Lehighton Area School District
1000 Union Street
Lehighton, PA 18235
Monday, November 22, 2021 at 7:00 PM
BOARD MEETING - MINUTES

1. Opening Exercises
A. Pledge of Allegiance

B. Call to Order
Board President, J. Beers, called the Board Meeting to order at 7:20 PM

C. Announcements
An Executive Session was held on November 9, 2021 at 6:00 PM for personnel and legal discussions.
A Special Board Meeting was held on November 9, 2021 at 7:00 PM for Student Safety.
A Special Board Meeting was held on November 15, 2021 at 7:00 PM for General Business.
An Executive Session was held on November 22, 2021 at 6:00 PM for personnel and legal discussions.
The next Board Meeting will be held on Monday, December 6, 2021, at 7:00 PM for Reorganization.

D. Roll Call
PR/AB

PR	**Ms. Joy Beers**	**PR**	**Mr. David F. Bradley**	**PR**	**Mrs. Gail Maholick**
PR	**Mr. Richard R. Beltz**	**PR**	**Mr. Nathan Foeller**		**Vacancy**
PR	**Ms. Barbara Bowes**	**PR**	**Mr. Stephen Holland**		**Vacancy**

Also Present:
Mr. Edward Rarick, Business Administrator
Mr. Jonathan Cleaver, Superintendent
Ms. Janine Partenio, Recording Secretary

Attorney Timothy Gilsbach, Ryan Bowman, Brian Shaner, Janice Collins, April Walker, Eric Christman, Samantha Kistler, Timothy Tkach and Janice Bowman.

E. Presentations/Recognition
None at this time

F. Public Comment
B. Shaner discussed the masking survey that was released to the public. He felt the questions could have been simpler. He said the District has the option of one or both local hospitals to discuss masking with, prior to any decisions made.

J. Collins wanted the masks to be taken off immediately. She said the mandate was set to expire on December 4, 2021 and felt it could not be enforced. She did not feel that masks work and vaccine clinics should not be held on school property. She asked how it started. J. Cleaver said the clinics were recommended by local healthcare facilities. J. Collins believed it left the District liable. Atty. Gilsbach said the District was only providing the space and the liability was very minimal, if any. J. Collins felt it would be upheld by Nuremburg Code. Atty Gilsbach stated that from a purely liability aspect, it would only be by the people providing the vaccines. J. Collins asked if the District was being paid by the Healthcare providers. J. Cleaver said no.

A. Walker discussed the masking survey. She wanted to know who determined how and when the notifications went out. She said she did not receive a robocall. J. Cleaver said an email was sent out to all parents that are registered to receive notifications in Powerschool. A. Walker said she did not receive a telephone call. J. Beers stated that parents were upset because they did not receive the survey. N. Foeller asked if there was a robocall. S. Howland said she received the email on November 17 at 3:35 PM and discussed the email and phone call options and issues. T. Tkach said 1900 emails were delivered with half opened and the District received 434 results. J. Beers said that ⅓ that opened the email responded to the survey.

E. Christman was concerned about the district finances with lawsuits and increased legal fees. He said the District was

cash strapped and disagreed with the Board's decisions. He said the staff were being overlooked and were working on a skeleton crew. He asked if anyone ran their own business because he felt that the Board was sneak attacking the District and adding burden to the staff who were already overwhelmed. He asked the Board to not use Facebook and social media for a reality show. He stated he was a proud graduate of Lehighton and was upset that he never heard anything positive about the District shared, only negative. He explained that this was bringing down morale and the District could not afford the loss of more staff. He also felt they were not putting the students first with their decisions.

J. Bowman stated she was a trained Army National Guard LPN. She claimed masking was hurting the children. She discussed studies done with porn and cannibalism in the schools. She said there were 850 books being investigated. She felt there were things being taught to teachers under the SEL program. She said children were being identified as Transanimal (cats, dogs, ponies, etc) and have their own bathrooms. She asked about Public surety bonds and wanted to know what was behind the grants. She said she would like a list of grants and wanted to sit with the Board and the students to look at the books. R. Bowman said some of those books could fall under anatomy & physiology and psychology. J. Cleaver reminded J. Bowman that an email was sent to her on October 27, 2021 at 4:03 PM. He said he sent the three levels of curriculum and links to the K-12 online library directory. He said the next day he had emailed the grants to her as well. J. Bowman asked if he could resend since she did not receive it in her inbox. J. Cleaver said it would be resent by Friday and will CC the Board.

J. Beers thanked S. Holland for troubleshooting the microphone issue at the National Honor Society program.

G. Superintendent Report
J. Cleaver welcomed Atty. Gilsbach to the Lehighton Area School District Community from the law firm of Fox Rothschild. He said the administration and staff were looking forward to working with him and his law firm.

J. Cleaver congratulated the 11th and 12th Grade inductees into the National Honor Society on Thursday evening, November 18, 2021. He also thanked T. Tkach for his wonderful speech. J. Cleaver congratulated the parents and/or guardians of the new inductees, saying it was a great honor for the students.

J. Cleaver stated that November was a time to be thankful, a time to remember and a time to embrace those who enrich our lives. He said the District is thankful for all of the students, staff, parents and community for all of their continued dedication and support. He wished everyone a wonderful Thanksgiving.

H. Business Administrator Report
E. Rarick reported that the month of October the Lehighton Area School District Business Office received 90% of all anticipated local real estate tax revenue. He said through the first four months of the fiscal year, the District had received 63% of total estimated revenue and consumed 25% of the anticipated budget expenditures. He said on November 1, 2021 the Business Office rolled out the automated absence and substitute contact system through the accounting software. He said they are continuing to work through some of the system nuances to streamline the process of requesting and approving time off. E. Rarick wished everyone a safe and healthy Thanksgiving.

I. Minutes
MOTION by B. Bowes, SECONDED by N. Foeller, to approve the Minutes of the October 25, 2021 Board Meeting, the November 9, 2021 Special Board Meeting, and the November 15, 2021 Special Board Meeting.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

2. Financial Matters

A. District General Fund Account
MOTION by N. Foeller, SECONDED by J. Beers, to close the current District General Fund Account and reopen a new District General Fund Account, based on the recommendation of Mauch Chunk Trust Co.
Company.

Board Member, David Bradley, posted a video on social media showing a District check clearly bearing the routing and Account number for the District's General Fund Account. Based on a recommendation from Mauch Chunk Trust, the District would like to replace this account in order to proactively prevent any future fraudulent activity.

D. Bradley stated this was the second time that a bank account change was requested based on fear. He wanted to grab all of the data before closing the account and see if it would be appropriate. E. Rarick stated this had happened before where a fraudulent act occurred based out of California. D. Bradley asked to change to a more secure bank.

J. Beers asked E. Rarick could confirm all of the documentation. E. Rarick mentioned a hard copy of every document is stored physically and electronically with the bank. He said the information would not be destroyed.

B. Bowes asked what bank the county used, since they had a similar issue. She did not think that they switched accounts with their issue.

N. Foeller asked what the time required would be. E. Rarick explained that the account would remain open for a period of time to allow for all checks to clear and then transition to new checks for a new account. N. Foeller asked what the liability would be for the District. E. Rarick said he looks at the account on a daily basis. He said smaller checks may

not be caught as the District has a lot of oddities. S. Holland said this would not even be discussed if it was not for one individual. B. Bowes said it was foolish.

R. Bowman asked if it was standard for an audit of the account when you switch accounts prior to closing. E. Rarick said he did not think so, but it could be done.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0

VOTE: YES - 5 NO - 2 ABSENT - 0 ABSTENTIONS - 0

B. Letter of Credit
MOTION by B. Bowes, SECONDED by G. Maholick, to accept the letter of credit agreement between the Lehighton Area School District and Mauch Chunk Trust Company and the State Department of Transportation.

J. Beers asked E. Rarick to review the letter of credit. E. Rarick explained in the event a traffic light is constructed, money would be pulled by the state from Mauch Chunk and then be paid back. J. Beers asked for advice from the atty. Regarding the investigation with the occupancy permit. R. Bowman agreed that it should be tabled.

MOTION by B. Bowes, SECONDED by N. Foeller, to table the acceptance of the letter of credit agreement between the Lehighton Area School District and Mauch Chunk Trust Company and the State Department of Transportation.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

C. LEAF Donation
MOTION by S. Holland, SECONDED by N. Foeller, to accept the donation of Video Server, SD card, HDMI/Patch Cables, Wall Mount and 65" TV from Lehighton Education & Athletic Foundation (LEAF). To be used for the Graduates of Distinction Wall at Elementary Center. All costs paid through the LEAF foundation.

J. Cleaver thanked LEAF for always finding ways to support the District.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

D. LLIU13 Subrecipient Letter of Agreement
MOTION by B. Bowes, SECONDED by N. Foeller, to approve the Lancaster-Lebanon Intermediate Unit 13 Subrecipient Letter of Agreement with a reimbursement of an amount not to exceed $10,000.00 for the Lehighton Area Elementary Center Enhancing Early Literacy Outcomes.

J. Beers asked E. Rarick for a description of this item. E. Rarick said pass through funds are requested and awarded for early literacy outcome at the Elementary Center

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

E. IDEA Part B Section 619
MOTION by N. Foeller, SECONDED by B. Bowes, to approve the 2021-2022 Use of Funds Agreement – IDEA Part B, Section 619 (Preschool Grant) in the amount of $2,420.00.

D. Bradley asked if PDE approved this yet. E. Rarick said they were notified that it was approved.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

F. IDEA Part B Section 611
MOTION by N. Foeller, SECONDED by G. Maholick, to approve the 2021-2022 Use of Funds Agreement – – IDEA Part B, Section 611 in the amount of $375,738.00.

J. Cleaver explained this came from the IU to help offset Special Education Funds. He said it was supposed to be funding about 70% of costs, but it is only funding about 20% now. S. Kistler stated the total cost of Special Education is about $2 Million combined.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

G. IDEA Part B Section 611 ARP Supplemental
MOTION by G. Maholick, SECONDED by N. Foeller, to approve the 2021-2022 Use of Funds Agreement – – IDEA Part B, Section 611 ARP Supplemental in the amount of $88,709.00.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

H. Food Service Transfers
MOTION by N. Foeller, SECONDED by B. Bowes, to make the following transfer from the General Fund to the Food Service Fund as per the Reimbursements from the Commonwealth:
$121,359.26 for September 2021

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

I. Per Capita/Occupational Tax Exemptions
MOTION by D. Bradley, SECONDED by B. Bowes, to approve the enclosed exemptions from Per Capita and/or Occupational Tax.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

J. Tax Refunds
MOTION by D. Bradley, SECONDED by R. Beltz, to refund the following:
1. Occupational Tax for year 2020 in the amount of $122.50 to David Hartranft;
2. Occupational Tax for year 2021 in the amount of $122.50 to David Hartranft;
3. Occupational Tax for year 2020 in the amount of $125.00 to Debra Ann Sterling.
4. Occupational and Per Capita Taxes for year 2021 in the amount of $140.00 to Mark Bernek.

D. Bradley asked to review the financial status and remove occupational tax. E. Rarick discussed the need to offset the income from those taxes. J. Beers asked to have the finance committee address it and report back to the Board for a vote.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

K. Berk One
MOTION by R. Beltz, SECONDED by S. Holland, to approve the Homestead/Farmstead Application Mailing Agreement with BerkOne and the Lehighton Area School District, for the 2021-2022 school year. At a cost not to exceed $0.37 per mailing. Funded through the Business Office.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

L. PSHIC
MOTION by N. Foeller, SECONDED by B. Bowes, to accept and authorize PSHIC cooperative to distribute 85% of our claims fund surplus for the 2020-2021 plan year in the amount of $722,901.

E. Rarick explained that the PSHIC is the health cooperative that the District is involved with and this was the claims fund. He said an 18-month analysis is done on the claims and the following year the payment is based on the claims. He explained if the payment is over the amount of claims the difference is reimbursed to the District or they could hold it and apply it back to the account.

R. Bowman asked if this was a consortium. E. Rarick said Yes it is made up of school districts, municipalities, etc. He said the money would go back to the District into the General Fund. R. Bowman asked if the District was saving money by being in the consortium. E. Rarick said yes because resources are pulled from all of the districts and municipalities involved. J. Beers, E. Rarick and R. Bowman discussed how the District has less claims and claim limits of the whole consortium. E. Rarick explained how less claims would reduce the payments for the following year. He said the District had six high claims last year.

B. Shaner asked if there was any interest involved with this. E. Rarick said it is in an interest bearing account. He mentioned that it could have gone the other way where the District could have owed money. R. Bowman asked if E. rarick believed the funds should be invested in order to offset and balance the budget. E. Rarick said there were better ways to earn money than having the funds sit in an account at Mauch Chunk Trust. He said there were other investment avenues and that would be a decision for the Board to make. He mentioned that he had begun that process in September and is reviewing some available options. He said he would bring a presentation to the Finance Committee to review.

D. Bradley felt the consortium was charging a rate that was greater than necessary and would cost the District millions of dollars. J. Beers felt the District was punished slightly because of some of the bad years the District had in the past. D. Bradley felt the District saved money by pulling out of the PSHIC.

B. Bowes reminded everyone that it was suggested to fund it at 90%. E. Rarick said the bill was paid at 90%. R. Bowman asked what the total bill was. E. rarick said about $5.2 Million. R. Bowman asked if they offer healthy incentives for the employer. E. Rarick said BSI has offered healthiest you, teledoc and other incentives for employees to utilize. R. Bowman said there were numerous consortiums, why was the District using this one. B. Bowes said it was the only one that would take us. J. Cleaver said at the time the District's claims were so high that we were considered high risk.

J. Beers asked if R. Bowman was looking for the District to re-evaluate the membership. D. Bradley said yes, because the District continues to overpay. He did not agree with working with BSI. J. Beers recommended bringing this to the Finance Committee to review to see if it would make sense to look at other options.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

M. ReDCo

MOTION by N. Foeller, SECONDED by G. Maholick, to table the approval of the ReDCo Group, BHA updates annual letter of agreement/linkages.

E. Rarick stated he reached out to RedCo regarding fees associated with the agreement when he received the agreement and they have not yet responded. He recommended tabling the item.

VOTE TO TABLE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

N. Activities Funds

MOTION by B. Bowes, SECONDED by G. Maholick, to approve the Lehighton Area High School for October 2021 and Lehighton Area Middle School Activities Funds for September and October 2021.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

O. Reports

MOTION by N. Foeller, SECONDED by B. Bowes, to approve the following Reports:
November 2021*
1. Condensed Board Summary
2. Expenditure Report
3. Revenue Report
4. Expenditure Comparison Report
5. Revenue Comparison Report
6. Treasurer's Report

**The District has switched over to the new FIS accounting system with CSIU. FIS Reports may appear different from previous report/summary attachments.*

B. Bowes discussed the different format of the reports. She said she went through all of the documents and she did not find anything that jumped out at her. D. Bradley stated there was a violation of PA School Code 609. He felt there was a lack of transparency with the condensed Board Summary and wanted to table the reports. E. Rarick explained how the ESSER grants are received and had to be done via journal entries. D. Bradley felt they should be thinking in advance of the issue and move the money first. Atty. Gilsbach said he needed to look further into PA school code 609. He stated that boards do not usually get into the nit and gritty of these things.

D. Bradley made a motion to table the reports. Motion failed for lack of second.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 6 NO - 1 ABSENT - 0 ABSTENTIONS - 0

P. Payment of Bills

MOTION by N. Foeller, SECONDED by S. Holland, to approve the following Payment of Bills:
November 2021:

General Fund:
--Non-Negotiables $2,334,178.23
--Regular Checks $1,630,135.01
--Manual Checks/Void $ (20,255.20)
--Credit Card $ 0.00

Debit Card: $ 3,446.47
Payroll (October): $1,850,457.11
Food Service Fund: $ 102,306.56

Total: $5,900,268.18

D. Bradley discussed the issue of authorizing payments with the 610 - surcharge law. He requested tabling this until they meet with the Business Manager to review the process of reporting. J. Beers said the Board needed to elect a Treasurer and wished to nominate B. Bowes for the position. J. Beers asked B. Bowes about her comfort level with the payment of bills. B. Bowes explained that she went through 10 files of invoices and did not have any questions on the amounts. She questioned the Lehighton Borough water usage and the huge spike in April as well as the electric usage increase. E. rarick stated there was an increased rate issued by the Borough in the Spring. B. Bowes said she had no issues or concerns with what she had seen.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 6 NO - 1 ABSENT - 0 ABSTENTIONS - 0

3. Personnel

A. Candidates for Employment

MOTION by S. Holland, SECONDED by N. Foeller, to approve the following candidates for employment in accordance with the respective contracts:

1. **Michele Flexer** – Part-Time Cleaner – Date effective pending any necessary paperwork, at $9.82 per hour for the 2021-2022 school year.
2. **Catherine Hess** - 6th grade Virtual Homebound Instructor/Tutor for a Middle School student for the 2021-2022 School year.

2021-2022 Extracurricular Advisors

Winter Weight Training - **Terry Haberman**

D. Bradley wished to table and have the discussion in a Personnel Committee Meeting.

N. Foeller asked how the rate was set. J. Cleaver said it was set through the contracts. N. Foeller asked about increases. J. Cleaver said it would go through the contract process. N. Foeller asked if there were staffing issues due to the low market rate. B. Bowes said Giant was paying $12.00 per hour and they had no applicants either.

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

B. Candidates for the Substitute List

MOTION by B. Bowes, SECONDED by R. Beltz, to approve the following list of requested candidates for the 2021-2022 Substitute List, pending any necessary paperwork:

John Partenio - Substitute Paraprofessional

B. Bowes asked if there were specific qualifications for a substitute paraprofessional. J. Cleaver said Paraprofessional employees would need an associates degree or comparable education. He said a substitute para did not need the same criteria. R. Bowman asked if a sub standard could be used.

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

C. Candidates for Athletic Coaching/Manager or Extracurricular Activities

MOTION by N. Foeller, SECONDED by S. Holland, to approve the following requests for Athletic Coaching/Manager Candidates, as per contracted rates, pending any necessary paperwork:

2021-2022

Winter Game Managers - **Chris Knappenberger, Diane Brownmiller, Timothy Sharrow, Tom McCarroll, Timothy O'Connor, James Gurka**
Volunteer Baseball - **Justin Jachowicz**
Volunteer Wrestling - **Kris Nalesnik**

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

D. Pre-Approval of Courses/Programs of Study
MOTION by D. Bradley, SECONDED by B. Bowes, to approve the following requests for pre-approval of courses/Programs of Study for continuing education:

1. **Employee #1476** – November 15 - December 13, 2021/Classroom Based Interventions for Students with Emotional and Behavioral Disorders ($270.00)
2. **Employee #1036 -** January - May 2022/M. Ed. Educational Leadership/The Principal as an Educational Leader ($1,566.00)

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

E. Acknowledgment of FMLA Leave
MOTION by D. Bradley, SECONDED by S. Holland, to acknowledge FMLA leave for the following employees, not to exceed 12 weeks:

1. **Employee #1083 -** Effective November 23, 2021-December 6, 2021
2. **Employee #1070 -** Effective December 14, 2021-March 1, 2022

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

F. Resignation for Retirement
MOTION by B. Bowes, SECONDED by S. Holland, to approve the resignation for retirement for the following employees:
Diane Koch - 12-month Secretary for Special Services effective February 2, 2022 after 29 years of service to the District.
Eugene Sillers - Custodian effective July 6, 2022 after 22 years of service to the District.

J. Cleaver and J. Beers thanked the retirees for their years of service.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

G. Resignations
MOTION by N. Foeller, SECONDED by S. Holland, to approve the following resignations:
Melissa Clark - Mathematics Teacher as of January 20, 2022.
Brandon Ruch - Custodian as of November 1, 2021
Tiffany McCullion - Paraprofessional as of October 26, 2021
Rebekah Fehnel - Paraprofessional as of October 27, 2021
Ronald Kazakavage - School Police Officer as of November 18, 2021

S. Holland asked if anyone knew why the employees were leaving. J. Cleaver said B. Ruch was due to medical reasons, M. Clark was moving out of the area and R. Kazakavage was working at Tamaqua School District. He said the other two paras decided not to take the positions offered.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

H. Uncompensated Leave
MOTION by B. Bowes, SECONDED by N. Foeller, to approve an uncompensated leave for the following employees:

1. **Employee #1756** – Leave was approved on October 25, 2021. Date of return extended from November 15, 2021 to November 23, 2021

D. Bradley abstained due to lack of information.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

4. Programs

A. School Enrichment Journeys
MOTION by B. Bowes, SECONDED by N. Foeller, to approve the following School Enrichment Journey requests, observing all necessary COVID-19 mitigation precautions:

1. LAEC K-5 (Aaron Sebelin) – December 3, 2021 – 8:30-11:30 AM– to Yenser's Tree Farm for a Trees for Troops Presentation
2. **LAHS Chorus (Lydia DeLong)** - December 3, 2021 - 9:00 AM - 12:00 PM - to Yenser's Tree Farm to sing the National Anthem
3. **LAEC PTO (Nicole Collier-Dick)** December 13, 15 & 16, 2021 - 8:30 AM - 12:30 PM - to Mahoning Valley Cinema as a Christmas Gift to Students
4. **LAHS National Honor Society (Melissa Clark)** - December 3, 2021 - 9:30-11:30 AM - to Yenser's Tree Farm to present their fundraised money
5. **LAHS Junior/Senior Class (Dorothy Hartney)** - May 6, 2022 - 5:00-10:00 PM - Penn's Peak for Prom 6. **LAHS Senior Class (Dorothy Hartney)** - May 20, 2022 - 7:30 AM - 11:00 PM - Six Flags Great Adventure for Senior Outing
7. **LAHS Nutrition & Body Shaping (Dorothy Hartney)** - Month of November & December 2021 - Possible Canal, hiking, swimming destinations for enrichment of fitness utilizing non-District facilities

8. **LAHS Nutrition & Body Shaping (Dorothy Hartney)** - Month of February, March, April, May and June 2022 - Possible Canal, hiking, swimming destinations for enrichment of fitness utilizing non-District facilities

R. Bowman stated that he was thankful that the students were able to participate with Trees for Troops.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

B. Use of School Property

MOTION by B. Bowes, SECONDED by D. Bradley, to approve Use of School Property for the following requests:

1. **Student Council (Dorothy Hartney)** – February 11, 2022 – 7:00-10:00 PM – High School Gym – Winter Dance 2. **LAHS All Night Party (Dorothy Hartney)** – December 13, 2021 - 3:00-7:00 PM -High School Auditorium, Stage and Band Hallway - Delivery of Holiday Greens
3. **LAHS (Dorothy Hartney)** - December 23, 2021 - 7:45 AM - 3:00 PM - High School Gym and Lobby - Volleyball Tournament in Gym, Hot Chocolate in Lobby and Movies in the classroom
4. **LAHS Senior Class (Dorothy Hartney)** - November 22, 2021 1:45-2:15 PM - High School Gym - Senior Class Meeting
5. **LAHS Drama Club (Laurel Zimmerman)** - December 17, 2021 - 3:00-5:30 PM and December 18, 2021 - 10:00 AM-12:00 PM - High School Auditorium - Auditions for "Crazy For You"
6. **Project Paranormal Club (Hallie Seiwell)** - December 5, 2021 - 6:00-9:00 PM - Middle School Gym, Cafeteria, Auditorium, Outside Fields, Classrooms, Hallways, etc. - Paranormal Investigation
7. **LAMS PTO (Nicole Baker)** - December 1, 2021 - 9:30 AM - 6:30 PM - Middle School Old Cafeteria - Gertrude Hawk Delivery
8. **LAHS Chorus (Lydia DeLong)** - December 13, 2021 - 3:30-5:30 PM - High School Auditorium - Dress Rehearsal
9. **LAMS & LAHS Chorus (Lydia DeLong) -** December 13, 2021 - 2:00-6:00 PM - High school Classroom, Hallway & Main Foyer - Fundraiser pick-up/distribution
10. **LAHS Drama Club (Laurel Zimmerman)** - April 8 & 22, 2022 - 3:30-6:30 PM- April 9 & 23, 2022 - 10:00 AM - 1:00 PM - April 28, 29 &30, 2022 6:00-10:00 PM - High School Auditorium - Spring Musical "Crazy For You" Performances and Dress Rehearsals
11. **LAEC PTO (Nicole Dick)** - December 10, 2021 - 8:00 AM - 4:30 PM & Evening hours TBD - Elementary Center Classrooms & Lobby - Santa Pics (Students during the day and families after school
12. **LAHS Student Council (Dorothy Hartney)** - December 23, 2021 - 7:00 AM - 12:30 PM - High School Gym - Annual Volleyball Tournament
13. **Boys' Soccer (David Yob) -** January 9, 16, 23, 30, February 6, 13, 20, 27 & March 6, 2022 - 4:00-5:30 PM - Middle School Gym - Off-Season Workouts
14. **Girls' Softball (David Yob)** - December 5,12,19, 2021 and January 9, 16, 23, 30, February 6, 13, 20, 27, 2022 - 2:00-4:00 PM - Middle School Gym - Off-Season Workouts
15. **LAEC PTO (Nicole Dick)** - December 14, 2021, January 11, 2022, February 8, 2022 and March 8, 2022 - 5:30- 8:30 PM - Elementary Center Cafeteria - PTO Meetings

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

5. New Business

A. Board Member Resignation

MOTION by D. Bradley, SECONDED by B. Bowes, to accept the resignation of Larry Stern as Board President and Board Member as of November 15, 2021.

J. Cleaver thanked L. Stern for his service.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

B. Board Member Resignation

MOTION by D. Bradley, SECONDED by B. Bowes, to accept the resignation of Rita Spinelli as Board Treasurer and Board Member as of November 15, 2021.

J. Cleaver thanked R. Spinelli for her service.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

C. Board Vacancies

MOTION by B. Bowes, SECONDED by G. Maholick, to circulate an advertisement in the Times News on both November 24th and 27th, requesting the interested persons submit a resume and letter of interest by email, mail, or in person by December 1, 2021. Schedule a special meeting where candidates may speak to the Board on December 2, 2021 at 7:00 pm and the Board may vote on motions to fill the vacancies.

R. Bowman did not understand the urgency and felt this decision should be left to the new incoming Board Members out of respect, since they would be coming on the Board on December 6, 2021.

B. Bowes believed the resignations should be replaced immediately. She reminded the Board that there would be another vacancy available after December 6, 2021. They discussed what a majority vote would be. Atty. Gilsbach said the majority would be five members in favor.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

D. School Board Treasurer
J. Beers called for nominations for School Board Treasurer per policy #005 for the remainder of a one-year term, effective November 22, 2021 to June 30, 2022.

J. Beers nominated B. Bowes for School Board Treasurer. There were no other nominations.

MOTION by D. Bradley, SECONDED by G. Maholick, to elect B. Bowes as School Board Treasurer for a one-year term, effective November 22, 2021 to June 30, 2022.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	0	0	0	X
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

E. 2022 Meetings
Discussion from the Board on the schedule format of Board and Committee Meetings for the new calendar year in preparation for December's Reorganization Meeting. The Board agreed to keep Board Meetings on the 4th Monday of each month when possible. J. Beers asked to move all committee meetings to evenings at 6:00 or 7:00 PM to allow for availability of the public.

6. Old Business

A. EC Occupancy Permit
Discussion was held on the Land Development Agreement for Elementary Center Occupancy Permit. J. Beers made a motion to table the Occupancy Permit agreement for the Elementary Center and to request the solicitor to seek a temporary occupancy permit. B. Bowes Seconded. G. Maholick also agreed to tabe
Le. The Board discussed the traffic light and how the attorney was working on the issue and collecting documents before entering into a new agreement. J. Beers said they had received new documents and some were illegible. She said the borough was working well with the solicitor and was hoping to have more information in two weeks.

D. Bradley asked for Public Comment.

B. Shaner asked if it was legal to occupy the Elementary Center without the occupancy permit. Atty. Gilsbach said as long the borough was not enforcing it.

R. Bowman did not see the purpose of installing a traffic light. He said they should bring in a second traffic study. J. Beers said this would not be solved today. She also mentioned that Autumn Abelovsky would no longer be the liaison between the Lehighton Borough and the Lehighton Area School District. J. Cleaver thanked A. Abelovsky for her service.

Roll Call Vote to Table:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Barbara Bowes, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

B. Easement Agreements
MOTION by B. Bowes, SECONDED by N. Foeller, to approve the easement agreements for Eastern Electric Service, Northwest Electric service and for the Water Main.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

C. Early Graduates
MOTION By , SECONDED by , to send official written Board invitations to the Prom, and permitted to attend with a guest, and the Graduation Ceremony for all students graduating early.

J. Beers stated she would like all Board Members to sign the letter. S. Howland explained the issue is when the students sign the contract, they would no longer be a student, legally, they were permitted to attend as a guest. Atty. Gilsbach was concerned about the legalities of students who would be guests.

S. Holland felt the new Board should vote on this. He abstained from the vote.

VOTE: YES - 6 NO - 0 ABSENT - 0 ABSTENTIONS - 1

D. Health and Safety Plan
D. Bradley made a motion to allow the masks to be removed with parent permission for parent and student choice. R. Beltz seconded the motion.

N. Foeller mentioned how not many families completed the survey to go by the results. Atty. Gilsbach explained that the summarized order that was issued was unlawful and was not found unconstitutional, just a procedural issue. He explained the Department of Health appealed to the Supreme Court and in the meantime, the order would end December 4, 2021. He said the Supreme Court could implement new guidance about the reissuing of the order probably around December 4, 2021. He said it is set to expire on January 17, 2022. He mentioned there were some issues about how they would implement $25-$300 per offense or the potential liability if someone got sick. He discussed the Special Education population issues and how the lack of consistency could lead to confusion. He mentioned how he discussed this with the Board in the Executive Session prior to the meeting.

D. Bradley asked about recommendations for quarantine and close contacts. He said the Department of Health could come in and take direction and the Board can implement a plan on how to proceed.

B. Shaner felt they should solicit feedback from the local health systems before making any decisions. D. Bradley did not want to remove his motion.

N. Foeller said Jim Thorpe and Tamaqua have more lax requirements. He said Tamaquas numbers were slightly higher and Jim Thorpe's were slightly lower and they did not implement CDC's guideline for quarantine. J. Beers recommended following similar procedures to Tamaqua and Jim Thorpe. D. Bradley and R. Beltz agreed.

N. Foeller recommended following up with quarantine guideline amendments. J. Cleaver stated he had been in contact with Tamaqua Area School District for their information and would be able to replicate their information for the District. T. Tkach requested that they develop a plan and requested that they look to implement the changes for Tuesday, November 30, 2021 in order to gather all information and prepare documentation. They discussed putting a document together for a revision to the District's Health and Safety Plan. J. Beers asked if D. Bradley wished to retract and add the motion to the December 2, 2021 Special Board Meeting. D. Bradley said no.

The Board discussed how they needed to first make a motion to add the motion to the agenda. MOTION by D. Bradley, SECONDED by R. Beltz, to add the following motion to the agenda:

For the Board to adopt the masking procedure identical to Tamaqua Area School District's plan to implement for November 30, 2021.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

MOTION by D. Bradley, SECONDED by R. Beltz for the Board to adopt the masking procedure identical to Tamaqua Area School District's plan to implement for November 30, 2021.

R. Bowman felt the survey was sufficient for parents since about 1,200 emails were opened.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Barbara Bowes, Treasurer	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Joy Beers, President	X	0	0	0

VOTE: YES - 6 NO - 1 ABSENT - 0 ABSTENTIONS - 0

7. Communications

A. Directors' Concerns

MOTION by D. Bradley, Seconded by J. Beers to combine the Directors Concern as one motion with the exception of #5 as a separate vote.

N. Foeller mentioned all policies should go through the committee first.

D. Bradley discussed the non-compliance of Policy 903.

1. To add the Anti-Cronyism and Anti Sexual assault policies to the Policy Committee agenda at the next regularly scheduled Policy Committee meeting.

2. To develop a policy to prevent the School Board from permitting the assignment of the Board President to a committee instead of adding the President as only an ex-officio member. The policy should be developed and added to the next regularly scheduled Policy Committee Agenda.

3. To modify School Board Policy to require a period of public comment prior to a Committee Meeting making a recommendation to the Board. This policy should be developed and added to the next regularly scheduled Policy Committee Agenda.

4. To amend board policy that would authorize the Board President to assign a Board Member to chair each Committee Meeting. This policy should be developed and added to the next regular rescheduled Policy Committee Agenda.

6. To immediately cease the enforcement of Policy 903, instructing the Board Policy Committee to propose a constitutionally compliant policy on public participation as soon as practicable for adoption by the Board, subject to the review and recommendations of the District Solicitor.

7. To instruct the administration to create a form by January 15, 2022, that allows citizens and students to file a Formal Written Complaint. Included in the form, will be instructions in filling out the form, and the process and procedures the government-run District will take to handle the Formal Written Complaint.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

5. MOTION by D. Bradley, SECONDED by R. Beltz, to immediately terminate the relationship between the LASD and the PSBA, effective November 22 at the end of the Board Meeting, and instruct our administration to seek a refund for any or all remaining membership dues, or fees already paid to the PSBA for servicing the remainder of the 20/21 school year.

J. Beers felt this should be tabled and go to the next Board for a vote.

N. Foeller asked for the Solicitor's opinion. Atty. Gilsbach said that PSBA has it's benefits. He said they do a lot of work lobbying on behalf of school boards and are advisors with new law and practices. He said he would not base this decision on policy. He continued to explain how the NSBA and PSBA were not the same organization and that PSBA had separated from NSBA based on differing ideologies.

D. Bradley felt the templates that PSBA wrote were non-compliant and believed it was the Board's responsibility to write the policies.

Atty. Gilsbach stated that PSBA's templates were a good start and he recommended that a solicitor review any additions or changes to the policies. He said he did not have a significant concern with PSBA's policies since they go through their own legal reviews.

B. Bowes asked what would be entailed if the District asked Fox Rothschild to do what PSBA does. Atty. Gilsbach said all of the policies would need to be redone because PSBA would have an issue with the District utilizing their policies if their agreement was terminated. He said it would cost a considerable amount more for Fox Rothschild to do the policies rather than just the cost of the membership with PSBA.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	0	X	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Ms. Barbara Bowes, Treasurer	0	X	0	0
Ms. Joy Beers, President	0	X	0	0

VOTE: YES - 2 NO - 5 ABSENT - 0 ABSTENTIONS - 0

D. Bradley made a motion to add to the agenda a forensic audit. Motion failed due to lack of second.

B. Public Comment

R. Bowman recommended the District bring in a Grant Writer to offset the budget. He said an individual could be hired by the District or contracted.

B. Shaner expressed his displeasure with how the meetings had been going. He mentioned the masking survey was not a true reflection of the community. He also discussed having a revised plan for Transportation instead of shutting the District down because of sub shortages. J. Cleaver explained that they looked at alternate times with drivers and routes. He mentioned that the District subcontracts with George's for Transportation where other districts may have their own in-house transportation. He said he would have to check with legalities and other options.

B. Shaner asked if there was any investigation training available for staff and if there were any exit interviews performed. J. Cleaver said the District has been completing exit interviews . B. Shaner recommended sharing the information with the Board.

C. Adjournment

MOTION by N. Foeller, SECONDED by B. Bowes, to adjourn the Meeting.

VOTE: YES - 7 NO - 0 ABSENT - 0 ABSTENTIONS - 0

The November 22, 2021 Board Meeting was adjourned at 11:11 PM

Respectfully Submitted,

Edward Rarick, Board Secretary
by Janine Partenio, Recording Secretary