

Lehigh Area School District

Lehigh, Pennsylvania

Regular Meeting of School Board
Monday, March 25, 2019 at 7:00 PM

Minutes

Pledge of Allegiance

Call to Order - A regular meeting of the Lehigh Area School Board was held in the Administration Building, Conference Room A, on the above date and called to order at 7:00 p.m.

Roll Call

	Present	Absent
Ms. Joy Beers, Member	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
Mrs. Rita Spinelli, Member	X	☐
Mr. Wayne Wentz, Vice President	X	☐
Mr. Andrew Yenser, Treasurer (via phone)	X	☐
Mr. Larry Stern, President	X	☐
Mr. Brian Feick, Business Manager	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

*Ms. Patricia Denicola, New Business Manager, was also present.

Presentations

1. 8 ACE Team - Mrs. Courtney Schleicher

Mr. Cleaver - At this time we'd like to recognize several students here from our Middle School. The Lehigh Area Middle School ACE team recently won 1st place at the 30th Annual Academic Challenge Eighth competition. The competition was held at Tamaqua Middle School. Again, our team won 1st place with a perfect record of 4 and 0. I'll turn it over now to Mrs. Schleicher to talk a little bit about the program and how the students were selected and also brag about how great they are.

- Mrs. Schleicher presented the group and their accomplishments. She explained that 8 ACE is an academic competition.
- This group is special because they won 6th Sense two years ago so then they, that was their goal to win 8 ACE. I kept the team the same except for one. The one boy moved so then Zach Wilusz came in.

- Team members introduced themselves: Cole Smith, Zachary Wilusz, Brenna Hunt, Jaclyn Troutman, James DeVore (Aidan Miller was absent).
- Mrs. Schleicher thanked Mr. Cleaver for the opportunity to attend the meeting. I look forward to seeing some of you next year. We get the opportunity to host for the next 3 years.

Mr. Cleaver presented a Certificate of Achievement to each student and asked for a round of applause for the students.

2. LASD Nurses – Mrs. Avril Guardiani, Mrs. Coleen Harleman

- Good evening, my name is Abbie Guardiani and I'm the high school nurse at Lehighton High School for the past 35 years. Employed by this district is a great team of nurses, in my opinion the best school nurses in Carbon County. Our team of nurses has 110 combined collective years of service to this district alone. We would like to thank you for the opportunity to address the board and the public tonight and set the record straight on what we believe is some misinformation that was given to the board at last meeting. On Friday, March 1, an article ran in the Times News entitled "Lehighton School Board Debates Annual Eye Exams". In the article, it stated that two board members would like to see the current state mandated eye exam performed by volunteers of the Lions Club rather than the school nurses. It also stated that the Board Member Maholick said the Lions test is superior to the nurses and that while the nurses are out doing eye exams, which are not as good as the Lions exams, they are not spending time with children. Let me first explain that the role of the school nurse came into being in order for state mandates, such as eye exams, physicals, dental exams, hearing screenings, and other assessments be performed by a qualified, licensed professional with proper skills in assessing children. We also perform the duties such as illness and first aid but our primary responsibility is maintaining wellness with these assessments. Because the state mandate for eye exams is such that every child receives an eye exam every year, it affords the school nurse the opportunity to see every child, every year. Not all children come to the nurse for illness and first aid during the school year. So the eye exam becomes the golden opportunity for us to spend time with each and every student. When performing our eye exams, the school nurse, who is trained in head-to-toe assessments, uses that opportunity to see each child, at the time not just set aside for an eye exam. We have spent many classroom hours and many hands-on years of experience learning the best physical assessment techniques. When that child arrives for an eye test, they're not placed so many feet away from the nurse and a point-and-shoot device checks their eyes and they leave. As the child approaches us, a professional nurse looks at: What does that child look like today? Are they disheveled? Are their clothes clean? Is their hair combed? Are they smiling? Are they sad? Are they angry? Has there been an obvious weight or loss since the last time we saw them? Does the child look generally healthy? Are they pale? As they sit down, right next to the nurse, a conversation takes place. Do they have glasses or contacts? Are they lost or broken? Do they notice they're having difficulty seeing blackboards or close stuff? As the conversation continues with the student, we will note: Are their teeth clean? Are there noticeable cavities in their teeth? Does their breath have a bad odor? Does their body have a bad odor? Are they scratching their head? Do I see nits in their hair? During the actual eye exams, we take note to a student's ability to follow direction and their speech. Do they pronounce their letters correctly? And we make proper referrals, when necessary, for further assessment. During one eye exam, I noticed a rather dark looking spot with irregular borders on a child's ear that concerned me greatly. Knowing our kids, as we do, I knew that this young person spent long hours outdoors with lots of sun exposure. And, after notifying the parents and being seen by a dermatologist, this child had a precancerous

lesion removed from their ear. Something, technically life-threatening, is not caught early, you see, an eye exam is not just an eye exam. It is an opportunity for a medical professional to do what we do best. It is far more than meeting a state mandate. I would like to back up to the statement that was made by Board Member Maholick who believes that when nurses perform eye exams we are not spending time with children. I would like to inform Mrs. Maholick and the members of the Lions Club that that set of eyes being tested belongs to a whole child. And, we as professionals, look at the whole picture. I've personally, over the past 35 years, performed over 28,000 eye exams for the students of Lehigh School District. Collectively, the District Nurses have performed over 56,000 eye exams. For all the years I have been employed by this school district, 35, we have always met every state mandate. This district has never once been cited for a deficiency related to the services provided by the nurses. We are passionate about our jobs and we care about what we provide to our students. You see, Mr. Bradley and Mrs. Maholick, although you stated that you believe this decision to have professional nursing staff perform eye exams on the students of Lehigh School District is somehow related to dollars and cents, it is not. It is part of providing our students with the best care they can receive and there is never a price tag attached to that. Having the Lions Club volunteers do eye exams in this district will strip the trained professionals of the opportunities and abilities to do that head-to-toe assessment that every child in this district deserves. Lions Club volunteers do not possess the ability to do a superior eye exam nor should volunteers be allowed to take from the students of this district the opportunities that they get once a year to sit down with a professional, licensed nurse in their building and allow for a proper assessment to take place. If volunteers are permitted to do this, then why shouldn't someone who enjoys collecting coins as a hobby be allowed to teach accounting. And, why shouldn't someone if they enjoy reading, go teach English. If someone believes that they possess superior leadership skills, why shouldn't they come to school and perform the duties of the principal or the Superintendent. Where does having a non-certified, non-licensed, non-professional, non-medical person performing medical assessments on students leave this district as far as liability? In 2005, the Carbon County Partners for Progress requested a meeting with all Carbon County School Nurses and asked, asked, what the school nurses saw as their greatest need in providing healthcare to school-age children. The nurses all agreed, hands down, that we had no way of getting our uninsured and underinsured children dental care since there was not dentist in Carbon County that accepted that (inaudible). Members of Partners for Progress, then, took this information to the Blue Mountain Health System and in 2007 the Dental Van was on the road servicing every school district and its' children in Carbon County. That is what happens when great collaboration takes place. The nurses of this district did not come here tonight with any political agenda or any desire to further divide this board. We are here because a decision was made that greatly affects the health and welfare of the children of this district without any consultation with the people that directly provide those services to the children. We are here tonight wanting only to do what is right for kids. They are our only focus and should be yours. I would like to end my portion of this presentation by saying that I have the utmost respect for the Lions Club. They are a wonderful service organization that does great things for the community. However, the (inaudible) screening equipment that the Lions Club purchased was done of their own volition. They choose to spend their money that way. It was in no way driven by school district input. Thank you for allowing me to address you tonight. I hope that following this presentation the debate will finally end about volunteers doing eye exams on the children of this district. Mrs. Coleen Harleman would now like to present more important information that you should know.

- Thank you, Abbie. As she mentioned, my name is Coleen Harleman. I also have been a school nurse for 35 years and I'd just like to address the board. Good evening, while we

fully appreciate the commitment by the Lions Club to assist the school district in providing vision screenings to our students, we would like to inform and assure the board that our students, grades K through 12, have always been in capable hands of our school nurses and have been properly screened annually. We do not require the service from the Lions Club nor did we ask for this assistance. Our Titmus screening device, which I will refer to as a subjective screener is what we use to screen our children from Kindergarten to 12th. It is a very cost-effective (inaudible) device approved by the Pennsylvania Department of Health for mandated vision screening. Subjective screening requires participation by the child and tests visual acuity. The devices we use have lasted more than 10 years and have required nothing more than replacement of a small light bulb. The current cost to replace that screener is approximately \$3,000. The Welch-Allyn Spot Vision Screener, which I will refer to as an objective screener, is the device used by the Lions Club. An objective screener offers the means of screening for infants and pre-verbal children who are unable to provide subjective responses to visual acuity testing by reading an eye chart and this is (inaudible) in the American Academy of Pediatrics. In other words, it is one that is used in children that are too young to read an eye chart. It has an upfront cost of approximately \$7,500 with a five-year cost estimate of approximately \$25,890. This equates to \$5,178 per year. I have an attached price comparison sheet if anyone would be interested in seeing that. In addition to these costs, the Lions screener requires a battery replacement every 2.5 years at a cost of \$295. This equates to \$118 per year. There's also a basic maintenance fee of \$210, a warranty fee of \$300 per year and a dropped device clause of up to \$2,000. It's stated in the literature that this device has a typical life span of only 5 years. The cost for purchasing and one of year of use would be more than \$13,000. I know that all school board members received a letter from David D. Leon, dated March 9, 2019. David D. Leon is the Kidsight program coordinator of the Lions Club District 14U. In that letter, Mr. Leon states that the main focus, the main focus of their program is on the younger children, ages 6 months to 6 years of age. As this is the age group that the objective screener is designed for, for children who cannot yet read an eye chart. Mr. Leon also (inaudible), that according to the Pennsylvania Department of Health vision screening mandate, which are the guidelines a school district must follow, the Lions Club Welch-Allyn Spot Vision Screening Camera device is not listed as an appropriate and approved device. Not listed in the Pennsylvania mandate. The device does not provide visual acuity nor does it test for color vision. Both of which are required by state mandated reporting and recording. This Lions photo screener device is neither superior or inferior to what we are currently using in our school vision program. Both have their intended use for appropriate age groups. Therefore, we would like to continue to use our Titmus vision screening device, which is state approved and much more cost effective than the camera-type screener used by the Lions Club. When both the Lions Club and Lehigh Area School District agree upon is that our goal is to eliminate preventable blindness and give our students the opportunity to have improved sight. In conclusion, I would like to reiterate that we do not require this service by the Lions Club to accomplish our goal. Our school nurses always provide vision screening annually in a cost-effective manner. What we do require is assistance in obtaining vision examinations and eyeglasses for our students who fail the screening but have no insurances or financial resources available to do so. What we ask is for the Lions Club to please consider using their financial means to obtain vision care and eyeglasses to these students after those screenings are complete, as they have done in the past. I'd like to thank the Lions Club for their dedication to the community. However, I respectfully ask the school board to reverse their decision to have the Lions Club perform vision screening K through 12 in our district because we are currently capable and completing this job on our own as we have done for the past 35 years. Thank you for your time.

Mr. Bradley – Excuse me, Mr. Stern. Excuse me, Mr. Stern. As a presentation can we ask a question or two?

Mr. Cleaver – Sure. Mr. Bradley, your mic came undone.

Mr. Bradley - Excuse me, Abbie can you come back up for a second. I just got a couple quick questions for you. The first one is, Coleen, and thank you Coleen and thanks for coming out. She mentioned that she got this letter from, did you also read?

Mrs. Guardiani – Yes.

Mr. Bradley – Did you like the recommendation at the bottom?

Mrs. Guardiani – Do you want to read it so everyone knows?

Mr. Bradley – Oh, yeah, sure. It's says, we would bring the equipment in for the schools and oversee their use. This way the nurses could be the providers and the Lions would be there free of charge helpers.

Mrs. Guardiani – Do I like that recommendation they're asking? No, not at all. And I think through my presentation, this says screening device. The spot screener as I pointed out is a point and shoot device. One of the main, one of the main things that they tout in their literature is that it's a very quick screening, it's a rapid screening. I believe, don't want to misquote the literature, but I believe what I read in their literature is that what they say can be done, a normal screening is a 3-day process of screening, they can do in 5 hours. And, I think when I went through my presentation, I thought I had made it clear that an eye exam is not, is not a rapid screen for a nurse, for a professional. We take that time to get, that time to know the student, to see them head-to-toe, to take the whole picture in. We're not looking for literally what the literature says. It can take 3 seconds to do point-shoot once you have it on, it's 3 seconds, and the students is out of the room. So, it's a very, very rapid process. That would be the one and only time the student gets to see. For some students, that is the one and only time they get to spend time with their school nurse that year. So, what they tout as a really, really fabulous point, a very rapid screening for me is not. No, I would not want to use their device. Not to mention the device does not, I think Mrs. Harleman said, the device does not do color screening which we're required to do and it also does not tell a parent if a child's vision is 20/20, 20/30, 20/40, 20/50, 2200 but it doesn't tell you that. It's not on the print out. It's not approved by the Department of Health for screening.

Mr. Bradley – Okay and then...

Mrs. Guardiani – I don't want to use a device that's not approved.

Mr. Bradley – I understand and then the second question from your testimony was does the state mandate such a head-to-toe inspection by a school nurse currently?

Mrs. Guardiani – No.

Mr. Bradley – It doesn't?

Mrs. Guardiani – No, it wouldn't mandate it. It's what we do because we're professionals. It's what we've been taught to do. We're professional, licensed nurses.

Mr. Bradley – So, if I’m getting this right, the eye exam is the leverage to get into this head-to-toe inspections that the kids need.

Mrs. Guardiani – There’s no leverage, okay? There’s no leverage.

Mr. Bradley – Well the state doesn’t mandate, the state doesn’t mandate it, right?

Mrs. Guardiani – It’s our golden opportunity to see every child, every year, one time. And, if you have the opportunity, sir, wouldn’t we be fools to not look head-to-toe. It’s the only chance we get. It’s the only chance we get through the whole year. Not every child comes to the nurse for illness and first aid through the year. So, that one kid benefits, 15 kids, 20 kids, that never bothered coming in during the school year to see us. That’s our opportunity to see head-to-toe. And, shame on us if we don’t do that inspection that we’re taught to do.

Mr. Bradley – And I understand taking advantage of that opportunity. The question was, is it mandated and if it’s not, do we have any opportunity for a parent to volunteer or sign a waiver or do anything that can bring that child in front of the nurse at the school? Other than the child’s own voluntari...I mean he can volunteer at any time and say I want to go see the school nurse, right?

Mrs. Guardiani – Absolutely.

Mr. Bradley – Okay. So, at any time a student has the right to say I want to see the school nurse and they can walk in?

Mrs. Guardiani – Absolutely.

Mr. Bradley – And, at any time a parent says to a child, go see the school nurse today, there’s value to it?

Mrs. Guardiani – Absolutely. Happens every day.

Mr. Bradley – Excellent. But, it’s not mandated. So, if a parent doesn’t want the child to go see the school nurse and would rather see their own doctor or their own nurse, that’s their right?

Mrs. Guardiani – Absolutely.

Mr. Bradley – Okay. Except for the fact that you’re gonna do a head-to-toe inspection regardless of whether they want it or not...

Mrs. Guardiani – I’m doing a head-to-toe inspection on you right now.

Mr. Bradley – And I respect that.

Mrs. Guardiani – It’s what I do.

Mr. Bradley – And I understand that. My wife’s a nurse and I can, I appreciate that. But do you really, are you really trying to state. And, I just want to make sure I hear it properly. That you want to use the eye exam, even if they do it in a couple seconds and with available technology that can be very superior to some of the things that were doing and in cooperation with what we’re doing, but can’t you do both and then also have the ability to see these students and do your mandated, you know, head-to-toe. You are our internally mandated head-to-toe inspections?

Mrs. Guardiani – I'm really sorry but I don't know what you're asking me.

Mr. Bradley – Okay. So the question is....

Ms. Beers – Dave, can I interject because I think you're hitting on one of my thoughts was even though the device is fast, I don't think that means you need to hustle the child out of there and keep going. I mean you can still do your head-to-toe inspection.

Mr. Bradley – Do it in the room right next to them.

Ms. Beers – And one question I wanted to ask since I'm jumping in here was I heard, and I would like to know if it's true, I mean some eye exams have been performed by the Lions Club and I heard that a number of students were found to have some type of eye problems and then they went on to get eyeglasses or some additional assistance. So, I'm just curious if anybody can confirm if that's true or not. If the eye exams if they helped with, produced some fruit?

Mrs. Guardiani – I can tell you, Ms. Beers, that we also did our eye exams and referred kids and, of course, I mean, that's the whole idea of doing eye exams. It's to find out who has deficiencies, refer them, and get them the help that they need.

Ms. Beers – Sure. And, I wouldn't want to take away from any of the great work that you're doing but my thought that popped into my head was if the Lions Club comes and they offer an assistance and there is positive help that comes from that, that it's students, then why turn it away.

Mrs. Guardiani – Absolutely. And, the answer that I have to that is, first of all again, the device is not, currently, not an approved device for eye exams for children. It is supposed to be used for children ages 0-6. That's the intent of it. And, honestly, I think that's fabulous. I think that's exactly where it belongs. I think that's exactly what the Lions Club needs to be doing because it is an early detection device. It's meant for early detection in very young children.

Ms. Beers – But my question was of the eye exams that were performed at the school by the Lions Club, were any children assisted by those examinations?

Mrs. Harleman – Assistance, we're not getting any assistance after the referral. We are referring, the Lions Club referred, they referred according to Mrs. Maholick's statistics in the Times News, they tested 818 students and referred 92 students. That was about 11%. We at the Elementary Center went on to perform our own screenings. We tested 1,019 students and referred 215 of them and that was about a 20%, 21% referral rate.

Ms. Beers – Was there an overlap? Were the same students on both lists?

Mrs. Harleman – We allowed them to come in and do their screenings. We did our job. We performed our own screenings. They sent their own referrals. The referrals were to be, if there were questions to call Lions Club, contact Lions Sue at her phone number. Those went out with the child's first name and last initial. I really don't know who all the students were that were referred. We just have first name, last initial.

Ms. Beers – Okay. So you don't know if the children on the Lions list are the same children that were on your list.

Mrs. Harleman – Very likely they could be.

Ms. Beers – Likely, but you don't...okay.

Mrs. Harleman – But I would assume them plus many more that we screened also referred. The referring and testing is not the problem. It's after the screenings. It's those children...the Lions Club in the past, we would contact them, they would provide money for those students that had no insurance or underinsured that had no means to go out and pay for an eye exam for \$55 or pay for glasses.

Ms. Beers – I mean that's another problem. The first thing is identifying the problem and...

Mrs. Harleman – We are identifying the problem though. We don't need another person to identify the problem. We need the help after the problem is identified. So that's, that's just our request. That's how they've helped us in the past. That's the help we need. We don't need additional screenings.

Barbara Bowes – May I ask a question here? The screenings that you do, I've done a lot of reading on the Lions Club thing and they have been able to find tumors behind the eye. Would your screening find that?

Mrs. Guardiani – That's one of the reasons we're saying that, it definitely has place. It should be used on children 0-6 where you're going to have, you're going to find that on a greater basis than what you're going to find in older children.

Barbara Bowes – But my point is, couldn't be used in conjunction with. When you do your screening, same way you always do, but if they also have that added value of using that camera that might find something. Even if it only finds it in 1 or 2 children, it could save their lives and that's exactly (inaudible). I'm not saying taking away what you're doing but since it's free, using that too.

Mrs. Harleman – It also required a lot of our time preparing forms, handing forms out for permission by the parents. We don't just allow people to come into school without...

Barbara Bowes – No and I understand...

Mrs. Harleman – So there was a lot of paperwork and preparation.

Barbara Bowes – Do they have to do that for every time we're screening?

Mrs. Harleman – No.

Mrs. Guardiani – No because our screening is state mandated screening.

Barbara Bowes – Okay.

Mrs. Guardiani – It's required by the state on your child every year. The Lions Club screening, it's in their literature, they are actually required to do a permission slip on every single child that they would screen. They have to have permission from a parent.

Barbara Bowes – I just thought there was an added value to include into your regular screening.

Mrs. Guardiani – Right. It's not that we don't see value in it. We do. I see lots of value in it when it's used where it's meant to be used which is on from ages 0-6. Where you're gonna be more likely to find that problem.

Mrs. Maholick – I have a question too.

Mrs. Harleman – Daycares, Headstart programs, that level.

Barbara Bowes – And, I agree with you wholeheartedly. It's just, you know, if a kid is 16 and happens to have a tumor behind their eye and this can find it. I mean, you know, not that it's going to and it might happen in 1 in every 10 million kids. That one child can be life or death and that was my point is I do not realize all the paperwork etcetera with just using it in conjunction with.

Mrs. Guardiani – And I have to say, again, and any of you who are parents of teenagers will understand this, teenagers don't do very well with permission slips. So at a middle school and high school level, I don't want to say that you're not gonna get them back but chances are they're never even going home, okay. Those permission slips aren't even going home much less coming back. And, the other thing is the printout, after the spot screening is done, you get a colored printout, Mrs. Harleman has some of them. Again, you know in the elementary building where you're gonna use this device and use it well on young children, those printouts are probably likely to go home if somebody puts them in their folder. At the middle school and high school levels, and again this is just me talking 35 years' experience, maybe I'm crazy, I don't know, but I don't see those papers getting any further than the first garbage can. They're getting tossed. They're never going home. They're never going home. Anything I have to get home to parents I have to mail or it's never going home. So, it has its place. I think it's a wonderful device and it has its place. But its place is with children from 0-6 years old where you're gonna do early detection. You're gonna find the tumors. You're gonna find (inaudible). You're gonna find all those things and intervention is gonna happen early. So that they can learn. There's not impeding to their learning. (Inaudible), every piece of their literature says that. It's what the device was meant for. It is not approved by the Department of Health for screening in school-age children. I personally follow the guidelines of the Department of Health for 35 years and it has never gotten this school district in trouble, ever. We have always met every mandate and we have always followed the guidelines that we are required to follow. I have nothing against the device. I have nothing against the Lions Club. There's a place for it to be used and a time for it to be used and that is preschool, Headstart and even, we even said Kindergarten screening, registration, Kindergarten registration. Come do it then at Kindergarten registration. We would welcome that. Beyond 6 years old, the device should not be used.

Mr. Bradley – Is any district in the state using it as their mandated eye exam?

Mrs. Guardiani – To the best of my knowledge, the Tamaqua School District is using it. And, they would have to answer to the Department of Health on why they are using it as their state mandated screening device when it is not approved. They are not, I will not speak for the Tamaqua School District. They made that decision.

Mr. Bradley – And without this eye exam, do you have any other access to a child without the parental consent to be able to do all this other head-to-toe screening?

Mrs. Guardiani – Any time a child wants to come into my office to see me, they may.

Mr. Bradley – No. On the district side towards the child's side. I mean they have to come to you.

Mrs. Guardiani – Right.

Mr. Bradley – Which we understand. Do you have any rights to go to them and do this without this eye exam? I mean can you walk into a classroom and say I want to give everybody inspections for...

Mrs. Harleman – Lice?

Mr. Bradley – Well, whatever. Nits...

Mrs. Guardiani – A head-to-toe exam?

Mr. Bradley – Yeah, a head-to-toe exam. Can you just walk into a classroom and say, everybody stand up we're doing nurses exams today? It's picture day.

Mrs. Guardiani – And then, who covers my office?

Mr. Bradley – I'm just asking the question. You obviously do this process during the state mandated eye exam process so...

Mrs. Guardiani – If the district would like me to walk in to a classroom and do a head-to-toe assessment?

Mr. Bradley – Make sure we understand, I'm completely against that, okay. Completely against that. I'm for personal privacy but my question is, do you have the authority anywhere to be able to do that currently?

Mrs. Guardiani – I would like to think that a head-to-toe exam would be done in a proper setting, in a proper place, being my office rather than a classroom.

Mr. Bradley – But do you have a right to, do you have a right to perform a head-to-toe exam on a student without their permission? Can they, without them showing up in your office can you say student #1 come down to my office, student #2 come down to my office I want to do this head-to-toe evaluation, inspection.

Mrs. Guardiani – I'm not sure. I guess the school board would have to decide whether they would want me to do a head-to-toe exam on every student in (inaudible).

Mr. Bradley – But did they authorize you as part of your procedure to do that during this exam? I mean is that...

Mrs. Guardiani – Sir, I am a registered nurse and I do head-to-toe eye exams when I walk into a room. It's what I do. I'm a nurse for 40 years. I look at every single person and I assess them. It's what I do. It's what I do and I don't ask for permission. It's not like I'm looking through you. It's an observation. It's a head-to-toe inspection and I would think everyone in here would be grateful for that moment when the nurse, that the nurse takes that with their child to inspect head-to-toe whether this child is healthy or not.

Mr. Bradley – But it sounds so defensive because you’re also in the same side saying that parents may or may not be doing their job.

Mrs. Guardiani – Oh, I never said that. Oh no, no, no, no.

Mr. Stern – No, no, no.

Mr. Bradley – That you’re doing this exam without their permission.

Mr. Stern – Okay, we’re not going there.

Mrs. Guardiani – That was a twist on my words.

Mr. Bradley – But you are doing these head-to-toe exams without their permission.

Mr. Stern – Thank you, Abbie.

Mrs. Maholick – Now I have a question. Wait I have a question; do you think...

Mr. Bradley – I’m sorry, I would still like an answer. Is our district allowing or mandating the nurse to do a head-to-toe exam without the parents’ permission?

Audience member – It’s not an exam.

Mr. Bradley – It’s a head-to-toe inspection. I’ll use their words. A head-to-toe inspection. Does the district authorize in our policy, in our procedure, in our handbook, to allow the invasion of privacy in a head-to-toe inspection?

Audience members reacted.

Mr. Bradley – I have a right, I have a right to ask the question and we can get it answered. I want to know what our governance does.

Mr. Cleaver – Mr. Bradley, I think what the nurses have a right to do is do what is in their professional and, you know, caring responsibility to take care of the students that come to their office when there is a need for that. Whether it be, you know, a cut from the recess on their knee or whether it be something more serious. The nurses are qualified, you know nurses make a good faith effort to keep our students safe all the time. They are in constant contact with parents when they come in whether it be for, you know, a mint because they have a belly ache or, you know, something or a box because they have an upset stomach in the case they have to, you know, throw up during the class, you know, they’re accessed. So, when a student comes into the nurse’s office, depending on the situation, they do everything in their power to make sure that student is safe and to make sure that information is communicated to the parent and if a referral needs to be made, or god forbid and ambulance needs to be called, or what have you, that is in their professional responsibility. They have to do that. It’s not about....

Mr. Bradley – And, we fully respect that. That’s the student coming into the nurse. I’m asking the other way. You have a state mandated program to have an eye exam and the nurse is doing a head-to-toe inspection. Do we have that as part of our procedure and policy to do this?

Mr. Cleaver – I don't think when she said a head-to-toe inspection, I believe it's a visual screening, assessment.

Mr. Bradley – What do we call it?

Mr. Cleaver – I think your understanding of what was discussed is totally different then actually what takes place.

Mr. Bradley – So you're doing a head-to-toe screening?

Stacey Duerst – (Inaudible) and if they had head lice or if they have yucky...

Mr. Cleaver – Okay, alright, alright. We're looking...

Mr. Bradley – Thank you, I'm just questioning...I understand it's her job to do such things even if she's walking in the hall and I respect that. My question is, it appears that our district is using the state mandated eye exam for that purpose as well.

Stacey Duerst – Only to you, only to you.

Kerry Sittler – David, every RN is a mandated reporter.

Mr. Cleaver – Every employee of the district is a mandated reporter.

Kerry Sittler – Whether you are at school, whether you are at your job as an RN. If that child looks neglected, you're mandated to report that. So, it's not (inaudible) where you're taking their blood pressure, or looking in their eye. You are visual doing an inspection. I do it to every person I meet. Every single nurse out here, we are trained to do that.

Mr. Bradley – And I have no objection to that.

Kerry Sittler – (Inaudible) when she is in that school, that is her job. When she's outside that school if she sees a child and that child looks neglected, that is her job, that's the law. She has to report that. It has nothing to do with the school district.

Mr. Bradley – And, we complete agree with that and there's no one saying that.... don't spin what I'm saying here.

Audience members reacted.

Mr. Cleaver – Gail, did you have a question? Can we...Mrs. Maholick would like a chance to speak, she didn't have a chance.

Mrs. Maholick – Well, according to Dave's letter it does say in here that the state mandates haven't caught up with the new technology.

Audience members speaking.

Mrs. Maholick – Dave Leon from the Lions Club, please. And another thing, what I'd like to see this done as, and we all did vote for this to be done throughout the whole school. At least this year, we'd like to get the 8th grade, all the way through middle school, 7th and 8th and 9th and all the

way through to 12th grade this year. We voted for it in July, all nine of us voted for it to be done. Oh, yes we did.

Mrs. Spinelli – Looking into it.

Mrs. Maholick – No, we voted for it in July, we did, it's in the minutes.

Mr. Bradley – So why didn't it happen so far?

Mrs. Maholick – Yeah, why didn't it happen?

Mr. Cleaver – Again...

Mrs. Guardiani – I can tell you now that the state mandated screenings by the nurses have been completed in the middle school and high school. The high school state mandated vision screens were completed by October, by the end of October. So, we've done our screenings. The state mandates have been met at the middle school and high school.

Mrs. Maholick – But we voted as a board, nine of us voted, that they would be done all the way through to 12th grade.

Mrs. Harleman – It would be a duplication of services.

Mrs. Maholick – That's exactly what we're hoping to do and there's no reason for it not to be done because we all voted for it to be done.

Mrs. Guardiani – So what we're asking then is that, again, Mr. DeLeon or Mr. Leon, what, I'm sorry.

Mrs. Maholick – Leon, Leon.

Mrs. Guardiani – Leon.

Mrs. Maholick – David Leon.

Mrs. Guardiani – Mr. Leon, in his letter, stated, admits that the device, now what he said, what he's feeling is that, that the Department of Health guidelines have not caught up with the new screening devices. That's basically what he's saying. And, in saying that, he's admitting that the device, right now, is not an approved device by the Department of Health to do vision screenings on school-age children. It is not, and I don't care what way anybody spins it, it is currently not an approved device to do eye exams and I might add there is no guarantee that it will ever be approved. It very well may be, but as of now, as of this moment, if a vote was taken for that device to be used on the children in this district, you voted to have a device not approved by the Department of Health. That's exactly where I'm going, a woman here said did you know that when you made the vote or we're you given information that lead you to believe that you were using an approved device and therefore you came to that conclusion that it probably would be a good thing for kids. So now you just had your school nurses stand up here and give you a number of reasons why that decision needs to be reversed.

Ms. Beers – Will the device hurt children? Will it hurt any children or damage their eyesight?

Mrs. Guardiani – I don't have no knowledge of that. I would not believe, Ms. Beers, that it would. I would have no reason that it would or certainly it wouldn't be used on the youngest of them.

Ms. Beers – Right. So it's not going to hurt children using this device.

Mrs. Guardiani – It's not and I'll back up again, to your permission form on middle school and high school children...

Mr. Beltz – If you read the letter, second last paragraph, it basically states that the state mandate inspections or assessment has been done, you don't need a permission slip to do the Lions Club exams. Because it's not, you don't need permission because it's not the state mandated exam you're asking permission for.

Atty. Schwab – No. Whenever you would have an individual that's not a school employee doing an assessment with a child or any sort, we need a permission slip.

Mr. Beltz – So that's, the school nurses would be the primary vision screeners with the spot cameras providing a secondary assessment of the students' vision.

Atty. Schwab – But they're saying they're getting the report from the Lions Club and that would trigger permission slips because it's a third party.

Ms. Beers – Why is Dave Leon not here?

Mrs. Guardiani – The manual that the Lions Club International puts out clearly states that a permission slip is always required.

Mr. Beltz – Always, okay, okay, I read that wrong then I think, okay. I just read through it now it says that the mandated state, it's a secondary, used as a secondary assessment.

Mrs. Guardiani – And they also go into detail on exactly what the permission slips must say.

Mr. Beltz – The Lions Club handbook?

Mrs. Guardiani – Yes.

Mr. Beltz – Okay. I didn't see that. Okay.

Ms. Beers – I find it odd that Dave Leon is not here that we have only a letter from him. It would be great if he were a part of this conversation.

Mrs. Maholick – I think someone asked him not to come.

Mr. Bradley – He was invited.

Mrs. Maholick – He was invited.

Mr. Bradley – And he had to schedule open to be able to be here and he was told not to be.

Ms. Beers – Yeah, I mean that would be great if the board would have access to all pieces of information but we could have a really good debate.

Mr. Bradley – Which brings up the next question I have. Excuse me...

Mrs. Guardiani – I'll piggyback on that. It would have been nice if the board would have had all the information before they would have taken a vote.

Ms. Beers – Yeah, and I agree with that, I agree.

Mr. Bradley – So, so the question we have two-folds that I'm looking at from the government standpoint. The board had a 9 to 0 approval to do something and months later it didn't get done and now months later we're hearing from our school nurses, which have fantastic input, and they're saying that if we do this they lose opportunity to do their head and toe whatever. So, the question is, that information was lacking from this board prior to making a decision back in July or June. Dave Leon is lacking this board to make a decision here tonight and the board that did make a decision, 9 to nothing, got boycotted by an administration that chose to block this process from happening. So, Mr. Cleaver can you please respond to that concept? Did you do this on purpose?

Mr. Cleaver – Well, I'd love to respond because, again, you're inaccurate and out of line based upon factual information but that's never stopped you before.

Mr. Bradley – Enlighten me.

Mr. Cleaver – First of all the board did make the recommendation. From what I understand the school year still is in progress. There is a lot of things that take place during the school year via testing and other opportunities. We want to make sure it's not interrupting anything. We did complete the assessment at the elementary, I believe two months ago?

Mrs. Harleman – The end of October.

Mr. Cleaver – The end of October, you know, it was completed and everything else. So, again, there's still time to meet that need easily if we would move forward. At that time, the nurses, you know, had some concern with the process and everything else. We had discussions about it. The article came out in the Times News. I had several emails from them requesting information and wondering how it was, you know, voted on. What information the board had to make that decision. I discussed that I talked to individuals from the Lions Club as well regarding it. That's where the letter came from. I asked them for, you know, opportunity to share the information with us when they had this discussion from them. And, again, if the board still decides that we should move forward with it, there's 3 months of school left and it takes one day. So to say it's not complete, to say it's boycotted, to say it was, you know, blocked, however you want to spin it, is not correct with that statement.

Mr. Bradley – Well who called David Leon and said don't come in tonight?

Mr. Cleaver – I have no idea. You'd have to ask him.

Mr. Bradley – Does anyone on this board know why he was called to not come in tonight?

Mr. Cleaver – Who made the call?

Mr. Bradley – That's what I'm trying to find out.

Mr. Cleaver – Well if you said he was told, so if you’re making that statement I would imagine you would’ve known who made that call.

Mr. Bradley – You’ll have to ask him and I look forward to that, thank you.

Mr. Cleaver – We have one quick, this will be the final and then we would like to move on. Yes, Tanner.

Tanner Eckman – So, I graduated two years ago. I was just a student and that exam that you go into is not just about the eyes for a student. You can sit there and talk to them one-on-one, get to know them, they know you. You can tell them your problems that you might have had, you know, they ask you how your days going. I have a loving family. So, it feels good when someone asks you that. But for a student who doesn’t have that, you can have that one-on-on connection with someone like that. It probably means the world to them. So I ask that you think about that with this vote.

Mr. Cleaver – Thank you.

Mr. Bradley – We can also add to our governance that we instruct the nurses to do exactly that. It sounds like a great value to the community.

3. **Maillie, LLP** – *Mr. Don Pierce*

Mr. Feick – Next on our presentation will be Don Pierce from Maillie LLP our attorneys (auditors). The board was emailed their copies of audits two weeks ago. The audit is also on the website. You have gotten a hard copy with your packets tonight and if anyone would like an extra hard copy we have them here. I asked Don to just give a brief description of the audit, how things went, where we’re at and answer questions. Thank you.

- Thank you for inviting me to present the audit. I think it’s about 100 pages. Just to briefly go over the audit, we have given an unmodified opinion on the financial statement. We performed our audit with generally acceptable auditing standards in the U.S. And, basically the opinion states that in our opinion the financial statements are fairly presented under the generally accepted accounting principles. The school district follows generally accepted (inaudible) accounting principles established by the governmental accounting standards board. We also audited your federal award programs. What we call a single audit where any federal expenditures you receive. Typically, (inaudible) pass through the state of Pennsylvania but they are federally funded awards. We also give them an unmodified opinion of the schedule of federal awards. Typically, those types of awards are Title I, lunch program, and IDEA and some other programs that we see private funding come in for. Also, with the financial statement, we would like to remind you to take a look at the management’s discussion. It’s the section after our audit opinion in the front. Gives some insight (inaudible) financial statements versus last year and then it gives a little bit of a discussion on the budget versus actual. Why things went up, why things went down. I think there a little bit of (inaudible) analysis. The basic financial statements are comprised of the government-wide financial statements and the governmental and proprietary funds financial statements. I guess two of the biggest changes in the financial statement this year, there was a new account pronouncement, governmental accounting standards board pronounced that number 75 requiring a school district to now provide the actuary approved liability for post-employment benefits and due to that new pronouncement, there

was an additional liability on the statement of financial position for the school district. Under that pronouncement we also had to restate to the beginning of the year net position and that restatement was approximately three million dollars' restatement, three-quarters of the other post-employment benefits. Rule that had specifically been required to be reported in the government wide financial statement. Again, that's a new pronouncement. The fact that all school districts with the new accounting principle that was implemented this year. The other significant thing in your financial statements, in your fund financial statement, there's a significant decrease in your fund balance, that would be your capital projects fund, primarily due to the capital projects expenditures that you're running through your capital projects fund. Overall, your general fund balance was at 4.2 million again for June 30, 2018. Also, required to let you know if there's any significant estimate in the financial statement. Typical estimate you might see in the financial statement that I think are significant: (inaudible) accruals, pension and other post-employment benefit liabilities that the actuaries exist and that the PSERS state government system helping us report; depreciation in the government wide statements; the expensing of your fixed assets over your lives is another estimate that's in your financial statements. During the course of the audit we didn't have any material uncorrected adjustment that were not made by management. We had no disagreements with management. They didn't do anything to restrict us in the scope of our audit in anyway whatsoever. And, again, the statements were presented in accordance with the general accepted accounting principles. There were no significant deficiencies in (inaudible), as in internal controller we're required to report to the board. Overall, I'd to thank the district, I like to thank the staff, administration for making all the records accessible to us during the course of the audit. Like I said, everything that we asked for was given. We received board minutes for all periods through the course of the audit and up to the issuance date. And we did not have any findings to report. I don't know if anybody has any questions.

Mr. Stern - Mr. Pierce, how long, how many years has your firm been performing the audit here at the district?

- I believe this is our 4th or 5th year, June '15, June '16, June '17, June '18.

Mr. Stern - Have the results of the audit been consistent with this year then in your assessment?

- Yeah, I think we haven't had any significant deficiencies of materials or internal controls that we had to report. I think the biggest thing that we've been seeing, that all school districts have been seeing through the year, is recording the pension liability and the other post-employment liabilities on your statement of financial position on the government wide statements. For most districts, including yours, it's taken your net position to a negative position. You know your governmental activities; government wide statement position has a negative 17.6 million which is assets minus liabilities on that government wide statement. The big reason for that is when the pension liabilities were reported several years and other post-employment benefits were required to be adjusted this year. Overall I would say that things have been consistent.

Mr. Stern - Thank you.

Mr. Bradley - Do you do other schools besides Lehighton's?

- Yeah, we do probably about 25 school districts across the state.

Mr. Bradley – Scranton?

- I don't do Scranton.

Mr. Bradley – I mean the company.

- We have probably, I have 17 partners which probably 5 of us that do school districts and we have one or two partners that do a heavy amount of school districts but we all, a group of us that wondered out of the practice and kind of talked to each other and do school districts.

Mr. Bradley – So you're aware of what's happening up in the Scranton at this point?

- Yes.

Mr. Bradley – You know, big picture, it's big news. On page 67 we show our general fund and the basic total revenues minus the total expenses and you see a negative 2.7 million dollars' actual consumption greater than our revenue. And then you show a fund balance of 4 million dollars. So we, am I reading that correctly?

- Right, I'm showing a 4.2-million-dollar fund balance.

Mr. Bradley – And a negative cash flow of 2.7 million dollars this year?

Mr. Stern – That was last year.

Mr. Bradley – Last year.

- That would be...

Mr. Bradley – 2.731

- 2.2 million for June 30, 2018.

Mr. Bradley – Okay, negative 2, okay. Thank you. So, we're spending more than we're taking in. Has that been a trend for the last 5 years and projected or the next 5 years do we know?

- I'm not aware that it is projected for the next 5 years. You have experienced some deficits over the last 5 years.

Mr. Bradley – And what is our, what is the amount that we had to put on our books for the PSERS?

- I believe it was a 2.1-million-dollar statement on page...

Mr. Bradley – What was the total amount that we had to put on? I'm looking on page 9, I think.

- Oh, the liability?

Mr. Bradley – Yeah.

- Approximately 3.3 million.

Mr. Bradley – Per year?

- 3.3 was the liability as of June 30, 2018.

Mr. Bradley – And the next year we'll get another one from the state or how does that work?

- It's not gonna be another 3.3 million next year.

Mr. Bradley – So if they only put 3 million on, we'll still have a net position of minus 17 million dollars?

- Yes. Now that's primarily because of the pension liability and the pension liability is really the share of the school district's liability from the PSERS pension.

Mr. Bradley – And so what is that amount though that it brings it down to a negative 17.654?

- The pension liability at the end of page number...the pension liability is 56.9 million. Pension liability allocated to the school district.

Mr. Bradley – And then we have another?

- 3.3 (inaudible)

Mr. Bradley – And then our other liabilities for the elementary center, the high school and the, all other funds equals another?

- Approximately 60 million. I'm looking at page number 16.

Ms. Beers – I have a question, as part of your audit do you do a comparison of our expenditures as compared to other districts, maybe based on like enrollment or anything like that or the audits really just sort of an internally-focused audit?

- No, we do compare you with other districts. We do 25 other school districts. We actually do an analysis to compare all of them, of those ones that we do. A lot of times you're looking at both the industry and the (inaudible)...actual budget, comparing actual with previous years' expenses. But we do look at others.

Ms. Beers – Is there anything unusual about our district to report as compared to others?

- No, I wouldn't say there is. I think a lot of the thing, especially when you're talking about your negative net position. The pension liability and other (inaudible) on the books are pretty similar to what other districts across the state are facing.

Ms. Beers – Okay.

Mr. Cleaver – At this time we'll do our final presentation, we have Carbon Career & Technical Institute, Mr. Reinbold's here, I believe a couple other administrators with you as well to discuss their budget and talk about their program. And, I believe, actually talk about some of the student's accolades too from up there.

4. **Carbon Career & Technical Institute** – *Mr. David Reinbold, Director*

➤ In no particular order, I've just got some events to talk about. Our National Honor Society will be inducting members this Thursday. The Lehighton Students Avante Aybar, Amber Curran, and Meagan Gildner. Again if anybody knows them, congratulations to those students. Those are three Lehighton students who will be recognized this Thursday. Something else that we have, a huge activity in our school, I don't know if you're familiar with it. It's called DECA, Distributive Education Clubs of America and you can compare that program to business marketing organizations and do a lot of competitions. In the state competition, we had 47 students go to states and I'll probably be repeating this a little bit tonight. We're a very small school and we really do well in these competitions. Just for example, take 47 students to state competition, it's a huge accomplishment. Out of those 47 students, 38 of them earned medals. And, the Lehighton students, Aliza Jackson, Melinda Peabody, Gabe Henry, Kaitlin Solomon, Tora Richie and Josh Nelson. These were all Lehighton students that have won medals at the DECA state competition. So, again, we congratulate all of them. Another program we'd like to talk about is our Co-op program, I don't know if you're familiar with that again. But, our Co-op program is Cooperative Education Program, our seniors can go out and work in the field and also sometimes we send juniors out if we have juniors who started in their freshman year, they could go out in their junior year. Students who start in tenth grade can go out in their senior year. So we have, right now we have 30 students at the school that are out working, doing their jobs. Thirty students that are already out earning a paycheck, again, phenomenal. As far as Lehighton School students, Kevin Daya, he's at Service Construction., Jonathan Rehrig, does Rehrig Fuel, Jacob Hauser is at R. F. Ohl, Gunnar Williams is at R. F. Ohl and Austin Fritzinger is at HydroTech Pump. For those Lehighton students, again, that are benefiting from our programs which is fantastic. And the businesses in Lehighton are benefiting, R.F. Ohl is obviously in Lehighton, not sure about all these others. I believe Service Construction is in Lehighton, Rehrig Fuel I would assume is in Lehighton. But, again, a lot of students are doing good things. We don't get a chance to recognize them till tonight we took the opportunity to recognize them. AST instructor, Hal Resh, I know you probably know him from Lehighton, he was on the board. He took two students to a district competition at Northampton. It's called the Greater Lehigh Valley Automobilers Competition and two students that he took were Mike Miller and Austin Haydt and they placed 1st at this competition which means they will compete in New York City for the national competition for auto service technology skills. The contest was written and they took first in the written. So they were invited back for the performance and they did well in the performance. So, those two students, from, one's from Palmerton but the Lehighton student is Michael Miller. They'll be competing next month at New York City at the Jacob Javits Center. It's a national competition for our auto service technology kids. Another completion or activities is SKILS USA. A phenomenal world organization to showcase students' skills. Mike Rowe from Dirty Jobs is part of it. He spoke at the national competition. Brad Keselowski from NASCAR, he promoted it. It's an international organization to promote personal skills. Lehighton students that placed in our district competition that we had a few months ago are Julie Anthony, Shannon Arnold, Avante Aybar, Megan Gildner, Michael Miller, Alexa Pantella, and Gunnar Williams. All these people placed at the district competition. They may not all be going to states but they still obviously did a great thing. And the really interesting project that one of our teams is doing, some of you may have seen this on TV or read about it. There's a team doing a service project and what these students chose to do is restore the United States Veterans' grave markers. So they have to be put together about a 70-page booklet to present on this project that they present at the Commissioner's Office to do. What they're doing is restoring the grave markers. Many were damaged so we got together

with the local V.A. in Carbon County. They are restoring all of these broken markers and all are going to be replaced on the cemetery in Summit Hill and then they would like to spread it across as much as they can. They would fix or restore any broken parts. If you get a chance to go online and Google® SKILLS USA Competition; you'll learn a heck of a lot of the great things this organization does for students. I went to the national competition in Louisville, Kentucky this year and I was blown away. We took to the competition; we took 10 students to the national competition. So 10 students at the state qualified for the national competition. Five of those students were from Lehigh, Lindsey Binder, Devon Strohl, Jake Hauser, Mackenzie DaCosta, and Jen Perry. We won at the state competition; we won three from Pennsylvania, we won three first place competition which is unbelievable. We had two teams, no, we had one team win and two individuals win. But just to show you what good things are happening. There are 1, 2, 3, 4, 5, 6...10 schools in Pennsylvania where people placed at nationals and CCTI had the most winners from Pennsylvania at this competition. So, we're in an arena, 19,000 people, and they are announcing winners all night and every time we heard someone from Carbon County, it was an unbelievable feeling. These students are the best in the country at their particular activity. Which is a heck of a thing. And, again, from Pennsylvania, little, little CCTI, won three competitions. We had the most wins at the national competition. And you're talking schools that have 2,000 people in them. Little CCTI went down there and kicked it. It was amazing. Five out of the 10 from Lehigh. Again, a lot of good things going on. That's it as far as the information on students and questions about anything, activities. Again, it's just a random, random things that are happening recently that we wanted to mention.

Mr. Beltz – I just want to say, I was in Jim Thorpe, I saw a board member from Jim Thorpe up there and he commented on how well CCTI is doing and I said, yeah, that's the gem of Carbon County and I appreciate what you're doing up there. I think a lot of us do. I started out going to college. I went through college and dropped out, got a job. Went through A.P. school and I'm an aircraft mechanic now and I make a lot of money and I'm very satisfied with my job. And, the thing is, college is not the only option for kids coming out of high school and you guys, you guys make that very clear, so, thank you.

➤ We do appreciate that. I'm in the career and tech field and I know a lot of people in career and tech. And, they all say the same thing; Carbon County this is a hidden gem here and everybody works together. We appreciate everybody working together to make that happen but we appreciate that.

Mr. Cleaver – Dave, just make sure from our meeting on Thursday too. Right now, I believe every field up there is filled except we're trying to promote drafting and precision metals. Am I correct?

➤ Yeah we definitely need to...not drafting so much but precision machining technology. If you know anybody that wants to get involved in that field, the manufacturing field is working with machines; it's working with CNC machines which are very technical machines. But, absolutely, 100% job placement. As soon as those students leave there, they have 100% job placement. We have companies calling us for students. The enrollments been up the past couple of years, now it's down a little bit. So, we do need to get students involved in that six-figure jobs, no exaggeration, it's a six-figure job. We have to come up with some kind of plan, some kind of program to promote precision machining. It's an extremely popular profession, in demand right now.

Mr. Reinbold – For the 19-20 school year, the 19-20 operating budget we're looking to use 6.3 million and change dollars to operate our local career technical center. I'll round it up to 6.4 million from local funding. That 6.4 million, that number has not gone up since 2014. 2014-15

school year, we came up with this plan with the 6.4 number and that all we're gonna have to do year after year after year until for whatever reason we have to raise it but we haven't had to raise it since 2014-15 school year and we're not gonna raise it for the 2019-20 school year. So, the same amount of funding we be using for all those years. And, honestly, our expenditures have gone up. So even though our expenditures have gone up probably over more than 1.2 million, even though expenditures go up, we're still keeping that, right now, the same 6.4 million. We probably can do it again next year; we can probably do it again the year after. It would be about 8 years with no increases. Within that 6.4 million, there are fluctuations. 6.4 million total we charge the 5 schools, not charge, but what we get from the 5 schools but there are fluctuations. Every year it's not the exact same for every school and that's based on enrollment; that's based on a formula. If you have any questions, Jeff can explain it. But, it does fluctuate, so this year Lehighton's share is higher than it was last year but higher by only 5500 dollars. So, it's not a huge increase for Lehighton. It was originally supposed to be posted at \$17,000 but \$50,000 fee we're taking out for capital. Lehighton's share was about \$12,000 of that so we're gonna back that out. So, Lehighton's increase this year is about 5500 dollars. I don't think that's a lot for all the great things that are going on and we think, obviously, it's a fair budget. So, Mr. Deutsch can get into some other details. He can answer any questions. I don't believe your voting tonight, you may be voting at the April meeting, is that correct? Obviously we hope you pass it as it is.

Jeff Deutsch, Business Manager for CCTI spoke regarding the budget and funding.

Mr. Deutsch - I'm Jeff Deutsch, I'm the business administrator at CCTI for about 25 years now. I'll just give a budget overview. The packet is very similar to previous years. The summary pages are the white pages. Our budget is very detailed. Couple of main things. Page (inaudible) is the highlights of some of our supplies. Expenditures are similar as the previous 5 years. The only areas that are really increasing are our salaries which are tied to our employee contracts and benefits related to the salaries like retirement and social security. So those are our two main increases, salaries and benefits. Our expenditures are increasing by about 2.4%. Like Mr. Reinbold said our total expenditures are approximately a little over 8 million dollars. With the districts contributing the 6.4 million. That hasn't changed in the last 5 years. Our budget for the five districts has not changed in the last 5 years and we're not anticipating a change in the next two years as well. We been very lucky over the last five years. Lehighton's increase, as Mr. Reinbold said, originally was in the budget book well over \$17,000. We're pulling out the capital piece from all five districts, that \$50,000 piece. So Lehighton's increase is about 5500 dollars. Just to point out, CCTI does not, we do not receive any state subsidies, not like you folks, for basic ed., special ed., and transportation. Your students at your school actually come to you. I don't know if you're aware of this. We don't get those subsidies. Our expenditures have been increase by about two and a half percent per year. Our revenues about one percent a year. We've been fortunate with surpluses over the last 5 to 7 years but our annual surplus has been declining. Current year, the 18-19 year we're in now, we're anticipating to still have a slight surplus by that I mean anywhere from breakeven to like a \$100,000 surplus. But the 19-20 budget that we're talking about, we're anticipating going into a deficit low for the first time in quite a while. But again, based on the surpluses that we had over the last 5 years or so, we do have a healthy fund balance so that can carry us for at least two more years. We can't really project further than that. But we're pretty confident the 20-21 budget and 21-22 budget will again be no increase in the local funding. And that's about all I have. I wasn't sure what questions you'd have.

Mr. Stern - You said your yearly operating expenses are 8 million dollars. Is that what it is?

Mr. Deutsch - 8 million dollars.

Mr. Stern - So 6.3 comes from local, where's the 1.7?

Mr. Deutsch - We have...

Mr. Stern - So you get some federal.

Mr. Deutsch - Yes. Correct.

Mr. Stern - Between local effort and federal effort.

Mr. Deutsch - We get some, we get educational subsidies but it's not quite as (inaudible) your basic funding.

Mr. Stern - And your balance is, your budgeting about 8 million dollars and your fund balance is at what number as of, I guess, the end of 2018-19 you're gonna project.

Mr. Deutsch - As of 2018 our general fund balance is about 5 million dollars.

Mr. Cleaver - At the end of 2018 your AFR has it at 6.6 million.

Mr. Deutsch - Yeah, you're including our capital as well. The general fund balance...

Mr. Cleaver - The money in the bank we'll make it. The money in the bank.

Mr. Deutsch - Our general fund balance is about 5 million and we have another 1 million in capital. Correct. And, that's why we're not increasing our budget.

Mr. Cleaver - And, I think just so everyone is aware, in January I took over as the Superintendent of Record up at CCTI. The Superintendent of Record rotates through all sending Superintendents and sits on the board up there. A non-voting member as Dave is a non-voting member. But, when I took over and started looking at some information and I, you know, started discussing the large fund balance I considered at CCTI. So, I did meet with Jeff and Dave and we sat down and Brian was up there with me as well and we started having discussions. And, in January, I went up there and looked at the possibility of a, money coming back to the sending districts because of the fund balance which is about 85% of their operating costs. And I do know, you know, when you look at it for comparison we just had a presentation of a 40 million dollars, our fund balance is 4.1 or 4.2 million at this point and a budget of 8 million is looking at a fund balance of almost 7 million when you look at monies that are available according to their AFR. So I did discussing and having some questions about that to see if there was a possibility of some of that funding coming back to the districts because of that and that's where a lot of this discussion started from. So, I don't know, Brian, if you want to, you know, chime in and talk about some of the questions you had as well from that information.

Mr. Feick - Yeah, my biggest problem with the budget is the last 5 years since I've been here the fund balance at CCTI has been increasing almost 5% a year. What I was looking for is to see a 5% reduction one year and then go forth from there. School districts were stuck with Act 1; we can't raise taxes above the index. We're trying not to raise taxes. I know CCTI does a lot of good for our students. Doing a lot of good work up there. But, the school districts have tightened their belt every which way and it just annoyed me that money was sitting there while we're tightening our belts and trying to figure out can we still fund the same program and then I'm seeing another funded school from us actually increasing their fund balance. So, maybe I'm taking this wrong,

but I really feel like we were, you know, each year your fund balance is increasing by 5% but I really feel like we were paying 5% too much each year. That's why I was looking for another 5% reduction in allotment. And I know you say well next year we'll probably break even, the year after that, but when I came here we had a large fund balance and one of the first things I did is let's bring that down without raising taxes and try to spread it out over 5 years. Mr. Bradley mentioned yes, we're running a deficit, but that was on purpose to use the fund balance that we had and bring it back down so we have something manageable where we can be. And, I'm really asking CCTI to do the same for us. But that's, I don't vote, that's the board but that's my opinion.

Mr. Reinbold – It has been built up over the years is actually right. But, everybody voted on our budget every year, they knew what the fund balance was with the idea that it's gonna grow and then start going down. That's where we are now, it's gonna start going down and we're gonna start tapping into it.

Mr. Feick – My problem was...I know what you're saying but when we were presented budgets every other year it was a balanced budget. Not a budget that was gonna produce a surplus. What I'm saying though is every year it produced a surplus. That's why I'm having a problem. Like where did you underspend or was there too much, I don't want to call it fat, but was it budgeted that...how did you get a 5% surplus each year. That's what I'm looking at. I'd love to have a 5% surplus each year.

Mr. Deutsch – We try to be fiscally responsible to all 5 districts. But, just to be clear, we don't have a 5% surplus every year. Five years ago we had a surplus of about \$500,000. Four years ago \$300,000, the 17-18 school year, and we gave these out and it's trending that our surplus is trending down. It's a steady down...it makes sense our expenditures are going up about 2 ½ %, our revenues are increasing at 1% and the reason the revenues are increasing is 75% of our revenues come from local fund and they been flat these 5-6 years. But we understood all that. We're aware of that. But, this year I'm projecting a surplus of \$100,000 so it's about 100-200,000 decrease every year. 19-20, this budget, like I said, I'm projecting a deficit and we're still saying to the 5 districts were not going to increase our budget for 2 more years. I'd rather have a healthy fund balance then the opposite.

Mr. Feick – I'm not trying to take away from you. I know what you're saying. You're talking having a surplus each year and the surplus has gone down. We've been spending negative using up our surplus because we realize we had too much and that's why I'm questioning. I think you have a little bit too much and can we...is there a place there we can come up with a 5-year plan to use it up. I really think we're putting too much in there. You shouldn't be budgeting a surplus each year. Your budgeting a balanced budget but it came out as a surplus.

Mr. Cleaver – I mean looking at this, you go back 14-15 you had a surplus of \$366,000, according to your AFR. 15-16 - \$450,000, 16-17 - \$373,000, 17-18 - \$348,000. So if you run those projections out, it would be...you're saying you're gonna be spending an extra \$200,000 this year. So if your projected, based upon your trends, when you continue trending out for 18-19, you should, you're looking at a \$384,000 surplus but you're saying \$100,000. So that's \$284,000 less than your projection. What is the additional \$284,000 that's gonna make you only come up \$100,000 for this year?

Mr. Deutsch – I don't know where you're pulling the numbers.

Mr. Cleaver – Those are from the AFR. Those are your revenues and actuals.

Mr. Deutsch – What did you say for 17-18?

Mr. Cleaver – 17-18 you have a revenue amount, revenue amount of \$7,883,062 and then according to your AFR, your actual was \$7,534,905.

Mr. Deutsch – \$290,000 in 17-18?

Mr. Cleaver – 17-18.

Mr. Deutsch – So the surplus the following year, 18-19, had to be lower than that. Our expenditures are increasing faster than our revenues.

Mr. Cleaver – Right but your budget you had it, your budget that you present for 18-19 was \$8,055,387 that the number from that.

Mr. Deutsch – Yeah, that's the budget but the surplus has nothing to do with the budget. Surplus is the actual revenue less the actuals.

Mr. Cleaver – Right, but what I'm saying is you have that budgeted amount so you were projecting to bring that into your budget that year for this year 18-19.

Mr. Deutsch – Correct.

Mr. Cleaver – So, if you're trending expenditures continue like they were, then you would have an expenditure of \$7,713,280 if they keep trending from your actuals from 14-15 on. Correct?

Mr. Deutsch – I'm not sure. You're going back to the budget JJ, I'm...

Mr. Cleaver – Well, that's what I have for I don't have your AFR for 18-19.

Mr. Deutsch – Yeah, right.

Mr. Cleaver – Right. That's what I'm saying.

Mr. Deutsch – But there's no doubt we budgeted, our budget, our expenditure budget is always up higher than our actuals.

Mr. Cleaver – Right.

Mr. Deutsch – We budget conservatively.

Ms. Beers – Can I make a comment here. Kind of what I'm observing is that first of all the monies that you request from our district has remained the same for 5 years.

Mr. Deutsch – 5 and 6 years.

Ms. Beers – I think that's amazing and really great. I mean it's not responding to inflation. You're not asking for more money. And, the other thing, yes you guys have a fund balance and you guys are being fiscally responsibility. You know, you're protecting taxpayer money. And, when I look back to a time when this district had 14 million dollars in its fund balance, it did not discuss lowering taxes or returning money to the people which is kind of what's happening here. Like,

Lehighton is asking for CCTI to give them a break but when Lehighton was in a similar situation, they didn't look back to the taxpayers and offer them a break. So it seems a little bit strange and I would caution is, we had that 14 million dollars and people were worried about us having a really big fund balance and then suddenly it just went down very fast and I think that some people in this district think that the money was not spent wisely. So, I would caution people not to put pressure on CCTI because someone on their side might think, oh crap, we need to get rid of this fund balance because everyone's looking at it and then monies might not be spent very wisely. So, I think they should be commended for the fact that they've been keeping the same amount of request from our school district and they're gonna continue to keep that level and that, you know, soon they're gonna start cutting into that fund balance and hopefully they'll keep that cost to our district the same for like another five years.

Mr. Reinbold – And we're saying at least two years.

Mr. Deutsch – I've been saying for a long time; we will not go above the five districts funding until we start dipping into our fund balance. See, we're a small school and our budget's eight million. Once we get into deficits, it's gonna start a tidal wave because they're gonna get bigger every year. Sooner or later we're gonna have to go up. It's gonna be two to three years. We've been a little lucky with a couple retirements, our healthcare, I mentioned some of these expenditures. Our healthcare expenditure from budget has not gone up in five, six years as well. We've been very fortunate with our consortium. So, but that can turn. You never know when we have an emergency, things like that. But, I appreciate what you said. What you said was exactly right. We're not talking a decrease in the millage, we're just looking to keep it the same.

Mr. Reinbold – And, it has been passed by Panther Valley and Jim Thorpe and Palmerton so far.

Mr. Deutsch – We really only had one no vote so far.

Mr. Cleaver – Which again is part of...right...that's also part of the discussion I had. We had three boards who, sending boards who approved the budget and just Thursday, you know, we moved two million, nearly two million dollars in to capital projects. For the meeting in February, I, you know, I was unable to attend, but I raised a red flag there like. Tuesday or January we're questioning the fund balance you have; February there's a proposal that shows up on the agenda to move two million dollars, you know, into capital projects from that fund balance. And, again, like I said, call it what it is, it's still a money that is, you know, is there that can be used for different things. And to Joy's point too, we had a five-year projection, I think Brian touched on that too, of our five-year projection included spending that down for, you know, so we don't increase taxes like you mentioned. So there was a five-year projection toward that. But, again, I come back to the whole billing. You bill every district for the full healthcare costs, correct?

Mr. Deutsch – No, that is incorrect. We bill, again it's been fixed for five years, we bumped our healthcare costs based on the agreement we have with the consortium. Which is all schools in Carbon County excluding Lehighton. So, we try to fund it as much as possible to get it to the max funding. Unfortunately, once we get to the max funding, we're not required to fund as much. That's what I'm trying to say. We're not required to fund the max funding (inaudible) five districts that was planned, it's been flat.

Mr. Cleaver – Right but the funding of the maximum amount where based upon, I mean, and now these correct numbers aren't even in your budget book, correct? These are totally separate from your budget book.

Mr. Deutsch – For what column?

Mr. Cleaver – For the healthcare consortium. They're total separate?

Mr. Deutsch – Yeah.

Mr. Cleaver – Total separate. So, when we're looking at, at the consortium, the last report I have, there 2.5 million in that health consortium for CCTI.

Mr. Deutsch – That's at the max.

Mr. Cleaver – So you are funding that at almost 300% of your claims.

Mr. Deutsch – According to the consortium we have automatic funding for our healthcare under 2.5 million.

Mr. Cleaver – Where the other districts are about 50%, Palmerton's a little bit higher. Why do you need to have almost 300% in that consortium?

Mr. Deutsch – Again, we are funding based on the consortium agreement. And maximum, we won't go over the 2.5 so which means, once you have the max, we've been very fortunate, so once we're at the max it; we only spend, our annual budget for healthcare is about \$900,000. Once we fund it to the max, we won't need the \$900,000. This year I'm keeping it around \$600,000 which is great.

Mr. Cleaver – But the districts are being billed for the full amount?

Mr. Deutsch – No, no they would only...

Mr. Feick – Districts would be funding \$900,000 but now you tell me you're gonna need \$600,000. Is that where the surplus is coming from?

Mr. Deutsch – And that's all parts of the reason our budget hasn't gone up in the last 6 years.

Mr. Cleaver – But again, that's an additional 2.5 million dollars when you look at it, in an area that other districts are nowhere near that. I mean...

Mr. Deutsch – Well there's four district and in that...

Mr. Cleaver – I'm talking percentage wise. I mean for the number of employees you have, again, you're at almost 300% of your funding based upon your claims. And that's what I think Brian's saying, you know, in the budget you have \$900,000. So, is that part of the reason the surplus. Because your claims aren't as high? Is that why that money is? So that's money, why it's there.

Mr. Deutsch – We've been fortunate with our claims. There's no doubt about it.

Mr. Cleaver – So it's not something. It's just your, you were fortunate with healthcare.

Mr. Reinbold – Yeah and active (inaudible).

Mr. Cleaver – But you have stop-loss insurance to help with that.

Mr. Deutsch – We have stop-loss.

Mr. Cleaver – Okay.

Mr. Deutsch – You’re right but you could get (inaudible) and things like that.

Mr. Cleaver – Absolutely but, again, I think it’s important for people to know that that’s an additional 2.5 million dollars sitting there for...

Mr. Deutsch – Correct.

Mr. Cleaver – ...you to use for healthcare costs. So you can, tomorrow, decide to make a motion at CCTI to take \$500,000 out of that.

Mr. Deutsch – No, we can’t take it out. I can’t take it out of the healthcare.

Mr. Cleaver – What do you mean you can’t?

Mr. Deutsch – Oh no, I can’t take it out of healthcare, JJ.

Mr. Cleaver – But then, you can make a deduction for us with the amount we have to...

Mr. Deutsch – No.

Mr. Cleaver – So the districts would have, would not be responsible to send that whole amount then?

Mr. Deutsch – Correct.

Mr. Cleaver – So that’s an opportunity too for us.

Mr. Deutsch – Again, we’re trying to be fiscally responsible. That’s why we’re not taking for another two years.

Mr. Bradley – How many students do you have at CCTI every year, average?

Mr. Deutsch – About 400.

Mr. Cleaver – 300 I think was last for full-time.

Mr. Bradley – And you spend, and your funding for the year is about eight million dollars’ expenditure between your teachers, your overhead, everything you’re doing?

Mr. Deutsch – Correct.

Mr. Bradley – And, so you’re spending about \$20,000 per student, roughly.

Mr. Deutsch – It’s about...based on the total eight million, yes but your funding’s six million so based on that it’s more like 12-15 based on funding.

Mr. Bradley – Okay. And, I visit a lot of technical schools across the state, technical high school's like you're doing, and also technical colleges. The trend has been towards robotics. We're seeing a lot of people add to that on the processes. Anywhere in your future to provide that service at the high school level or is that sticking within the college level?

Mr. Reinbold – We're inching towards it as far as we don't have a specific course on it but we are buying materials for it and our teachers are improving some of their curriculum, computer curriculum with electronics curriculum. So we are inching towards it. And there could be opportunities in the future to add something like that.

Mr. Bradley – Well the CNC machinist is a prime example of, of void in the marketplace as other colleges I'm watching are doing the same thing for this between CNC machinists and robotics and then also obviously welding because that's a very difficult thing to outsource. Whether it's computer-aided welding, orbital or vice versa. Do you have plans, that direction, to grow your offering or since you're having a reduction in students applying, are you not spending this capital on those forward investments? 'Cause your return on your investment, sounds like, is astronomically better than most. Like she said, when we had a 15-million-dollar fund balance, we spent your yearly budget and the return on the investment was beneficial but not nearly as productive as investing \$20,000 in the kids so he can make a 100 grand for the rest of his life.

Mr. Reinbold – Two things, as far as precision machine that's by far our most expensive technical area and, yes, we buy \$75,000 CNC machines for that, absolutely. That area is pretty much stocked right now. And, as far as the per student, for 19-20, Lehighton's share will be about 1.2 million. Next year there will probably be about 87 Lehighton students. So that's about \$16,000 per student for the Lehighton share. That's pretty much right in line with Lehighton students.

Mr. Cleaver – Actually, I think we're a little bit higher. I think we're a little bit higher here actually.

Mr. Bradley – Yeah.

Mr. Reinbold – Higher in what?

Mr. Bradley – Our cost per student because of the debt and the other things that we've consumed is closer to 16 plus. But I agree, you guys seems to be more responsible and have an accountability towards your budget, greater and we've spent more time on this than I believe our budget locally which is amazing and I appreciate your candor and the information that you're providing and for that I thank you.

Mrs. Spinelli – I have one question. Just, I know what all of these heating, refrigerating, carpentry, so on and so forth. What is other additional instruction, Coordinator of School Improvement? What exactly is that?

Mr. Reinbold – Yes, we have a woman her name is (inaudible) and she is, her title is Coordinator of School Improvement. It's an excellent position and I said this at another meeting and I'll say it here, she's underpaid. She does a lot of great things. One of the main things she does is our tutoring program. We, I think we have a very successful tutoring program after schools, Mondays and Thursdays, and also during the day and she coordinates that. And, we spend about \$20,000 on those tutoring services and that's all grant money but she coordinates the tutoring services. She coordinates our NOCTI testing, she does coordinate our Keystone testing. So, it's just a position to work on all those, all those other things to help us maintain, you know, help us maintain our

scores and help us maintain a good school performance profile. We have, this year, fourth year in a row now, we have the highest school performance profile in the county and that's a heck of an accomplishment and a great part of that is that school coordinator position.

Mrs. Spinelli – Is it grant money?

Mr. Reinbold – Not her position. Her salary only is about 7% of the funding. That's how it's always been. But the money, I think there's a line in there for about \$20,000. That's grant money. Any school can do it. I recommend it. A Monday after-school program; a Thursday after-school program. We pick them up door-to-door, transportation, pick them up, drop them off, door-to-door. We provide meals for them and we give them close to an hour of additional substitutes. We do have 40 signed up for that, which I think is amazing at the high school level to have 40 students stick around 2 days a week to get tutoring. I know other people are focusing on that position. I hope nobody is looking to cut it. That would really be a shame.

Mr. Cleaver – So with that position, the grant, Dave, is just the tutoring money, not the position or the healthcare everything else?

Mr. Reinbold – (Inaudible) is Perkins and the other tutoring money is mainly from Perkins but that \$20,000 is grant money.

Mr. Cleaver – So the grants a Perkins Grant, through Perkins Grant?

Mr. Reinbold – Yes.

Mr. Cleaver – So it's a grant that other schools aren't eligible, we don't. 'Cause I remember I was asking about that to. Have the 339 program.

Mr. Reinbold – Not unless you have an approved program.

Mr. Cleaver – So we don't have that. So the district's do fund that position. I don't want people to think it's funded fully by a grant. It is part of it.

Mr. Reinbold – They fund the salary.

Mr. Feick – Jeff, you mentioned you took out the \$50,000 for capital. You also just mentioned that since you're at maximum with the health concerns consortium you only expect to spend \$600,000 instead of \$900,000. Are you gonna cut the budget down buy that \$300,000 also like you did with the \$50,000?

Mr. Deutsch – No. We're gonna keep it.

Mr. Feick – So we're gonna fund the \$900,000 even though you only need \$600,000? Isn't that what you just told me?

Mr. Deutsch – You're tough.

Mr. Feick – That's what I heard. That's why I'm asking.

Mr. Deutsch – This is what I want you to remember. Our total budget is a little over eight million. The districts fund 6.4 of it.

Mr. Feick – Right.

Mr. Deutsch – Okay? So there's two million they don't fund.

Mr. Feick – Right but you're saying you don't need \$300,000 in healthcare. You also said you don't need the \$50,000. You already decreased the capital; you decreased the capital by \$50,000. If you don't need the \$300,000 in healthcare why can't you decrease that also?

Mr. Reinbold – We can take two years to fund the healthcare to the max.

Mr. Feick – But you said you're already at max. You told us you're at max and you won't need that.

Mr. Deutsch – This minute we're at about two million dollars. So, at the end of the year, we'll be at max.

Mr. Cleaver – But you're trending at three times the amount you spend yearly.

Mr. Deutsch – Right.

Mr. Cleaver – So you're, that could completely fund it and then we're still being \$900,000 in the budget.

Mr. Deutsch – You keep talking about this healthcare. Just so it's clear, in the total health account for four districts that are in the consortium, Palmerton, Panther Valley, Weatherly and ourselves, it's four district, it's always funded over seven million dollars. So, it's close to two million dollars for each school. So, it's not just us.

Mr. Cleaver – But they have a lot more employees.

Mr. Deutsch – We're all in it together, you know. We'd like to have Lehighton with, in with us.

Mr. Cleaver – But you have a lot more, you have a lot less employees than those districts though too.

Mr. Deutsch – Correct, JJ. And listen, we'll continue to look at it and that's one of the reasons why we're not talking. Dave and I are here to tell you that for the year 19-20, we're not gonna for the next two years as well. Maybe next year we can tell you the same things and save you another year. You don't know. You can't predict.

Mr. Reinbold – And, you know, we come to you and we're looking for an increase in capital, we have a lot of capital, then vote no because next year we're looking to increase it to 6.4, vote no, we're not gonna.

Mr. Cleaver – Right now, you have over three million, right 'cause after Tuesday night, you have over three million dollars in capital 'cause you had about 1.3.

Mr. Deutsch – But that's just for 5 years. That \$50,000, that capital contribution, that's, we talked about that early in the budget so we'll take that out.

Mr. Cleaver – Right.

Mr. Deutsch – That’s gonna be out for the foreseeable future.

Mr. Reinbold – At least five years.

Mr. Deutsch – You won’t see that on the budget next year.

Mr. Cleaver – The \$50,000?

Mr. Deutsch – Right.

Mr. Reinbold – In the past, that number was \$150,000 per year.

Mr. Deutsch – Years back, especially before we had the building program, we funded that about \$300,000 just to build it up for the building. And another thing, our building program’s about ten years in completion now. So, we’re starting to get repairs. Our equipment costs are all part of that capital plan. But Brian, thank you for your input and JJ, thank you. Any other questions? Thank you very much for your time.

Mr. Stern – Thank you guys.

Mrs. Spinelli – Mr. Stern, can I just say one thing before we start Courtesy to the Floor? I want everybody to remember it’s called courtesy. Can we please stop screaming at each other, talking without being recognized? Because when we do that nobody’s voice is being heard. Everybody’s yelling at each other and it’s called Courtesy to the Floor, Mr. Bradley, which means if someone from the floor is speaking, you shouldn’t be. Because the board has a chance to speak whenever they want. If we recognize these people, they have the podium. And I just want us to try and behave civilly, just try the best we can, thank you.

Mr. Stern – Thank you, Rita.

Public Comment on Agenda

1. David Krause – Motion L., pg. 5, Motion A., pg. 8-9, Motion A, pg. 11

- I have three pages of comment on Motion L. on page 5, I would hope that we had very in-depth excavation waivers signed for the release of the Franklin portable and shed with language that they’re (inaudible) once they pick them up. Motion A. on pages 8 & 9, I would encourage our staff to continue to utilize these activities and trips. Not only as educational experience but also to enhance career exploration, honing our students’ life skills. I’ve mentioned it before, but, you may be able to seize opportunities to incorporate these activities into our (inaudible) for graduation requirements as well. And lastly, Motion A. on page 11, I’ve worked with Mr. Schwab probably 10 or 12 years, his contribution to the school district has been extremely valuable, his decades of experience and knowledge, from a historical perspective it’s invaluable. Especially when you have rotating board member over the years. Not only does this save the district money, but he provides stability and continuity for the board within acute perspective which is essential, especially helpful to inexperienced board members (inaudible). His insight on contract negotiations, involvement with grievances, understanding the policies and general awareness of historical legal disputes provide

guidance in the best interest of the district and how to avoid potential problems which have costly ramifications. On top of all this, Mr. Schwab lives in the district, he's an active member of the community who cares for our students. For example, he donated these beautiful pictures of the old schools we have on the walls here. And he also supports all the fundraising activities by our students. It would be a travesty, in my opinion, to allow personal vendetta and political noise and people outside our district to cause such damage to our great school district and have negative financial impact to the taxpayers, thank you.

Mr. Stern – Thank you, Mr. Krause.

2. David Bradley – VIII.

- A recent recommendation to the Scranton School District, the most recent public school district requiring state intervention and formal financial recovery, our Auditor General Eugene DePasquale to make the following statements. Implementing better government accountability and transparency of the blurred lines of authority between board members, administration and providers of professional services such as solicitors cause many problems. The plan to draw boundaries between leaders, the board should follow the Sunshine Act and strive to be accountable. All board meetings should be recorded and available online, completely, within 48 hours of the meeting establishing clear lines of responsibility and accountability among district leaders. A board members' intent should be available online and shall (inaudible) participation by elected officials. The district should be strengthened and modernized in its hiring practices. Acknowledging and answering members of the public who comment during the school board meeting. Current board policy does not require the board to respond to public comment at the meeting. The board should have the power to speak to the public and foster a culture of communication and transparency. This is in reference to Agenda, Section VIII., Letters O and P. This board is scheduled to spend 15% of this budget for the next five years without proper review, proper transparency or proper deliberation. During that vote, I will ask you to justify your decisions to these stakeholders responsible to carry those burdens and I hope they will do the same and I hope you will answer them, thank you.

Mr. Stern – Thank you, Mr. Bradley.

Mrs. Harleman speaking.

Mr. Cleaver – What was it for?

Mr. Stern – What's it for Coleen?

Mrs. Harleman – It was just one additional thing I'd like to mention.

Mr. Cleaver – Okay.

Mrs. Harleman – In reference to the nurses' presentation, I would just like to make a point before I have to leave. I pulled up the minutes from the July 23, 2018, board meeting and the board voted that we offer the Lions Kidsight free vision screening program to all children within our district from Preschool to 12th grade. It does not say mandated. It says offer. Since then, this is not an approved device or approved for the mandate by the Pennsylvania Department of Health, we respectfully ask that you (inaudible).

Mr. Stern – Thank you.

Communications

1. Superintendent's Report – *Mr. Cleaver*

- First off, I'd like to welcome Patricia Denicola to the Lehighton Education Community. Patricia joins our administrative team as Business Manager for Lehighton Area School District. So, today is Brian's last meeting as Business Manager and it is Patricia's first meeting as Business Manager. So, I'd like to wish Brian best again and welcome Patricia to the administrative team and the Lehighton Area School District.
- Our district has been asked to present...Brian's a man of few words, so he probably doesn't have.
- Our district has been asked to present at the Pennsylvania Federal Programs Conference. Over the past several years the district has transitioned from targeted to school-wide. I will be sending a team to do a presentation. Also, part of the team will be Ms. Gloria Bowman as our Title I rep to deliver the presentation to other districts who are interested in the process of moving their districts from targeted to school-wide programs. The invite from the state mentioned how impressed they were with the plan and the team that is fantastic here at the school district. This is evidence of the commitment and passion of our Title I program staff puts in every day to assist the students of the Lehighton Area School District. So, I wanted to recognize them, the team Mr. Tkach, I see Mrs. Bowman is here as the Title I rep, Ms. Ebbert, there's many staff members here who are part of that team and I know Mr. Tkach came in and said, you see that, we're fantastic. So I wanted to make sure that I got that in and again, thank you for all the hard work. This process has been going on for many, many years to get to this point and it has really freed us up with what we can and cannot use the funding for, Title I for as we move forward.
- The Second Annual Lehighton Area High School Drug and Opioid Symposium will take place on Friday, April 5th. Our keynote speaker will be Lehighton Area High School Alumnus Brent Kunkle. Mr. Kunkle is a filmmaker who directed the series *The Trade* for the Showtime® network. Mr. Kunkle will watch the episode with the students and then he will also be available for our students for questions and answer regarding his findings and experience. We are also bringing in first responders to discuss local impacts of drug and opioids with our students. So, I'd like to thank the high school administration for giving this opportunity to our students and again this is an example, here's an alumnus from Lehighton coming back, giving back to the school district. He's a filmmaker for the Showtime® network, nationally known, and he's able to come in here and talk to our students about the impact of opioids and drugs that he has come across in doing his documentary.
- The school calendar is on the agenda for approval. We want to remind students and guardians that we are now having school on Thursday, April 18th, this is a snow make-up day. This will be a half a day so there'll be early dismissal but again that is Thursday, April 18th, will now be a school day for the district. As part of this, we are currently working with the middle school to see about doing a drill, as far as their safety, for having the parents come in and pick the students up in the event there's an issue, an emergency. So, we're looking at possibly

doing a reunification meeting or drill just for our high school and more information will come regarding that information. And next year, the school calendar, we are looking to go back to starting before Labor Day because of, no building projects at this point that are in the future.

Mr. Stern – Just for clarity. The Wednesday before, the Wednesday the 17th is a full day.

Mr. Cleaver – Is a full day, Thursday is the half day, that is correct.

Mr. Stern – Everything shifted a day due to the snow.

Mr. Cleaver – That is correct.

2. Finance Report - *Mr. Feick*

- This past month I met with Kathy Henderson from the County Development Council, the Borough of Weissport and also the County Commissioners to talk about the LERTA process. We had a public hearing. We'll have another hearing which I'll turn over to Ms. Denicola. Also in your packets, on approval tonight, are the PlanCon J filing forms for the middle school and high school. This is the final accounting. Once the LEED documentation is received, it goes to state and we will get the final approval and the reimbursement by the state over the life of the loans on this. As a personal note, this is my last meeting, I want to thank everyone in Lehighton. It was a pleasure serving you and I will miss you and please give Ms. Denicola the same professionalism and courtesy you gave me, thank you.

3. Board President's Report - *Mr. Stern*

- Just some highlights that are going on, for the high school level, prom preparation is under way for the prom on the 10th of May at the Hotel Bethlehem which is again is a Friday night, I believe. Life skills students at the high school have been involved and continue to help in the Backpack Program. I think everyone is familiar with the Backpack Program which is providing a food subsidy for our students over the weekend who don't have the means to possibly have a good meal over that time. Other thing, a Career Fair was held at the high school on the 14th, about 25 businesses participated and we were happy to join or invite and have Weatherly High School Seniors also attend that function. It was a great collaboration effort to have them come down and I'm sure they appreciated having the opportunity to travel down to our district. A couple things at the Middle School. The middle school continues to receive informative tips that have helped numerous students through the PA Safe2Say Program. I'm sure everybody's heard a lot about that over the last month since its inception and pretty much mandate of reporting and the opportunity for anonymous tips to come in and help students in need. The Middle School Jazz Ensemble went to Bethlehem to the Nitchmann Middle School, participated in the jazz festival over the Friday, March 22nd. Lehighton was the smallest school in the festival and the only one from Carbon County. So I think that's a great accolade for our middle school to be able to have those type of students, that type of program, and to be involved with the larger programs within the Lehigh Valley. Again, as I have said before, please continue to follow the buildings, the athletics and all those on Twitter®, Instagram®, or whatever accounts you care to. It's very informative of what goes on in the buildings, not only from a higher level, but there's lower level highlights that happen every day. One of the

things I saw was all the sayings that are in the buildings, in the high school, you know, about reaching out, helping people and that's what our students are here for and that's what we're here to help them do, is to learn to be great community people and to learn how to help others and everybody just get along and move forward.

4. Lehigh Memorial Library Report – *Mrs. Maholick*

- The library board met on February 26th. Election of Officers was held. Jim Blakeslee will remain President. Pam Hawk, Vice President, Shannon Everett, Treasurer and Jane Robert will continue as secretary. The board reviewed the budget to determine the \$20,000 donation from the school district will balance the 2019 budget. The \$20,000 donation from the school district was not received as the school representative changed and she did not make the request, that's me. By the way, it is on the agenda today. The budget for 2019 is \$271,933 which includes revenues from various sources including local municipalities, Carbon County Commissioners, churches, grant funds and Pennsylvania unclaimed property, the fund drive and capital campaign income. In the works is a capital campaign brochure to assist with seeking additional funding. It is hoped that by summer there will be groundbreaking for the new addition. Please check out the library for the new outreach programs and ongoing programs for children and adults.

5. Legislative Policy Committee of PSBA Report – *Mrs. Spinelli*

- I have three quick things. First of all, you may have noticed, it's time for school districts to put their input in as to what they would like PSBA to work on as far as platform goes. Create proposals, amend existing platform language or suggest the deletion of a current statement. All proposals and rationale for the proposal must be approved by the board and verified by the Board Secretary. In other words, an individual board director may not submit an item on his own or her own behalf. Items should be drafted as per the guidelines and submitted to the government affairs staff. You can see the PSBA if you have anything you'd like to put on their agenda. The other thing I want to remind you of is that Act 55 requires all newly elected or appointed school directors to complete 4 hours of training within the first year. We already talked about that. Nobody here needs to do that. But, in addition, all re-elected and re-appointed school directors must complete a 2-hour advanced training program on relevant changes in state and federal law and regulations, fiscal management, and other information. So, you can contact Breanna Crowley. That will be on your PSBA but we will all have to do that this year.

6. Title I Advisory Committee Report – *Mrs. Bowman*

- Title I met on Friday, March the 8th at quarter to eight and we talked about the Spring Title Night. We're looking forward to April 11th. We're doing that in conjunction with the Elementary Art Show and the Book Fair. We'll be having a lot of STEAM activities and planning continues. We're gonna be doing some wristbands for the L.E.A.F. Carnival and may be looking at tickets to the Carbon County Fair. We selected the Reading and Math summer dates already. Math is the week of July the 8th and the week of the 15th. Reading weeks July 22, 29 and August 5. One other thing we are looking at is Kindergarten to 1st grade. We will continue to discuss that. Summer library will be held again during the summer. The Title program did receive their latest adjustment in allocation. A \$10,000 increase to Title I and \$998 to Title II which is usually earmarked for professional development. And we got a school-wide plan which will be reviewed again in May 2019 because it's cyclical and that will be due again in

September. So that was the School-Wide Title Plan, not Comprehensive Plan, school-wide for the center. And, PSSA testing this year is the following dates, ELA-April 15, 16 & 17, Math- April 29 & 31, and Science-May 1 and 2.

Professional Development we're gonna be doing Teach Me to Read, training dates May 2 and 3. Teach the teacher to do some more training. And, we also do have a Twitter® page for Title I. And finally, the Parent Advisory Council met on March the 12th after several cancellations and we met Ms. Emory, who was Shelby Schleicher. We had extensive discussion on our Spring Title Night and our next Title meeting will be Friday, May 17 and our PAC meeting will be Tuesday, May 14th.

7. CCTI Report - *Mr. Yenser*

- I believe Mr. Reinbold did a great job covering all the happenings at CCTI previously during his presentation.

8. CLIU Report - *Mr. Wentz*

- Met last Monday, March 18, at IU headquarters. We were shown a presentation of how IU students assembled and made toys that were adapted to their training skills. We also received a new member from Jim Thorpe Area Schools. And, we were informed that the student count for Lehigh Area Schools now stands at a total of 94 students. Next meeting will be April 15.

9. Building/Grounds Report - *Mr. Holland*

- Under Old Business, update on the elementary buildings for the sales, Mr. Spotts commented to us, we have people looking at the buildings but no takers at this point. Also, at the high school, we're looking in recoating the gym floor for this coming summer. We're also looking at replacing the doors between the cafeteria and the library upstairs for fire prevention. Middle School, I want to go out personally and thank one of our custodians, well he's actually a maintenance custodian, for doing the fine job of putting in new chargers down in our old luncheon room for the kids for their phones and everything else. So I want to thank him personally for doing a fine job. We can't live without a phone today or any kind of thing to be charged no matter where we're at. Also, we're looking at, again, to redo the gym floor at the middle school. Elementary, all the furniture's now been delivered. I really haven't had any questions about the elementary at this point and time. I did ask Mr. Spotts as for our checklist, punch list, whatever, I asked him about roughly how far we are at that point. He said about three quarters of the way through the checklist. So I think that's commendable. Also, he said they come in on weekends so we're not around, meaning the students or the teachers or anything else. They're coming in and working on weekends. Mr. Spotts also made the comment, and I'm stealing his, Wayne I'm sorry, athletic fields are now in pretty good condition. So, and hooray. I saw robins and that so that's a good sign that we're moving towards spring.

Mr. Cleaver - Actually, today we had, regarding the fields, we had our field consultant that we work with came through, got all our revenue reports of all the fields, the seeding that we have, any type of fertilizer that we still have, says we're in pretty good shape moving into the spring season. And, he did comment of how the fields, for as wet as it's been and with snow, that we're on them already. Not many schools are on the fields like we have been. So, he commended our staff. And then at the elementary, just to follow up since then, you know, they've been coming in on the weekends, like you said, got a couple things they want to tackle over the Easter break too, as well, because the students won't be here. And there's some things now that we may see more people on the outdoors working around because now it's spring is coming in, they're able to get out there

from the freeze and thaw and touch up some things and they are planning some reseeds to take place as well from some of the grass that was planted. So, I think we'll see a little bit more activity. So, that punch list is going, you know, probably speed up a little bit now that the spring is hopefully here.

10. Academic Affairs Committee Report – *Mr. Stern*
 - Academic Affairs did not meet this month. We will meet the 3rd of April at 5:45 p.m. in this building, in this room and it will be a textbook presentation.
11. LCCC Report – *Mr. Krause*
 - First and foremost, you have a motion on the agenda this evening for the LCCC budget. You had a presentation, I understand, last month and I would ask for your support to approve that motion. You also should have received the annual reports. The Spring 2019 update and fact sheet on LCCC. It's got a ton of information so I'd recommend you read through it. I'm not gonna cover it all. I will highlight a couple items. There's a FAFSA completion tomorrow night with the financial office at LCCC's campus in Jim Thorpe from 4-7 and it is a government requirement for all students to seek any kind of financial aid, even if it's a \$500 Pella grant. I've been through that with three students myself. It's quite arduous. Gotta be done every year. I'd highly recommend going there. LCCC is also sponsoring a suicide awareness fundraiser. It's at the main campus in Schnecksville on Saturday, April 6th at 11:00 a.m. If you would like to partake of that contact Lauren Falgout at lfalgout@lccc.edu or call 610-799-1895 for additional information. Couple of highlights, LCCC student Kira Williams was selected to represent Pennsylvania on the all USA Scholar Team for 2018-19. She's a graduate of Lehigh Area High School and is an education major with a GPA of 3.87. She's also the social media coordinator for Phi Beta Kappa and is planning on completing her education at Kutztown University. She will be receiving her recognition at the All Pennsylvania Scholars event in Harrisburg April 8th with Dr. Beiber from LCCC. And lastly, LCCC continues to evaluate viable current academic programs as well as look at the need and feasibility of new programs to provide the best career pathways for students. I recently saw a news segment on a group of CEO's that were mentioned in Washington D.C. to look at these career pathways and how to meet the demands of current and future workforce and they use the term, which I thought was interesting, and called in Career Freeways as opposed to a pathway to denote the fact that process with may on and off ramps for adjustments for students, to denote the changing world that we live in. They also talked about new collar workers versus the old blue collar/white collar workers. Again, signifying changing of our world and the types of jobs that are available. And lastly, I also heard the term gray collar workforce, which is recruiting older people back into the workforce again to fill those gaps that we have.
12. Policy Committee Report – *Mr. Stern*
 - Policy Committee did meet on the 6th of March at 5:45 p.m. in this room right here in this building. There are five policies on for the first reading.
13. Athletic Committee Report – *Mr. Wentz*
 - The athletic committee met on Tuesday, March 12, and we were notified that Lehigh was honored to host a Girls' state playoff game between Dunmore and Neumann Gorriti at the new elementary center. Other than that, we are currently underway with our spring sports. We have already run into some weather issues causing several delays and the Boys' varsity team did win

tonight, I think it was 9-3, the final over Pocono Mountain West. Softball won? Very good.

14. Wellness Committee Report – *Mrs. Maholick*

- I wasn't at the meeting, my daughter was home from Texas, so I asked Mr. Tkach if he would fill in because I couldn't make it.

Mr. Tkach – We had a meeting on March 12th and what was discussed, the nurses were there which was brought up tonight as well. We talked about the district's student eye examinations, working together. They talked about the advantages and so forth of the nurses doing that. We also talked about the menu review, the Backpack Buddy Program. That's up and running very well. Mrs. Solley's students are doing a fantastic job to help with the packing of the bags every week. Sales from Nutrition Group are improving, constantly going up. And, finally we had free breakfast week and we saw 110 kids at the elementary center, an increase, and 40 at the middle school. So they're taking advantage of that and we do appreciate that.

Approval of Minutes

MOTION by Mr. Wentz SECONDED by Mrs. Spinelli to approve the Minutes of the February 25, 2019, regular meeting.

Mr. Bradley – I have one question, Mr. Stern.

Mr. Stern – Yes, sir.

Mr. Bradley – On the first page it shows two asterisks discussing an executive session that took place on Monday the 28th at 11:15 p.m. and then three asterisks for a notice of executive session for personnel. Is that referring to the executive session on February 25th?

Mr. Cleaver – Well, that was the notice you gave.

Mr. Stern – Yeah, those were the notices that I gave the executive sessions that were held before, not the 25th.

Mr. Bradley – Well, the 25th is February 25th. It says 6:45 and discussion for personnel.

Mr. Stern – Right. There was one for February 25th and the other was January 28th.

Mr. Bradley – So I'm just asking a questions. The three asterisks says notice of executive session for personnel. What date is that referring to and can we correct the minutes to, clarity.

Mr. Cleaver – That refers to the 25th.

Mr. Bradley – The 25th? Okay. So, can we have those minutes corrected to identify the date to which that asterisks executive session is being presented?

Mr. Cleaver – It's the date that's listed at the top, February 25th.

Mr. Bradley – I understand, Mr. Cleaver. I'm asking that we clarify, very specifically, I'd like to have clarified that the notice of executive session for personnel is referring to the February 25th meeting at 7:00 p.m. and not the interview session that took place prior that was deemed not an

executive session by Mr. Stern but referred to as an executive session by Mr. Filer. I'm just looking to have the date clarified, sir.

Mr. Stern – Any objections with the addendum to add the date on the note where there's three asterisks?

The board agreed.

Mr. Bradley – Can we also clarify that no executive sessions other than these two took place?

Mr. Stern – If they would have taken place within that time period they'd be listed on that document and they're not listed so that means they did not take place.

Mr. Bradley – But, by default, can we just add clarity.

Mr. Stern – No, no, there's no reason to add it because why add it if it didn't happen.

Mr. Bradley – There is clarity because meetings did occur and according to our Auditor General...

Mr. Stern – Let's not go back over this. It was an interview; it was not an executive session.

Mr. Bradley – Thank you.

Mr. Stern – So here we go. We don't want to go back through there, Mr. Bradley.

Mr. Bradley – But I'm talking about...

Mr. Stern – I appreciate your input on it but I don't think that's a reason to put another no executive session occurred other than the ones listed in the document.

Mr. Bradley – Okay, can I talk for a second?

Mr. Stern – Well that was very nice of you to ask, sir, yes.

Mr. Bradley – Okay, thank you. So our Auditor General said that establishing clearer lines of accountability among our district leaders, and I'm aiming for that by identifying, since there is a discrepancy, there is a conversation later in the minutes between Mr. Filer and Mr. Stern that, as a meeting of the whole took place but it was not, according to you was an interview and according to Mr. Filer he aimed that it was an executive session. I think clarity would be beneficial so that if in the event that our Auditor General chooses to review these, that it would be clear to the people, thank you. You don't have to do it. I'm asking for it to be done.

Mr. Stern – What would you like? That no other executive sessions were held during that time period?

Mr. Bradley – Whatever is truthful, sir.

Mr. Stern – Anybody have an objection with putting after the third set of asterisks that no other executive session was held during the period specified in this document? No? Okay, I need a motion and second to approve the, we have a motion and a second, there's no issues with the addendums to the minutes. So I'll take a vote on approval of the minutes.

VOTE: YES - 8 NO - 1 (J.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Financial Matter

Activities MOTION by Mr. Wentz, SECONDED by Mr. Bradley approve the Lehigh Area
Funds High School and Lehigh Area Middle School Activities Fund for February 2019.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Payment of MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to approve the Payment of
Bills Bills for March 2019:

General Fund	\$ 2,221,617.29
--Benefits	\$ 355,256.90
--Payroll	\$ 1,339,940.65
--Debit Card	\$ 2,359.59
Food Service Fund	<u>\$ 70,993.56</u>
	\$ 3,990,167.99

Note: Members with questions or requesting a copy of any payment, please contact the Business Office prior to the scheduled meeting.

Mr. Bradley - I raised my hand, sorry.

Mr. Stern - I'm used to you just shouting out.

Mr. Bradley - I'm trying to be polite which...

Mrs. Spinelli - He's trying tonight.

Mr. Bradley - Yeah, thank you.

Mrs. Spinelli - We need to recognize that.

Mr. Bradley - Yep, appreciate that. So, does this include the solicitor's bills, Mr. Feick?

Mr. Feick - Yes, it does.

Mr. Bradley - Were we able to separate them out or....

Mr. Feick - The motion didn't pass to separate them out last month.

Mr. Bradley - I understand that. As a courtesy to the board did we, were we able to separate them out to the rest of the board?

Mr. Feick – The board has to ask that as a board, not as a board of one. It's a board of nine. So, I did not separate them out because the board did not request it. That would be a deviation from the regular agenda.

Mr. Bradley – I took the time to separate them out on Friday and in so, separating them out, I saw some discretionary spending that took place by our solicitors and, and counsel that I think should be reviewed by this board prior to approving these payments. Has anyone else on this board seen the discrepancy that I found?

Ms. Beers – Dave, will you tell us what you saw?

Mr. Bradley – Sure, but I just want to...did anyone else find anything? It, so, in courtesy to time, can we separate out the solicitors bills from this...

Mr. Stern – Can you explain your discrepancy?

Mr. Bradley – I can, but for the benefit of time, can we separate them out prior to approval so that...

Mrs. Spinelli – How is that going to save time?

Mr. Bradley – Because we can deal with it as New Business and then these people can decide what they want to do.

Mr. Stern – You can vote however you like on the bills. I have a motion and a second for the payment of...

Mr. Bradley – Wait, I asked a question. Nobody? Then I'll make the motion. I just want to see, courtesy to someone else, thank you. I make a motion that we separate out the solicitors' bills and all attorney's bills prior to authorizing their payment and I make the motion that we do that in the New Business section of this meeting.

Ms. Beers – I second that motion.

Mr. Bradley – Thank you.

Mr. Stern – But I have a motion and a second on this one first. So how does that work?

Mrs. Wagner – He stated that he was gonna do this under New Business. I just need to write it down now, correct? Or...

Mr. Bradley – We have to...well, there's two parts. We can talk to Mr. Solicitor about the governance of this. I think you have to have...

Mr. Cleaver – We have a motion and a second right now.

Atty. Schwab – You don't have a motion to amend how Mr. Bradley wanted it. He asked that he put it as a new (inaudible). So you can bring it up in New Business and give the public an opportunity and that's how he formed his motion.

Mr. Bradley – But, but right now, prior to...

Atty. Schwab – That's not the motion that's in front of you, Mr. Bradley.

Mr. Bradley – Excellent.

Atty. Schwab – You can't make rules for you and change them from everybody else. It's always the same. You have one motion. You asked for it to be put under New Business. That motion will go under New Business if the board decides it wants to hear at that point.

Mr. Bradley – So, the question is Mr. Solicitor, how do we separate out, I'm asking you a direct question. How do we separate out all the attorneys' fees from this bill so that this board can review it prior to authorizing them?

Atty. Schwab – That would be up to the board. If the board votes no on this, then the subject would (inaudible) to paying bills. If everybody says, we're not going to pay this month, then that's a majority vote of five, then naturally you'd have another vote.

Mr. Bradley – So we're throwing in all of the attorneys' fees into this lump decision-making process without individual review? Rubberstamping this whole thing together?

Atty. Schwab – That's been done since you've been on the board. Why, suddenly, is there a difference?

Mr. Bradley – Because I found discrepancies within those things.

Atty. Schwab – Mr. Bradley, your discrepancies that you've alleged are false and distortions and half-truths. You put out on email that this district was billed for Jessica Steigerwalt (inaudible). Excuse me, you put that out as an email when in fact she called because of the Facebook® item saying that there's a problem citing Simon Campbell's Right-to-Know and she called me. I'm not supposed to talk to her because you've raised an issue? I'm sorry, you get billed when somebody calls and thinks they may have to intervene in a litigation. That's not charity, that's not extra matter, that's a reason for it. You could've asked, at any time, about what the bills were. I've always been open to them and we've gone and I've explained, you know. But, right now, the motion is to pay the bills. If you don't want to pay the bills, then you don't pay the bills 'cause majority votes, not Mr. Bradley.

Mr. Bradley – And since we're having a little bit of a discussion, should we discuss the other matters that are on these bills as well?

Atty. Schwab – Again, since you don't want to tell this board like two months ago with Mrs. Spinelli that she did something wrong on the minutes but you wouldn't tell her what it is, none of us can respond to your questions. How do you respond to a question that there's discrepancies when we don't even know what you're talking about? I know the one because I've seen your emails on it. On Jessica Steigerwalt and Mr. Simon Campbell's Right-to-Know. I don't know the rest of your discrepancies so how will I address it?

Mr. Bradley – I'm not sure how you would address it, Mr. Solicitor, but this board needs to address it.

Mr. Cleaver – There's a call to question.

Atty. Schwab – Well you have that under new matter or you vote this to not pay the bills.

Mr. Stern – Thank you. We have a call to question. So I have a motion and second on the floor to approve the payment of bills. Indicate by saying aye, opposed?

Mr. Bradley – Roll call vote, Mr. Stern.

Mr. Stern – Three?

Mr. Bradley – Roll call vote, Mr. Stern.

Atty. Schwab – I don't know what Rusty was?

Mr. Stern – Okay so, no? So that's four. Five, four.

Mr. Bradley – What did Mr. Yenser vote?

Mr. Stern – Yes, I heard him. He said yes.

Mr. Yenser – He said yes.

VOTE: YES - 5 NO - 4 (J.B.,R.B.,D.B.,G.M.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Construction MOTION by Mr. Wentz, SECONDED by Mr. Yenser to approve payment on the
Payments following projects from the corresponding funds for a total of **\$14,261.82**:

1. **Elementary Center**

EI Associates – Inv. #14240	\$	<u>7,507.92</u>
	\$	<u>7,507.92</u>

2. **High School**

EI Associates – Inv. #14241	\$	<u>6,753.90</u>
	\$	<u>6,753.90</u>

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Treasurer's MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to approve the following
Reports reports:

- a. Budget/Revenue Report
- b. Treasurer's Reports
 1. General Fund
 2. Capital Reserve Fund
 3. Capital Projects Fund
 4. Food Service Fund

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

**Per Capita/
Occ. Tax** MOTION by Mr. Wentz, SECONDED by Ms. Beers to approve exemptions from Per Capita and/or Occupational Tax per the attached list.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

**County's
Repository** MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to approve the following bids on properties that are in the County's Repository for Unsold Properties:

- Bid of \$875.00 on property Map Number 85A-35-A15;
- Bid of \$875.00 on property Map Number 85A-35-A16,17;
- Bid of \$1,500.00 on property Map Number 53C-13-C48;
- Bid of \$1,500.00 on property Map Number 53C-13-C49.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

**LCCC 19-20
Budget** MOTION by Mr. Beltz, SECONDED by Mr. Bradley to adopt the 2019-2020 Capital and Operating Budget of the Lehigh Carbon Community College, Resolution #18/19-#08 as recommended by the Finance Committee.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	X	☐	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

CLIU 19-20 Budget MOTION by Mr. Holland, SECONDED by Mrs. Spinelli to adopt Resolution #18/19-#09 the 2019-2020 Proposed Budget for the Carbon Lehigh Intermediate Unit #21.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	X	☐	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

AP Summer Institute MOTION by Mr. Beltz, SECONDED by Mrs. Spinelli to approve **Employees #691 and #847** to attend the 2019 Advanced Placement (AP) Summer Institute for training in AP Calculus and AP Government at a cost not to exceed **\$4,000.00** (Ready-to-Learn Grant).

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Dental Van MOU MOTION by Mr. Yenser, SECONDED by Mr. Wentz to approve the First Amendment to the Memorandum of Understanding (MOU) between Star Wellness Dental and Lehigh Area School District for the Mobile Dental Van for the 2018-2019 school year.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Library Donation MOTION by Mr. Yenser, SECONDED by Mr. Bradley to approve release of budgeted donation to Lehigh Area Memorial Library in the amount of **\$20,000.00**.

Mr. Bradley – Who owns the library?

Mr. Cleaver – I believe the borough, I believe.

Atty. Schwab – No. It's under the Library Association. It's a non-profit corporation.

Mr. Bradley – It's its own entity?

Atty. Schwab – Yes.

Mr. Bradley – This 20, I looked back in the history, this \$20,000 donation has been going on for probably 5 or 10 years for the same amount. Why have they not gotten a raise the way that other community members or community organizations, that are non-profits, and they do a great job, why isn't it \$21,000 or 21 and a half or 20 and a half?

Mr. Feick – Because every year they ask just to fund the same amount.

Mr. Bradley – That's what they ask for?

Mr. Stern – Yeah?

Mr. Bradley – So you're just...

Mr. Feick – They didn't ask for an increase or a decrease, they just asked that we keep on funding them at the same level.

Mr. Bradley – And that's...thank you for the information.

Mr. Stern – As Mrs. Maholick said, she was the new member and she didn't know that was part of the responsibility to get it for the board. So, right, and now we do.

Mrs. Maholick – My ears burned quite a bit last time.

Mr. Stern – Okay, yeah.

Ms. Beers – And, I have a question, for Bill Schwab and this has nothing to do with the good work that the library does it's just, is it legal for an institution like ours to give money...

Atty. Schwab – There's a provision under law that allows a school district to fund it. In some communities, the public library is in the school.

Ms. Beers – True.

Atty. Schwab – So were allowed to from the school and by statute you're allowed to provide funding for it.

Ms. Beers – Does our district give donations to any other non-profits?

Atty. Schwab – I'm not aware of it but that would be more Mr. Feick that could answer that.

Mr. Cleaver – I don't believe any monetary.

Mr. Feick – I wouldn't say monetary but surplus items, you know, we can do intergovernmental transfer but it really has to be an intergovernmental. In fact, when we get to the next one I have a change on that motion.

Mr. Stern – I have it.

Mr. Feick – You have that?

Mr. Stern – Mm hmm.

Mr. Feick – Okay.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Mr. Stern – Motion L. will be replaced by the following. Did you lose him? Did the phone go down?

Mr. Cleaver – Do you want to take a recess while we're? Can we take a 5-minute recess? We'll take a 5-minute recess if anyone has to take a quick break. We'll take a 5-minute recess. We'll come back at 9:50 p.m.

The Board took a 5-minute recess.

Mr. Stern called the meeting back to order at 9:52 p.m.

Portable & Shed to Franklin Township MOTION by Mr. Wentz, SECONDED by Mr. Bradley ~~to approve, upon recommendation from the Building and Grounds Committee, the donation of the Portable Classroom and Shed for training purposes from Franklin Elementary to the Franklin Township Volunteer Fire Company at no cost to the district.~~ to approve the municipal transfer to Franklin Township of the portable classroom and the shed in as is condition for the implied purpose of training the Franklin Volunteer Fire Company as recommended by the Buildings and Grounds Committee at no cost to the district

Mr. Stern – Motion L. will be different than it appears in your agenda due to some legal language that needed to be updated. Motion L. will now read as follows: I need a motion and a second to approve the municipal transfer to Franklin Township of the portable classrooms in an as in condition and the shed, portable classrooms and the shed in as in condition for training purposes to the Franklin Township Volunteer Fire Company as recommended by the Buildings and Grounds Committee.

Mr. Wentz – So moved.

Mr. Cleaver – Wait a minute it's to the township.

Mr. Stern – I said, it's to Franklin Township of the portable classrooms and the shed in as in condition for training purposes.

Atty. Schwab – But it's the township that will supply it to the following.

Mr. Bradley – But you can't dictate what they're going to do with it after they get it, right? Or can you?

Atty. Schwab – No.

Mr. Bradley – You can only give it to the township, Mr. Stern. I don't think you can tell them what they have to do with it.

Mr. Cleaver – But their request was for the use for the fire company.

Mr. Bradley – I fully understand that but legally you're giving somebody something, you can only give it to a municipality, you then can't control it from the grave and tell them what they have to do with it.

Mr. Cleaver – No, we're trying to let the people know what their intentions are to use it for.

Mr. Bradley – That's fine. That's separate from the motion. Just make sure all that's out of it because you can't tell them what to do with it once you give it to them. We understand that it's implied.

Mr. Stern – For implied use.

Mr. Bradley – You can't put that in the motion.

Mr. Stern – Oh.

Mr. Bradley – Why would you put that in the motion.

Mr. Stern – Why not?

Mr. Cleaver – Did you say it's implied?

Mr. Stern – You said it's implied. So, I need a motion and a second to approve the municipal transfer to Franklin Township of the portable classroom and the shed in as is condition for the implied purpose of training the Franklin Volunteer Fire Company as recommended by the Buildings and Grounds Committee.

Mr. Wentz – So moved.

Mr. Bradley – Second.

Barbara Bowes – It changed.

Mr. Stern – Yes, yes ma'am. Yes, ma'am.

Atty. Schwab – Until it's a motion, it's not courtesy to the floor.

Mr. Stern – So I have a motion and I have a second.

Atty. Schwab – Now there's courtesy.

Barbara Bowes – Does the language need to be put in there like in the original one or at least in the information given on mine board motion that the fire company was gonna incur all the costs?

Mr. Stern – Yes. So, at no cost to the district. Absolutely correct.

Barbara Bowes – Right and is that to be included that Franklin Township will then incur the cost if there is no cost to the district?

Mr. Stern – Thank you very much.

Mr. Bradley – I don't think he can authorize what the township will or will not do.

Atty. Schwab – But it should not be at any cost to the district.

Mr. Stern – At no cost to the district.

Barbara Bowes – It just has to be in there that we don't incur a cost.

Atty. Schwab – You're absolutely right.

Barbara Bowes – Alright, thank you.

Mr. Stern – Thank you, Ms. Bowes.

Ms. Beers – Can someone give the history on how this motion came about and how Franklin Township came to be the recipient of this, these assets?

Mr. Feick – The fire company actually sent a letter requesting it 'cause they wanted the portable for training purposes, fire training. And, that was the original motion put on there but to do a donation, we can only donate to a government.

Ms. Beers – Correct.

Mr. Feick – The fire company's underneath the township so the donation has to be to the township, not the fire company. I think, Mr. Bradley...

Ms. Beers – I can understand that. I'm trying to understand how they were chosen to be the...

Mr. Feick – They were looking for training sites and I guess they can pull it right down the road to their...

Mr. Cleaver – The letter is the attachment that's part of the original motion from Franklin Township.

Mr. Feick – So I think they actually go and do drills behind the elementary. They saw the shed and whatever and they asked what we were gonna do with it.

Mr. Bradley – Mr. Schwab what I believe five members of this board in living in Franklin Township, are we allowed to vote on this from an ethics standpoint since we're giving it to our community within ourselves?

Atty. Schwab – Yes.

Mr. Bradley – And you could oversee that since you're the solicitor to both to make sure they're gonna be happy with it?

Atty. Schwab – Well I have not talked to Franklin Township nor have I been consulted by Franklin Township on that particular...

Mr. Bradley – So this is a donation to them. When did we decide to have to change this? Tonight?

Atty. Schwab – No.

Mr. Bradley – When did we learn that we had to give it to a municipal?

Atty. Schwab – I guess I saw the agenda...

Mr. Cleaver – Thursday.

Atty. Schwab – Thursday or Friday after it was out and published. I said wait a minute you can't give to a private organization. It has to go to the township and then under the township is the fire company.

Mr. Bradley – So how is this the first time any of the board members are hearing. You must have mentioned it to Mr. Stern or Mr. Cleaver.

Mr. Cleaver – No, he mentioned it to me.

Atty. Schwab – I never talked to Mr. Stern and normally I don't talk to him between meetings. That's not my practice. I deal with the administration 'cause they're the people that are running your district.

Mr. Cleaver – Yeah.

Mr. Bradley – Thanks for that clarification. So, you mentioned it to the Superintendent.

Mr. Cleaver – Correct.

Mr. Bradley – And then, did he mention it to you Mr. Stern?

Mr. Stern – Tonight when I came into review.

Mr. Bradley – Tonight, okay. And, that's fine. And then, if we knew about it for a couple days, since whenever, why is it still printed and published to the public as...

Mr. Cleaver – Because we're discussing it now. I didn't want to change the agenda that was already out to the public without discussion in front of everybody.

Mr. Bradley – Okay, that was your decision before, okay. Normally the agendas made by you and Mr. Stern, correct?

Mr. Cleaver – I guess that would be, it depends. Many times the recommendations come from administration or other individuals.

Mr. Stern – Committees.

Mr. Bradley – I was just curious. I mean, if you weren't...let's say we're gonna grant something to somebody, like this, do we ask other people in the community that might have a purpose for it so they can propose it to us.

Mr. Cleaver – We have not, they came to us.

Mr. Bradley – Let me finish my whole sentence then, hold on a second. Did we consider to offer this to the community of stakeholders, 'cause it's their property, and then have them quote bid or suggest a use for it and then we as a board get to choose the best use for it and I agree with the Franklin Township Fire Company being the end user of these items, I have no problems with that but the process is what I'm trying to oversee 'cause it sounds like a lot of things go to Franklin but Mahoning and East Penn, other guys don't seem....

Atty. Schwab – I believe going back almost two years ago, there was a motion by the Board to inquire of all the municipalities if any of them wanted any of the portable buildings. There's one a Shull-David; I believe there's four up at the middle school, there's the Franklin one. I know we got something over at East Penn but we had it cost \$27,000 to move a portable classroom and split it so we weren't interested but I know at least a letter came to the East Penn Board of Supervisors.

Mr. Bradley – So the district wrote a letter to each of these municipalities?

Atty. Schwab – I believe...

Mr. Cleaver – I'm not sure it was a letter or just a verbal.

Atty. Schwab – I don't remember but it was done at a meeting that they were gonna circulate it.

Mr. Bradley – And when was this done?

Atty. Schwab – It would have been the June before you joined the board.

Mr. Cleaver – But to answer your question, no one has, this is the only group that has reached out for these, for this portable. And, I do believe there will be another one next month but nothing officially has come in writing and that will be a request from the borough from my understanding.

Mr. Holland – Can I make a statement, Larry?

Mr. Stern – You may, Mr. Holland

Mr. Holland – Building and Grounds, this came up about this particular building and the shed. We sat and talked about it. We said yes at the time and after that, if Wayne can recall also, I believe I said, timeout, we have other buildings. Maybe some other nonprofit organization might be interested in one of the buildings. So, it's not just one particular area that can come up and get

one of these buildings or ask, excuse me, ask for one. I'm just saying, this is the one Franklin Fire Company came up, approached us about the building. Let me say this Mr. Bradley since the authority of everything, I hope someday your house isn't on fire and Franklin Township says we had no facilities, we didn't know how to, you know, operate or anything because we didn't get the building.

Mr. Bradley - We're already in support of this. We support our fire department very well. My question was the process in which the district uses to divest itself of assets.

Mr. Stern - Okay. So motion and a second on the floor. Any further questions?

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Mr. Wentz - Larry, I gotta say something. My mother and father helped start that fire company in Franklin. This yahoo is coming up with all these well maybe this or maybe that. The fire company does a great job in Franklin. Hey, they're there when you need them and this guy is arguing, oh well what if somebody else. If somebody else wants to come, hey, I'm on Building and Grounds, Stevie's on and they need it and they're a non-profit. We will do everything in our power to make sure that they get it. God bless the fire companies except this yahoo. I hope the word gets out about him and everybody else that follows him, thank you.

PlanCon J Middle School MOTION by Mr. Holland, SECONDED by Mr. Yenser to approve the submission of PlanCon J Project Accounting Based on Final Costs, Lehigh Area Middle School to the Pennsylvania Department of Education contingent upon receipt of LEED Certification.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

PlanCon J High School MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to approve the submission of PlanCon J Project Accounting Based on Final Costs, Lehigh Area High School to the Pennsylvania Department of Education, contingent upon receipt of LEED Certification.

Mr. Bradley - I have one, Mr. Stern. Just like the last motion, did any of our board review the underwriter fees in relationship to what was being borrowed?

Mr. Stern - I reviewed the document. I looked at the document.

Mr. Cleaver - For the bonds?

Mr. Stern - Yeah. These were set months, years ago.

Mr. Bradley - By whom, Mr. Stern?

Mr. Stern - When the bonds were sold.

Mr. Bradley – Did anyone review them then you think?

Gloria Bowman – May I make a comment? I did.

Mr. Stern – Just insinuates somebody didn't do something correctly, as always. Thank you, Mrs. Bowman.

Gloria Bowman – You're welcome.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

BSI Health & Stop Loss MOTION by Mrs. Spinelli, SECONDED by Mr. Yenser to approve BSI Corporate Benefits as Health and Stop Loss Broker of record beginning July 1, 2019 as per their RFP proposal submitted 12/10/2018.

Mr. Bradley – I have many questions on this one. So, we got a couple things going on here. They're spending a significant amount of the budget. I went to some of these meetings and for the Finance Committee and the proposal meetings and for some reason, and I know weather was part of it, that we had a plan of how we we're gonna review these service providers and yet we didn't follow that very logical and rational process to do so. I'm wondering why did we have a great process for reviewing who was going to be our insurance providers and then circumvent it completely and end up with BSI on our plate.

Mrs. Spinelli – I can answer that if you'd like me to. I was at all of the meetings and the plan was good, you're correct. The weather postponed it five times. The plan for the second proposal was just to go over what they told us the first time and since we were so far behind, I thought it was best that we just, we heard them all one time, I did. You were at some; you weren't at all. I heard everybody once. We had, and Mr. Yenser did too and other people that were there, we had a good idea of who we thought was the best. Why make twelve people come in and march and do it all over again? We knew what we wanted and we were way far behind. Five weeks behind because of the weather.

Mr. Bradley – Are you in any hurry for this decision, Ms. Spinelli?

Mrs. Spinelli – Well, it needs to, we need to put things out soon. They have to start getting rates and everything else. So yes, sort of, yeah.

Mr. Bradley – And when you gave these entities their twenty minutes of discussion, what information was transferred during that twenty minutes that you used to make this very large financial decision?

Mrs. Spinelli – They told us what they did for their clients. They told us they would have separate; they would have people on hand for our employees to speak with. They had a staff just for us. They had various things that they said but of all of the things that we had, we made it based on where we were getting the most services for the best price. That's what it was made on.

Mr. Bradley – Is Anthony Denair still a principal at BSI? Do you know?

Mrs. Spinelli – I don't know that.

Mr. Bradley – Can we ask our new Business...do you still work there? Right? You use to work at BSI. Does Anthony Denair still work there do you know?

Ms. Denicola – I believe he does.

Mr. Bradley – He does? Did you find out what happened with the FBI investigation with them with the Allentown City Hall yet or not?

Ms. Denicola – I have no idea what you're talking about.

Mr. Bradley – You're not up on that. Are you up on that at all? Did you review any of it prior to? Can we table this? I'll be more blunt. I make a motion that we table Motion O. for one more month so that actual presentations from the final list of a couple that you were choosing from can make a real presentation; not a twenty-minute introduction of who they are and what other businesses they have. So you can actually have a in depth understanding of what you're buying for your seven million dollars to protect our staff and protect our district.

Mrs. Spinelli – I was pretty sure I knew them fine.

Mr. Stern – Mr. Yenser, would you like to comment?

Mr. Yenser – Yeah, I would. Opposed to what's been previously insinuated by Mr. Bradley, the Finance Committee did publically advertise all of the interview session. We fulfilled our legal requirements and also the public input. So, both of those were met. Upon completion of interviews, the committee did discuss the proposals as was stated. After Mr. Bradley compared, after the last session when Mr. Bradley compared the district to a game show, he did leave prior to the committee coming to a unanimous 4-0 decision to bring BSI to the committee or, bring it to the board. So it was a 4-0 decision by the committee present who was listening to the presentation. It was very clear.

Mr. Bradley – And, Mr. Yenser, how many citizens were in that meeting of any of these meetings, how many stakeholders were there?

Mr. Yenser – Let me state it again, the meetings were advertised...

Mr. Bradley – Thank you but not my questions...how many...

Mr. Yenser – ...for the public to attend. I believe there may have been one person from the public at one of the sessions.

Mr. Bradley – Thank you. So, who's paying for this ultimately? The stakeholders, correct?

Mr. Yenser – Absolutely. Who do you represent?

Mr. Bradley – Thank you. And then the question becomes...

Mr. Yenser – Who do you represent?

Mr. Bradley – If they're the ones paying for this bill, was it published to them what we're buying in advance so that they can review it? Because I don't believe, of the meetings I went to either on the phone or in public, there was not, if any, stakeholders at these meetings. I know they were advertised and I respect that that...

Mr. Yenser – Mr. Bradley, Mr. Bradley, you represent the people who elected you to make decisions because you educated yourself appropriately, just like the rest of us, at the committee meeting. Please represent the people you voted for. Vote as you wish but you have listened to the sessions as well as the rest of the Finance Committee and we have a recommendation to bring to the board.

Mr. Cleaver – We have a motion and a second.

Mr. Bradley – I was at that meeting, Mr. Yenser, and not a single question was asked by any of the committee members of these vendors until we started having the conversation and at that point, even Ms. Spinelli recognized that this decision is a very heavy decision requiring some deliberation, some discussion and stakeholder input where it wasn't excluded, should have been engaged and sought out as our policy says that we are supposed to do. So, once we make a decision prior to a vote...

Mrs. Spinelli – Why are you bringing me into this? Why are you bringing me into this? I didn't say any of that.

Mr. Bradley – Hold on, I'm talking, if you want to take your turn, I'll take my turn.

Mr. Yenser – Let me say this one more time for you. We did have public input as it was a public meeting. You represent the public to make votes. We did deliberate. Again, after you left the committee meeting, after you compared us to a game show, you left prior to deliberation in making a decision. I can't help the fact that you walked out. You choose to do that; not the committee. We're bringing the recommendation to the board which we have in front of us. Please call the motion.

Mr. Bradley – And, how, and how do you have this recommendation without the other. I will challenge you, sir, to ask who did you make this recommendation and...

Mr. Cleaver – You can challenge all you want.

Mr. Bradley – Sorry? I thought it was my turn to say something.

Mr. Stern – What are you gonna challenge?

Mr. Cleaver – There was a call to question.

Mr. Bradley – So ask any board member to name the other two people that were behind door number one or two.

Ms. Beers – Can I make a comment instead of bickering about what happened and who said what? I think Dave what you're advocating for is a second round of interviews of a short list of companies. A second round of interview of a short list, right? That's what you're advocating for. Longer presentations?

Mr. Bradley – I'm advocating that we follow the procedure that we had, regardless of the snow days, and go through the process that was originally advised, recommended by Mr. Feick.

Ms. Beers – Right.

Mr. Bradley – And, I recommend that we as a Board select the provider and we do not beg the Business Manager to tell us who to pick so we have to rubberstamp them.

Mr. Stern – Okay, Mr. Bradley. Who are you insinuating begged the Business Manager? Who? Say who. Say who, please. Say who. Who? Come on. Transparency. Who begged the Business? Who begged the Business Administrator? Should I ask the Business Administrator who begged him?

Mr. Bradley – Sure.

Mr. Stern – Thank you, Mr...

Ms. Beers – Can we please not fight?

Mr. Stern – No, we can't not fight because he doesn't understand. Mr. Feick, did anybody beg you to make a decision?

Mr. Feick – I was asked my opinion and I said it's not my decision.

Mr. Stern – Exactly. Is that a beg? No. There's a motion and a second on the floor. There's a call to question. If you want a roll call vote, we'll roll call vote.

Mr. Bradley – I have a motion that we postpone this for another month. Can I get a second on that motion, please?

Ms. Beers – I'll second that.

Mr. Bradley – Thank you.

Mr. Stern – Mr. Schwab, how do you go about this? I'm just asking a question, sir.

Atty. Schwab – Well, I mean the actual wording of Mr. Bradley was to table it. If he gets a second to that, he can table the motion.

Mr. Bradley – I made a new motion, Mr. Schwab. Let's use that one.

Atty. Schwab – If you're putting it off for next month, that's an amendment to the motion. If you're tabling would be...

Mr. Yenser – For goodness sake, please fulfill your elected duties.

Mr. Bradley – My elected duty is to honor my oath and make a decision with fidelity, sir. And, you have not been provided with the information. I know you have not been provided with the information and I'm trying to give you the opportunity to do so.

Mr. Stern – So we've gotta vote on the table?

Atty. Schwab – You’ve gotta vote on the table.

Mrs. Maholick – I have a question for Mr. Feick. Do we have, what kind of deadline are we looking at? Are we looking at anything that’s coming up in the next month? Can we wait a month?

Mr. Feick – The brokers need a minimum of 60 days before the policy goes into effect to get quotes.

Mrs. Maholick – So when is our, when is it...

Mr. Feick – The policy would go into effect July 1st, so they need the latest they can even go out for quotes is May 1st. So they need to be working on that now.

Atty. Schwab – You have a motion to table.

Mr. Stern – I have a motion and a second to table. Roll call vote, Mrs. Wagner.

Mr. Cleaver – So this, just for clarification, this is to table the current motion.

Mrs. Wagner – To table, not postpone until next month, to table?

Mr. Stern – Correct.

Motion to MOTION by Mr. Bradley, SECONDED by Ms. Beers to table Motion O. for one
Table Denied more month so that actual presentations from the final list of a couple that you were choosing from can make a real presentation.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	X	☐	☐	☐
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	☐	X	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 4 NO - 5 ABSENT - _____ ABSTENTIONS - _____

Motion denied.

Mr. Stern – I have a motion and a second currently on the floor for Item O. Roll call please for Item O. to approve BSI as our corporate benefits Health and Stop Loss Broker of record beginning July 1, 2019.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	☐	X	☐	☐
Mr. Richard R. Beltz, Member	☐	X	☐	☐
Mr. David F. Bradley, Sr., Member	☐	X	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	☐	X	☐	☐
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

Mr. Yenser – Because I did my research and I’m fulfilling my oath, yes.

VOTE: YES - 5 NO - 4 ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Macolino MOTION by Mrs. Spinelli, SECONDED by Mr. Holland to approve Macolino Risk Management, Inc. as Liability & Workers’ Compensation Broker of record beginning July 1 2019 as per their RFP proposal submitted 12/13/2018.

Mr. Bradley – I’d like to do the same procedure for the same reasons and table this vote because the information was not provided to be able to make an informed decision with fidelity, thank you. Can I get a second for that motion to table, you’re saying, right? Would you use the term?

Atty. Schwab – I can’t make a motion.

Mr. Bradley – I made the motion. I’m looking for a second to table this until the people can have more opportunity to see what’s going on within this district for 15 percent of the spending that occurs for the next 5 years.

Mr. Cleaver – Motion failed for lack of a second.

Mr. Stern – Motion failed for lack of a second.

VOTE: YES - 8 NO - 1 (D.B.) ABSENT - _____ ABSTENTIONS - _____
Motion carried.

IntegraOne MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the Internet Service Agreement with IntegraOne at a cost of **\$383.70** for the 2019-2020 school year. Funding through the Technology Budget.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

BAYADA MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley to approve the contract between BAYADA Home Health Care, Inc. and the Lehigh Area School District from April 7, 2019, through June 30, 2019 for student #16026.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Personnel

Substitutes MOTION by Mrs. Spinelli, SECONDED by Mr. Holland to approve the attached list of candidates for the **2018-2019 Substitute List** pending clearances.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Athletic/Ex. Curr. Hires MOTION by Mr. Wentz, SECONDED by Mr. Bradley to approve the **Athletic/Extra-Curricular** hires for the **2018-2019** and **2019-2020** school year (per attachment).

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Courses Approved MOTION by Mr. Holland, SECONDED by Mr. Wentz to approve the following requests for pre-approval of courses/Programs of Study for continuing education:

1. **Patricia Ebbert** – May 29, 2019-July 17, 2019/School Administration of Legal Issues
2. **Victoria Smurthwaite** – April 4, 2019-May 1, 2019/ An Educator's Guide to Managing and Solving Discipline Problems
3. **Tiffany Strausberger**– May 29, 2019-July 17, 2019/School Administration of Legal Issues
4. **Tiffany Strausberger** – March 30- October 5, 2019/Professional Learning Communities
5. **Daniel Williams**– May 29, 2019-July 17, 2019/School Administration of Legal Issues
6. **Kevin Bond** – April 4, 2019-May 1, 2019/Classroom-Based Interventions for Students with Emotional and Behavior Disorders

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Summer
Workers**

MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve the recommendation to hire the following summer workers, pending clearances:

1. **Gavin Zehner** – Summer Utility Helper – at a rate of \$ 7.25 per hour
2. **Hannah Schatz** – Summer Utility Helper – at a rate of \$ 7.25 per hour
3. **Jillian Beck** – Summer Utility Helper – at a rate of \$ 7.25 per hour
4. **Joshua Stoffey** – Summer Utility Helper – at a rate of \$ 7.25 per hour

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Resignation
Accepted**

MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley to accept the resignation of the following employees:

1. **Dawn Fairchild** – Lunch-Time Aide – effective date of March 8, 2019

VOTE: YES - 9 NO - 9 ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**FMLA
Approved**

MOTION by Mr. Beltz, SECONDED by Mrs. Spinelli to acknowledge FMLA leaves for the following employees, not to exceed 12 weeks:

1. **Employee #848** – effective March 7, 2019
2. **Employee #316** – effective March 28, 2019
3. **Employee #1371** – effective May 13, 2019

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

**Intent to
Retire**

MOTION by Mr. Yenser, SECONDED by Mrs. Spinelli to accept the intent to retire for the following support employee under terms of their respective contract with eligibility of all retirement benefits:

1. **Delores Szucs** – Paraprofessional – 32 years of service – Effective June 30, 2019

Mr. Cleaver – I'd just like to thank Ms. Szucs for her 32 years of service for the district. She's done a great job. I know a lot of people are gonna miss her. She helps a lot of people on a daily basis.

Mr. Stern – Mr. Bradley, you had a comment?

Mr. Bradley – The same. I think it's fantastic that someone stayed within this district for 32 years and she should be acknowledged, thank you.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Miscellaneous

School Journeys

MOTION by Mr. Yenser, SECONDED by Mr. Wentz to approve the following School Enrichment Journey requests:

1. **Technology Education 9-12 (K. Bond, B. Shea)** – May 6, 2019 – 7:50 a.m.-2:00 p.m. – to travel to Universal Technical Institute, Exton, PA (No cost)
2. **Envirothon – Grade 3 (T. Strausberger)** – May 6, 2019 – 8:40 a.m.-1:30 p.m. – to travel to Carbon County Environmental Center (Elementary Budget)
3. **Envirothon – Grades 4 & 5 (T. Strausberger)** – May 7, 2019 – 8:40 a.m.-1:30 p.m. – to travel to Carbon County Environmental Center (Elementary Budget)
4. **SuccessMaker Incentive (M. Volcskai)** – May 20, 2019 – 8:30 a.m.-5:00 p.m. – to travel to Franklin Institute (NEF Budget)
5. **4th Grade – Section A-D (B. Cressley)** – June 3, 2019 (Rain Date: 6/6/19) – 7:45 a.m.-5:00 p.m. – to travel to Lancaster, PA (PTO Budget)
6. **4th Grade – Section E-H (B. Cressley)** – June 5, 2019 (Rain Date: 6/6/19) – 7:45 a.m.-5:00 p.m. – to travel to Lancaster, PA (PTO Budget)
7. **LEAP (Alt. Ed.) (T. McCarroll, B. Tkach)** – April 12, 2019 – 9:30 a.m.-1:30 p.m. – to travel to America on Wheels (L.E.A.F. Foundation)
8. **LEAP (Alt. Ed.) (T. McCarroll, B. Tkach)** – May 2, 2019 – 9:30 a.m.-2:00 p.m. – to travel to Coca Cola Park (L.E.A.F. Foundation)
9. **Girls' Group (G²) (K. Miller)** – April 10, 2019-May 29, 2019 (Wednesdays) – 7:30 a.m.-9:00 a.m. – to travel to Apollo Farms for equine therapy (School Van)
10. **LAHS Selected Students (K. Mychalyszyn-Simko)** – April 25, 2019 – 9:15 a.m.-2:00 p.m. – to travel to Jim Thorpe for JTNB Student Achievement Award Day (School Van)
11. **Grade 6-8 Gifted (C. Schleicher)** – May 8, 2019 – 7:45 a.m.-2:00 p.m. – to travel to the CLIU to participate in the 2019 K'Nex Competition (School Van)
12. **LAHS FCCLA (J. McHugh, K. Bond)** – May 29, 2019 (Rain date: 5/30/19) – 8:00 a.m.-4:00 p.m. – to travel to Knoebels for Business/Entrepreneurship Exploration (School Vans)
13. **Leadership Carbon County (K. Costenbader)** – April 11, 2019 – 10:30 a.m.-2:00 p.m. – to travel to Blue Mountain Resort for Mentorship Luncheon (School Van)
14. **LAEC K'Nex teams (P. Searfoss)** – May 7, 2019 – 9:00 a.m.-3:00 p.m. – to travel to CLIU to participate in the 2019 K'Nex Competition (School Van)
15. **LAEC Reading Olympics (P. Searfoss)** – May 2, 2019 – 2:00 p.m.-7:30 p.m. – to travel to Northern Lehigh MS to compete in Reading Olympics Competition (School Van)
16. **LAEC Math 24 Teams (P. Searfoss)** – May 13, 2019 – 9:00 a.m.-3:00 p.m. – to travel t CLUI to compete in Math 24 Competition (School Van)
17. **6-White Team (T. Serfass)** – May 30, 2019 – 7:30 a.m.-2:00 p.m. – to travel to Crystal Cave in Kutztown (PTO Budget)
18. **8th Grade (T. Kokinda/J. Solt)** – June 5, 2019 – 8:30 a.m.-7:00 p.m. – to travel to HersheyPark (PTO Budget)

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Motion carried.

Graduation 2019 MOTION by Mrs. Spinelli, SECONDED by Mr. Stern to approve graduation to be held on Friday, June 14, 2019, at 7:00 p.m.

Ms. Beers – Are we safe from snow days?

Mr. Cleaver – I’m hoping. That onion snow, isn’t it called the onion snow? This will be the last school day. So this is currently the last school day.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Programs

Use of School Property MOTION by Mrs. Spinelli, SECONDED by Mr. Wentz to approve Use of School Property for:

1. **EF Tours (Michael Feifel)** – March 26, 2019 – 6:30 p.m.-7:30 p.m. – LAHS Classroom – Informational Meeting
2. **Lehighton Booster Club Track (John Dowbachuk)** – March 28, 2019 – 5:00 p.m.-7:00 p.m. – LAMS Classrooms – Track Physicals
3. **Strawbridge Studios (Sabrina Felder)** – April 25, 2019 – 1:45 p.m.-2:20 p.m. – LAHS Auditorium – Jr./Sr. Class Picture Information
4. **Pre-K Counts (Susan Maloney)** – April 29, 2019 – 4:00 p.m.-5:30 p.m. – LAEC Cafeteria – Health & Safety Program
5. **Carbon County Senior Games (Anne Horrigan)** – May 7, 2019 (Rain dates: 5/6, 5/8 or 5/9) – 7:30 a.m.-3:30 p.m.- LASD Old Stadium & Lower Playground of Shull-David – Outdoor Field Events
6. **Top 10% Banquet (Suzanne Howland)** – May 16, 2019 – 6:30 p.m.-9:00 p.m. – LAHS Cafeteria – Banquet
7. **LAMS PTO (Lisa Fenoff)** – April 8, 2019 – 10:00 a.m.-6:00 p.m. – LAMS Old Cafeteria – Fundraiser Delivery
8. **Boilermakers Local Lodge 13 (Martin Williams)** – June 26, 2019 – 8:00 a.m.-3:00 p.m. – LAMS Auditorium – Organization Training
9. **Pre-K Counts (Susan Maloney)** – May 20, 2019 – 4:00 p.m.-5:30 p.m. – LAEC Cafeteria – Meet the Kindergarten Teachers
10. **LAMS FBLA (Angela Tobash)** – May 23 & 24, 2019 – 2:30 p.m.-4:00 p.m. and 5:30 p.m.-8:30 p.m. – LAMS Auditorium – Fundraiser Show
11. **FTAA Girls’ Softball (Keith Brinker)** – April 1-June 30, 2019 (M-F) – 6:00 p.m.-8:00 p.m. – LAHS JV Softball Field – Softball Practice
12. **Lehighton Alumni Association (Michael Everett)** – May 18, 2019 – 9:00 a.m.-6:00 p.m. – LAMS Lower Parking Lot – Bus Trip
13. **LAHS Art Students (David Hauser)** – April 10, 2019 – 10:45 a.m.-12:30 p.m. – LAHS Auditorium – Astrophotography Presentation
14. **LAHS Student Council (Laura Schiffer)** – March 29, 2019 – 6:30 p.m.-10:00 p.m. – LAHS Cafeteria – Free Dance
15. **Title I (Timothy Tkach)** – April 11, 2019 – 5:00 p.m.-8:00 p.m. – LAEC Gymnasium, Cafeteria and Classrooms – Title I Family Night
16. **Lehighton Football (Michael Lusch)** – April 26, May 3, 10, 17, 2019 – 5:45 p.m.-7:15 p.m. – LAHS Gymnasium & Fitness Center – Weight Training

17. **Lehigh Valley Lady Bucks (John Dowbachuk)** – April 3-June 12, 2019 – 6:00 p.m.-8:00 p.m. – LAMS Outside Fields – Field Hockey Practice
18. **LAEC (Georgianna Messinger)** – March 27, April 10, and May 1, 2019 – 6:00 p.m. -7:00 p.m. – LAEC Cafeteria – Olympic Day Meetings
19. **LAEC PTO (Amy Brown)** – May 11 & June 8, 2019 – 6:00 a.m.-2:00 p.m. – LAEC Cafeteria – Muffins with Mom and Donuts with Dad
20. **Carbon Monarchs (Donald Rehrig)** – May 24-July 25, 2019 – 2:30 p.m.-8:00 p.m. – Outside Varsity Fields – Home Games for American Legion Team
21. **Strengthening Families (Robert Mikulski)** – April 2, 9, 16, 23, 30, May 7, 14, 2019 – 5:30 p.m.-8:00 p.m. – LAEC Cafeteria and Classrooms – Family & Student Program
22. **LAEC PTO (Nicole Baker)** – April 16, 2019 (Rain date: 4/17/19) – 9:00 a.m.-10:00 a.m. – Multi-Purpose Stadium – Easter Egg Hunt Grades K-2
23. **Coding Club (Martha Cox)** – April 10, 17, 24, May 1, 8, 2019 – 3:30 p.m.-4:30 p.m. – LAEC Computer Lab – Computer Coding Club
24. **LAEC Staff (Denise Gerber)** – June 10, 2019 – 3:30 p.m.-6:00 p.m. – LAEC Cafeteria – Retirement
25. **Girls' Basketball Club (Paula Fisher)** – May 8, 2019 – 6:30 p.m.-8:30 p.m. – LAHS Classroom – Parents Club Meeting

Mr. Stern – I appreciate them getting their requests in and keeping the facilities busy.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

1st Reading of Policies MOTION by Mrs. Spinelli, SECONDED by Mr. Yenser to approve the 1st Readings of the following Lehigh Area School District Policies *with the addendum described*:

1. **#103** – Nondiscrimination in School and Classroom Practices
2. **#104** – Nondiscrimination in Employment and Contract Practices
3. **#222** – Tobacco Use (Pupils)
4. **#323** – Tobacco Use (Employees)
5. **#707** – Use of School Facilities

Mr. Bradley – I have one. The reporting form on 104 attachment has a statement that says, I the undersigned, let me see. I understand that any false information provided herein is subject to the penalties contained within Pennsylvania statute regarding unsworn falsification to authority. That was new on this complaint form for discrimination.

Mr. Cleaver – What is it?

Mrs. Wagner – On 104.

Mr. Cleaver – Well, 104 is for the employees, 103 is for the students.

Mr. Bradley – Correct, this is employees. So, an employee report form for complaint of discrimination has a new statement.

Mr. Stern – No it's not new. We provided in our packet at our policy meeting.

Mr. Bradley – It's in our packet. One more time.

Mr. Stern – When we had the policy meeting, it's right there on the bottom.

Mr. Bradley – Correct. New this year in comparison to what it was before, correct?

Mr. Cleaver – Yes.

Mr. Bradley – It's a change. Can you please explain to the board where that change came from?

Mr. Cleaver – The change is recommended from PSBA and the reason it's on this is because it would be someone over 18 filling out this form.

Mr. Bradley – Correct. And, then when you go to the student version...

Mr. Cleaver – They don't have that.

Mr. Bradley – When you go to the student version, there's no legal responsibility because they're underage but yet there's also no benefit to a parent to assist this minor as he reports a claim for discrimination. Is this student doing this by himself?

Mr. Cleaver – They have the authority to, yes.

Mr. Bradley – Don't we want the parent to be involved in this complaint by a district student at a district. I mean some counsel oversight, some, I mean obviously if an adult knows they have to sign something and there's a penalty for falsification, wouldn't we want to protect our student with their parent and protect our staff to make sure no one makes false claims. I yield the floor.

Mr. Stern – Again, it's the first reading.

Mr. Cleaver – Right and they would be protected as a student. I believe that's why that notification is there that a student filling that out cannot be held liable for any false information.

Mr. Bradley – Correct. He cannot be held, think that through.

Mr. Cleaver – He or she, I'm sorry.

Mr. Bradley – He or she cannot be held liable for falsifying information with a complaint of discrimination against a staff member. So if a student makes an erroneous statement, there's not parental consent and there's no benefit to that staff member. Why aren't we allowing this student to have supervision by a parent for filling out this form of complaint?

Atty. Schwab – Are you trying to require parental requirement? Because we can't of a 16/17-year-old requiring them have the parent but I don't the policy says they can't.

Mr. Bradley – I didn't say they can't. I'm just saying that this, it says this complaint, right?

Atty. Schwab – I know but it doesn't say that a parent can't assist but it also doesn't require the parent to assist. Some students don't want their parents to know.

Mr. Bradley - So you're telling me an underage, under 18-year-old student that doesn't want their parent to know what's happening within the school, can file this complaint?

Atty. Schwab - Yes.

Mr. Bradley - Okay. And, there's nowhere for them to get their parental support?

Atty. Schwab - You're assuming they get parental support.

Mr. Bradley - Yes, very much so. I'm fully assuming that.

Atty. Schwab - But many students don't have parental support that you're thinking that's there and available. That's why it's left up to the student to decide whether they want their parents involved or not.

Mr. Bradley - Or counsel.

Atty. Schwab - Or counsel.

Mr. Bradley - So shouldn't they have the right to know that it's available to them.

Atty. Schwab - Well, I mean, if you want to put a warning in the notice, that's fine but there's no requirement for that.

Mr. Bradley - I don't think the PSBA looked at that warning. I don't think that they cared. I don't think that they looked at it. Probably not within this form. It's definitely on the form for the staff members.

Atty. Schwab - It's in there for the adults, yes.

Mr. Bradley - But it's not...

Atty. Schwab - Many students and I'm going to some of the other statutes dealing with health issues, the parents, the student over a certain age doesn't need parental approval. Be it for mental health reasons, be it for termination of pregnancy reasons, there's certain reasons where the parent is not involved. And, if you want to put a notice in, on there, that's perfectly fine to say that the student may wish to consult with their parent but we should not be requiring them to talk to their parent or require their parent to be part of this.

Mr. Bradley - Regardless of their age, Mr. Schwab?

Atty. Schwab - What did I just say? I said there are certain age requirements for certain items, okay?

Mr. Bradley - I agree but this policy...

Atty. Schwab - So you just went and twisted the words that I said again.

Mr. Bradley - This is for all students, correct?

Mr. Cleaver - If they wish to use it.

Atty. Schwab – If they wish to use it. They don't have to use it.

Mr. Bradley – Okay but this is for all students, kindergarten through...

Atty. Schwab – But that's, so if you want to put a notice on that they can consult with their parent, fine there's no problem there. You just can't make it mandatory that they consult with their parent.

Mr. Bradley – I would like the parents to have the opportunity to be involved. I think we should put a warning on it for those great students that have the wonderful luxury of a parent for their own supervision, thank you.

Atty. Schwab – Well, that's your Policy Committee to decide. This is a first reading.

Mr. Feick – Make the change for the second reading?

Mr. Stern – Yeah.

Atty. Schwab – If the Policy Committee decides.

Mr. Stern – Yeah, let's make a change to the second reading to include a disclaimer concerning you may wish to consult your parent/guardian...

Mr. Cleaver – Prior to filling that out.

Mr. Stern – Right. You may wish to consult others before filling this out. Okay, Ms. Wagner?

Mrs. Wagner – I got it.

Mr. Stern – It's our first reading.

Mrs. Wagner – I will put that in there.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Mr. Stern – Thank you for your comment, Mr. Bradley.

2019-2020 School Calendar MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the **2019-2020 School Calendar** for the Lehigh Area School District.

Mr. Cleaver – Just for clarification for the school calendar, you'll see five days that are listed as potential make-up days. The Christmas Break is listed as two weeks, however, just because the way the holidays fall, in the event we have two snow days before the Christmas or the Winter Break I should say, excuse me, before the Winter Break, we will use Thursday and Friday, January 2 and 3 as a make-up day. In the event we only have one day before that, we'll push it back to the make-up day on the 18th of January. Because to open the schools up for one day, at least if we have two then we could open it up for two days. So again, we have two snow days or any cancellations

that we need to make-up prior to the Christmas or Winter Break, we will use that Thursday and Friday, January 2 and 3 as a potential make-up day. So parents make reservations to go on holiday or go on vacation because of the extended Winter Break, they are running into the chance that we may have school that Thursday and Friday.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Affiliation MOTION by Mr. Holland, SECONDED by Ms. Beers to approve an Affiliation
ESU Agreement between Lehigh Area School District and **East Stroudsburg University** for the purpose of providing experiential learning for Education students for the 2019-2024 school years.

Mr. Stern - I'm glad they're doing it for several years so they don't have to go back and get it approved.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

2019-2020 MOTION by Mr. Wentz, SECONDED by Mrs. Spinelli to approve the 2019-2020
CLIU Facilities Plan with the Carbon Lehigh Intermediate Unit #21.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Old Business for Discussion

1. Sale of Franklin and Shull-David

Mr. Cleaver - Nothing to report on Franklin or Shull-David that wasn't mentioned earlier in Building and Grounds.

New Business for Discussion

Atty. Schwab - Mr. Bradley had made a motion for New Business to separate all attorneys' fees out of the billing to be handled separately and it was second by Ms. Beers.

Mr. Stern - Okay, do you have that.

Mrs. Wagner - Mm hmm. To separate out solicitors bills and all attorneys' bills prior to...

Atty. Schwab - That would be King Spry, that would be Portnoff, occasionally, I'm trying to think who would be bond counsel. It's still Jens Dumgardt but I don't remember the firm he's with.

Mr. Cleaver – Is that Rose and Sinon and...

Atty. Schwab – But they faulted so I'm not sure who it is now.

Mr. Stern – So...

David Krause – Aren't they itemized now?

Mr. Stern – They're itemized on the billing cycle and I believe...

Atty. Schwab – The bills are itemized by...

Mr. Stern – They're very close to...

David Krause – They're itemized already.

Mr. Stern – They're very close together in the accounting sheet I believe that Mr. Feick has.

Mr. Bradley – We're looking for that now and we don't seem to be able to find it, thank you.

Mr. Stern – I viewed it online and I did see the, Mr. Schwab and King Spry bills.

Mr. Bradley – I agree with some of them, thank you. We're looking for one now. We're having trouble finding it.

Mr. Cleaver – So we have a motion and a second.

Mr. Stern – So I guess the question that I have is if they're broken out, how is it presented? Is it presented as a line item here or is it a line item as a separate motion on the agenda to vote on or how? 'Cause just broking them out doesn't really satisfy much of a requirement.

Ms. Beers – My understanding as a second is that it would be two separate motions then.

Mr. Cleaver – One to pay bills and then approving for the solicitors.

Ms. Beers – Yes, correct.

Atty. Schwab – Similar to your building.

Ms. Beers – Yeah.

Mr. Bradley – Or any number of 50 other bills that we pay here.

Mr. Stern – But the 50 other bills aren't broken out unless they're construction bills.

Mr. Bradley – Oh there's other bills that we pay here that are broken out. Very much so.

Mr. Cleaver – Again, there's a motion and a second from...

Mrs. Wagner – Motion by Dave Bradley, seconded by Joy Beers to separate out solicitors bills and all attorneys' bills prior to authorizing payment. Do you want a roll call or do you need to ask the audience again? Mr. Krause spoke but...

Atty. Schwab – Yes.

Mr. Stern – Any other comment from the audience? You can be on camera if you'd like, speak up.

Mrs. Wagner – And, do you want a roll call?

Mr. Stern – Sure.

Mrs. Wagner – Okay, do I need to read the motion again or are we good? Okay.

Separate MOTION by Mr. Bradley, SECONDED by Ms. Beers to separate out solicitor's bills
Attys.' Bills and all attorneys' bills prior to authorizing payment.
Denied

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	X	☐	☐	☐
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	☐	X	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

Mr. Wentz – No, because most of the legal bills are because of Mr. Bradley so I don't think we really want to know what he's cost the district so I'm a no.

Mr. Stern – 'Cause they're all available, put it that way.

VOTE: YES - 4 NO - 5 ABSENT - _____ ABSTENTIONS - _____
Motion denied.

Mr. Stern went on to Directors' Concerns.

Mr. Bradley – Hold on a second. We're still under New Business, correct Mr. Stern?

Mr. Stern – If you have another item, sure.

Mr. Bradley – So, under New Business we found a bill that's not on our voucher that's being paid for \$9,000 to an attorney. I'd like it to be explained, thank you.

Atty. Schwab – Do you have a copy of the bill?

Mr. Bradley – The bill is for an attorney by the name of Drew is that the right attorney I'm reading?

Mr. Cleaver – Yeah, that is, we approved that at the last meeting.

Mr. Stern – Yeah.

Atty. Schwab – That's a litigation.

Mr. Stern – That's a litigation.

Mr. Cleaver – We approved that agreement at the last meeting.

Mr. Bradley – So this is attorney, Drew Christian, was entered into our, I got to see the check on Friday.

Atty. Schwab – Yeah.

Mr. Bradley – But it's not on our billing.

Atty. Schwab – He's not a vendor.

Mr. Bradley – I'm sorry, say it again.

Atty. Schwab – He's not a vendor.

Mr. Cleaver – It was approved by the agreement that was approved.

Atty. Schwab – You approved an agreement on a special ed. litigation.

Mr. Cleaver – That's part of it.

Mr. Bradley – Please explain how that bill came to be, Mr. Feick, thank you.

Mr. Cleaver – It's attorney's fees.

Mr. Stern – Mr. Bradley, I think Mr. Schwab would be better to explain it.

Mr. Bradley – Sure.

Atty. Schwab – With special ed., if there is a settlement the Board approves the settlement and under the special ed. law, the party, parents, normally get their attorney's fees paid. In the case you as the Board approved the settlement of the special ed. including the payment to the parents of the attorney's fees. And, compared to most special ed. attorney's fees, this was very modest. I mean you may think it's large, but we've already had in this district \$75,000 fees that we've had to pay to parents of special ed. students where we've gone to hearings.

Mr. Bradley – Excellent. So, the \$9,000 fee...

Atty. Schwab – He's not a vendor so it would not appear as a bill to be paid.

Mr. Bradley – But the \$9,000 fee to this attorney and then from review our \$6,000 to our legal counsel which was King Spry totaled a little over \$15,000.

Atty. Schwab – That could very well be, yes.

Mr. Bradley – And the amount of the settlement did not get reviewed by the Office of Dispute Resolution. Is that correct?

Atty. Schwab – I don't know. I was not involved in that because King Spry is your insurance counsel as well as special ed. counsel. We have essentially an insurance policy that we pay up to I think \$15,000. So, anything under 15, we pay for.

Mr. Bradley – But if a parent of a special need has a dispute, prior to everyone hiring attorneys, why isn't it taken to the free state Office of Dispute Resolution?

Mr. Cleaver – Parents are not required to do that. They can hire an attorney. That attorney can directly contact our attorney and then the billing starts without our control.

Mr. Bradley – Do we have the opportunity to file with the Office of Dispute Resolution as a district?

Mr. Cleaver – It depends on what they're looking to do. I mean, there's due process requirements and everything.

Mr. Bradley – Correct. Do we have the opportunity, rather than getting in a fight, go right to the ODR and ask them to adjudicate this matter so we're not drug into, as Mr. Schwab said, a \$75,000 or more litigation against the special needs student that's looking for their Free and Public Education under defined benefits?

Mr. Cleaver – Parents do not have to do that, no.

Mr. Bradley – I understand they don't have to and I understand also...

Atty. Schwab – We can't force them...

Mr. Cleaver – We can't force them to do this.

Mr. Bradley – I'm talking for a second. I understand, it's fair, I understand...

Mr. Cleaver – In your eyes.

Mr. Bradley – ...that, I'm sorry what was that Mr.

Mr. Cleaver – I said in your eyes it may be fair.

Mr. Bradley – Okay. So, it's fair that the student's parents/guardian has an Office of Dispute Resolution that if they're being restricted that they can go to, for free, and they also have a choice that they can hire an attorney. We understand that they have those two choices. I believe, from talking to the Office of Dispute Resolution, that not only do the parents have that choice, we also have that choice to take a parent to the Office of Dispute Resolution so that we don't incur significant solicitor fees.

Mr. Cleaver – That's only if we would win the case.

Mr. Bradley – And if we don't win the case, if I'm not mistaken Mr. Cleaver, that means that we were not providing this special needs student with their benefits, correct?

Mr. Cleaver – It depends. Again, everything's case by case. It could be something very minimal or we miss something. So, that's why there's a whole process for, procedural safeguards that outline the due process. I can get you a copy of those requirements.

Mr. Bradley – Right. And when you look at that, when you miss something, that's a benefit to a child of special needs or gifted student. And, if they're missing that, that's our district's responsibility to meet the governance so that the students get their Free and Public Education. Our job is the disbursement of these funds and if we're disbursing them to attorneys to fight, rather than just have the Office of Dispute Resolution review, we're wasting taxpayers' money.

Mr. Cleaver – We can dispute the dispute which means they may feel we miss something, we may feel we don't and then you go through the whole process.

Mr. Bradley – But when you go through the process, the state decides what is and what is not...

Mr. Cleaver – That's not the case. The parents can do a different process. The parents have the right to due process, they do not have to do that. And, if they do, do that, then as a district we could go to due process. But, again, if we go through that process, which could be years, years of litigation, talking hundreds of thousands of dollars, it, you know, we're found at fault then something could, the cost can be not only our legal fees but also that of the individual.

Mr. Bradley – But, again, if we're providing the Free and Public Education to children that have this entitlement, we should do what's right. We should not circle the wagons and spend attorneys to fight a special needs parent for their understanding of what their right is.

Mr. Cleaver – I don't think we're circling the wagons. I think we're trying to work with it and avoid getting into that long, drawn out process in trying to work with them.

Mr. Bradley – Why is it a long, drawn out process to sit in front of the ODR and say, what does this child deserve and let's make sure we provide it to them. Because prior to even getting there, isn't there an evaluation of what this student would need?

Atty. Schwab – We've even paid, Mr. Bradley, for separate psychiatrists and psychologists to evaluate students. We've paid for testing, things of that nature. Invariably, I'm going to say close to 99% of the cases are all settled because before we ever get to a due process hearing. The last due process hearing I can remember was a Dr. Golden 'cause we held it out at Mahoning and that was about 20 years ago. Most of the time it's cheaper to settle. But the attorney or advocate that's hired by the parent, doesn't want to settle and go to a place where he doesn't get paid. So, we're in a process where a person wants to have the matter, spend some time to run up attorney's fees 'cause he's gonna get paid one way or another.

Mr. Bradley – And we're gonna pay our attorney to continue that running up of those fees. So the question then becomes, from a business management scenario, let me finish the sentence here, from a business scenario, do we first identify what the needs would cost prior to negating them?

Atty. Schwab – Most of the time the parents don't even know what they want until they've had the testing done, until they have the psychologist done who is recommended by the advocate or

the attorney. And, then we have, we're presented a certain thing for the first time. For example, last year was a prime example. We had one where the district provided one reading series, the doctor who reviewed it said well we should provide the other reading series. We provided it but we still got a bill for about \$3500 because the attorney was involved.

Mr. Bradley – So once again, if the evaluation is done, do we check what it's gonna cost to provide the service to this special needs child prior to...

Atty. Schwab – We pay for the evaluation. We pay for all the experts.

Mr. Bradley – Agreed. And, then you're telling me that somewhere along that line, that parent feels a discrepancy, a dispute occurs...

Atty. Schwab – No.

Mr. Bradley – You're saying no?

Atty. Schwab – No. The parent gets an advocate. The advocate suggests we hire a psychologist/psychiatrist, reading specialist, whatever. The child gets tested, evaluated and maybe we get a recommendation from the psychologist/psychiatrist or expert. And, that puts a discrepancy there. We...

Mr. Bradley – Well, no, that defines the benefits of what they're asking for, correct?

Atty. Schwab – Right. And most of the time, at that point, we settle and say, yes, you get the reading series.

Mr. Beltz - But we don't know that amount until all the investigation takes place.

Atty. Schwab - Right, but the attorney came in on day one and now the I.E.P. is being changed from one reading series to the other.

Mr. Bradley – And this occurs because our district, as we had King Spry here telling us our goal, our responsibility, is to diagnose and find these opportunities because you're trying to prevent that student, not about the lawyer's fees, about that student not getting the benefits that they are entitled to.

Mr. Stern – I think it's probably fair to say that not every one of these conversations or conflicts goes to the legal fees or to the lawyer's services. They work with the district and the teachers and the I.E.P.'s get rewritten and it's not all of them go to, not all of them go to the lawyers.

Mr. Bradley – Fully agree. So the only time it would go to a lawyer is when they're gonna buck heads and decides, one person says one thing and the district says another.

Mr. Cleaver – That is incorrect.

Mr. Bradley – So the question is...

Mr. Cleaver – The parent can go right to a lawyer at any time they wish and then when that lawyer makes contact with our lawyer, it starts.

Mr. Bradley – And why doesn't we just take it right to the ODR and make that offer...

Mr. Cleaver – I can't tell the parent to do that.

Mr. Bradley – We can do that as a district though. We have the right as a district.

Mr. Cleaver – We're still gonna be paying for lawyer fees.

Mr. Bradley – But not ours. We're basically gonna be going to the ODR and saying here's our due process. Let's see what this kid really needs prior to just arguing over it.

Mr. Cleaver – I don't think the ODR's gonna decide what the student needs.

Mr. Bradley – Then give it to the student.

Mr. Stern – Okay, on to Directors' Concerns.

Mr. Holland – Excuse me, New Business, New Business yet.

Mr. Stern – Yes, Stevie.

Mr. Holland – I'd like to make a motion that we reverse our decision on the eye exams after tonight with our nurses here and explaining a lot more in detail as to what's going on. I believe we should, I have more confidence in our nursing. So, that's, but anyway, that's my motion. I'd like to go back to where we were. I have no problem with them coming in and working with our nurses with our Pre-Kindergarten people 'cause they said 0-6 with their particular camera and such. But, I just feel after listening to them tonight, the professionalism in our nurses. Thirty-five years, both of the ladies that spoke, shows me a lot of caring for this district and the kids. So, I would like to make a motion that we go back to where, how it was done prior to what we did this past year.

Mrs. Maholick – I disagree totally. I think we need to have...

Mr. Stern – We need a second before we can have discussion, please.

Mr. Wentz – Second.

Mrs. Maholick – We need to have Mr. Dave Leon come back in here and talk. He was supposed to be here. He was told not to come by someone.

Mr. Stern – Who?

Mrs. Maholick – So, he should have been here.

Mrs. Spinelli – Who?

Mrs. Maholick – I don't know or I would tell you. I have a good idea but I'm not supposing. But, I think we need to have him come back in here. There is true benefit to these children getting this exam.

Ms. Beers – My comment would be, is, I know one of our nurses because she was my nurse when I was here. I think they're great people. I think they're doing great work. I wouldn't want these eye exams to take away from what they're doing but I think there's a benefit in what the Lions Club offers and I don't see why we can't have the two systems working in tandem to help our students. I don't think having the Lions Club do these exams are stealing anything from what the nurses are doing for our students right now.

Mr. Holland – They have an inferior camera already. If you listen to what the ladies said.

Mrs. Maholick – An inferior camera?

Mr. Holland – Absolutely.

Mrs. Maholick – David would you like to tell them what you told me about the Harvard study?

Mr. Bradley – Sure. So, the Harvard Business Review looked at worldwide innovations and of the three, the number one innovation that they did was this free eye exam, which takes seconds and diagnoses so many ailments early that it helps anyone who takes it whether they're an adult or a child. I definitely agree with our nurses that the technology is amazing for people that can't speak or that are too young to take a regular eye test. However, the ease and non-contact, investigation of this eye exam is so effortless and literally takes seconds, that anyone would benefit from this very philanthropic Lions Club, geared towards preventing blindness in our generation. It would be wrong of us not accept this generous opportunity for all of our students and community members across the board should have this opportunity if they are so willing to help us.

Mrs. Maholick – And, they are not gonna stop paying for glasses just because they have these cameras. I don't know where that. It kind of sounded like that's what she was trying to say. That let them keep buying our glasses they don't need to spend money on the cameras. The cameras are here. They've already bought them.

Mr. Bradley – And the fact that they own them. The cameras were already purchased by volunteers. This is a volunteer organization. This is doing things for the benefit of the community that costs the district taxpayers' nothing other than providing the access. Whether we want to make sure that the parents have a right to make that decision first, which I firmly agree with.

Mr. Stern – I don't think we want to, we have to.

Mr. Bradley – I'm sorry, I was talking for a second. I'm sorry, you go.

Mr. Stern – No, you stated something incorrectly. I don't think you want to allow; you have to allow the parent to allow this to happen to their child.

Mr. Bradley – Correct. I want to make sure that the parent has this opportunity to allow their student the benefit that this Lions Club is providing to this community. I think that if we restrict that opportunity, it's a mistake.

Mrs. Spinelli – Can I just interject something here? Can't we just have one or two days where the Lions come in to whichever building, we already said we could do it with elementary or up to Kindergarten. Just have them come in one or two days a year, any child whose parent wants them tested, send them in with a permission slip and they do it.

Mr. Cleaver – I believe they mentioned Kindergarten Registration as a possibility.

Mrs. Spinelli – I mean even for older kids. If the parents want it done, provide it one day, two days and year and say the Lions will be here on such and such a day, if you or your child would like to have this test done, sign a permission slip and the Lions can do it. And, in the meantime the nurses just go on as they have been.

Mr. Cleaver – Well, actually if we wanted to, we could probably ask the Lions to do it in the evening and notify them. They can do it on their own in the evening as long as there...

Mrs. Spinelli – Yeah, I mean we could give the community the opportunity to take advantage of it without making every child have it and going through the paperwork. This way if the parent brings the child in or sends them with a slip, then they can do it.

Mr. Cleaver – Well, the parent would have to be with them.

Mrs. Spinelli – Right, right.

Mrs. Maholick – Do you really want to be the person to say no to this and then find out later a child has a tumor in their eye? And, you missed out on that. Do you really want to be that person to say no?

Ms. Beers – I wouldn't be in favor of doing it at night because the students whose families have less resources or their parents aren't as plugged-in, they're the ones who aren't gonna show up and they're the ones who will need it most.

Mrs. Spinelli – But if we offer days here or there, where it's available, and they can come with a permission slip and get it done.

Mr. Bradley – Except for the fact that we had...

Board members speaking.

Mr. Bradley – The fact that 9 board members endorsed giving this free opportunity to every one of our students and then it was blocked for the last 8 months. So the idea is that give them this opportunity.

Audience members speaking.

Mrs. Maholick – Yeah they did. All the kids in the Elementary Center had permission slips.

Audience members speaking.

Mr. Bradley – Well, we only organized for the elementary school. The other schools were supposed to come online and it's been stalled until now and now it's trying to be pulled from these older kids for whatever reason. And, it sounds like, it's for...I'm sorry...

Mrs. Howland – The referenced 0 to 6 correct?

Mr. Cleaver – That is correct.

Mr. Bradley – Who recommends 0 to 6?

Mr. Stern – Lions.

Audience members speaking.

Mrs. Maholick – Okay, I have paperwork from the website right here. It says that they're concentrating on children to 6 years old, screening children up and including 12th grade is acceptable. Why would we not want to give that to our kids?

Audience member – Because they've already had a test.

Mrs. Maholick – It doesn't do the same thing.

Mr. Bradley – You're adding a service. You're adding a free service.

Mrs. Maholick – It's not the same service.

Mr. Bradley – Giving our kids an opportunity.

Mrs. Maholick – It's not the same test.

Mr. Bradley – And when they offered it to the Elementary Center, if I'm not mistaken, you had how many people sign the form allowing for this to be done.

Mrs. Maholick – 800.

Mr. Bradley – Out of how many?

Mrs. Maholick – Out of 1100.

Mr. Bradley – So more than 80% of the people thought this was a good idea in the community.

Mrs. Maholick – Exactly. I have the paperwork. It's from the last minutes from last year.

Mr. Stern – Mr. Hauser?

Mr. Hauser – As a parent of two students in this district who would be subject to this. You okay, you zoomed that in on my face for a second, just kind of freaking out, I'm sorry. As a parent of students in this district whose kids would go to these additional tests, I want the best possible service from the best possible people. (Inaudible) the epitome of a professional. Very satisfied with our elementary school nurses with combined experience of 70 years and who have done tens of thousands of these eye exams. They have given us a recommendation and we're gonna tell these people no? That makes no sense to me. I don't get it. I would also question why this eye exam is kind of being shoved down the public's throat. I can speculate.

Audience/Board Member – Offered.

Mr. Hauser – I am speaking, thank you. I think it's because (inaudible) a replacement service down the line. I wonder what we'll dispose of in a couple of years when, you know, other decisions are made. I think this is (inaudible) financial means. It's an inferior product done by

people without the proper training and I don't know how you reject the recommendation by 70 years' experience and 50,000 eye exams telling you this is not a good idea.

Mr. Bradley – Mr. Hauser?

Mr. Hauser – I don't want to respond to you. You're not in the medical field. You know nothing about my children's medical needs. You know nothing about the administration of healthcare in the school code.

Mr. Bradley – So, my question was, as an offered. It's okay, you don't have to respond. But from, to debate your statement. To offer a free service that adds a benefit to our community. Why would it be restricted?

Mr. Hauser – My question is your motive (inaudible)?

Mrs. Maholick - Motive? My motive is eyes.

Mr. Bradley – Regardless of any motive you might fear, the reality is, this test provides benefits to these kids.

Mr. Hauser – What provides benefits to my children is 70 years of combined medical service and (inaudible) those nurses give to our kids having conducted tens of thousands of these exams.

Mr. Bradley – To not debate the process.

Mr. Hauser – I'm speaking. I am speaking.

Mr. Bradley – Oh, I'm sorry, go ahead.

Mr. Hauser – They are the experts, you are not. It's a tough pill for you to swallow. But you'll have to swallow it, you don't know everything. Their students know what they're doing and (inaudible) and as a parent and a taxpayer, I would urge the board to follow their professional, insightful recommendation.

Mr. Stern – Mr. Kemmerer.

Mr. Bradley - So, to...

Mr. Stern – Mr. Kemmerer has the floor, please.

Mr. Cleaver – Let Mr. Kemmerer speak.

Mr. Bradley – Okay, go ahead, sorry.

Fred Kemmerer, Jr. – I, as well as he, have two students in this school district and I have two that went through the school district. I do see the definitive health that the students get by seeing the school nurse then board members have. However, it is an additional service and is perhaps done after school, it's respectful to the nurses, as well as the Lions Club that we already agreed with that we could use both on a voluntary basis. I understand his point and I agree with (inaudible). I would be willing to get additional help.

Mr. Stern – Thank you, Fred. I mean, I have a kind of suggestion if people will temper it. You have blood drives at the schools, you have to sign off for blood drives, right? My suggestion is to leave the current process with the nurses as is. Schedule as, not as a replacement, but as a, to supplement the current system and possibly have a different day that this actually occurs so we're not interfering with what goes on instructional and you know the value of the interaction between the nurse and the student, you know. It's not necessarily a head-to-toe investigation. It's more of an assessment that people talk to each other. I mean, your blood drives are during the day Sue, I mean you could send them home and say, hey the Lions Club is gonna be here on Tuesday the 20th. Here's your form. You want it done, they're gonna be here from 8-12 and we'll set up a schedule and just walk down and walk back and it's 5 minutes during the school day and you can get it done.

Mrs. Spinelli – That's basically what I was saying.

Mr. Stern – Yeah. I mean, I think that's....

Mr. Cleaver – And that eliminates the issue of after school.

Mr. Stern – Eliminates after school. Gives the parents opportunities to get it done within the building. And, if they don't have it, they don't have, they don't bring their permission slip, they don't get a slot. That's just the way it goes.

Atty. Schwab – You still have a motion and a second to terminate that.

Board members speaking.

Mr. Stern – Can you reread Steve's motion back, Melissa, please?

Mrs. Wagner – It was to reverse.

Mrs. Spinelli – Wouldn't we have to do that before we continue?

Mr. Stern – Yeah, I think if, I mean, if both are amenable to a supplement than a replacement and...

Mrs. Maholick – Now wait, wait a minute here. We...

Mrs. Howland speaking about the blood drive and how it's run.

Mr. Stern – I don't know. We'd have to figure out a way to have that work out.

Mrs. Howland speaking.

Mr. Stern – I would think the Lions would come in.

Mr. Cleaver – Are we able to have, I mean we have a motion now to remove the requirement K-12.

Mrs. Maholick – I was here when one little boy got his eyes examined and he was wearing glasses and the glasses were the wrong prescription. I mean I was there when that happened.

Mr. Stern – I'm not saying, Gail I'm not saying that we don't do it. I'm saying it as a supplement, not as a replacement. So, we get...

Mrs. Maholick – Are we going to have them come in?

Ms. Beers – Do we even need, do we need...

Mrs. Maholick – We don't need to replace the motion.

Ms. Beers – Right.

Mrs. Maholick – It's fine the way it is.

Ms. Beers – Exactly. Because the original motion didn't describe a process so we're keeping the eye exams, just talking about a different process. So, I don't think the board even needs to vote on this if...

Mr. Cleaver – Well, my concern is, is maybe some people on the board won't like the way it's offered. So, I would like to have, figure out a way to offer it to where we actually have it set up so that way someone can't say, well that's not what I meant, or that's not what offered. I'd actually like to have a plan on how moving forward we could offer it for middle school.

Ms. Beers – Okay.

Mr. Cleaver – And I can bring that back next month.

Mrs. Maholick – I'd like to know why they weren't done until now in the first place. Why wasn't it done?

Mr. Cleaver – Because we didn't, again, we didn't get to it.

Mrs. Maholick – You never made a contact with anyone. Someone never made a contact with the Lions.

Mr. Cleaver – I think we did. Yes.

Mrs. Maholick – No, absolutely not 'cause I spoke with them.

Mr. Cleaver – Again, is this the same person that said he shouldn't show up, that you spoke to?

Mrs. Maholick – No.

Ms. Beers – So, can we table this then and then have you propose a motion at the next...

Mrs. Wagner – You'd have to have him remove the motion.

Atty. Schwab – You have a motion...

Mr. Holland – I have no problem with that.

Mr. Stern – You have no problem with that, Steve?

Mrs. Wagner – Okay.

Atty. Schwab – And, Mr. Wentz, you have any problem tabling it till something comes back next month?

Mr. Wentz – I kind of like Larry's idea.

Mr. Stern – That's why we're tabling it to figure out an administrative way to get it done.

Mr. Cleaver – I'll bring something back next month.

Mrs. Maholick – And I'll David to come here next month and to not stay home because he was told to.

Mr. Cleaver – That would be nice because then we can find out who asked him to stay home.

Mrs. Maholick – Yeah.

Mr. Stern – Okay, thank you for that discussion. So we'll move onto Directors' Concerns if that's okay.

Directors' Concerns

Remove MOTION by Mr. Bradley, SECONDED by Ms. Beers to remove Solicitor William
Solicitor Schwab from the position of Solicitor effective immediately.
Denied

Mr. Cleaver – Roll call vote, you want a roll call vote?

Mr. Stern – Yeah, a roll call vote, please.

Mr. Bradley – I have some discussion. I'm sorry, I was waiting for anyone else to speak first.

Mr. Stern – I'll acknowledge you Mr. Bradley, sure go ahead, thank you. Thank you, go ahead.

Mr. Bradley – Oh, okay, thank you. So, at the last meeting the Board authorized an appeal to be filed by Mr., Solicitor Schwab. In addition to that appeal, he ended up challenging the constitutionality statute, I guess, and explain it to me Mr. Schwab, 'cause I'm not a lawyer, you're challenging the constitutionality of the Pennsylvania Right-to-Know Law? Is that correct?

Atty. Schwab – If you recall your motion, the motion specifically allowed us and directed us to raise the issues of equal protection, due process of the law. That's constitutionality. Okay? So, that was your motion that authorized it. Now, if you looked at the seven pages of the minutes on the discussion on that, it becomes very apparent that everyone knows how we're drawing, that we're going to raise those issues. Under law, when anyone raises an issues dealing with the Pennsylvania Constitution, and in this case, we have an absolute right because the constitution says when you take an appeal from an administrative agency, to take an appeal. In this case, we asked for a hearing before the Office of Open Records. They denied it and the statute says we can take an appeal that we didn't get a hearing. That violates the Pennsylvania Constitution and

you've indicated that we could take an appeal on all applicable grounds including applicable exemptions equal protection in due process concerns. Under the law, whenever anyone raises a constitutional issue, we have to notify the Attorney General. That doesn't mean the Attorney General will come in. The Attorney General is notified. The Attorney General has in fact made no indication that they will be joining this lawsuit. But we have to give them notice and that's what the motion said. If you misunderstood the motion and the seven pages of discussion in the minutes, I'm sorry but it's clear that we're raising equal protection in due process because we didn't get a hearing.

Mr. Bradley - And that was a hearing at the Office of Open Records?

Atty. Schwab - Yes, we requested one there. And the statute says we can take an appeal on the denial of the Office of Open Records not giving us a hearing despite the Pennsylvania Constitution that says we're allowed to have an appeal on anything coming from an administrative agency. That's your equal process, that's your due process. That's your equal protection, right in the motion, that you authorized and it follows with the seven pages of discussion.

Mr. Bradley - So what do you think, what do you think this will cost the district to appeal the constitutionality of the Right-to-Know Law?

Atty. Schwab - I don't know whether we'll even get there. Because I believe, just does an exemption, whatever Judge has been assigned to the case will probably decide it on exemption issues and never reach the constitutionality. But I would be deficient as the Solicitor if I don't raise all the defenses that I can for this district.

Mr. Bradley - And what exactly are you defending?

Atty. Schwab - A hundred and forty-seven emails where we redacted students' names so that we don't talk about students' that were being investigated for discipline. Part of that was names of students' who had problems with scholarships. We had names of employees where there was criticism of their work environment, seeking discipline of those students. All that by labor law and FERPA and other privacy laws, we can't give out. Open records that we didn't meet our burden. And part of the reason we asked for a hearing was because we said just be affidavit, if you don't think we meet our burden telling you that we shouldn't be talking about this student and mentioning their name or this scholarship or this student who didn't get enough credits, you know, that's not the public's knowledge. So, we gave the emails but redacted their names. Open Records said, notwithstanding your request for a hearing so we could prove that they were exempt. We're gonna say you didn't meet your burden.

Mr. Bradley - But did you give them the camera review of these redacted records?

Atty. Schwab - No. We had asked for the hearing.

Mr. Bradley - Instead of giving them just (inaudible).

Atty. Schwab - They also have a right under statute if they care have it, to request it. They didn't.

Mr. Bradley - If we offered it, wouldn't it save the district tens of thousands of dollars?

Atty. Schwab - I don't believe so. Matter of fact, I don't even know, literally, if it's in the best interest of the district to allow Open Records to do a camera review, it's not provided for the

statute. You know there's a statute that says what they can do and what they can't do, not provided in there. They can review it and release it and then we're stuck with releasing student names to a man in Bucks County or down in the Trenton area, I don't know if he's in New Jersey or Pennsylvania now, about our students and protecting our students.

Mr. Cleaver – So, just for clarification, Mr. Bradley, you're recommending to offer an in camera review of the documents that we didn't share which will have students' private, professional employees and staff employees' information?

Atty. Schwab – But...

Mr. Bradley – But, what, hold on a second, and I'll answer his question.

Atty. Schwab – Campbell asked for an in camera review, they wouldn't even, they didn't discuss it with him.

Mr. Cleaver – But you're saying to offer it?

Mr. Bradley – I'm saying. Let me make sure I understand this concept of personal privacy. This information in un-redacted to your eyes, correct Mr. Cleaver?

Mr. Cleaver – What do you mean is un-redacted?

Mr. Bradley – It's un-redacted, you can see everything.

Mr. Cleaver – I don't see it.

Mr. Bradley – That we're talking about?

Mr. Cleaver – I don't see it.

Mr. Bradley – You don't see any of this?

Mr. Cleaver – Unless it was sent to me, I don't see it.

Mr. Bradley – But if, if you wanted to review it as our Superintendent, do you have a right to review what we're looking at?

Atty. Schwab – No.

Mr. Cleaver – No.

Mr. Bradley – Why does he not have a right to look at it?

Atty. Schwab – Because only the Open Records Officer has a right to review it. That's the person, Melanie has a right to get the open records from whomever is requested in the (inaudible). Of many of these, they were Sue Howland, they Mr. Hauser's documents, they were some third-party guidance counselors.

Mr. Bradley – So Sue Howland can see them.

Mr. Cleaver – Her own.

Mr. Bradley – Hers. Her own, right? And, the other people can see them that wrote them, right? And, our Right-to-Know Officer can see them un-redacted, correct?

Atty. Schwab – Yes.

Mr. Bradley – Okay. And, who else is allowed to see them prior to a request? Who else has access to this information?

Mr. Stern – Well who's going to look for them?

Mr. Bradley – I'm just asking.

Atty. Schwab – Well, probably, I guess the I.T. people would down at the I.U. but that's a guess.

Mr. Bradley – Correct.

Atty. Schwab – I don't even know what safeguards they have for that.

Mr. Bradley – Okay, so the question is, these documents that you're protecting, that have information, that information is exposed within the walls of this district and the I.U.

Atty. Schwab – Well the I.U. has our email.

Mr. Bradley – And, instead of redacting them and providing them or providing an in camera review, 'cause what I understood was...

Mr. Stern – Well we did redact them and provide them.

Atty. Schwab – We provided 4,000 emails...

Mr. Bradley – And you redacted them?

Atty. Schwab – And we redacted them 147 to take out student names and employee names.

Mr. Stern – Why are we going through it again?

Mr. Cleaver – Again, we have a motion.

Atty. Schwab – We had talked to Mr. Campbell to see if we could waive that and he didn't want to waive it. He got the emails, he just didn't get the names of our students.

Mr. Bradley – So I'll move this forward for you a little bit. According to the Fairfield Audit report...

Mr. Stern – Oh. I don't care what. You know what...

Mr. Bradley – ...and the Susquehanna...

Mr. Stern – It doesn't matter, Mr. Bradley...

Mr. Bradley – Can I finish my statement, sir?

Mr. Stern – I appreciate your passion to have Mr. Campbell know about everybody in this district and their name and their health issues, there discipline issues, their things in school but you know what, we're saying no. And, you can sit here and you can tell us for the next hour and a half or to maybe 7 o'clock tomorrow morning about, oh the Fairfield County this, or this one or that. We're still not gonna change the minds of releasing our personal, private information on our students and staff. It's not gonna happen.

Mr. Bradley – That's not what I was gonna say but thanks for jumping ahead and you can SLAPP for that....

Mr. Stern – No, no, that's your whole point.

Mr. Bradley – No, it's not my point.

Mr. Stern – Your whole point is talking to Mr. Simon Campbell who doesn't give a hill of beans about Lehighton.

Mr. Bradley – Absolutely not, sir.

Mr. Stern – All he wants to, all he wants to know is I got 4,000 emails, I got a 167 have black marks on them. I need to find out who those people were.

Mr. Bradley – One more time.

Ms. Beers – Can I interject, Dave?

Mr. Bradley – Can I please just make my whole sentence before I get cut off again, please?

Mr. Stern – Oh, I am so sorry. You have the floor, sir.

Mr. Bradley – Thank you, I appreciate that. The Auditor General of the state of Pennsylvania...

Mr. Stern – Is tired of hearing from you.

Mr. Bradley – Can I have the floor now?

Mr. Stern – Yes.

Mr. Bradley – Thank you. The Auditor General in the state of Pennsylvania said that the overuse of solicitors, under the Right-to-Know Law, is prolific and...

Mr. Stern – And it's because of people like Simon Campbell and yourself. And, the suits that you brought against this district, against me, against others, that have gone unfounded.

Mr. Bradley – Thank you. Can I finish my sentence?

Mr. Stern – Why do we keep spending legal money and why do you want to see it broken out? You're the one that's causing it all. You and Simon are causing it all.

Mr. Bradley – Okay, can I finish my sentence or not?

Mr. Stern – Have at it, sir.

Mr. Bradley – Thank you, I appreciate that. So, the Auditor General in the Fairfield Audit Report and the Susquehanna Audit Report...

Mr. Stern – Okay.

Mr. Bradley – ...explained how the defense of the Right-to-Know Law under aggressive solicitors is prolific causing great harm to the transparency of a district...

Mr. Stern – That...

Mr. Bradley – ...I'm not done, let me finish, please, thank you. Including when the Sunshine Act violation that you're mentioning. All you had to do was apologize and let the people speak.

Mr. Stern – There was no violation. There was no violation.

Mr. Bradley – Immunity does not say...

Mr. Stern – I don't have immunity. There was no violation. Government immunity was not given.

Mr. Bradley – You we're...

Mr. Stern – No, you failed.

Mr. Bradley – I found...

Mr. Stern – You found it?

Mr. Bradley – Yeah...

Mr. Stern – It's your inter...

Mr. Bradley – My interpretation of the law.

Mr. Stern – As everyone says, you're the judge and jury, sir.

Mr. Bradley – Correct. Just like the governance that choose...

Mr. Stern – Call the question. Roll call vote on the removal of Mr. Schwab.

Ms. Beers – Larry, may I make that...

Mr. Cleaver – She was waiting patiently, she was.

Ms. Beers – As a person who seconded this motion I'd like to make a comment. So my understanding of why Dave brought this forward and I was a person who voted yes on the motion

on the last meeting. And, for me, I voted yes because I thought we should protect private information but then when I heard that, you know, possibly a lawsuit was escalating to like challenge the constitutionality of the law, to me that just sounded like it was being taken a little bit too far. Like, yes, let's protect this private information, but let's not turn it into this really huge thing and that's what I seconded.

Mr. Bradley - And, Mr. Stern, you took an oath that says you have to uphold the constitution, not challenge it.

Mr. Stern - Okay.

Mr. Bradley - With fidelity.

Atty. Schwab - Well so does Open Records have to follow the Constitution of Pennsylvania. Why is the Lehigh School District not supposed to be protected by our state constitution?

Mr. Bradley - We do not have the authority to use educational funds to go on expeditions by our solicitor.

Atty. Schwab - You certainly have the right, under the Right-to-Know Act, to spend for counsel fees, you know...

Mr. Stern - This is ridiculous.

Mr. Bradley - But the question is...

Mr. Stern - Roll call vote, please?

Mrs. Wagner - Okay, for under Directors' Concerns, Motion A.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	X	☐	☐	☐
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	☐	X	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	☐	X	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 3 NO - 6 ABSENT - ABSTENTIONS -

Motion denied.

Courtesy of the floor / Public Comment

Mr. Stern – Under Courtesy of the Floor, Mr. Greg Kovach.

Mr. Wentz – They left.

Mr. Stern – Ms. Bowes?

Barbara Bowes – I'm done.

Mr. Stern – Pass. Ms. Bowman?

Gloria Bowman – Yes.

Mr. Cleaver – Just remember, next month's meeting is early, the 15th?

Mr. Stern – Tax day? Oh boy. Ms. Bowman?

1. Gloria Bowman – RTK/Transparency/Teamwork

- First, I want to wish Brian well and I've had the pleasure of working with you and all the things you did for our district and welcome Ms. Denicola, we look forward to working with you. And congratulations to all the retirees. My courtesy to the floor tonight is Right-to-Know, transparency and teamwork. I was wondering if anybody saw The Morning Call, Sunday, March the 10th on Ten Ways to Improve PA's Right-to-Know Law. Very interesting, okay, and not releasing personal information. It's all public documents which we know should be on our website, nobody disagrees with that, except for personal information. We also know that transparency is not to be ignored but expected except for privacy. I completed my own Right-to-Know request, probably about two months ago, on corresponding amongst the board members. Transparencies not what I got. Mr. Bradley decided to send his correspondence, or should I say cut and pasted, emails in column format. Most probably in size 8 font and red paper. Cannot read it, cannot be copied. Unfortunately, my request to get samples to show everybody tonight was not redacted yet. So, where was the transparency, Mr. Bradley? Sadly, I guess your game continues. I must commend the board tonight, we had a lot of good discussion, a lot of good questions. This community has also asked that this board could work together with genuine dialog. But when we consistently hear words like corruption, illegal, ill-informed, or immunity, how can any group successfully move forward to resolve issues with this type of finger-pointing and negative language. Mr. Bradley's accusations of corruption did not report any audit findings, invoice review and so on. If I recall, there may have been one invoice of about ten dollars when Mahoning was being transferred to BHA for an alarm system and that was confirmed. As for the back door meeting comments, the information related to Personnel Committee people about a meeting where they were told to go to the back door because the front one was locked. So that perception, again, we're saying no to conflict. As for a referendum on building of the school, nothing was illegally done, alright, as you say, illegal, which it wasn't because we still hear that. Because the state does not require a referendum to do a project that does not exceed the requirement of state government. Mr. Bradley has lost five out of five cases in court. He continues saying Mr. Stern's (inaudible) of immunity in the Sunshine case. In reality, facts should be stated correctly through correct data. Mr. Stern was not found to be in any violation

of the Sunshine Act, therefore the court dismissed the case. As far as the criminal complaint, Mr. Bradley filed against the district, not Mr. Stern. If the district was charged with anything, I would think our community would already hear something about this, don't you? You simply often hear alternative facts. They only become somebody's opinion. In the real world, effective meaningful school management should be (inaudible) in nature but it appears to be overrun by a couple of board members (inaudible) a narcissistic, micromanagement approach. It also seems that there are personal vendettas to settle. Everyone know we're not perfect, and we're not, (inaudible) finger-pointing, game playing and negative language. And, take action through positive language, continued dialog, and truly learning how schools operate. Let's all concentrate on the positives of our school district and public education in a more constructive atmosphere and put the personal vendettas aside for all.

2. David Hauser

➤ I'm going to present three copies of a letter I intent to read for public record. One for Mr. Schwab, Mr. Stern and Superintendent Cleaver, share the letter as you will. This concerns my official request to Lehigh Area School District Board of Education for a Name Clearing Hearing to be held at a mutual, agreeable date to be determined. I discussed this matter with legal counsel and I make this request respectfully in an attempt to be proactive and prevent subsequent litigation. Since June of 2018, Board Member David Bradley has initiated actions against me that meet the parameters requiring due process outlined by the 11th Circuit Court of Appeals. I cited case law in the letter. In that these actions were public, false, of a stigmatizing nature, and accompanied employee discipline. Mr. Bradley's actions fit the legal description of employee discipline in that he identified what he feels is a problematic behavior, offered a corrective action, and gave evaluation of my job performance. These actions included making false accusations that I strip searched students, shared sexually explicit imagery thorough social media and violated district policy. Further, Mr. Bradley has made statements that he "can't have me in the district", which is an obvious threat to my job security. As such, I am entitled to the rights of due process in that Mr. Bradley's actions infringed upon my property and liberty interests. While no disciplinary documents have been placed into my personnel file, Mr. Bradley's claims became part of the public record when he sent them through communications subject to Pennsylvania open records laws and when he introduced such material at public board and committee meetings. Consequently, his statements, both written and verbal, rose to the level of official disciplinary actions, which under LASD Policy 317, the current Act 93 school administrator's agreement, and Pennsylvania School Code, he is neither authorized nor licensed to make. That responsibility lies with the Superintendent. Under the rules set forth in the Family Educational Rights and Privacy Act, or FERPA, I am unable to defend myself in the same public forum in which Mr. Bradley chooses to enact such employee criticism and discipline; therefore, I am requesting this hearing be held in executive session. I am not looking for the board to assume any liability for Mr. Bradley's actions. Simply, I want the board to respect my right to due process and clear me, officially, of Mr. Bradley's false and stigmatizing accusations. Thank you for your time this evening.

Mr. Stern – Thank you.

Atty. Schwab - If the board wishes to grant the due process hearing, it would be proper to make a motion. I would note that since this involves employee discipline, what normally would happen in this case is a separate counsel would be hired, which in this case would be King Spry someone from there, to represent the district. I would sit with the board after a hearing and he's entitled to have it in executive session. The board would then essentially decide what findings in fact and then they would act on it at the next school board meeting afterwards. If the board wishes to grant it. If the board doesn't wish to grant it, the, Mr. Hauser has a right to sue the district and may be successful under civil rights and then King Spry will represent the district with our \$15,000 deductible again. So, it's up to the board if you want to take the step.

Ms. Beers - Since this is a personnel issue, we can't really deliberate that here in a public forum.

Atty. Schwab - No, no, no, we...no, no, no, no. This is his request...

Ms. Beers - Okay.

Atty. Schwab - Since it's his request and he's made that public.

Ms. Beers - Right. I was just being really cautious before people start deliberating it.

Atty. Schwab - We deliberate it in executive session at some type of a hearing.

Mr. Bradley - I'll move that this board has a hearing, as a board of the whole, to allow Mr. Hauser due process and the invitation of witnesses to be provided in that executive session for their testimony only and cross-examination.

Mr. Stern - Can he dictate how things are supposed to happen?

Atty. Schwab - Well, nothing that he said was unreasonable other than he didn't have that the district will be represented by King Spry, that's the support counsel that you've approved last year already. And they would be there to cross-examine and Mr. Hauser has a right to either be represented by counsel or not, the board as a whole can hear it. I'm not going to say that Mr. Bradley wouldn't be disqualified for being part of the board decision 'cause that hasn't been raised at this point. But, there could be a conflict of interest.

Mr. Bradley - And third party counsel would be beneficial at this time.

Atty. Schwab - It wouldn't be proper Mr. Bradley for you to dictate who the counsel for the district is.

Mr. Bradley - Not that I dictate who it was, I'm just dictating that in all aspects of transparency, we should recognize that Mr. Schwab, just like the fact that he had to recuse himself for Pencor, we want to, is that right you recused yourself from the Pencor...

Atty. Schwab - I've done that for 31 years, Mr. Bradley. That's nothing new.

Mr. Bradley - Nothing new, I agree but just like you did that, we don't use Mr. Schwab and we don't use King Spry, you should have new counsel.

Atty. Schwab – Again, that's not proper for you since you're the subject even to be part of the discussion. You shouldn't be...

Mr. Stern – You're not making the rules.

Atty. Schwab – You don't decide who the district could represent or even have a comment on it.

Mr. Stern – So, I'll make a motion that we agree to have a, I'll make a motion that we agree to have...

Mrs. Wagner – We have a motion from Mr. Bradley.

Mr. Stern – Did you get a second on his or not? Because I'm not sure even that it was intact.

Mr. Cleaver – What was his motion?

Mrs. Wagner – Have the hearing to allow Mr. Hauser due process and allow witnesses and a third party would be beneficial other than King Spry.

Mr. Stern – No.

Mrs. Wagner – That was the motion. I would need a second if...

Ms. Beers – Sure, I'll second that.

Mrs. Wagner – Any discussion?

Mr. Cleaver – Any discussion from the public?

Atty. Schwab – Is there public?

Fred Kemmerer, Jr. – I think that, I agree with Mr. Hauser that he should have due process. However, it should be full due process. Everybody that was part of that little meeting that all this stems from should be included and examined as well.

Atty. Schwab – Mm hmm. And that may, as you're saying, that may but now's not the time. May exclude Ms. Beers as well.

David Krause – Might it be prudent to make the motion to have (inaudible) hearing and have your executive session to work out some of the legal ramifications?

Atty. Schwab – We have to give him an executive session if he asked for it. He can ask for public and have a public hearing like they're doing in Palmerton tonight with the former principal. She asked for a public hearing. But, it's the employee's decision whether it's public or private. He's asked for it to be private.

Mr. Stern – I guess you do a roll call vote with that motion.

Mrs. Wagner reread the motion.

Thomas Wertman – Hold it, I've got a comment on this before you go on. Should Mr. Bradley have a vote on this since he's the primary...I don't think he should have a vote. Just like Mr. Hauser doesn't have a vote, he shouldn't have a vote because he's the objective.

Atty. Schwab – He may abstain, Mr. Wertman, we don't know yet. I mean there could be an ethics violation coming, we don't know that.

Thomas Wertman – But I don't feel he should have a vote.

Mr. Stern – He has the right.

Atty. Schwab – But he has the right to make that determination himself.

Mrs. Wagner – Can I do the roll call?

Mr. Stern – Yeah.

Mr. Holland – Before we do that, you did say in executive session in that?

Mr. Stern – Yeah.

Mrs. Wagner – Well, it's...is that implied or do I need to add that?

Mr. Stern – Can you reread that again?

Mrs. Wagner – All I have down is a hearing to allow Mr. Hauser due process and allow witnesses and a third party would be beneficial other than King Spry.

Mr. Cleaver – It's a name clearing hearing, not discipline.

Mr. Feick – I need to ask a quick question. Since King Spry is hired by our insurance company will they cover a third party?

Mr. Cleaver – We'd have to find out.

Atty. Schwab – But they'll represent the district.

Mr. Cleaver – And, just for the motion, is not to have King Spry.

Mrs. Wagner – Correct.

Mr. Cleaver – And this is also the hearing, the name clearing hearing. This is not a discipline hearing.

Atty. Schwab – No, but it's akin to it.

Mr. Cleaver – Right, but it is, just as recommendation it’s for a name clearing hearing. I just don’t want people to think that, you know, that it’s recommended as discipline. ‘Cause there’s no discipline being recommended on my part as the Superintendent.

Atty. Schwab – If this motion would pass then I’m trying to think who else would be available. I guess Eric Strauss for East Penn School District would be available. Everybody else in the Valley is essentially represented by one of the ten lawyers at King Spry. So, it’s gonna be difficult. And, I’m not saying that this motion by Mr. Bradley is ethical because he has a stake in this and he made the motion.

Mr. Bradley – A stake as a citizen or as a board member?

Atty. Schwab – Since you’re the subject of it, you’re making a motion to determine how this board will handle a complaint against you.

Mr. Bradley – Me as a citizen or me as a board member?

Atty. Schwab – Both.

Fred Kemmerer, Jr. speaking.

Atty. Schwab – Well we don’t know how it is but regardless.

Mrs. Wagner – Okay, shall I do roll call?

**Hearing w/
Third Party
Denied** MOTION by Mr. Bradley, SECONDED by Ms. Beers that that board has a hearing, as a board of the whole, to allow Mr. Hauser due process and the invitation of witnesses to be provided in that executive session for their testimony only and cross-examination and a third party would be beneficial other than King Spry.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mrs. Rita Spinelli, Member	☐	X	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	☐	☐	☐	X
Mr. Larry Stern, President	☐	X	☐	☐

VOTE: YES - 3 NO - 5 ABSENT - ABSTENTIONS - 1

Motion denied.

Mrs. Spinelli – I make a motion that we have hearing, a name clearing hearing.

Atty. Schwab – And retain King Spry.

Mrs. Spinelli – Yes.

Board members speaking.

Mrs. Wagner – We need a second.

Mr. Stern – I'll second it.

Name MOTION by Mrs. Spinelli, SECONDED by Mr. Stern to allow Mr. Hauser a name
Clearing clearing, due process hearing using King Spry.
Hearing for
D. Hauser

Mrs. Wagner – Am I adding with King Spry.

Atty. Schwab – Using King Spry.

Mrs. Maholick – Are we having witnesses?

Atty. Schwab – Probably. Everybody can do the whole...

Mr. Stern – The whole deal.

Atty. Schwab – ...deal. There'll be a stenographer here 'cause that's what happens. Public comment?

Mr. Hauser – I would just like to clear that (inaudible) Atty. Schwab that this hearing is specifically conducted in executive session out of respect to FERPA protocols that which surround it.

Atty. Schwab – At the time of the hearing, you will be asked again to make that decision.

Mr. Hauser – Understood.

Atty. Schwab – Because you can say like for instance, like the principal in Palmerton, you want it public and then we have to unlock the doors. But that, you don't have to make that decision yet.

Fred Kemmerer, Jr. – Again, I agree with the. I just want to make sure the witnesses...

Mr. Stern – Yeah, it's a normal process. Whoever can call whoever. Any other questions? Roll call vote.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Member	X	☐	☐	☐
Mr. Wayne Wentz, Vice President	X	☐	☐	☐
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr., Member	☐	☐	☐	X
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mr. Larry Stern, President	X	☐	☐	☐

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - 1
Motion carried.

Mr. Bradley – Will the district be able to subpoena and force the testimony of individuals?

Atty. Schwab – No. If any party wants to do that, they can file a motion with the court and the court can issue a subpoena for it. But the district itself doesn't have to subpoena power. Only the court does.

Mr. Bradley – But it's part of that due process?

Atty. Schwab – I'm not gonna advise you. That would be improper for me to advise you.

Adjournment

Next regular scheduled meeting is Monday, April 15, 2019, at 7:00 p.m.

MOTION by Mrs. Spinelli, SECONDED by Mr. Bradley to adjourn the meeting at 11:42 p.m.

VOTE: YES - 9 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Respectfully submitted,

Patricia J. Denicola

Patricia J. Denicola
Board Secretary

(Minutes of March 25, 2019, includes Pages 1 through 96)