classified appointment(s), pending the completion of all necessary pre-employment requirements, item(s) 1 through 8.

- 1) Janeen Corsones - Accounting Clerk (part-time)
Curriculum Department
Salary: \$14.28 per hour
Effective: September 23, 2019
Replacing: Teresa Ferry (Reassignment)
- 2) Bruges Ramos - Special Education Assistant
Paxon Hollow Middle School
Salary: \$15,208.00 (pro-rated)
Effective: September 25, 2019
Replacing: Suzanne Stefan (Resignation)
- 3) Diane Fallows - 12-Month Secretary
Marple Newtown High School
Salary: \$25,280.53
Effective: October 9, 2019
Replacing: John Pearce (Resignation)
- 4) Antoinette Liberati - Special Education Assistant
Culbertson Elementary School
Salary: \$15,208.00 (pro-rated)
Effective: September 25, 2019
Replacing: Victoria Patterson (Reassignment)
- 5) Terrence Ferguson – Classified Substitute
Operations Department
Salary: TDB by assignment
Effective: September 25, 2019
Replacing: As Needed
- 6) Donna Miles - Accounting Clerk (part-time)
Food Services Department

Salary: \$14.28 per hour
 Effective: September 25, 2019
 Replacing: Roxanne Sgro (Resignation)

- 7) Richard Small - Maintenance Utility Worker
 Operations Department
 Salary: \$20.30 per hour
 Effective: September 25, 2019
 Replacing: New Position (MNSD Board approved 8/27/2019)

- 8) Derek Strain – Custodian (Part-time)
 Marple Newtown High School/Operations Department
 Salary: \$18.08 per hour
 Effective: September 25, 2019
 Replacing: Trevor James (Resignation)

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
 Vacancy: 1

13.05 Transfers

CLASSIFIED

MOTION: To approve the classified transfers, item(s) 1 and 2:

	<u>Name</u>	<u>From</u>	<u>Assignment</u>	<u>To</u>	<u>Assignment</u>
1.	Fatos Ciraku	MNHS	Custodian	Russell	Custodian
2.	Vasil Gjergo	Russell	Custodian	MNHS	Custodian

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
 Vacancy: 1

13.06 Tuition Reimbursement

Mr. Bilker asked for a motion to approve the tuition reimbursement, in accordance with the MNEA, MNAA and MNESPA negotiated agreements.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

13.07 Supplementary Contracts

Mr. Bilker asked for a motion to approve the appointment of personnel to activity contracts for the 2019-2020 school year. The amount of each contract is in accordance with the MNEA negotiated agreement.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

Mr. Altieri wanted to advised the audience that the Lacrosse position was not on this agenda and would not be voted on tonight. Mr. DeNucci stated that this position will be given the appropriate attention, a decision will be made at the appropriate time with the appropriate reason.

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

13.08 Agreement

Mr. Bilker asked for a motion to approve the Settlement Agreement and General Release of Claims dated September 6, 2019 between Marple Newtown School District and Dr. Carol Cary.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

Mrs. Chandless explained as an attorney employers are afraid to make decisions because of the threat of a law suit. She feels that employers should make decisions based on what is best for the business. She feels that this is the right decision.

With no further discussion motions passed 7 – 0

Absent: Mr. Baker
Vacancy: 1

14. BUDGET AND FINANCE COMMITTEE

14.01 Committee Report – A. J. Baker, Chairperson

In the absence of Mr. Baker, Mrs. Chandless gave the following report:

14.02 Bills for Payment

Mrs. Chandless asked for a motion to approve and authorize payment of General Fund bills in the amount of \$9,061,779.79, Capital Reserve Fund bills in the amount of \$30,300.00, Capital Fund bills in the amount of \$6,181,472.06, and Food Service bills in the amount of \$4,020.00.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

14.03 Monthly Reports

Mrs. Chandless asked for a motion to approve monthly the financial report for July 2019.

Informational item monthly financial report for August 2019.

Motion was made by Mr. DeNucci, seconded by Mr. Reynolds

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

15. FACILITIES AND TRANSPORTATION COMMITTEE

15.01 Committee Report – Nicholas J. Reynolds, Sr., Chairperson

Mr. Reynolds asked for the following motions

15.02 Camera License Upgrade

Motion to approve the purchase of a software license upgrade for the district-wide camera system from Delco Solutions LLC in the amount of \$41,550.00. Pricing is per Co-Stars Contract No. 034-065.

15.03 Transportation Vehicle Purchase

Motion to approve the purchase of the following vehicles in the total amount of \$73,312.50.00 from Pacifico Marple Ford, and to approve the necessary transfer from budgetary reserve effective October 1, 2019. Prices are in accordance with Co-Stars Contract No. 026-097:

Quantity (2) = 2020 Ford Transit - AWD Passenger Vans – Transportation

Motions made by Mr. DeNucci, seconded by Mr. Bilker

With no further discussion motions passed 7 – 0

Absent: Mr. Baker

Vacancy: 1

16. DELAWARE COUNTY INTERMEDIATE UNIT REPORT

There was none

17. LEGISLATIVE REPORT

There as none

18. BOARD PRESIDENT'S REPORT TO THE BOARD

There was none

19. COMMENTS FROM THE AUDIENCE

There was none

20. COMMENTS FROM THE BOARD

Mr. DeNucci made a comment about the Lacrosse position. The Board realizes and recognizes that this needs to be done and remedy to a timely manner. They know that the kids are suffering and should be playing. The Board recognizes that people are passionate about this and that the Board will make every effort to make the best informed decision that they can.

21. ADJOURNMENT

With no further business for the Board, Mrs. Chandless adjourned the meeting at 8:03 PM

Respectfully submitted

Joseph Driscoll
Board Secretary