

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
REGULAR MEETING

NOVEMBER 17, 2008

The Regular Meeting of the Board of School Directors of the Bethlehem Area School District was held on Monday, November 17, 2008, beginning at 7:15 p.m. in the Auditorium of East Hills Middle School, 2005 Chester Road, Bethlehem, Pennsylvania.

REGULAR
MEETING

In the absence of the board secretary, Mrs. Morton, district treasurer, called the roll:

MEMBERS
PRESENT

Members present: Directors Amato, Cann, Dexter, Follweiler, Koch, McKeon, Tenaglia and Leeson – 8. Members absent: Director Haytmanek – 1. Student member representatives William Velekei and Megan Kelleher – 2. (Director Haytmanek arrived after 9 p.m. and explained that he was in the operating room.)

Others present: Dr. Joseph A. Lewis, Superintendent of Schools; Donald F. Spry II, Solicitor; Anne M. Morton, Treasurer; administrators, members of the press, and other interested citizens and staff members.

OTHERS
PRESENT

At this point in the meeting, the Pledge of Allegiance was recited.

PLEDGE OF
ALLEGIANCE

President Leeson requested a moment of silent meditation.

SILENT
MEDITATION

President Leeson introduced Ms. Quigney, principal of Donegan Elementary, who presented an instructional report.

INSTRUCTIONAL
REPORT

Ms. Quigney began the program by introducing her colleagues from Donegan Elementary School: Dr. Joanne LoFaso, assistant principal, Mrs. Ann Warmkessel, reading specialist, and Mrs. Angela Seip, instructional support teacher.

Dr. LoFaso presented demographic information related to the school, using a PowerPoint presentation, and pointed out that many of their students were in more than one subgroup. With regard to AYP data, their school met all 21 targets. They were currently on School Improvement II and were making progress with their status level. She said that efforts would be made to continue to make progress and earn AYP by meeting all of the targets listed for academic performance, attendance, and test participation. She highlighted some of the significant gains made by the students last year. She pointed out that the third grade took the PSSA for the first time and when reviewing the results in both mathematics and reading, all students made significant gains. She noted third grade gains between 2007 and 2008 in the Hispanic subgroup, LEP (Limited English Proficient), and economically disadvantaged.

Dr. LoFaso brought attention to the same trends in mathematics for grades three, four and five. The children, in general, did quite well. There were some subgroups that needed additional work with efforts being made to address their needs.

Ms. Quigney continued with the next section, which was about response to intervention, which was a regular education initiative that was written into their school improvement plan. It was a process by which they would be able to reach all students in order to improve academics. This year they were focusing on their reading programs and were looking at tier grouping. Their intervention was designated as early, which meant they would be looking at their primary grades and with enough support, they would extend it into the intermediate grades. She stated that it was a problem solving process and noted that their chosen model was a three-tier model. In the first tier, they dealt with the core curriculum and eventually it would encompass approximately 80-85 percent of their students. They would be doing target interventions in Tier Two. That group should range between 10-15 percent of the students. Their most needy children would eventually be in Tier Three. They would come to them through DIBELS (Dynamic Indicators of Basic Early Literacy Skills) screening. She explained that Mrs. Warmkessel would be providing more information. Ms. Quigney explained that their triangle, which represented the student grouping, was a little wider at the top, but as they went through the intervention process, the students would move through the tiers with the goal being to move more children into Tier One. She revealed a description of their timeline from January until June and pointed out that they met and looked at their building resources, including their available support staff and what programs were already available to them. During the summer months, she and Dr. LoFaso met with Mrs. Hogan, who helped them to answer questions regarding what model would be best for Donegan Elementary School. They also discussed staff training. She said they were working very closely with PaTTAN (Pennsylvania Training and Technical Assistance Network), which had done inservices and training programs. She revealed their timeline from September to November and pointed out that they had been very busy from the point of organizing a team to assess students to choosing tier interventions. The next screen showed their Response To Intervention Team, comprised of teachers from their School Improvement Team, district personnel, one parent, and their building reading specialist.

Mrs. Warmkessel presented images representing their response to intervention such as DIBELS training for their Assessment SWAT Team, consultants from PaTTAN, trained reading specialists and literacy coaches using the DIBELS assessment and measurements. The ELL (English Language Learners) staff was also trained. She reviewed that DIBELS was the assessment tool that would be used to monitor children and place them into tiers. She noted photos representing the SWAT Team approach to assess the entire school.

Mrs. Warmkessel explained that they were able to accomplish the assessment of about 500 students in three days. After that was accomplished, the reading specialists gathered and entered all of the student scores. Using the DIBELS benchmark, the children were grouped into three tiers. The tiers were based on the measurements and benchmarks in the DIBELS assessment. Those children who fell into a low risk group included those students who worked in their core curriculum and would not need an extra intervention, including some students who used more advanced instruction. Tier Two students showed indicators that they might be at some risk. Their most needy students were placed in a high-risk category. After the children were placed in a tier, they looked at their needs and appropriate research based programs and selected the best interventions for the groups with available funds in mind. She brought attention to the six credit graduate year-long Foundations of Literacy Course, which was developed by a district team and was headed by Dr. Joanne LoFaso and consisted of twelve members. She was proud to state that seven of the twelve members in the graduate class were Donegan Elementary School teachers. She explained that the course was part of the district's school improvement plan. As part of the RTI (Response to Intervention), they would be providing ongoing teacher training and monitoring intervention and selection to assure success for their students. If a student intervention was not successful, the student could still remain in their tier and would be able to go to another intervention within the building, in an attempt to benefit the student. Their ultimate goal was to have the majority of the students in Tier One.

Mrs. Seip briefly discussed some of the programs at Donegan Elementary School, which were considered to be very special to the school over the past year. The first program of interest was the Donegan in Bloom Program. The program was started by their Donegan Gardening Club. Their art teacher, Mr. Schantz, guided the students. She noted that over 80 adults and children from the community including parents and volunteers from First Presbyterian Church, who worked on the beautification of the landscaping around the building. She added that the students, as well as teachers, even came in throughout the summer to continue to care for the gardens. She said the gardens were winterized and would be ready for the next spring planting.

Mrs. Seip noted that their first annual back to school picnic was held on the first Friday after the beginning of school. They had over 20 volunteers from First Presbyterian Church of Bethlehem, including teachers and parents who cooked. There were over 300 parents in attendance during the lunchtime program for students in kindergarten through fifth grade. She noted that the superintendent and school board members also were in attendance, as well as many people from the community. Their Donegan Star was the star of their show. She pointed out that everyone had a wonderful time. She stated that 22 teachers and teacher aides met throughout the summer to plan the event and she thought it was one of the most successful events in their building.

Mrs. Seip stated that their school was very lucky to be chosen by the Lehigh Valley Hospital Health Network for the Stack the Pack program. Two chosen schools were the recipients of over 1,500 pounds of school supplies donated to them through the Lehigh Valley Hospital Health Network. Their entire stage was filled with supplies. The network representatives visited the school upon numerous occasions to see how everything was going. She concluded her narrative by welcoming everyone to visit their Donegan Star.

President Leeson thanked the staff from Donegan Elementary School for the report and commented that their PSSA results were very impressive this year. She also congratulated their whole team and pointed out that she could see why they were getting results with the kind of thought and work they were putting into analyzing and targeting the students with the exact interventions they needed.

President Leeson moved to suspend the agenda in order to allow two changes. The first change was the movement of Student Reports to follow Courtesy of the Floor. She also asked if they would allow Dr. Lewis to make a statement before Courtesy of the Floor. Director Follweiler seconded the motion. The motion carried by voice vote.

PRESIDENT
LEESON –
MOTION TO
SUSPEND
AGENDA

Dr. Lewis expressed the following oratory:

An elderly gentleman commented to me on the way out of the Stadium on November 8, that I should actually hope for one of our high schools to lose this past weekend. I asked, "Why would I do that?" He said things would be a lot less intense for us if only one team advanced. I responded that, "I would be thrilled with an all BASD District XI playoff...what a tribute to our athletic program."

DR. LEWIS –
COMMENTARY

I share this short story because we must realize what an honor and privilege it is to have two outstanding high school football teams showcased in the District XI Championship game.

As there has been much conversation and consternation surrounding the rivalry between Liberty and Freedom High Schools, I wish to make a statement on behalf of the administration and Board of School Directors relative to the game.

On Saturday, November 22, 2008, at 12:00 p.m., at the BASD Stadium, Freedom High School will play Liberty High School for the District XI AAAA Championship. A meeting took place today at 9:45 a.m. with building administrators, athletic directors, the Police Commissioner, and myself. Several details of note follow as a result of that meeting this morning:

- 1. Absolutely no tailgating will be permitted. This is a District XI event, not a BASD game.*

2. *Approximately 20 uniformed Bethlehem City Police Officers will be on duty with an extended coverage for the duration of the event and beyond.*
3. *Principals have asked that no signs or banners be permitted; only flags and balloons.*
4. *As per all District XI events; the home team band will play the pre-game show, and the away team band will play the half-time show.*
5. *Home team, as determined by District XI seeding is Liberty High School, and they will sit in the home seats, while Freedom High School will occupy the away seats.*
6. *Fans should enter the ticket entrance nearest their desired seating area. Four minutes into the game the track perimeter gates will be closed and absolutely no foot traffic will be permitted around the stadium. No readmission will be permitted at any time.*
7. *Liberty game participants and district officials will be the only individuals permitted to park in the Klein Center parking lot which will then be opened to the public at 11:00 a.m., if additional spaces are available. Grenadier Boulevard parking will be open to all members of the public.*
8. *Freedom buses will load and unload in the bus channel, which will have security. The channel will be closed to vehicular traffic all day.*

There are several other protective measures in place that we are not specifically sharing for security reasons. We are most proud of two outstanding teams and two exceptional head coaches who have always risen above the distractions.

We are asking all fans to come together to enjoy an incredible Saturday of football, and to respect the rights of all student participants, and the opposing fans as well. We need to show our community that we can and will celebrate these fetes of athleticism in a manner that dignifies the players, the bands, the cheerleaders, the coaches, the band directors, and advisors.

Let us all agree on three things. Let us settle this contest in the field. Let us be competitive, not combative. Let us support our students with an air of class. I will see you at the game!

President Leeson offered courtesy of the floor to visitors. Speakers are asked to come to the podium, stating their name and address. Public comment in the first session is limited to 30 minutes. Speakers are limited to three minutes each. The board requests that, when possible, all individuals supporting a like position on a topic select a speaker to present their views to avoid repetition.

COURTESY OF
THE FLOOR
TO VISITORS

If that is not possible, all are welcome to speak. As per school board policy, generally, speakers are limited to taxpayers, residents, or employees of this school district. At the conclusion of the regular school board meeting, another block of time will be allocated for public comment. At that time, the same rules will apply. It is asked that speakers observe proper decorum, without personal attacks towards a specific individual or individuals. It is not the custom for the board to enter into a dialogue at these meetings about concerns. However, the board does listen with care to issues raised. Speakers will receive responses, in some form, by the administration.

The following persons addressed the Board of School Directors:

1. Mr. Barry Roth – 323 Chetland Terrace, Bethlehem –
Mr. Roth addressed the problems at the recent game. He stated that as a Freedom alumnus, he was appalled. He did not appreciate the acts that were done on that day. He noted that security was very lax for a game they knew would be a problem, via rumors, since the beginning of the season. His main concern was gate traffic on Elizabeth Avenue. He noted there were students congregating at the gate, after the game, in the lane of traffic. He pointed out that it was a hazard and somebody was going to get hurt. They needed to be moved along and noted that it was the police department's problem. He emphasized that the gate was not being closed, and added that it had been that way all season. He said it was announced on the PA system. He saw officers standing around with their hands in their pockets, not doing anything, and he thought it needed to be addressed. Mr. Roth recommended protecting the band, cheerleaders and football team until they left the area. He brought attention to the rock throwing at the bus windows and said it should not have happened and should not ever happen again. He did not know who did it, but he wished someone would come forward. His concern was what could happen in the future, if it was not addressed and pointed out that it could be gunfire in a future incident. He said the superintendent needed to be in contact with the police when they were at the stadium and they should be present until the game was completely over.

Mr. Roth discussed halftime and said that the 20-minute show was blatantly overdone. The skydiving should not have happened. He noted that with regard to safety, there were two bands on the field; one that knew what was going on and the other one that did not. If something happened, someone would have been hurt. He added that he had been to enough professional skydiving operations and that many people were not allowed on the field in the area of activity. If the band director knew about the event, he should be disciplined and held accountable. He also made note of the football team's taunting by the winning team, and commented that the coaching staff from Liberty High School should have stopped it. He thought the principal of the school should be held more accountable.

Mr. Roth thought the Freedom High School students who threw things at the Liberty High School cheerleaders should also be held accountable. Mr. Roth's reiterated his concern about security being better for the next game and after hearing Dr. Lewis, he felt very confident, but, if they could not reach an understanding between the two schools, he recommended eliminating future competition between them. He said it needed to get back to civility. He understood rivalries, but it was beyond rivalry. He was not one to attend meetings, but what he saw at the game scared him because there were young children running around the stadium and elderly people were also in attendance. If a riot broke out, there would be a lot of people hurt for no apparent reason and lack of security.

2. Dr. Thomas Lambert – 3324 Beaufort Drive, Bethlehem –
Dr. Lambert expressed that he was speaking as a representative of the Freedom Band Parents Organization, which was comprised of approximately 300 individuals. He noted he was the president of the group, a chaperone and the proud parent of two daughters who participated in the Patriot Band. The events of this year's game escalated to a level involving damage to personal and district property and more importantly, bodily harm to a Freedom Band student who was hit in the face with a large rock. He noted that this type of behavior should be acceptable to no one. He was deeply troubled by adults who chose to perpetuate poor and negative behavior rather than working together towards solutions. He thought it was sad for his daughters to be greeted at last week's board meeting by a Liberty parent saying to her child, "Here comes those Freedom whiners." The message was clear in that it was not about being poor losers or even about a dead stadium seating issue being clung to by many Liberty alumni, but it was about the actions of several groups and the game. They were a district, which promoted, "No Place For Hate," yet what kind of role models were their teachers and administration if they allowed or indeed promoted those acts. Dr. Lambert asked how they expected the students to behave appropriately if the adults whom they looked to for guidance undermined each other. When a student violated the Code of Conduct and discipline was not enforced, the student quickly learns that rules are not effective. To the violators this comes across as approval. When offenses are overlooked or sometimes encouraged by those in authority, the natural course was for the negative behavior to escalate. He pointed out that if Liberty Band students were allowed to stage mock beatings of rival team mascots, using Rocky music, the hostility was likely to carry over into other students in attendance. They voiced their concerns after the Liberty – Freedom Football Game and many watched the following week as Liberty again beat on the Parkland High School Mascot. He asked how that fit into a No Place For Hate Policy?

Dr. Lambert noted that the district needed to be more consistent in enforcing its message. If they did not take corrective action, they were condoning the unacceptable behavior.

He stated that the actions of the Liberty High School Band at halftime were equally disappointing. It was traditional, proper, and respectful for the visiting band to perform for the home crowd. He said he was speaking on behalf of many Freedom parents who were looking forward to hearing the Liberty Band play while facing their side and that did not happen. The antics of the visiting band air show would not have been tolerated in any contest outside the district. They were dangerous and disrespectful to the spectators and Freedom Band. Dr. Lambert expressed that he was furious that his daughters were put in position of unknowing danger as they prepared for their performance. Liberty personnel also told the Freedom Drumline that they were in danger and needed to move. They were not told why or where and were put in a difficult position of individually choosing between their safety or following the standing directions of their band director with regard to being in regular position for their halftime performance. When the Liberty Band usurped the majority of performance time, the Freedom Band was forced to rush through their show. He noted that the Freedom Band was still performing as the clock expired and the Liberty Cheerleaders rushed onto the field. He added that by his watch, the skydiving stunt ate up over eight minutes. Contrary to what may have been heard, Mr. Moran did not have knowledge of Liberty's show. He found it odd that the Liberty Band parents and students knew of the air show, yet the administrators at Liberty stated they knew nothing of the plans. The show was planned for last year's Freedom – Liberty Game but did not happen because of bad weather. It was known because the banners, carried by the skydivers, were sewn then by a very special lady that supported both bands.

Dr. Lambert thanked Dr. Lewis for accepting partial accountability for the failed security and for his expeditious and determined focus to address all of the security concerns presented by their band at the meeting held the week following the Freedom – Liberty Game. Feedback from students and parents for the first home playoff game was very positive and he anticipated that they could expect the same level of security and safety for the upcoming weekend game.

While students must answer to and be disciplined by the Code of Conduct, faculty or administration must also be held accountable for their decisions and actions. Dr. Lambert urged the board to diligently investigate the issues and reprimand those in authority who had allowed the events to occur. He further commented that adults displaying such poor judgment did not set good examples for the students.

Dr. Lambert said that he understood that personal issues addressed with specific individuals could not be made public, but there had to be a public component to the actions taken if Freedom students, parents, and faculty were to begin to regain their confidence about their safety and further interactions with Liberty.

Dr. Lambert challenged the majority of well-mannered and responsible students and adults from both schools, as well as the board, to work together to set a positive example so they could ensure that all students were safe and continue in an environment of learning and fun and not one of foolish, decades old rivalry that pitted those in the same community against each other.

3. Mrs. Aurea Ortiz – 1628 East Sixth Street, Bethlehem –

Mrs. Ortiz stated that she lived with her husband and two sons in the Southside for eleven years. Her first son, Josue, presently in college, graduated from Freedom High School in 2006. Her other son, Louis, graduated this past June and was in military training. She spoke this evening as a proud member of the Bethlehem Coalition for Quality Education. She noted that their organization wanted to give their community a strong voice. She added that many students were struggling to meet challenges that had been imposed upon them and many had failed to give them the tools to meet those challenges. Those students carried two backpacks to school. One of them carried their books and the other carried neglect, fear, hunger and in many cases, doubt that they would be able to graduate. Mrs. Ortiz explained that they were white, black, Hispanic and other minorities. She believed that by making the PSSA Test a graduation requirement would hurt the students. The PSSA Test was not designed to determine student readiness for success in college or in the workplace. It was not designed to be a high school exit examination for students in all public school districts. The reality in Pennsylvania was that through insufficient federal and state funding support, the students had been short-changed beginning long before eleventh grade. The Bethlehem Area School District was currently determining whether or not to continue all or some of the support programs, which were already in place. SPARK, RASA, the Career and Pathways Academy, the Welcome Classrooms and Reading Recovery[®] might all be on the list of cuts in order to save money that the district lost due to swap investments. Without the support programs, many of their most “at-risk” children would be in jeopardy of not passing the PSSA Test in eleventh grade. Mrs. Ortiz cited data from the State Department of Education, noting that thousands of students, who scored below proficiency on the PSSA Test, went on to college without any need for remediation. She added that most school districts that had an examination for graduation also included a wide range of alternatives. The Bethlehem Area School District needed to clearly define the alternatives in their proposal that would answer important questions.

Mrs. Ortiz questioned how students who were already struggling would be able to participate in 45 hours of tutoring. She asked what would be included in a student portfolio and when would the rubric to assess the portfolio be completed. If the current eleventh grade students were to be the live group, she asked if those students should already have the information. The same question needed to be applied to the curriculum based assessments. The students should know the district's expectations upfront and not a few months before they were expected to achieve the goals. Rather than a PSSA Remediation Course in twelfth grade, she questioned if it would make more sense to require the course in the beginning of high school years. Mrs. Ortiz asked why they couldn't be proactive instead of reactive. The school district's proposal to require proficiency in the PSSA Tests for the current eleventh grade class was a mistake. She reiterated that the requirement would hurt the students whom the PSSA Test was intended to help. She added that they feared the end result would be an increase in the dropout rate and asked how it would help the students. She concluded by stating that the Bethlehem Coalition for Quality Education urged the board to table the proposal until more public input and discussion occurred.

4. Mr. Craig Zieger – 4315 Holly Court, Bethlehem –
Mr. Zieger, representing the Bethlehem Education Association, stated he had addressed the board several times in the past. He noted that two weeks ago, while at a board committee meeting, he was asked about the BEA's position regarding the district's proposal to make proficiency on the PSSA a graduation requirement. Since the association was not involved with the original discussions regarding the important matter, he was unable to provide an answer at that time. Since then, he pointed out that he had taken the opportunity to discuss the proposal with the executive council, as well as with teachers from Liberty and Freedom High Schools. Although they believed that student accountability was critical and most importantly when taking the test, just as important, they could not support the district's proposal as presently written. Mr. Zieger explained their reasoning:
 1. *It was important to look at the number of students who would be affected by the proposal. More than half of last year's juniors were not proficient on the PSSA Test and that was 497 students alone in reading and 610 in math. Even with the removal of the ELL (English Language Learners) and the IEP (Individualized Education Plan) Students, they were still talking about 331 students in reading and 430 students in math. He asked if the district was prepared to not graduate 400 students.*
 2. *The impact of the requirement would adversely affect the students that No Child Left Behind was intended to help. That being the academically struggling children, minority and economically disadvantaged children. Of the 331 students who were not proficient in reading, 56 percent were minority children and 49 percent were economically disadvantaged.*

3. *According to the proposal, students who failed to be proficient on the 4Sight Test in tenth grade would be required to take 45 hours of tutoring to prepare for the PSSA Test given in eleventh grade. An analysis of the costs associated with the proposal revealed a price tag of over \$600,000. The superintendent had already indicated that the state tutoring money could be depleted according to the secretary of education himself. Mr. Zieger asked where the money would then come from.*
4. *Graduation is the accumulation of twelve to thirteen years of educational experiences and achievements. Many of the skills and attitudes needed for success are developed well before the eleventh grade. The district is presently considering cutting some, if not most, of the non-mandated programs that supported the children. Programs such as SPARK (Smart Programs for At Risk Kids), The Welcome Classroom, RASA (Regional Academic Standards Academy), Pathways, and The Career Academy may all possibly be on the table. Mr. Zieger asked how they expected the students to be successful without the necessary support programs. He stated, "We can't." The students have absolutely nothing to do with the district's current financial problems but they will certainly be made to pay the highest price. He noted that the association believed the proposal would have an adverse effect on many of their most at-risk students. They believed that it would not be funded appropriately and some, if not most, of the necessary support programs may be eliminated. This will result in an increased dropout rate and therefore a decline in the graduation rate for both Liberty and Freedom High Schools. For these reasons, the BEA urges the board to table this misguided proposal until a more reasonable discussion can occur.*
5. Mrs. Robyn Cecchini – 1566 Kadel Drive, Bethlehem –
 Mrs. Cecchini stated that she was also very aware of the severity of the district's financial situation and that none of the cuts made any of the parents or teachers happy. She was also aware that the cuts did not make board members or central administration happy. Intramurals, field trip transportation, support programs and all the potential cuts were disconcerting because every one of the programs had value to someone. She commented that as a parent, she might not like the need for the cuts and at some point she realizes that she had to accept that some of them were going to occur out of necessity. She added that she had to get past the anger and ask what could be done to move forward. She noted that last week she spoke with Director Leeson about a potential task force or committee to look at how parents could work with central administration, the board or the appropriate people who had some resources to existing community programs that might help replace intramurals and similar items. She further addressed the constraints of building leases and utilities. She voiced her strong concern about the cuts of the Elementary All City Band Concert and the Frank Broad Track Meet.

Mrs. Cecchini noted that at the elementary level, there was such a decreased level of programming as compared to the middle and high schools. She noted that the Frank Broad Track Meet was a culminating fifth grade event, which was a rite of passage and a chance for school spirit. She said it might not be as important as a support program such as SPARK, but it was a fifth grade memory and she thought there was value having something to look forward to and a special memory to keep. She said the Elementary All City Band was not like an intramural and involved two years of work to meet the standard in music to make the forum. It was an experience to be in a full compliment of a band and to play on a stage and it was a preview for the students before middle and high schools. She pointed out that both high school bands were phenomenal. She was aware that the principals in charge of the programs were looking at alternate funding in very creative manners. She thought it was wonderful and applauded them. Her concern was that once they eliminated something from a budget, the chances of it going back in were slim to none. She said that while everybody was trying to do their part to help champion the cause and make up for deficits this year, she inquired about securing the funding for the programs down the road. She questioned if they would be phased out because they weren't on the budget and the funding sources dry up due to the effects of the market. They were two major culminating elementary school memories/programs. Mrs. Cecchini's daughter, who was a student at Nitschmann Elementary School, lamented about not being able to go with the jazz band to perform during Christmas because of transportation. She stated that her response to her daughter was that she marched in two parades and would still go on a band trip and perform in three concerts. Unless alternate funding was obtained, the fifth graders would not have their performance this year. In closing, Mrs. Cecchini urged the board to consider keeping the items in the budget because she thought the risk of them phasing out far exceeded the short-term financial benefit.

6. Mrs. Esther Lee – 627 Cherokee Street, Bethlehem –
Mrs. Lee addressed Dr. Lewis, Mr. Majewski and the Board of School Directors with the following:
“Tonight it is with much dismay that I as president of the Bethlehem Branch of the NAACP must again stand before you, after reviewing an account of school information by the local news media (because I didn't have direct access to it) in recent weeks in regard to the financial status of the Bethlehem Area School District. The issue of graduation requirements for eleventh grade students from the local high schools and the report by Dr. Lewis and his staff that they would be implementing that the eleventh grade students pass the PSSA Tests as a criteria for graduation. It has been reported that African American students were primarily a cause for scores being lowered in our high schools. One of the questions was where is the incentive for students to continue their education and what happens to the student that is mediocre? Do teachers need to fear for their jobs?”

“We plead with the board of school directors not to give approval to implement this action. I must ask what would be accomplished by having our students fail further? I believe what should be asked is how can we provide quality education to all students from K through 12 in a more deliberate manner. We are mindful that some schools in the district are already on the state’s corrective action list and I thought the plan was to improve our schools. The Bethlehem NAACP’s belief is that the Bethlehem Area School District students should be the recipients of the best education possible. Education is more than reading, math and according to today’s news, science. We believe that the disciplinary students who were once subjected to what seemed like the Bethlehem Area School District’s wrath, since their removal from the Rosemont School, have had their education selection deterred. They are receiving less education and it is more restrictive. This we believe is due to the administration’s bad choice of selecting and following the poor financial advice, which did not benefit the school district and left us in more financial difficulty. What must be realized, is that the only investment we should be engaged in, is that of student education. Taxes are paid by citizens for education and should not be considered for more investment business. I am sure we recognize that the credit rates all seemed attractive at the time, but in education, we cannot look for shortcuts because a bad decision costs money. It has also been reported that Superintendent Lewis and his administrative staff will propose implementing passing the PSSA Test for all eleventh graders as a determination for graduation. Needless to say, we have lost too many students, African American and Latino already, and with this proposed decision, we predict that we will lose another generation. Educators, this is shameful. We are not insensitive to the financial constraints of this district and we recognize the dilemma that the district finds itself in, but don’t balance your budget creating shortcuts for educating all students attending the Bethlehem Area School District. The cuts seem to come directly from education. We ask that Superintendent Lewis in line with administrators show good faith and take a pay cut. We ask that you do not allow Dr. Lewis and the state to undermine our students by further pushing the PSSA Testing. Teach the students and then they will pass their subjects internally.”

7. Mr. Stephen Antalics, 737 Ridge Street, Bethlehem –
Mr. Antalics stated that the Donegan Elementary School report given this evening confirmed his feelings. He watched the AYP Scores over the last number of years and noted that the numbers would not be available until the end of November. He said the scores for white versus black had routinely been 10 to 15 percent lower over a number of years. An uninitiated person might come to a conclusion that maybe the black community was intellectually inferior to the white community. He noted that it was unreal. He asked what the problem was and pointed out that black students who were failing in the traditional system were excelling in the Career Academy so it raised a very serious question.

Mr. Antalics expressed that he did not have the answer but thought there was one but it he didn't know if it was being addressed. There had been a recent political social event, which was very dramatic in that the country elected a black president. He thought that it was a very powerful social statement. He noted the fact that the majority of Americans felt that a black person was capable to lead them. He asked how the school district could take advantage of it and further asked for suggestions. He revealed that in Alabama, an educator brought up the fact that for black students to succeed they did not have to go to the NFL, NBA or MLB. The educator inspired the students in the black community with a clear program with a theme that they could be the president. He asked if the Bethlehem Area School District could take that inspiration and translate it into them being more responsible for their scores because they were not intellectually inferior to the white community. The students needed direction. The fact that black students scored more poorly on tests under AYP than white students indicated a failure of the school district's administration for not motivating the black students to come up to the level of white students. Mr. Antalics commented that it was a serious problem. The Career Academy was doing something to bring black students up to a level of some white students. He thought the curriculum and guidance people in the district had to look very seriously because they had seriously failed the black community. He urged the administration to employ policies and programs to specifically target the black community.

President Leeson inquired about the remaining individuals who were interested in addressing the board during Courtesy of the Floor. After observing four remaining people, she motioned to suspend the agenda to allow for Courtesy of the Floor so they could speak. Director Cann seconded the motion, which was passed by voice vote.

PRESIDENT LEESON –
MOTION TO SUSPEND
AGENDA FOR
COURTESY OF
THE FLOOR

Director Koch brought attention to point of order and inquired if the board president was allowed to make a motion.

Attorney Spry stated that another board member should have made the motion.

Director Dexter moved to extend Courtesy of the Floor to accommodate the four additional raised hands. Director Cann seconded the motion. The motion was passed by voice vote.

DIRECTOR DEXTER –
MOTION TO EXTEND
COURTESY OF
THE FLOOR

President Leeson thanked Director Koch for the correction and continued with Courtesy of the Floor. She asked the speakers to limit their comments to three minutes.

COURTESY OF THE
FLOOR TO VISITORS

8. Mr. Vincent Spina – 2420 Fourth Street, Bethlehem –

Mr. Spina stated the following:

“Good Evening, I come to you as a concerned member and president of the Bethlehem Township Athletic Association. It is my understanding that the board of education will consider the proposal to change the status of the recreational organizations that use the school district property from Class I to Class II status. I also understand that this will require organizations like the Bethlehem Township Athletic Organization to pay additional fees above and beyond our current agreement for site management and custodians. I empathize with the district’s financial concern, especially now, when we as a nation and a community face economic uncertainty. However, the ultimate decision to increase the cost of facility usage for such organizations will have a devastating effect on present and future athletes in the Bethlehem Area School District. Such an increase in costs will be cause for our organization to evaluate our current recreational opportunities for possible cuts and/or restructuring. The adverse affects will be many for both the children of our school district and for the district itself. Simply forcing the community based recreational organizations to drastically reduce their opportunities for children could lead to 1) The reduction of a safe and healthy alternative for our young children. 2) The reduction in the sense of community that surrounds an organization like ours. 3) A disconnect among families toward the district that they currently support with enthusiasm. 4) Feeder programs that have consistently provided the district with talented young children who perform at events leading to an increase in confidence and self-esteem often associated with athletics. 5) The sense of pride that develops among the recreational level and the high school level between participants, thus increasing the participation at all levels.

Therefore, as president of the organization, I am asking you to reconsider your proposal to allow our community recreational organizations the opportunity to stay fiscally sound now and in the future, so they may provide for our children with the opportunities they deserved.”

9. Mr. William Dosedlo – 3601 Klein Street, Bethlehem –

Mr. Dosedlo stated he was the basketball coordinator for the BTAA (Bethlehem Township Athletic Association). He noted that they had 475 boys and girls registered in their basketball program with approximately 98 percent of which were Bethlehem Area School District Students. The ages of their players ranged from 5 to 17 years old. They currently had a total of 41 basketball teams, 13 of which were instructional teams, 20 of which were recreational teams and 8 of which were the Pates Traveling Teams, that played in the Lehigh Valley League and were the feeder teams to Freedom High School. Mr. Dosedlo said that they currently use seven Bethlehem Area School District buildings for practices and games during the week – Farmersville, Freemansburg, Miller Heights, Spring Garden, Governor Wolf, East Hills Middle School, and Freedom High School.

On Saturdays they used Farmersville, Freemansburg, Miller Heights, and Spring Garden for practices and East Hills Middle School and Freedom High School on Saturdays and Sundays for both practices and games. He said he was able to provide each team with two weekly practices plus game time when the season started. If their status changed from a Class I to a Class II organization, the BTAA would be financially unable to continue to provide the same opportunities to our children. His estimate was that it would cost the organization over \$40,000 per year just for gym time. It did not include the cost of equipment, referee fees, uniform, and league fees. Mr. Dosedlo pointed out that he was also required to submit game gym time for each league. If he did not provide enough gym time for home games, their teams could not participate in the league. If their status changed to a Class II organization, they would have no choice but to consider several options. They would have to raise the registration fee from \$75 to possibly \$150 or \$200 per child. He noted that in these economic times, families had difficulty paying \$75, much less double that amount, especially if a family had several children involved in BTAA. If a family truly could not afford to sign up their child or children up for basketball, the BTAA would waive the registration fee. Their organization did not want to exclude any child from participating in their sports programs simply because they could not afford the fee. He was sure if they moved to be a Class II organization, they could not continue to do that for basketball. They would also have to limit the number of children who participated in the basketball program in order to decrease the number of teams, therefore decreasing the need for gym time. Again, as an organization, they did not want to exclude any child from participating in sports. Mr. Dosedlo pointed out that they could limit the number of teams and instead of having four teams of ten players; they could have two teams of twenty players, which would also decrease their need for gym time. He asked how they could expect the coach to get adequate playing time for all of the children with twenty players on a team. He added that they could play all away games or just not play games at all. Lastly, they could limit each team to only one or two practices every few weeks. They believed that none of the solutions were a viable option and would do nothing but hurt the children. He stated that their organization had always put the children first and had worked very hard to improve their sports program and move forward. If their status was changed to a Class II organization, they would have no choice but to make many concessions that would cause their basketball program to take a giant step backwards. In conclusion, he realized that the Bethlehem Area School District had financial issues but attempting to save money at the expense of Bethlehem Area School District children was not the answer. He asked each board member to carefully examine the proposal and to think about how it would affect their children. Mr. Dosedlo recognized approximately 20 basketball coaches in addition to the parents of players from the BTAA who were in attendance to support the program.

10. Mr. Sis-Obed Torres Cordero – 1612 Prospect Avenue, Bethlehem –
Mr. Torres Cordero stated that he was the Director of the Council for Spanish Speaking Organizations of the Lehigh Valley, which was located in South Bethlehem. He voiced opposition to the policy regarding the PSSA Test. He noted that the word out on the street was that the decision was a done deal. He said the students were talking about it at home and parents were being told by their children that if they didn't pass the PSSA Tests, they could not graduate. He pointed out that the PSSA Test was perhaps a good barometer but it was not absolutely indicative of what a kid would do once he graduated. Mr. Torres Cordero noted that the council had been looking at the PSSA Scores for years and the success rates for Latino and African American students had been a lot less than white students and not only in Bethlehem but also in Allentown and Reading, where there happened to be larger numbers of Latino and African American students. He said that if they passed the requirement and gave the students 45 hours of remediation to pass the PSSA Tests between now and June, it would be pure folly and it would not happen. He thought that more students would drop out and added that he didn't see that the district had a drop out prevention program or policy. He encouraged them to table it, take a harder look at it and give it some more time. He concluded that they did not want to have more of their kids dropping out unnecessarily because of the creation of an artificial barrier to get more dropouts and to save money in that way, which was how it looked in the community.
11. Carolyn Roeder – 1529 Stanford Road, Bethlehem –
Mrs. Roeder addressed the board regarding the Liberty Band performance and noted that there was no intention to make the show dangerous but it was simply intended to be fun. She added that for the past 30 years, every year the Liberty Band planned something fun for the Freedom – Liberty Game. She expressed that their director was in no way an unsafe man, and as she addressed some of the members in email, he was a man who did not allow his band members to perform in a parade because of lightning storm after making an hour and a half journey to New Holland, Pennsylvania. She said that there was no intention for the show to be a slap in the face to anyone in the district. Mrs. Roeder reminded everyone that he recently won the Walmart Teacher of the Year, which made the entire school district look good because it showed that Bethlehem had quality teachers and they provided a quality education. She asked everyone to consider that it was a terrible mistake and that somehow there was a miscue between the band director and the athletic director as far as time on the clock. She concluded that the Liberty kids did not know details but just knew that a surprise was coming and it was purely intended to be fun.

12. Audrey Stasak – 2025 Quail Creek Road, Bethlehem –

Mrs. Stasak stated she was glad to hear that nothing new had been presented that they had not already heard. She felt strongly that the situation was two-sided but thought that parental involvement hurt the situation. She thought there was a lot of “bad mouthing” from both schools with regard to rumors. She also recommended parental involvement to ensure security, which was crucial for the students. She thought they needed to move on and was very glad to hear Dr. Lewis’ statement. Mrs. Stasak hoped the bad mouthing stopped because she didn’t think they were getting anywhere and it was making things worse for the students, especially with the parental comments. She concluded that they were making progress relative to security concerns. She also recommended disciplining the offenders.

LIBERTY HIGH SCHOOL – Megan Kelleher stated that the students at Liberty High School were anxiously counting down the days until Thanksgiving break. She announced that tickets were available for the fall production of *Hamlet*, which would be held on December 5 and 6 in their brand new auditorium. Liberty Theater also had an amazing night during the Friends of Liberty Theater Soiree, which was held on Friday, November 7. The students entertained members of the community with some song and dance numbers and monologues, which raised money for their expanding drama community. Megan also announced that the orchestra and chorus holiday concert will be held on Friday, December 12, and would include holiday classics, some new songs, and the ever popular Halleluiah Chorus. Megan said she did not care to speak about the Freedom – Liberty Game and added that she felt that they all knew what happened and were ready to put it behind them. A few of her friends requested that she state the following:

STUDENT REPORTS

“When looking back at what happened, it was very unfortunate that the actions of a few have been used to judge the character of Liberty students as a whole. But we won’t let the media circus get in the way of our bigger goals. In the end, the whole fiasco has only strengthened our school unity and made us closer than ever so we choose to look on the bright side of this. The brighter side of this is that our football team is yet again in the district playoffs after defeating Emmaus 26 – 20.”

Megan added that when she heard that their next game was against Freedom, most of the students cringed. But they were looking past that and were ready to prove that they were looking forward to it. On a final note, she said that Mrs. Durante informed her that they would be having a joint T-shirt for Liberty and Freedom High Schools available on Thursday with the proceeds benefiting Special Olympics of Bethlehem.

FREEDOM HIGH SCHOOL – William Velekei announced that their theater production, *The Crucible*, was performed on November 7, 8 and 9. He was not able to attend but heard it was an outstanding performance after speaking with cast members and students who viewed the play.

Will commended the Freedom High School Theater Company. He also brought attention to a food drive being held by the student council. The top three homerooms will be given a bagel party. The proceeds will be donated to Trinity Soup Kitchen on West Market Street in Bethlehem. Will commented that their female football players had been practicing hard almost every day. The Powder Puff Football Game between Freedom and Liberty High Schools would be held on an alternate date because of the Freedom – Liberty Football Game. A possible Powder Puff Game might also be scheduled between Freedom and Nazareth High Schools. Will announced that the basketball team just started tryouts today while the cheerleaders started selling Riot Squad T-shirts for the student section. He said that the soccer team finished their season by reaching the District XI Championship. Unfortunately, the team lost to Parkland, but the team experienced a great season. Two weeks ago, the high school football team recorded their first district football win in school history against Wyoming Valley West High School. This past Friday, they beat Hazleton High School to move on to the District XI Championship for their second district win in school history. Will had one comment regarding the Freedom – Liberty Football Game stating that as a senior football player, one always wanted a second chance at something. To get a second chance at a city rival, which was one of the best rivals in the area, was something that he could not explain. He asked, as a community, to try to focus on the positive points of the game rather than the negative. Will thought it would be a great game and added that everything off the field would be taken care of and recommended focusing on the positives and not the negatives.

A motion was made by Directors Koch and Dexter to approve the minutes of September 22, 2008 Regular Board Meeting. The motion was carried by voice vote.

APPROVAL OF MINUTES

President Leeson requested a motion to approve the committee minutes.

APPROVAL OF
COMMITTEE
MINUTES

Director Dexter moved to table the committee minutes. She added that one of the meeting minutes needed an amendment but she was unable to reach Mr. Majewski.

DIRECTOR DEXTER
MOTION TO TABLE

President Leeson asked if Director Dexter wanted to table all of the committee minutes.

Director Dexter replied that she thought it made sense to table all of the minutes.

Director McKeon seconded the motion.

The motion carried by voice vote with Director Amato opposed.

President Leeson requested a motion to approve the Financial Report and Payment of the Bills – Items 30 and 31 on the Recommendations of the Administration. The motion was made by Directors McKeon and seconded by Director Follweiler.

APPROVAL OF
FINANCIAL REPORT/
PAYMENT OF BILLS

President Leeson inquired if there was any discussion on the items.

Director Tenaglia replied that they had several questions and in the absence of Mr. Majewski, he moved to table the matter.

President Leeson asked if there was a problem with the Payment of the Bills.

Dr. Lewis inquired with Mrs. Morton if there was a problem with discounts or other items. He asked if they could possibly discuss the liability first because he was concerned about the district incurring an interest charge.

Director Tenaglia responded that he did not either and asked if they knew it they would.

Director Amato asked the solicitor if it was something that could be done.

Attorney Spry replied that they could table it if it was their choice.

Director Amato asked if the board really wanted to table paying the bills and questioned their liability. He firmly conveyed that he recalled it happening at Nazareth Area School District and added that the solicitor stated that the board would be responsible if the bills were not paid.

Dr. Lewis stated that Mrs. Morton relayed to him that it was a large run and there was a definite possibility that if they were not approved tonight and approved at their December meeting, they could incur potential charges.

Director Tenaglia recommended making an amendment to approve the bills and table the Treasurer's Report.

Dr. Lewis replied that it would be much more acceptable to the administration.

President Leeson reviewed that they would table the Treasurer's Report and pay the monthly bills. She mentioned that the budget information was an information item only.

Director Tenaglia stated that they could discuss the budget information at the Finance Committee Meeting.

Dr. Lewis asked for two separate motions, one to table the Treasurer's Report and the other to pay the bills.

Director Tenaglia moved to table the Treasurer's Report, which was seconded by Director Dexter. The motion passed by voice vote with one voice of opposition from Director Amato.

DIRECTOR TENAGLIA –
MOTION TO TABLE
TREASURER'S REPORT

Director McKeon moved to amend the motion to approve the monthly bills, which was seconded by Director Tenaglia.

DIRECTOR MCKEON –
MOTION TO AMEND
MOTION TO APPROVE
MONTHLY BILLS

The question was called with roll call as follows: Yea, Directors Amato, Cann, Dexter, Follweiler, Koch, McKeon, Tenaglia and Leeson. The motion passed 8 – 0.

ROLL CALL –
AMEND MOTION TO
APPROVE MONTHLY
BILLS

President Leeson stated that an executive session was held prior to the meeting at which time litigation matters, personnel and student discipline matters were discussed.

PRESIDENT'S
COMMUNICATIONS/
SPECIAL MEETINGS

President Leeson announced that on this Saturday, the district was honored to have two outstanding football teams coming on the field to battle for the District XI Title. It was an opportunity for the district to be the first district, outside the city of Philadelphia, to have two teams competing against each other for the District XI Title. It was also an opportunity for them to show what their community was really about and not the small things that occurred at the last game. President Leeson asked everyone who planned to attend to help the district by being self-policing in some of the behaviors and to also encourage good sportsmanship. She added that no matter who won, it would be a Bethlehem Area School District Team. She was aware that passions would run high with either winning or losing, but after the passions die down a bit, she hoped they would all be very proud of the fact that one of the district's teams had won the coveted title of District XI Champion. They all knew that District XI was noted as being one of the outstanding football districts. She pointed out that Dr. Lewis had already outlined many of the additional security measures and she applauded his efforts along with the combined efforts of the athletic coaches, athletic directors and principals in pulling together with the police department to make it a secure event. She questioned Dr. Lewis about preparation for the event and also asked if Liberty High School was prepared to host a fun-filled and secure, safe afternoon for the Bethlehem Area School District.

Dr. Lewis replied that the only correction he had was that it was District XI and Liberty would be the home team. He noted that as a district, they were prepared. He added that he had neglected to state that Mr. Gilliland was also at the meeting and with the district's security, along with Commissioner Miller and his force, he believed they were thoroughly prepared.

President Leeson thanked Dr. Lewis and said that she knew he had been working hard. She expressed that she was looking forward to the contest and congratulated both teams for being in the District XI Playoffs.

Dr. Lewis noted the following corrections to the agenda:

Item 17 – Resignations – Page 18 – There was a change of date to December 15, 2008 for Kevin Remaly.

SUPERINTENDENT’S
REPORT/FEDERAL
PROGRAMS UPDATE

Item 20 – Nominations for Appointment – Page 26 – Track Assistant Coach Joshua Kline should be listed under a new heading titled Liberty High School.

Item 33 – Addendum to the Table of Contents – Approval of Settlement Agreements with L.C. versus BASD and J.R. versus BASD – This recommendation involved student cases decided by the state hearing officer and the appeals panel. They were private cases with minors and reviewed by the board.

Dr. Lewis announced that the Gift of Sight Vision Project was a huge success this year with 794 students in the Greater Lehigh Valley receiving services with 340 students coming from the Bethlehem Area School District. He thanked the following health partners: St. Luke’s Community, Pearle Vision® and LensCrafters®. Their assistance in donations made the wonderful event happen. He also thanked the Transportation Department who transported the needy children to the center, the staff from the Family Centers, the Aspire Program, Iris Cintrón – Minority Affairs/Governmental Programs/Grants, the school nurses and health assistants, Kim Hayes from Dining Services, and the staff and administration including Mr. LaPorta from Freedom High School who hosted the event. He pointed out that Kathy Halkins, supervisor of the nursing staff, was instrumental in putting the entire event together.

Dr. Lewis presented the recommendations of the administration.

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1. *Memorandum of Understanding with Local Police Department*

INFORMATION:

The Pennsylvania Emergency Management Services Code mandates that every school district, in cooperation with the local Emergency Management Agency, shall develop and implement emergency preparedness plans. The Bethlehem Area School District's plan, as well as the Northampton and Monroe County Emergency Preparedness Committee, endorse the development of Memorandums of Understanding with all local police departments. The purpose of the agreement is to establish procedures to be followed when any incident occurs on school property, at any school sponsored activity, or on any public conveyance providing transportation to or from a school or school related activity. It is further the purpose of the Memorandum to foster a relationship of cooperation, mutual support, and the sharing of information and resources between parties as they work together to maintain the physical security and safety of the schools in our district.

The Memorandum of Understanding for Freemansburg Police Department was reviewed with the board at the November 3, 2008, Board Facilities Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the Memorandum of Understanding between the Bethlehem Area School District and the Freemansburg Police Department.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

MEMORANDUM OF UNDERSTANDING

Bethlehem Area School District and the Freemansburg Police Department

This Memorandum of Understanding between the Bethlehem School District ("School District") and the Freemansburg Police Department ("Police") enter into this Memorandum in accordance with the provisions of the act of March 10, 1949 (P.L. 30, No. 4), as amended, 24 P.S. 13-1301-A, *et seq*, known as the Safe Schools Act to the extent required thereby.

I. Joint Statement of Concern:

THE PURPOSE OF THIS MEMORANDUM IS TO ESTABLISH PROCEDURES TO BE FOLLOWED WHEN ANY INCIDENT INVOLVING AN ACT OF VIOLENCE OR POSSESSION OF A WEAPON ("CRIMINAL ACTIVITY") OCCURS ON SCHOOL PROPERTY, AS DEFINED IN THE PENNSYLVANIA SAFE SCHOOLS ACT.

II. Incidents Requiring Police Notification and Response

A. District Obligations:

1. No School District employee will ask the Police to enter into any discussion with the student suspect relating to the disposition of the Criminal Activity as it applies to consequences relating to violations of school policies/procedures.
2. Surrender to the Police all contraband or physical evidence, pursuant to an investigation, found on or in school property, school vehicles and at school sponsored activities.
3. Turn situations that require police involvement and threaten the safety of the school community over to the Police. Once the Police have taken charge of the situation, school personnel will continue to provide support and assistance during the crisis.
4. Work collaboratively with the Police in Criminal Activity prevention, reporting, investigation, serving warrants, identification of suspects and, where appropriate, apprehension and prosecution of those individuals. This should involve as little disruption of the school environment and violation of the student's privacy as possible. The School District will defer to the expertise of the Police on such matters except as is necessary to protect an interest of the School District as it relates to the Public School Code of 1949, 24 P.S. §§ 1-101, *et seq*.
5. Request that police officers: inform the school administration of their presence whenever they arrive at school; carry out their duties while on School District property with as little disruption of the school environment as possible; and abide by School District policy regarding access to students during the school day.
6. Complete reports as required under the Public School Code of 1949, 24 P.S. § 13-1303-A.
7. Provide or arrange for emergency and medical treatment, as necessary.
8. Meet the police officer(s) arriving on school property as a result of a report.

B. Police obligations:

1. Inform the school building administration of their presence whenever they arrive in a school.
2. Carry out their duties while on School District property with as little disruption of the school environment as possible.
3. Abide by School District Policy regarding access to students (see taking custody) during the school day unless a particular situation requires immediate action.
4. Consult with the School District on issues related to prevention, reporting of Criminal Activity, safety, and other school-law enforcement issues.

MEMORANDUM OF UNDERSTANDING

Bethlehem Area School District and the Freemansburg Police Department

C. Responses to Incidents:

1. The School District shall immediately report to the Police all Criminal Activity committed on school property once the School District becomes aware of said Criminal Activity.
2. Schools will also comply with reporting as required by the School District's Policies and Procedural Guidelines which include, but are not limited to: Students and Police Policy, Weapons Policy, Substance Abuse Policy; threats of homicide or other violent acts as required in the District's Critical Incident Guidelines, Child/Student Abuse Policy, Gang Policy, and discipline violations required to be reported to the Police in the District's Code of Conduct Disciplinary Guidelines, and the Safe Schools Act, 24 PS § 13-1301-A *et seq.*
3. Upon notification of the Criminal Activity to the Police, the School District shall provide as much of the following information as is available at the time of notification. In no event shall the gathering of information unnecessarily delay notification:

A. Whether the Criminal Activity is in progress or has concluded;

- i. Nature of the Criminal Activity;
- ii. Exact location of the Criminal Activity;
- iii. Number of persons involved in the Criminal Activity;
- iv. Weapons, if any, involved;
- v. Whether the weapons, if any, have been secured and if so, the custodian of the weapons;
- vi. Injuries involved;
- vii. Whether EMS was notified;
- viii. Identity of the School District contact person;
- ix. All other such information known to the School District which can be deemed relevant to the incident under investigation;
- x. Names and ages of individuals involved; and
- xi. Identity of any witnesses.

4. Initial response by Police

a. Incidents of Criminal Activity in progress;

- i. Meet with School District contact person, if necessary, to locate incident of Criminal Activity
- ii. Stabilize incident of Criminal Activity
- iii. Provide or arrange for emergency medical treatment as necessary
- iv. Control the scene of the incident of Criminal Activity
 - a. secure any physical evidence at the scene
 - b. identify involved persons and witnesses
- v. Conduct investigation
- vi. Exchange information
- vii. Confer with school officials to determine the extent of Police involvement required by situation.

b. Incidents of Criminal Activity not in progress:

- i. Meet with School District contact person
- ii. Recover any physical evidence and provide a written receipt for the same to the appropriate school administrator
- iii. Conduct investigation
- iv. Exchange information
- v. Confer with school officials to determine the extent of Police involvement required by situation.

c. Incidents of Criminal Activity involving delayed reporting;

- i. Incidents of Criminal Activity which are reported after the conclusion of the school day or event during which the incident took place
- ii. If initially reported to the School District, handle as if reporting was not delayed
- iii. If initially reported to the Police, investigation will be conducted as any other investigation.

MEMORANDUM OF UNDERSTANDING

Bethlehem Area School District and the Freemansburg Police Department

School District will be made aware of the incident and information will be shared as if the reporting was not delayed, unless the police determine the investigation requires otherwise.

5. Scope of School District's Involvement:

a. Victims and Witnesses:

- i. As soon as possible, the School District shall notify the parent or guardian of a victim or witness when Police interview that victim or witness on School District property unless otherwise notified by the police. Police shall follow department policies and procedures when interviewing a victim or witness to ensure the protection of the victim or witness's legal and constitutional rights.
- ii. In the event a victim or witness is interviewed by Police on school property, a school administrator, or designee, shall have the right to be present during the interview, unless proper police procedure dictates otherwise.

b. Suspects:

- i. Depending upon the individual circumstances of the incident of Criminal Activity, a student suspect may or may not be competent to waive his/her rights to consult with an interested adult and/or attorney prior to speaking with Police.
- ii. The School District shall cooperate with Police to secure the permission and presence of at least one parent or guardian of a student suspect before the student is interviewed by Police.
- iii. In the event an interested adult cannot be contacted, the School District shall defer to the policies, procedures and direction of the investigating Police who shall act in a manner consistent with the protection of the student suspect's legal and constitutional rights.
- iv. The legal conduct of interviews, interrogations, searches, seizures of property and arrests are within the purview of the Police. The School District shall defer to the expertise of the Police on matters of criminal and juvenile law procedure, except as is necessary to protect a legal and clearly defined interest of the School District.

c. Conflicts of Interest:

- i. The parties to the Memorandum recognized that in the event that a School District employee, contractor or other person acting on behalf of the District is the subject of an investigation, a conflict of interest may exist. In such circumstances, the individual that is the subject of the investigation will not be present during the interviews of students as co-suspects, witnesses or victims by police. The School District Superintendent will be informed of the investigation and neither the Superintendent nor his or her designee will be present when the Police interviews students as co-suspects, witnesses or victims of a School District employee, contractor, or other person acting on behalf of the School District.
- ii. Neither the individual who is the subject of the investigation, nor his/her subordinates(s) and/or direct supervisor(s) shall be informed of the contents of the statements made by student co-suspects, victims or witnesses, except at the discretion of the Police or as otherwise required by law. A building administrator or other similar school employee who is not involved in the conflict, shall have the right to be present during the interview of a student as a co-suspect victim or witness. In light of the potential for a conflict, however, the decision to have the building administrator or other similar school employee present during the interview shall be a cooperative decision between the School District and Police.

III. Police Taking Custody of Students

- A. The School District will cooperate with Police who arrive to take custody of a student. Students may be taken into custody at the discretion of the Police.
- B. The School District recognizes that the Police have the authority to take a student into custody for the Lehigh County Office of Children and Youth.
- C. The Police shall take all appropriate steps to protect the legal and constitutional rights of those students being taken into custody.

MEMORANDUM OF UNDERSTANDING

Bethlehem Area School District and the Freemansburg Police Department

IV. Exchange of Information

- A. The Police will provide information to the School District within the limits imposed by law, including but not limited to, the Criminal History Information Act, 18 Pa.C.S., Chapter 91 and the Public School Code of 1949, 24 P.S. § 13- 1303-A, and pursuant to Police policies and procedures.
- B. The School District will provide information to the Police within the limits imposed by law, including but not limited to, the Federal Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g and its implementing regulations at 34 C.F.R. § 99.1 *et seq.*, 22 Pa Code §§ 12.31 – 12.33 and the Public School Code of 1949, 24 P.S. § 13-1303-A and § 13-1317.2, and pursuant to the School District policy and procedures.

V. Media Contact

- A. Media contact involving incidents of mutual concern should be coordinated between the School District and the Police when practical. The parties will release as much information as required by law with due consideration to the investigative needs and the need to limit disruption of the School District function and the Police function.
- B. The release of information concerning Criminal Activity shall be coordinated between the School District and the Police.

VI. Assistance of School District:

A. Notification of Parent or Guardian:

- 1. In the event that a Parent or Guardian is a co-suspect or in the event of a situation in which immediate notification of the incident of criminal activity may result in the destruction of or tampering with evidence or witnesses, the School District, in cooperation with the Police, may decide to delay notification of parents or guardians as reasonably requested by the Police.
- 2. School Districts shall document attempts made to reach the parents or guardians of all victims, witnesses and suspects of incidents of Criminal Activity reportable to Police pursuant to the terms of this Memorandum.
- 3. Except in cases in which the suspect student is injured and requires medical attention, the decision to notify a suspect's parents or guardians shall be a cooperative decision between School District officials and the Police.

VII. General Provisions

- A. This memorandum is not intended to and does not create any contractual rights or obligations with respect to the signatory agencies or any other parties.
- B. This memorandum may be amended, expanded or modified any time upon the written consent of the parties. However, in any event, this Memorandum must be reviewed and re-executed in accordance with legal requirements.
- C. In the event of changes in state or federal law which necessitate changes to this memorandum, the School District and the Police shall collaborate to promptly change this memorandum to ensure compliance by the School District and the Police with state and federal requirements.
- D. The School District and the Police will actively work to resolve any differences in interpretation of this memorandum or in fulfilling the terms thereof.
- E. No later than April 15th of each year, the Police Chief, or his designee, shall meet with the School District Superintendent and Principals to discuss school safety issues and to make such modifications to this Memorandum of Understanding as may be appropriate. The parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

Superintendent, Bethlehem Area School District Date

Chief, Freemansburg Police Department Date

2. *Pennsylvania Department of Education Self-Certification Approval – Asa Packer Elementary School Fire Alarm System Replacement*

INFORMATION:

At the Board Facilities Committee Meeting on November 3, 2008, the board granted approval that the administration be allowed to bid the Asa Packer Elementary School Fire Alarm System Replacement. The administration needs to submit the attached Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval for the Asa Packer Elementary School Fire Alarm System Replacement.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to submit the Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval of the Asa Packer Elementary School Fire Alarm System Replacement.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

NON-REIMBURSABLE WORK SUBJECT TO ADVERTISING AND BIDDING REQUIREMENTS

X

INSTRUCTIONS:

1. Prepare specifications/drawings as needed.
2. Complete one application for each set of bid documents.
3. Provide completed address mailing label for the board secretary.
4. Submit only the application form. Do not submit any other documentation such as the advertisement, plans, specifications or a completed specifications checklist.
5. Send the completed application to the Department of Education, Division of School Facilities, 333 Market Street, Harrisburg, PA 17126-0333. Any questions regarding the completion of this form should be directed to the Division at (717) 787-5480.

SELF-CERTIFICATION APPLICATION FOR NON-REIMBURSABLE CONSTRUCTION PROJECT

Telephone Number (including extension)

WORK DESCRIPTION

Architectural Area of the Addition or New Building	Architectural Area of the of the Existing Structure	Act 34 Percent (round to 2 decimal places)

OTHER:

BOARD CERTIFICATION

The Board hereby applies to the Department of Education for approval of the plans and specifications for the work described above. The Board certifies that, to the best of its knowledge and belief, construction bid documents comply, or will comply, with applicable laws, regulations and policies, and the project will not pose a hazard to the health and safety of users. Specifications include all applicable statements set forth in the current PDE document entitled "Required Clauses for Specifications." Construction contracts will not be entered into prior to PDE approval. If the Board proceeds with this project, the lowest responsible bidder(s) will be selected. The Board also certifies that the above-described work will proceed whether or not additional on-site work that is subject to Act 34 of 1973 goes forward.

BOARD ACTION DATE:	VOTING:	AYE	NAY	ABSTENTIONS	ABSENT
--------------------	---------	-----	-----	-------------	--------

District/AVTS Address

PDE USE ONLY

Based on the Board's representation to the Department that (1) the requisite laws, regulations and standards have been met; and (2) this project will not present a danger to the health or safety of the users, the plans and specifications for the project are approved as meeting the requirements of the school laws of Pennsylvania and the policies and regulations of the State Board of Education.

PDE USE ONLY

3. *Pennsylvania Department of Education Self-Certification Approval – Asa Packer Elementary School Roof Repair/Replacement*

INFORMATION:

At the Board Facilities Committee Meeting on November 3, 2008, the board granted approval that the administration be allowed to bid the Asa Packer Elementary School Roof Repair/Replacement. The administration needs to submit the attached Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval for the Asa Packer Elementary School Roof Repair/Replacement.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to submit the Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval of the Asa Packer Elementary School Roof Repair/Replacement.

Director Follweiler offered to discuss Items 3, 4 and 5 together, which was agreed upon by President Leeson.

Director Follweiler stated that there were no dollar amounts listed on the paperwork and she believed that it involved money when it was discussed in committee.

President Leeson brought attention to the back of the document.

Director Follweiler asked if it was required to be on the recommendation section.

President Leeson asked for an opinion regarding the approval of the recommendations without the dollar amount noted on each recommendation.

Dr. Lewis inquired with Mr. Fazil about the requirement to submit a dollar amount for the approval of Self-Certification.

Mr. Fazil noted that the estimated cost was located on the back of the Self-Certification. He added they were reviewed at committee with a separate handout on all of the projects that were being proposed.

Dr. Lewis reviewed that they were estimated costs, which was typical of a self-certification request.

Director Follweiler asked if it had to be written within the recommendation so it was clearly stated that the estimation would be “x” amount of dollars.

President Leeson noted that Attorney Spry stated that within the information it stated, “The administration needs to submit the attached Self-Certification Application...” and so the attachment would have the information. He said it was their call on it, but noted that the information was available.

Director Follweiler stated that for the record and further clarification, the account code and monies were not within the recommendation. She further inquired if that information needed to be stated

Dr. Lewis stated that they were submitting a Self-Certification for approval by the state for the project. He noted that when they received bids on it, the board would then approve not only the payment but also where the funds would be drawn.

Director Follweiler questioned if they were not presently approving the funds, would they be doing so after the bid approval. She reiterated that it was all for clarification.

Dr. Lewis affirmed Director Follweiler’s inquiry.

Director Cann recommended inserting the word “attached” before the word Self-Certification in the Information area on Recommendations 3, 4, and 5.

AMENDMENT TO
ITEMS 3, 4, and 5

President Leeson inquired with Dr. Lewis about any objection to the amendment considering that it was an administrative recommendation.

Dr. Lewis replied that he did not have any objection and thought that it clarified the information.

President Leeson announced that the vote would be on the amended recommendation to Items 3, 4 and 5, with the addition of the word, “attached” placed before the words, “Self-Certification,” in the last sentence of the Information section.

Director Dexter stated her earlier motion to table was because of information received as early as last week, that there would again be a projected budget deficit this year and she understood it to be over 4 million dollars, according to the available numbers. She pointed out that some of the capital improvements might need to be considered in terms of what other issues would be coming before the board for cuts. The decision was made to schedule another Finance Committee Meeting on Monday, November 24, at which time they would hear more about the impact of the budget cuts, as well as the impact of anything the district might be able to do to alleviate the projected deficit.

Director Dexter said it was her view that they needed to be looking forward into the future and perhaps delay consideration of these particular capital improvements until they saw the big picture. She pointed out that they needed to know the cost of the improvements and where they would get the money. If they decided to recoat roofs, she asked if it would have an impact on providing instruction to their students.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

NON-REIMBURSABLE WORK SUBJECT TO ADVERTISING AND BIDDING REQUIREMENTS☒Project Costs for
Non-Emergencies >\$10,000☐Purchase or Lease/Purchase of
Modular/Relocatable Classroom**INSTRUCTIONS:**

1. Prepare specifications/drawings as needed.
2. Complete one application for each set of bid documents.
3. Provide completed address mailing label for the board secretary.
4. Submit only the application form. Do not submit any other documentation such as the advertisement, plans, specifications or a completed specifications checklist.
5. Send the completed application to the Department of Education, Division of School Facilities, 333 Market Street, Harrisburg, PA 17126-0333. Any questions regarding the completion of this form should be directed to the Division at (717) 787-5480.

SELF-CERTIFICATION APPLICATION FOR NON-REIMBURSABLE CONSTRUCTION PROJECTDISTRICT/AVTS: BETHLEHEM AREA SCHOOL DISTRICTCOUNTY: NORTHAMPTONBUILDING/SITE NAME(S): ASA PACKER ELEMENTARY SCHOOL

(Include all building(s) and/or site(s) on which work will be completed.)

The person to be contacted if there are any questions about this application is:

M. ARIF FAZIL, P.E.

Contact person's name and position

610-865-3000

Telephone Number (including extension)

WORK DESCRIPTION

Check the appropriate boxes that apply to this project:

- | | |
|---|---|
| ☐ Asbestos Abatement/Removal | ☐ Boiler Repair/Replacement |
| ☐ Flooring Repair/Replacement | ☐ Paving/Resurfacing |
| ☒ Roof Repair/Replacement | ☐ Remove/Replace/Upgrade Storage Tank(s) |
| ☐ Install Fiber Optic Lines/Network Cabling/Data Cabling | |
| ☐ Lease/Purchase or Purchase of Relocatable/Modular Classroom(s) | |
| ☐ School Building/District Administration Office Addition or New Construction. Perform the following calculations to determine if Act 34 of 1973 applies to this project. See the instructions for additional information. | |

TOTAL ESTIMATED COST:\$ 220,000

<u> </u> sq. ft. }	<u> </u> sq. ft. X 100 = <u> </u> %
Architectural Area of the Addition or New Building	Architectural Area of the of the Existing Structure
	Act 34 Percent (round to 2 decimal places)

☐ Other: _____

Check the construction codes and/or guidelines selected for this project:

BOCA DEP EPA L&I NEC OSHA PADOT PA UCC X IBC X
OTHER: _____**BOARD CERTIFICATION**

The Board hereby applies to the Department of Education for approval of the plans and specifications for the work described above. The Board certifies that, to the best of its knowledge and belief, construction bid documents comply, or will comply, with applicable laws, regulations and policies, and the project will not pose a hazard to the health and safety of users. Specifications include all applicable statements set forth in the current PDE document entitled "Required Clauses for Specifications." Construction contracts will not be entered into prior to PDE approval. If the Board proceeds with this project, the lowest responsible bidder(s) will be selected. The Board also certifies that the above-described work will proceed whether or not additional on-site work that is subject to Act 34 of 1973 goes forward.

BOARD ACTION DATE: _____ VOTING: AYE _____ NAY _____ ABSTENTIONS _____ ABSENT _____

STANLEY J. MAJEWSKI, JR.

Signature, Board Secretary

Board Secretary's Name, Printed or Typed

Date

BETHLEHEM AREA SCHOOL DISTRICT 1516 Sycamore St., Bethlehem PA 18017

District/AVTS Address

PDE USE ONLY

Based on the Board's representation to the Department that (1) the requisite laws, regulations and standards have been met; and (2) this project will not present a danger to the health or safety of the users, the plans and specifications for the project are approved as meeting the requirements of the school laws of Pennsylvania and the policies and regulations of the State Board of Education.

PDE # _____

Approved by the PA Department of Education _____

Date _____

PDE USE ONLY

4. *Pennsylvania Department of Education Self-Certification Approval – Farmersville Elementary School Roof Repair/Replacement*

INFORMATION:

At the Board Facilities Committee Meeting on November 3, 2008, the board granted approval that the administration be allowed to bid the Farmersville Elementary School Roof Repair/Replacement. The administration needs to submit the attached Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval for the Farmersville Elementary School Roof Repair/Replacement.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to submit the Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval of the Farmersville Elementary School Roof Repair/Replacement.

Director Follweiler offered to discuss Items 3, 4 and 5 together, which was agreed upon by President Leeson.

Director Follweiler stated that there were no dollar amounts listed on the paperwork and she believed that it involved money when it was discussed in committee.

President Leeson brought attention to the back of the document.

Director Follweiler asked if it was required to be on the recommendation section.

President Leeson asked for an opinion regarding the approval of the recommendations without the dollar amount noted on each recommendation.

Dr. Lewis inquired with Mr. Fazil about the requirement to submit a dollar amount for the approval of Self-Certification.

Mr. Fazil noted that the estimated cost was located on the back of the Self-Certification. He added they were reviewed at committee with a separate handout on all of the projects that were being proposed.

Dr. Lewis reviewed that they were estimated costs, which was typical of a self-certification request.

Director Follweiler asked if it had to be written within the recommendation so it was clearly stated that the estimation would be “x” amount of dollars.

President Leeson noted that Attorney Spry stated that within the information it stated, “The administration needs to submit the attached Self-Certification Application...” and so the attachment would have the information. He said it was their call on it, but noted that the information was available.

Director Follweiler stated that for the record and further clarification, the account code and monies were not within the recommendation. She further inquired if that information needed to be stated

Dr. Lewis stated that they were submitting a Self-Certification for approval by the state for the project. He noted that when they received bids on it, the board would then approve not only the payment but also where the funds would be drawn.

Director Follweiler questioned if they were not presently approving the funds, would they be doing so after the bid approval. She reiterated that it was all for clarification.

Dr. Lewis affirmed Director Follweiler’s inquiry.

Director Cann recommended inserting the word “attached” before the word Self-Certification in the Information area on Recommendations 3, 4, and 5.

AMENDMENT TO
ITEMS 3, 4, and 5

President Leeson inquired with Dr. Lewis about any objection to the amendment considering that it was an administrative recommendation.

Dr. Lewis replied that he did not have any objection and thought that it clarified the information.

President Leeson announced that the vote would be on the amended recommendation to Items 3, 4 and 5, with the addition of the word, “attached” placed before the words, “Self-Certification,” in the last sentence of the Information section.

Director Dexter stated her earlier motion to table was because of information received as early as last week, that there would again be a projected budget deficit this year and she understood it to be over 4 million dollars, according to the available numbers. She pointed out that some of the capital improvements might need to be considered in terms of what other issues would be coming before the board for cuts. The decision was made to schedule another Finance Committee Meeting on Monday, November 24, at which time they would hear more about the impact of the budget cuts, as well as the impact of anything the district might be able to do to alleviate the projected deficit.

Director Dexter said it was her view that they needed to be looking forward into the future and perhaps delay consideration of these particular capital improvements until they saw the big picture. She pointed out that they needed to know the cost of the improvements and where they would get the money. If they decided to recoat roofs, she asked if it would have an impact on providing instruction to their students.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

NON-REIMBURSABLE WORK SUBJECT TO ADVERTISING AND BIDDING REQUIREMENTS☒Project Costs for
Non-Emergencies >\$10,000☐Purchase or Lease/Purchase of
Modular/Relocatable Classroom**INSTRUCTIONS:**

1. Prepare specifications/drawings as needed.
2. Complete one application for each set of bid documents.
3. Provide completed address mailing label for the board secretary.
4. Submit only the application form. Do not submit any other documentation such as the advertisement, plans, specifications or a completed specifications checklist.
5. Send the completed application to the Department of Education, Division of School Facilities, 333 Market Street, Harrisburg, PA 17126-0333. Any questions regarding the completion of this form should be directed to the Division at (717) 787-5480.

SELF-CERTIFICATION APPLICATION FOR NON-REIMBURSABLE CONSTRUCTION PROJECTDISTRICT/AVTS: BETHLEHEM AREA SCHOOL DISTRICTCOUNTY: NORTHAMPTONBUILDING/SITE NAME(S): FARMERSVILLE ELEMENTARY SCHOOL

(Include all building(s) and/or site(s) on which work will be completed.)

The person to be contacted if there are any questions about this application is:

M. ARIF FAZIL, P.E.

Contact person's name and position

610-865-3000

Telephone Number (including extension)

WORK DESCRIPTION

Check the appropriate boxes that apply to this project:

- | | |
|---|---|
| ☐ Asbestos Abatement/Removal | ☐ Boiler Repair/Replacement |
| ☐ Flooring Repair/Replacement | ☐ Paving/Resurfacing |
| ☒ Roof Repair/Replacement | ☐ Remove/Replace/Upgrade Storage Tank(s) |
| ☐ Install Fiber Optic Lines/Network Cabling/Data Cabling | |
| ☐ Lease/Purchase or Purchase of Relocatable/Modular Classroom(s) | |
| ☐ School Building/District Administration Office Addition or New Construction. Perform the following calculations to determine if Act 34 of 1973 applies to this project. See the instructions for additional information. | |

TOTAL ESTIMATED COST:\$ 310,000

<u> </u> sq. ft. }	<u> </u> sq. ft. X 100 = <u> </u> %
Architectural Area of the Addition or New Building	Architectural Area of the of the Existing Structure
	Act 34 Percent (round to 2 decimal places)

☐ Other: _____

Check the construction codes and/or guidelines selected for this project:

BOCA DEP EPA L&I NEC OSHA PADOT PA UCC X IBC X
OTHER: _____**BOARD CERTIFICATION**

The Board hereby applies to the Department of Education for approval of the plans and specifications for the work described above. The Board certifies that, to the best of its knowledge and belief, construction bid documents comply, or will comply, with applicable laws, regulations and policies, and the project will not pose a hazard to the health and safety of users. Specifications include all applicable statements set forth in the current PDE document entitled "Required Clauses for Specifications." Construction contracts will not be entered into prior to PDE approval. If the Board proceeds with this project, the lowest responsible bidder(s) will be selected. The Board also certifies that the above-described work will proceed whether or not additional on-site work that is subject to Act 34 of 1973 goes forward.

BOARD ACTION DATE: _____ VOTING: AYE _____ NAY _____ ABSTENTIONS _____ ABSENT _____

STANLEY J. MAJEWSKI, JR.

Signature, Board Secretary

Board Secretary's Name, Printed or Typed

Date

BETHLEHEM AREA SCHOOL DISTRICT 1516 Sycamore St., Bethlehem PA 18017

District/AVTS Address

PDE USE ONLY

Based on the Board's representation to the Department that (1) the requisite laws, regulations and standards have been met; and (2) this project will not present a danger to the health or safety of the users, the plans and specifications for the project are approved as meeting the requirements of the school laws of Pennsylvania and the policies and regulations of the State Board of Education.

PDE # _____

Approved by the PA Department of Education _____

Date _____

PDE USE ONLY

5. *Pennsylvania Department of Education Self-Certification Approval – Freemansburg Elementary School Multipurpose Room Roof Replacement*

INFORMATION:

At the Board Facilities Committee Meeting on November 3, 2008, the board granted approval that the administration be allowed to bid the Freemansburg Elementary School Multipurpose Room Roof Replacement. The administration needs to submit the attached Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval for the Freemansburg Elementary School Multipurpose Room Roof Replacement.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to submit the Self-Certification Application for Non-Reimbursable Construction Project to the Pennsylvania Department of Education for approval of the Freemansburg Elementary School Multipurpose Room Roof Replacement.

Director Follweiler offered to discuss Items 3, 4 and 5 together, which was agreed upon by President Leeson.

Director Follweiler stated that there were no dollar amounts listed on the paperwork and she believed that it involved money when it was discussed in committee.

President Leeson brought attention to the back of the document.

Director Follweiler asked if it was required to be on the recommendation section.

President Leeson asked for an opinion regarding the approval of the recommendations without the dollar amount noted on each recommendation.

Dr. Lewis inquired with Mr. Fazil about the requirement to submit a dollar amount for the approval of Self-Certification.

Mr. Fazil noted that the estimated cost was located on the back of the Self-Certification. He added they were reviewed at committee with a separate handout on all of the projects that were being proposed.

Dr. Lewis reviewed that they were estimated costs, which was typical of a self-certification request.

Director Follweiler asked if it had to be written within the recommendation so it was clearly stated that the estimation would be “x” amount of dollars.

President Leeson noted that Attorney Spry stated that within the information it stated, “The administration needs to submit the attached Self-Certification Application...” and so the attachment would have the information. He said it was their call on it, but noted that the information was available.

Director Follweiler stated that for the record and further clarification, the account code and monies were not within the recommendation. She further inquired if that information needed to be stated

Dr. Lewis stated that they were submitting a Self-Certification for approval by the state for the project. He noted that when they received bids on it, the board would then approve not only the payment but also where the funds would be drawn.

Director Follweiler questioned if they were not presently approving the funds, would they be doing so after the bid approval. She reiterated that it was all for clarification.

Dr. Lewis affirmed Director Follweiler’s inquiry.

Director Cann recommended inserting the word “attached” before the word Self-Certification in the Information area on Recommendations 3, 4, and 5.

AMENDMENT TO
ITEMS 3, 4, and 5

President Leeson inquired with Dr. Lewis about any objection to the amendment considering that it was an administrative recommendation.

Dr. Lewis replied that he did not have any objection and thought that it clarified the information.

President Leeson announced that the vote would be on the amended recommendation to Items 3, 4 and 5, with the addition of the word, “attached” placed before the words, “Self-Certification,” in the last sentence of the Information section.

Director Dexter stated her earlier motion to table was because of information received as early as last week, that there would again be a projected budget deficit this year and she understood it to be over 4 million dollars, according to the available numbers. She pointed out that some of the capital improvements might need to be considered in terms of what other issues would be coming before the board for cuts. The decision was made to schedule another Finance Committee Meeting on Monday, November 24, at which time they would hear more about the impact of the budget cuts, as well as the impact of anything the district might be able to do to alleviate the projected deficit.

Director Dexter said it was her view that they needed to be looking forward into the future and perhaps delay consideration of these particular capital improvements until they saw the big picture. She pointed out that they needed to know the cost of the improvements and where they would get the money. If they decided to recoat roofs, she asked if it would have an impact on providing instruction to their students.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

NON-REIMBURSABLE WORK SUBJECT TO ADVERTISING AND BIDDING REQUIREMENTS☒Project Costs for
Non-Emergencies >\$10,000☐Purchase or Lease/Purchase of
Modular/Relocatable Classroom**INSTRUCTIONS:**

1. Prepare specifications/drawings as needed.
2. Complete one application for each set of bid documents.
3. Provide completed address mailing label for the board secretary.
4. Submit only the application form. Do not submit any other documentation such as the advertisement, plans, specifications or a completed specifications checklist.
5. Send the completed application to the Department of Education, Division of School Facilities, 333 Market Street, Harrisburg, PA 17126-0333. Any questions regarding the completion of this form should be directed to the Division at (717) 787-5480.

SELF-CERTIFICATION APPLICATION FOR NON-REIMBURSABLE CONSTRUCTION PROJECTDISTRICT/AVTS: BETHLEHEM AREA SCHOOL DISTRICTCOUNTY: NORTHAMPTONBUILDING/SITE NAME(S): FREEMANSBURG ELEMENTARY SCHOOL - MultiPurpose Room Roof

(Include all building(s) and/or site(s) on which work will be completed.)

The person to be contacted if there are any questions about this application is:

M. ARIF FAZIL, P.E.

Contact person's name and position

610-865-3000

Telephone Number (including extension)

WORK DESCRIPTION

Check the appropriate boxes that apply to this project:

- | | |
|---|---|
| ☐ Asbestos Abatement/Removal | ☐ Boiler Repair/Replacement |
| ☐ Flooring Repair/Replacement | ☐ Paving/Resurfacing |
| ☒ Roof Repair/Replacement | ☐ Remove/Replace/Upgrade Storage Tank(s) |
| ☐ Install Fiber Optic Lines/Network Cabling/Data Cabling | |
| ☐ Lease/Purchase or Purchase of Relocatable/Modular Classroom(s) | |
| ☐ School Building/District Administration Office Addition or New Construction. Perform the following calculations to determine if Act 34 of 1973 applies to this project. See the instructions for additional information. | |

TOTAL ESTIMATED COST:\$ 140,000

<u> </u> sq. ft. }	<u> </u> sq. ft. X 100 = <u> </u> %
Architectural Area of the Addition or New Building	Architectural Area of the of the Existing Structure
	Act 34 Percent (round to 2 decimal places)

☐ Other: _____

Check the construction codes and/or guidelines selected for this project:

BOCA DEP EPA L&I NEC OSHA PADOT PA UCC X IBC X
OTHER: _____**BOARD CERTIFICATION**

The Board hereby applies to the Department of Education for approval of the plans and specifications for the work described above. The Board certifies that, to the best of its knowledge and belief, construction bid documents comply, or will comply, with applicable laws, regulations and policies, and the project will not pose a hazard to the health and safety of users. Specifications include all applicable statements set forth in the current PDE document entitled "Required Clauses for Specifications." Construction contracts will not be entered into prior to PDE approval. If the Board proceeds with this project, the lowest responsible bidder(s) will be selected. The Board also certifies that the above-described work will proceed whether or not additional on-site work that is subject to Act 34 of 1973 goes forward.

BOARD ACTION DATE: _____ VOTING: AYE _____ NAY _____ ABSTENTIONS _____ ABSENT _____

STANLEY J. MAJEWSKI, JR.

Signature, Board Secretary

Board Secretary's Name, Printed or Typed

Date

BETHLEHEM AREA SCHOOL DISTRICT 1516 Sycamore St., Bethlehem PA 18017

District/AVTS Address

PDE USE ONLY

Based on the Board's representation to the Department that (1) the requisite laws, regulations and standards have been met; and (2) this project will not present a danger to the health or safety of the users, the plans and specifications for the project are approved as meeting the requirements of the school laws of Pennsylvania and the policies and regulations of the State Board of Education.

PDE # _____

Approved by the PA Department of Education _____

Date _____

PDE USE ONLY

6. *Tuition Waiver Students*

INFORMATION:

The Bethlehem Area School District Board Policy Number 202, Eligibility of Nonresident Students, allows students to be educated in the Bethlehem Area School District as tuition waiver students: Tuition Waiver for Former Resident Students and Tuition Waiver for Future Resident Students.

Tuition Waivers for Former Resident Students are comprised of two types of students. Seniors who move out of the Bethlehem Area School District before completing their senior year may request to remain in the Bethlehem Area School District to graduate with their class. Students in grades K through 11 who move out of the Bethlehem Area School District after the end of the third marking period, but prior to the end of the school year, may remain as tuition waiver students for the remainder of the current school year only.

The Bethlehem Area School District also provides Tuition Waivers for Future Resident Students. Those are students whose families are in the process of purchasing or building a home within the Bethlehem Area School District and will not be in residence prior to the start of the current school year but will be in residence within the first quarter of the school term. They may begin their education in the Bethlehem Area School District as tuition waiver students.

Attached is a list of tuition waiver students that are now residents of the Bethlehem Area School District for the 2008-2009 school year.

RECOMMENDATION:

That the Board of School Directors approves the following list of students as tuition waiver students for the 2008-2009 school year.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

7. *Approval of Proficiency Requirement for Graduation***INFORMATION:**

Beginning with the Class of 2010, our current juniors, students will be required to demonstrate proficiency on the PSSA or follow an alternate route in order to be eligible for graduation. Special Education students, through the IEP process, and Level I and II ELL students would be exempt from this requirement. One component of the new requirement would be mandatory tutoring for all students designated as basic or below basic.

This information was reviewed with the Board of School Directors at the October 27, 2008, and November 3, 2008, Board Curriculum Committee Meetings. In addition, information was posted on the district's Website for public input.

RECOMMENDATION:

That the Board of School Directors approves the following:

- a. Beginning with the Class of 2010, that students will be required to pass the PSSA at proficient or advanced or follow an alternate route to proficiency in order to be eligible for graduation.
- b. Special Education students, through the IEP process, and Level I and II ELL students would be exempt from this requirement.
- c. Mandatory tutoring for all students designated as basic or below basic would be required.

Director Koch moved to table Item 7 so there could be an opportunity for more discussion. Director Follweiler seconded the motion. The motion was passed by majority voice vote with one vote of opposition from Director Amato.

DIRECTOR
KOCH – TABLE
ITEM 7

8. *Approval of Algebra 3/Trigonometry Course***INFORMATION:**

Some students complete the sequence algebra 1/geometry/algebra 2 with passing grades yet have a weak understanding of algebraic skills and concepts. The fourth core course in the sequence is pre calculus. These students with a weak algebraic background, however, encounter any one of a number of problems: (1) withdrawing from pre calculus because of poor grades and taking statistics, or (2) sticking with pre calculus and failing the course, or (3) enrolling in statistics, instead of pre calculus, when such a course does not serve them well for their intended post high school options. A mathematics course that reviews and extends algebra 2 skills and concepts and develops analytic geometry including conic sections, analytic trigonometry, as well as additional topics in trigonometry, such as polar coordinates, complex numbers, and vectors, would help students acquire a solid foundation in algebra and trigonometry preparing them for courses, such as pre calculus, calculus, and college courses, such as finite mathematics and business calculus.

It is estimated that a set of 30 textbooks would be needed for each high school. There would be no increase in mathematics staff based solely on the inclusion of this course.

RECOMMENDATION:

That the Board of School Directors approves the development and teaching of a core mathematics course entitled Algebra 3/Trigonometry to be offered at Liberty and Freedom High Schools beginning in the 2009-2010 school year.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

9. *Community Service Agency*

INFORMATION:

A very important component of the Bethlehem Area School District's Community Service Program is the involvement of agencies and organizations to serve as hosts for students participating in the program. These organizations must not discriminate against any race, religion, or sex, and must provide assurances that the approved experience is free from religious doctrinal motivation. In addition, each agency must commit to provide our students with opportunities to benefit others.

As part of the Community Service Program, the Board of School Directors must approve each community service sponsor prior to students participating with the agency.

RECOMMENDATION:

That the attached community service sponsor be approved to participate in the Bethlehem Area School District's Community Service Program and be included in the Community Service Directory of Participating Organizations and Agencies.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

Name of Agency/Organization: Hurricane Basketball Club

Address: 4427 Jason Drive, Bethlehem, PA 18017

Phone number: 610-758-9576

Contact Person: Craig Golden

Email address: crgolden@hanover.com

Web Site address: www.hurricanebball.org

Number of students requested: 400 ***Minimum age:*** 14

Description of service opportunities: Work with area youth to develop their skills in basketball.

Minimum Time of Service Per Shift or Session: 1-1/2 hours

Hours agency is open to community service students:

Dress requirements: N/A

Supervision provided by: Coaches and Hurricane Staff

Training and/or orientation: By coaches and staff

Additional information or comments:

This agency carries liability insurance covering students on site. (Y)

This agency participates in court ordered community service activities. (N)

This agency requires Act 34 (criminal history) clearance for employees. (N)

This agency conducts events/activities where alcohol is served. (N)

(Parental Waiver is needed if alcohol is served)

10. *Student Discipline - #0949116 and #0969994 – Adjudications*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following information regarding misconduct by two students in violation of District Policy 233.

RECOMMENDATION:

That the Board of School Directors adopts the proposed adjudications relating to Student Numbers: 0949116 and 0969994.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

11. *Student Discipline - #0958915 – Waiver*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following Waiver of Expulsion Hearing and Stipulation regarding misconduct by one student in violation of District Policy 233.

RECOMMENDATION:

That the Board of School of School Directors adopts the waiver relating to Student Number 0958915.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

12. *Student Discipline - #0958183 - Petition*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following petition to return from expulsion from one student.

RECOMMENDATION:

That the Board of School Directors adopts the petition relating to Student Number 0958183.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

13. *Learn and Serve America Grant: K-12 School-Based Programs Grant (Intermediate Curriculum Integration)*

INFORMATION:

The Pennsylvania Department of Education is inviting school districts to apply for Learn and Serve America: K-12 School-Based Programs Grant (Intermediate Curriculum Integration). Learn and Serve is a component of the National and Community Service Trust Act of 1993. The grant is available to public schools for the development and/or expansion of local service learning programs. The purpose of this grant will be to assist youth to meet state standards by providing them with authentic service opportunities that reinforce and expand what students learn in the classroom. The grant will be used for staff development, student training, and to integrate service projects into the curriculum. Grants will be awarded for three years with annual review.

RECOMMENDATION:

That the administration be authorized to submit an application for a Learn and Serve America Grant: K-12 School-Based Programs Grant (Intermediate Curriculum Integration) in the amount of \$25,000 for the 2008-2009 school year.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

14. *Field Trip Attendance***RECOMMENDATION:**

That the following overnight student trips for students and staff be approved:

October 31-November 1, 2008 (18 Liberty High School Students) PIAA Cross Country State Championship Hershey, Pennsylvania	\$1,333.76
December 26-29, 2008 (12 Liberty High School Students) Girls Basketball Tournament Fairfax, Virginia	0.00
January 23-24, 2009 (18 Freedom High School Students) 2009 Juniata Wrestling Duals Mifflintown, Pennsylvania	0.00
January 28-30, 2009 (28 Nitschmann Middle School Students) Boys Sequoia Winter Camping Trip Pocono Summit, Pennsylvania	0.00
February 4-6, 2009 (28 Nitschmann Middle School Students) Girls Sequoia Winter Camping Trip Pocono Summit, Pennsylvania	0.00
February 18-20, 2009 (25 Liberty High School Students) Distributive Education Clubs of America (DECA) State Competition Hershey, Pennsylvania	0.00
February 26-March 1, 2009 (24 Liberty High School Students) Contest of Champions – Cheerleading Competition Orlando, Florida	0.00

14. *Field Trip Attendance (continued)***RECOMMENDATION:**

March 5-8, 2009
(27 Freedom High School Students)
American Spirit Championships – Super Nationals –
Cheerleading Competition
San Antonio, Texas \$0.00

April 17-19, 2009
(50 Freedom High School Students)
Festivals of Music – Band Trip
Williamsburg, Virginia 0.00

May 1-2, 2009
(230 Nitschmann Middle School Students)
Spring Instrumental Band Trip
Boston, Massachusetts 0.00

Director Tenaglia stated that the DECA trip to Hershey was brought to their attention during committee and was tabled at the Special Board Meeting because of the cost codes. He noted they now had the situation where the original budget was just under \$20,000. Information provided to the board showed that they had \$1,400 available of which the administration now wished to spend \$1,333. He wondered if the administration planned for any additional athletic costs for the remainder of the year and if so, how much. He also questioned where the funding would be obtained.

Dr. Lewis replied that it was an unanswerable question because if they had students qualify for a state track event, then they would go to the athletic budget and request a budget transfer in that regard. He reiterated to Director Tenaglia that it was a hard call because they had great athletes and while there was some money budgeted, it could go rapidly depending on the circumstances.

Director Tenaglia reviewed that the intention would be to take it from the athletic budget.

Dr. Lewis agreed.

Director Tenaglia questioned the funding for the Nitschmann Middle School trip to Pocono Summit. He asked if the Sequoia funding was part of the general operating budget.

Dr. Lewis replied that as a rule those costs would come out of the general operating budget. He added that they asked the principals to get creative and in this case the Boy Scouts stepped up to provide lodging. He noted that it was a zero cost to the district.

Director Amato brought up about the cross-country item and asked if it was already budgeted. He asked if the budget cuts were affecting how they sent their athletic teams to contests. He pointed out that everyone was on a hot thing about the field trips and now they were going to start to cut them out. He stated that President Leeson delivered a grandiose statement about their two outstanding football teams and that it was a great program. He commented that it would be short lived because as a neighboring athletic director, he attempted to schedule middle school games with the Bethlehem Area School District and they could not do it because the budget cuts would not allow them to schedule to their maximum to get the games the students needed at the middle school level. He also heard that it was going to start to affect the Bethlehem Bulldogs and to the recreation area of the community. He stated that the Bethlehem Area School District was going to look like the Allentown School District, who did the same thing approximately eight to ten years ago and now if they combined their two schools, they cannot put competitive athletic teams on the field.

Director Dexter stated that she didn't think anyone on the board wanted to make cuts in anything, but the hard reality was that they received budget projections, which showed that even though they cut about \$6,000,000 off of the budget and thought they were bare bones. Last week they just heard they were going to be another \$4,000,000 in the hole this year. Director Dexter said that they had to make cuts and it was not what they wanted to do but it was what they had to do.

Director Amato replied that he was well aware of the budget situation and further stated that the board chopped the six or eight or ten million off of it, but, they came up with a budget and now they can't spend it. He suggested saying that they should just say they were going to stop everything but teaching the students with everything else being cut out. He said that was what they were basically doing. He asked if they came to an agreement when they cut the budget. He reviewed that they came to an agreement that it was the budget with cuts and the bottom line was that they would go forward with "x" amount of dollars, but every month they come up with items to approve that had already been a part of the budget. He commented that they were on a path to destroy the district.

Director McKeon asked if they used the principal that they had agreed to a budget number and he now had a dead expense that was now \$4,100,000 over the projection, did he not pay those bonds? He said that the bonds were the sole driver of the budget. He reviewed that the overage in the budget sat on the interest expense.

Dr. Lewis wanted to clarify that Director McKeon was correct in that it was a major contributor; the other part of it was on the side of revenue. He noted that they were not able to collect their revenues at their previous rates and added that people were not able to pay their taxes in a timely way and were using it as a short-term loan because the penalty on the payment of their taxes was less than they would have with a bank or credit card. They also had the absence or avoidance of transfer taxes. He stated that people were not selling home so it was worse than it had ever been. The district typically saw between \$1,000,000 and \$1,500,000 in transfer tax revenue. Dr. Lewis expressed that there were drivers on both sides of the issue and he wanted to be clear to the public because he heard comments regarding the financing arrangements. He said they were one of many significant contributors. He concluded that they needed to look at the total budget. He agreed with Director McKeon in that they needed to make hard choices and to decide what bills to pay and what needed to be reduced in order to make the payments.

He emphasized that the Bethlehem Area School District still enjoyed the lowest tax impact of any school district in the Northampton County. He said that frankly they were under taxing, which was decision that they all made. He knew that people did not like to hear that their taxes were going to be increased, but if a house from Bethlehem was moved to any one of the other seven school districts, one would pay a significantly greater tax. The history was to keep it down but now it had come to roost. They can't keep going to the savings account time and time again, which had been the practice of the district. They needed to look at all of the drivers.

Director Follweiler expressed that Director McKeon and Dr. Lewis said much of what she wanted to state, but she wanted to make it clear that what Director Amato said was true in that at the time they passed the budget; they felt that it was "bare bones." She added that they felt they had the money for all of the programs. They had hoped they had the money for all of the programs. They wanted all of the programs to succeed, however, they were losing the money for all of the reasons that Dr. Lewis stated. She emphasized that no one wanted to pay more taxes. No one wanted to lose their programs. No one wanted to be hit by what they were being hit by and no one on the board, as Director Dexter had stated, wanted to see what was happening, however, it was reality. They needed to find four million more dollars and they were going to have to make hard decisions about what gets done and what didn't get done. Director Follweiler thought the input from the community was fabulous. She welcomed tabling items for further discussion, however, at the end of the day, they needed to pay their bills and needed to get the money from somewhere. She hated seeing any programs cut, whether they were extracurricular or educational. She noted that she and the other board members were going to ask questions and the administration would do the research to come up with the answers. She pointed out that sometimes the answers might not be what each one of them as an individual wanted to hear, but they had to (hear the answers) and they had to work together as a community. She thought they needed to see and hear from the community regarding different subject matters. She concluded that they would make their decisions and would end up making cuts from the district expenditures because, as expressed by Dr. Lewis, the money was not coming in.

Director Amato agreed with Directors Follweiler and McKeon and repeated that they had to pay the bills. It was their obligation to pay the bills. He questioned the cutting of a \$1,300 field trip to pay \$4,000,000. He said it was like putting a BB in a boxcar. If they were going to pay the bills, they had to make the hard decision as to wiping a program out where they could get \$4,000,000 in a quick grab, or they had to get a loan to pay what they had to pay and then there would be a tax increase. He stated that it was the reality, if, in fact, they wanted to keep the district going in the direction it had always been going, with being on the cutting edge of education and extracurricular activities. He compared the situation to a household budget and suddenly a \$20,000 bill was received that wasn't expected. If the owner didn't pay it, his house would be foreclosed on so he needed to get a loan to pay it off in order to move ahead. He noted that the district might have to borrow \$4,000,000 to keep afloat and to avoid cutting out programs or \$1,300 field trips. There was also the hard reality of asking the stakeholders of the community to then incur a tax increase to pay for it. He pointed out that they would have to cut out a huge program for \$4,000,000.

Director McKeon replied that he just lost his job within the last two weeks. He stated that he had to go back and look at his bills and his outlaying of cash in order to decide where he had to refocus his money. He noted that with the consideration of \$180,000,000 budget, the same argument was used last spring when they were short in revenues and it was stated that they could not cut that much. He said that he did not know how much they cut; if they cut anything from the time they were notified that they were going to shorten revenue. They were now seven to eight months ahead of where they were last year and they still had the same argument.

Director McKeon emphasized that they had to start to tighten the belt. He added that if they didn't do it, it could end up leading to cuts in teaching positions if they couldn't make cuts on the peripheral areas as opposed to the side of education.

Director Amato agreed with Director McKeon in that they had to pay the bills, but if it came to a program or teacher cuts, they would be doing an injustice to the students and to the district if they didn't borrow the money to keep afloat. He said that a mill was worth approximately \$2,500,000 in the district so they might have to raise the tax rate 2 or 3 mills next year to pay the bills and hopefully the economy would look better going forward or they were going to destroy the district.

Director Dexter commented that at some point every family and organization had to come to the stark realization that borrowing money was not going to solve the problems, which was where they were at the present time. They had a great deal of debt and debt service, which came from the debt. They also had other expenditures, which needed to be made in the district such as the replacement or repair of roofs and other maintenance items that kept the district operational. She said she hated to be sitting there and listening to comments about the All City Band and other programs that had impacted students in positive ways, knowing that something had to go. She thought that some of the board members recognized that they had to look at the budget codes, how much was allocated and if they were going to exceed it, they needed to know where it was coming from because they no longer had a fund balance. Director Dexter thought that, to most of them, borrowing was not an easy answer. She added that she heard Director Amato, but, for her, she was not even thinking about going out to borrow \$4,000,000 so they could continue to run programs. Even though the programs were valuable, they still had to figure out next year and the years to follow. The item in question, which brought them to the discussion, had a budget line of \$1,400 for athletic field trips. She noted that \$1,333.76 was used for one trip, so she understood Director Tenaglia's question in that if they approved it, they would be left with \$67. She pointed out that at least one of their football teams were going on, in addition to other sports teams that would be also going on among other important things which needed funding out of that line. She questioned what they would do which was really what the discussion was about. They could not spend money that they did not have and if they under taxed the community, then they had to live with what their tax receipts were for the year. She concluded that they were working hard to try to live with what they had.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

15. *Authorization for Bus Transportation*

INFORMATION:

At the November 10, 2008, Board Committee Meeting, School Board Director Benjamin Tenaglia made a motion regarding authorization for bus transportation and the motion was seconded by Board Vice President Judith Dexter, but tabled by the board.

The administration is recommending that the superintendent has the authorization to provide bus transportation for athletics or otherwise when deemed necessary for the health and safety of the students. It is further recommended that the superintendent do so as budget neutral as possible.

RECOMMENDATION:

That the Board of School Directors authorizes the superintendent to provide bus transportation, when deemed necessary, for the health and safety of the students.

Dr. Lewis requested to speak regarding Item 15 as a courtesy.

President Leeson agreed.

Dr. Lewis reviewed that the board voted a 4 – 4 deadlock on Item 15, which would not authorize him to approve transportation in the case of school safety.

Director Haytmanek stated that since he was not present, he missed the discussion. He moved to reconsider Item 15. Director Amato seconded the motion. The motion to reconsider the item passed by raise of hands.

DIRECTOR
HAYTMANEK –
MOTION TO
RECONSIDER ITEM 15

Director Haytmanek moved to pass Item 15. Director Koch seconded the motion.

DIRECTOR
HAYTMANEK –
MOTION TO
PASS ITEM 15

President Leeson asked if there was further discussion.

Director Haytmanek stated that it was his understanding that they were suggesting that the superintendent had the authorization to provide bus transportation if, in his opinion, it was necessary for athletics or otherwise deemed necessary for the health and safety of the students.

Dr. Haytmanek thought that it would be hard to vote down and questioned the negative associated with the situation.

Director Amato agreed and questioned how they could vote something down that would affect the health, welfare and safety of the students. He pointed out that it made absolutely no sense to him. He noted that if the superintendent did something that the board felt was “way out in left field,” then the board should question it and take the authority away from him. Director Amato believed that he wouldn’t abuse the authority and would do what needed to be done to ensure the safety and welfare of the students. He was aware that there were people on the board that wanted it to come back to the board, but if the superintendent had his hands tied on every decision that he needed to make, he would never get anything done. He thought there was too much micromanagement.

Director Follweiler commented that she voted in the negative not because she didn’t have concern for the health and safety of the children, but because in the discussion which they had at the committee meeting to determine to place the item on the agenda, it was specifically related to a budgetary item that they previously discussed which was that there would be no intra-school busing after 6 p.m. or on Saturdays. She noted that Dr. Lewis already had the authority, for example, in the event of emergency, to remove children from one school and move them to another school. She said the specific item was discussed with regard to intra-school busing and thought that the way it was worded today did not clearly state that issue.

Director Dexter expressed that she did not want to make it a public debate, but specifically, she did not feel that the case was made that Dr. Lewis needed the discretion to choose to bus the students from one school to another. She thought, in fact, that they discussed it four or five times as a board and it was decided that the cut would be made. If they provided the discretion to Dr. Lewis, he had already indicated that he planned to bus students from Freedom to Liberty this weekend. He also privately indicated to her that he felt it would provide safety for the Freedom students in uniform on the grounds of the campus. Director Dexter pointed out that they could not forget that they had more than 300 Liberty students wearing uniforms, who would not be bused. Those students would be asked to leave the campus, walk to their cars or travel with their parents or carpool, and in some instances walk home. It was her view that it was no more safe or dangerous for the students from one school or another. She thought the case could be made that providing buses was a more dangerous route, because they had an incident on a bus which caused a great deal of public outcry. She didn’t think anyone in the community would say that students should be subjected to that for any reason. She reviewed that a discretionary discussion first took place on March 5 during budget hearings, again at a second hearing, then in September when the Freedom High School parents came to them, and then again at a recent board committee meeting.

Director Dexter realized that Dr. Lewis would like to authorize the transportation and would like to believe that it was the safer route, but if they provided eight buses for Freedom students, they were then making the decision that eight buses won't be going somewhere else for other students. At the same time they were making the decision that only Freedom students needed the safety/security net of buses, but Liberty students must fend for themselves and she could not support that. She stated that they had allowed opportunities for Dr. Lewis to make his case for the buses and they had said he didn't make the case to fund that particular item.

Dr. Lewis replied that he believed that he did make the case, in that the Liberty students happened to have the stadium on their campus. He noted that all of their equipment was stored including football equipment and band equipment. He added that they mustered in that area for practice every day. He pointed out that the case was that the Freedom students traveled with their equipment and they dressed elsewhere and were bused in as a group. The band came dressed and their equipment was trucked in and not stored at the Liberty Campus. He thought that he clearly made the case and noted that the principal was present and had argued the case to him as well. There was less chance of an incident happening if the students were transported. He also said that the police commissioner had echoed the fact that it made more sense. There would be another 12,000 plus attendance on Saturday with limited parking. Dr. Lewis added that the Liberty folks had asked for secure parking for their participants, which was part of the arrangement. He thought they were being cognizant of the safety of all children and thought he made his case. He didn't want it to be a question of gamesmanship or one-upsmanship but thought it was in the interest of running a clean proceeding for that day.

President Leeson stated that she did not have a problem with transporting the Freedom students for the game, but that was not the question posed. The question in front of them was regarding discretion. She thought that there were very few emergencies where the board could not be contacted in some way, particularly when they generally needed to contact bus drivers to organize the set up. She reiterated that she didn't have a problem with the transportation of the Freedom students and noted that they had met two or three times where it would have been very easy to run it by the board. She felt the motion was for general discretion at any time and she did not see the emergency nature of busing.

Director Amato requested to vote on the item.

Director Haymanek thought that they had to view that the recommendation was for the superintendent to have the authorization to provide bus transportation for children. He said that it was not a board issue. The board handled policy, important decisions, the budget, and the \$4,000,000 issue, but it was not their role to determine whether a particular student needed bus transportation. He disagreed that it was the role of the board and thought it was micromanagement. He said it was the role of the superintendent.

President Leeson asked if there were any other comments on the issue.

Mr. Gilliland stated that they were required to file an Emergency Operations Plan by the Pennsylvania Emergency Services Act with the county EMA Departments. He pointed out that in an emergency, under the National Incident Management System, Dr. Lewis was the incident commander. He explained that under his command, came the logistics officer who had the authority under the NIMS (National Incident Management System) structure, to provide transportation. He thought it was very well spelled out in that legislation and document. He concluded that he wanted to point it out in the case of emergency.

President Leeson commented that she thought that was what Director Follweiler was referencing, which was in the case of an emergency, they all knew that Dr. Lewis would certainly have that authority.

Director Dexter addressed the earlier comment about micromanagement. She pointed out that the district was experiencing a devastating financial situation, not just in the past few months as in the nation and globally, but over the past year. They went from 2003, where they had a fund balance of approximately \$10,000,000 to 2008 where they had a deficit of approximately \$3,000,000, in addition to a \$4,000,000 deficit, which they would be experiencing this year, unless something dramatically changed. She said that the situation invited not necessarily micromanagement, but intense analysis and critical thinking from board members who were elected to do just that job. If it meant looking at policies that limited discretion, then that was exactly what it meant, because in the past, they had hired people without authorization, ran programs without budget lines, and spent money which they did not have. She concluded that it was why they were carefully looking at the budgets and why they were looking at the decision making with very intense scrutiny.

Dr. Lewis stated that it was very easy for some to simply dismiss their plight as an exclusive administrative issue. He was not about to make it a public issue for anything other than clarification, but, he noted that this board of school directors and the prior one, which he noted Director Dexter served on, voted to contribute capital fund balance monies to balancing the budget. He added that frankly, in a prior year, the amount was doubled. He pointed out that it had a significant impact in that they spent their savings. He understood the desire of it, because they wanted to keep down taxation, but it one went to the savings account long enough, finally there would be none. Dr. Lewis said they were in a difficult situation because their revenue flow had been adversely affected and at the same time, they did not have any savings left, which was also a major contributor. He did not want to suggest that some of it could have been avoided by anyone seated at the table, but there were certain things of which they all had to take ownership and the budget was one of those things.

President Leeson replied to Dr. Lewis, stating that she needed to make clarification regarding the issue. She noted that the budget, which was passed, had almost over \$5,000,000 in reserved funds, between the capital reserve and the unfunded reserve balance. When Mr. Majewski was asked if that would be adequate for the district, they were assured that it would be adequate. The board did not pass a budget that cut deep enough into the reserves, which put them in a difficult position, rather it was the overspending of the board approved budget and at this point, the overspending of \$5,800,000 put them into the most difficult position. She did not think it was quite fair and added that they always had a policy of using some reserve money when it got high enough, so that the taxpayers were not burdened. They did that with discretion and with the approval of the administration and the business manager.

Director Amato requested to vote on the item.

President Leeson called for a vote on the reconsideration of Item 15, as presented by the administration, with roll call as follows: Yea, Directors Amato, Haytmanek, Koch and Tenaglia – 4. Nay, Directors Cann, Dexter, Follweiler, McKeon and Leeson – 5.

The motion failed 4 – 5.

Dr. Lewis asked what his direction would be for the weekend.

President Leeson replied that she would like to put forth a motion to allow Dr. Lewis to bus the students from Freedom High School for the weekend. It was noted that someone else needed to make the motion.

Director Cann inquired about the feasibility of providing Freedom High School with parking as they were doing with Liberty High School because it would not cost anything.

Dr. Lewis replied that he could not guarantee security on that suggestion. He added that it had been published with the press. The principals had announced it to the students and were generating passes for Liberty to park in the Kline lot. He commented that it was micromanaging. He noted that they were asking them to support transportation and if they gave him direction not to do so, then he would have to go back on it.

Director McKeon moved to approve providing transportation for Saturday's event only. Director Follweiler seconded the motion. The question was called with roll call as follows: Yea, Directors Amato, Cann, Follweiler, Koch, McKeon, Tenaglia, Koch, McKeon, Tenaglia and Leeson – 7. Nay, Directors Dexter and Haytmanek – 2.

The motion passed 7 – 2.

DIRECTOR MCKEON
MOTION TO PERMIT
TRANSPORTATION OF
STUDENTS TO
FOOTBALL GAME

Dr. Lewis respectfully stated that he would make a good faith effort to contact the board anytime he had to emergency transport the students, but, he said that he would go ahead and transport. He stated that he did not mean any disrespect but that he simply meant that he was a commissioned officer and noted that Mr. Gilliland made a clear point of what his obligations were under emergency management. If the board was dissatisfied then they could chastise or even bill him, but he needed to abide by his oath as a commissioned officer.

President Leeson replied that she believed that the board recognized his role under emergency situations.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

16. *Approval of Moravian College Course*

INFORMATION:

Dr. Joseph Lewis, Superintendent of Schools, received notification last week from Moravian College offering a contract for him to teach a School Supervision and Organization course next spring.

RECOMMENDATION:

That the Board of School Directors approves that Dr. Lewis can teach a School Supervision and Organization course at Moravian College next spring as per his contract.

Dr. Lewis made an announcement regarding Items 15 and 16. He noted that the vote was 4 – 4 (motion failed). He stated that he regretted their decision for him to teach at Moravian College.

Director Haytmanek apologized for his late arrival, stating that he was in the operating room. He moved to request reconsideration of Item 16. Director Koch seconded the motion. The motion passed by raise of hands.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

The second vote (motion passed 5 – 4) on Item 16 was reconsidered along with recommendations 3, 4, 5, 14, 20, 24, 25, 26, and 28.

17. *Resignations*

RECOMMENDATION:

Instructional

- | | | |
|----|-------------|------------------------------------|
| 1. | NAME: | Remaly, Kevin |
| | ASSIGNMENT: | Freedom, Special Education Teacher |
| | REASON: | Personal |
| | EFFECTIVE: | January 14, 2009 |
| 2. | NAME: | Viehman, Lidia |
| | ASSIGNMENT: | Freedom, Social Studies Teacher |
| | REASON: | Retirement |
| | EFFECTIVE: | January 19, 2009 |

Dr. Lewis noted the following corrections to the agenda:

Item 17 – Resignations – Page 18 – There was a change of date to December 15, 2008 for Kevin Remaly.

17. *Resignations*

RECOMMENDATION:

Noninstructional

1. NAME: **Koller, Michelle**
 ASSIGNMENT: Northeast, Teacher Assistant, full-time
 REASON: Retirement
 EFFECTIVE: November 13, 2008

2. NAME: **Nann, Scott**
 ASSIGNMENT: Liberty, Monitor
 REASON: Personal
 EFFECTIVE: September 29, 2008

17. Resignations**RECOMMENDATION:*****Miscellaneous***

1. NAME: **Burkhardt, Amanda**
 ASSIGNMENT: Freedom, Assistant Softball Coach
 REASON: Personal
 EFFECTIVE: October 23, 2008

2. NAME: **Matuczinski, Stacy**
 ASSIGNMENT: Freedom, Assistant Softball Coach
 REASON: Personal
 EFFECTIVE: October 16, 2008

3. NAME: **McGoff, Tara**
 ASSIGNMENT: Freedom, Assistant Softball Coach
 REASON: Personal
 EFFECTIVE: October 17, 2008

s

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

18. *Terminations*

RECOMMENDATION:

Miscellaneous

- | | | |
|----|-------------|--------------------|
| 1. | NAME: | XXX-XX-4013 |
| | ASSIGNMENT: | Coach |
| | EFFECTIVE: | November 18, 2008 |

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

19. *Leaves of Absence***RECOMMENDATION:*****Instructional***

1. NAME: **Hall, Jennie**
 ADDRESS: Allentown
 ASSIGNMENT: East Hills, Librarian
 REASON: Sabbatical Leave of Absence
 EFFECTIVE: September 24, 2008, until the end of the first
 semester of the 2008-2009 school year

2. NAME: **Shoemaker, Cristy**
 ADDRESS: Easton
 ASSIGNMENT: Asa Packer, Grade 3 Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: October 28, 2008, intermittently

3. NAME: **Torres, Aileen**
 ADDRESS: Bethlehem
 ASSIGNMENT: Broughal, Grade 8 Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: November 20, 2008, until the end of the day on
 December 3, 2008

4. NAME: **Werkheiser, Laurie**
 ADDRESS: Nazareth
 ASSIGNMENT: Miller Heights, Academic Integration Specialist
 REASON: Family Medical/Childrearing Leave of Absence
 EFFECTIVE: Family Medical Leave to begin on December 8,
 2008, until the end of the day on March 17, 2009
 Childrearing Leave to begin on March 18, 2009,
 until the end of the 2008-2009 school year

19. *Leaves of Absence*

RECOMMENDATION:

Noninstructional

- | | | |
|----|-------------|---|
| 1. | NAME: | Gonzalez, Wanda |
| | ADDRESS: | Allentown |
| | ASSIGNMENT: | Broughal, Teacher Assistant |
| | REASON: | General Leave of Absence |
| | EFFECTIVE: | December 17, 2008, until the end of the 2008-2009 school year |

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

20. *Nominations for Appointment***RECOMMENDATION:*****Instructional***

1. NAME: **Garcia, Daniel J.**
 ADDRESS: Bethlehem
 COLLEGE, DEGREE: East Stroudsburg University, B.S.
 ASSIGNMENT: Freemansburg, Grade 4 Teacher
 STATUS: Long-term Substitute
 SALARY: \$39,389, prorated (Bachelor's, Step 1)
 EFFECTIVE: November 18, 2008, and terminating at the end
 of the 2008-2009 school year, or upon the return
 of P. Marakovits

2. NAME: **Seaman, Stephanie A.**
 ADDRESS: Bethlehem
 COLLEGE, DEGREE: Moravian College, B.A., Certification
 ASSIGNMENT: Northeast, Grade 7, Mathematics/Science Teacher
 STATUS: Temporary Professional Employee
 SALARY: \$40,887, prorated (Bachelor's +15, Step 1)
 EFFECTIVE: November 18, 2008

3. NAME: **Vazquez, Thomas**
 ADDRESS: Bethlehem
 COLLEGE, DEGREE: Pennsylvania State University, B.S.
 ASSIGNMENT: Freedom, (.85) Social Studies Teacher
 STATUS: Long-term Substitute
 SALARY: \$33,481, prorated (Bachelor's, Step 1)
 EFFECTIVE: November 18, 2008, and terminating at the end
 of the 2008-2009 school year, or upon the return
 of J. Wallaesa

20. *Nominations for Appointment***RECOMMENDATION:*****Noninstructional***

1. NAME: **Fehnel, Emmajean**
 ADDRESS: Bethlehem
 ASSIGNMENT: Liberty, General Kitchen Help, 3 ½ hours
 SALARY: \$11.18 per hour
 EFFECTIVE: November 18, 2008

2. NAME: **Marino, Robert**
 ADDRESS: Fountain Hill
 ASSIGNMENT: Liberty, C-1 Custodian
 SALARY: \$13.79 per hour
 EFFECTIVE: November 18, 2008

3. NAME: **Rivera-Cotto, Marie**
 ADDRESS: Bethlehem
 ASSIGNMENT: Liberty, General Kitchen Help, 3 ½ hours
 SALARY: \$11.18 per hour
 EFFECTIVE: November 18, 2008

4. NAME: **Waters, Jenny**
 ADDRESS: Bethlehem
 ASSIGNMENT: Donegan, Teacher Assistant, General Duty, 3 hours daily
 SALARY: \$13.18 per hour
 EFFECTIVE: November 18, 2008

20. Nominations for Appointment**RECOMMENDATION:*****Miscellaneous*****1. ASPIRE Program**

(After School Programs for Instruction, Recreation, and Enrichment)

Helpers***Donegan Elementary School***

Code: 44-1451-190-105-0000-00001

Resto, Carmen***Fountain Hill Elementary School***

Code: 99-1451-190-129-0000-00001

Lynn, Skylar Jo

SALARY: \$7.15 per hour

2. Coaches***Northeast Middle School***

Code: 29-3250-126-242-0904-00001

Girls Basketball

Head Coach	Soto, Rebecca	New	\$3,115.00
Assistant Coach	Seaman, Stephanie	Continuing	2,386.00

Freedom High School

Code: 29-3250-126-353-0915-00001

Rifle

Head Coach	Court, Larry	New	3,583.00
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Track

*Assistant Coach	Kline, Joshua	New	3,924.00
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3. Data Processing Services**Mitchell, Thomas**

SALARY: \$60.00 per hour, not to exceed 50 hours

4. Extracurricular Activity Advisors***Clearview Elementary School***

Safety Patrol	Edwards, Bobbetta		357.00
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Lincoln Elementary School

Chorus	Hazekamp, Sharlyn		357.00
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Safety Patrol	Smith-Sumpter, Evelyn		357.00
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20. Nominations for Appointment**RECOMMENDATION:*****Miscellaneous (continued)*****4. Extracurricular Activity Advisors (continued)*****Freedom High School***

Cultural Awareness	Strockyj, Sonia	\$ 334.00
Dance Team	Fonseca, Sally	357.00
Drama Presentation (Fall)	Wescoe, Jennifer	1,733.00
Musical Drama Presentation	Wescoe, Jennifer	1,733.00
Pen and Ink	Ackerman, Lauren	896.50
(Literary Publication)	Kaczmarek, Kathryn	675.00
Theatre Company	Wescoe, Jennifer	357.00

Liberty High School

Director of Extracurricular Activities	Bradley, Steven	1,239.00
Treasurer	Perkins, Cheryl	1,903.00
Academic Organizations		
DECA (Distributive Education Clubs of America)	Spang, Kristin (.5)	178.50
	Spang, Joseph (.5)	178.50
Debate Team	Garin, Joseph	322.00
Future Business Leaders of America	Bittner, Shaughn	322.00
French Club	McKernan, Cecile	357.00
German Club	Booser, Elizabeth	357.00
Mathematics Team	Hoffman, Mark	2,293.00
National Honor Society	Guarriello, Beth	178.50
	Hoffman, Mark	178.50
Scholastic Scrimmage	Ambrose, David	2,293.00
Spanish Club	Freeh, Anne	357.00
Art and Literary Organizations		
Young Writer (Literary Publication)	Bozzone, Barry	1,793.00
Liberty Life (Newspaper)	Corrigan, Michael	2,917.00
Cauldron (Yearbook)	Gilliard, Lisa	2,917.00
Athletic Organizations		
Weightlifting Club	Moncman, Timothy	357.00

20. *Nominations for Appointment***RECOMMENDATION:*****Miscellaneous (continued)*****4. Extracurricular Activity Advisors (continued)*****Liberty High School*****Miscellaneous Organizations**

Audio Visual Aides	Hoffman, Mark	\$ 357.00
Awareness Club	Skelly, Ann	334.00
Best Buddies	Haddigan, Erin (.5)	161.00
	Hujsa, Bridget (.5)	161.00
Book Review Club	Davis, Rebekah	334.00
BUSTED (Teens Against Tobacco Use)	Halkins, Kathleen	357.00
Chess Team	Ambrose, David	357.00
Class Play (Fall)	Danilovich, Judith	1,733.00
Class Play (Spring)	Danilovich, Judith	1,733.00
Drama Club	Chickey, Natalie (.5)	178.50
	Justice, Gayle (.5)	178.50
Ecology Club	Schaffer, Theodore	357.00
Freshman Class Advisors	Booser, Elizabeth	588.00
	Cleffi, Michael	497.00
Jigsaw Puzzle Club	Minarik, Linda	334.00
Junior Class Advisors	Flanley, Kate	655.00
	Terry, Daniel	655.00
Key Club	Reitz, Tara	357.00
Latino Leadership Club	Marrero, Antonio (.3)	119.00
	Elizabeth Vazquez (.3)	119.00
	Kristin Vazquez (.3)	107.33
Liberty Helping Hands Club	Seip, Diane	357.00
Mini Globe Trotters	McKernan, Cecile	357.00
Model United Nations	Stoyko, Alison	357.00
PJAS (Pennsylvania Junior Academy of Science)	Leeson, Maureen	322.00
SADD (Students Against Destructive Decisions)	Prodes, Jane	357.00
Science Olympiad	Leeson, Maureen	322.00
Senior Class Advisors	Reitz, Adam	1,007.00
	Reitz, Tara	1,007.00
Shakespeare Club	Chickey, Natalie	357.00
Ski Club	Jones, Kevin	357.00

20. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

4. **Extracurricular Activity Advisors (continued)**

Liberty High School

Sophomore Class Advisors	Langmayer, Alicia	\$ 588.00
	Rohn, Virginia	588.00
Stage Crew	Makary, Ross	1,007.00
Strategy Club	Ambrose, David (.5)	357.00
	Kehler, Bruce (.5)	357.00
Student Government	Prodes, Jane	357.00
Teen Summit	Ortiz, Natalie	357.00
Video Game Club	Gori, Michael	357.00
Video Production Club	Bittner, Shaughn	322.00
Young Republicans	Coppock, Richard	334.00
Musical Organizations		
Assistant Band Director	Long, Kevin	4,384.00
Band Director/Majorettes/ Colour Guard	MacGill, Gregory	6,743.00
Stage Band	MacGill, Gregory	588.00
Vocal Groups	Justice, Gayle	588.00
	Klenk, Matthew	497.00

5. **Job Training/Work Experience**

Code: 10-1200-151-000-3517-00001

That the exceptional student be approved for the work experience program.

20. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Instructional

Bougher, Olwen
Easton

Fairchild, George
Bethlehem

Garman, Mary
Bethlehem

Hartman, Cynthia
Whitehall

King, Lisa
Bath

McCauley, Justin
Bethlehem

Propsner, Colleen
Bethlehem

Valle, Marc
Allentown

Wilmore, Karen
Perkasie

20. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Noninstructional

Al Sadowi, Jenan
Bethlehem

Mangos, Brandy
Bethlehem

Reinhard, Michael
Allentown

Director Follweiler stated that in light of the discussion that they had on Item 14, she questioned the above listed recommendations affected by the memo on potential program cuts. She inquired if everything on the appointment nominations were in line with the recommendations which were made in the November 14 Memorandum, Section 2, where they looked at cutting second semester intramurals, some after school activities and clubs. She asked if any expenditures called out in the Nominations for Appointment in conflict with the memo.

Dr. Lewis replied that the nominations were submitted prior to the memorandum. He deferred to Mr. Washington as to if any came in after that date. He inquired about the two line items listed on the budget operations regarding two buildings. He believed it was a \$40,000 line item and noted they were not being filled.

Mrs. Katona replied that she thought that she previously stated that the \$40,000 was what they would be saving this year on DECA and FBLA. The other items were for advisors for activities which had not been cut.

Dr. Lewis added that they were doing a current audit on those activities relative to membership participation for next year.

Director Follweiler stated she was looking at the intramural sports or clubs.

Dr. Lewis replied that they were all club activities. He noted that the intramural, which was on hold, was the weightlifting at the two high schools.

Director Follweiler said that the items listed were minimal but they would be all asking questions and wanting clarification.

Dr. Lewis stated that in the future, they would all be subject to a student participation audit.

President Leeson announced that she would be recusing herself from the item because of her relationship with one of the nominees.

Director Amato questioned if they were talking about not appointing some of the positions, such as band director. He added that there would be strong opposition.

Director Follweiler stated that the earlier point, which she tried to make, was that just because a question was asked, it did not mean that the item would not be approved. She noted the questions were for clarification and they should try with due diligence to make sure that the expenditures in each memorandum matched each other.

Director Amato referred to comments made by Directors McKeon, Tenaglia and Dexter, stating that they said they did not have the money to spend and that they had to watch their money. He concluded that they were then saying that they should cut all of the positions because they could not afford them. He said that Item 20 should be sliced because they did not have the money to pay for them. He questioned if it was true because they had a \$4,000,000 tax interest bill, which needed to be paid.

President Leeson offered to answer his question, stating that the administration had brought forth recommendations and four cuts, which were the cuts that she believed they had been looking at to date. She did not believe that the things currently on the list were on the cut list, which she thought was part of Director Follweiler's question. She presently believed that they were not recommended for cuts by administration. President Leeson requested affirmation from Dr. Lewis.

Dr. Lewis replied that they were recommending that they be passed.

Director Amato stated that he also heard fellow board members state that they could not afford anything. He said that in order for them to get to \$4,000,000, they were talking about some hefty items like the Regional Academy, Career Academy, SPARK, and Welcome Classrooms and he noted that it would not get them to that amount.

President Leeson reviewed with Director Amato that they would be having a meeting next Monday to review the finances and particular cuts where they could have further discussion.

Director Amato replied that he would be in attendance.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

*Dr. Lewis noted the following corrections to the agenda:

Item 20 – Nominations for Appointment – Page 26 – Track Assistant Coach Joshua Kline should be listed under a new heading titled Liberty High School.

21. Reassignments**RECOMMENDATION:*****Noninstructional***

1. NAME: **Colon, Carmen**
 FROM: Liberty, General Kitchen Help, Lunch, 3 ½ hours
 daily/Fountain Hill, General Kitchen Help, Breakfast,
 1 ½ hours daily
 TO: Broughal, General Kitchen Help, Lunch, 4 ½ hours
 daily/Breakfast, 1 ½ hours daily
 SALARY: \$11.86 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008

2. NAME: **Deasey, Janice**
 FROM: Freedom, General Kitchen Help, Lunch, 3 ½ hours
 daily
 TO: Freedom, General Kitchen Help, Lunch, 3 ½ hours
 daily/ Breakfast, ½ hour daily
 SALARY: \$11.18 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008

3. NAME: **Downing, J. Kelly**
 FROM: Fountain Hill, C-1 Custodian, Long-term Substitute
 TO: Calypso, C-1 Custodian
 SALARY: \$13.79 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008

4. NAME: **Orzel, Michelle**
 FROM: Liberty, C-1 Custodian, Long-term Substitute
 TO: Liberty, C-1 Custodian
 SALARY: \$13.79 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008

21. Reassignments**RECOMMENDATION:*****Noninstructional (continued)***

5. NAME: **Pavolko, Deborah**
 FROM: Freedom, General Kitchen Help, Lunch, 4 ½ hours
 daily
 TO: Freedom, General Kitchen Help, Lunch, 4 ½ hours
 daily/ Breakfast, 1 hour daily
 SALARY: \$11.86 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008
6. NAME: **Poczak, Tara**
 FROM: Freedom, General Kitchen Help, Lunch, 3 ½ hours
 daily
 TO: Freedom, General Kitchen Help, Lunch, 3 ½ hours
 daily/Breakfast, ½ hour daily
 SALARY: \$12.18 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008
7. NAME: **Semmel, Laurie**
 FROM: Maintenance, (.5) Supplemental Custodian
 TO: Maintenance, (.25) Supplemental Custodian
 REASON: Employee request
 EFFECTIVE: November 10, 2008
8. NAME: **Sestak, Mark**
 FROM: Liberty, (.5)/Lincoln, (.5) Supplemental Custodian
 TO: Liberty, C-1 Custodian
 SALARY: \$13.79 per hour
 REASON: Successful Candidate
 EFFECTIVE: November 18, 2008

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

22. *Professional Employee Status for Teachers*

RECOMMENDATION:

That the following teachers, who have completed the probationary period as defined by the Commonwealth of Pennsylvania and are properly certified, be granted a Professional Employee Contract in accordance with the State Laws of Pennsylvania:

EFFECTIVE: February 24, 2007

DePoy, Kim Calypso, Special Education Teacher

EFFECTIVE: January 18, 2008

Smith, Janice Miller Heights, Grade 2 Teacher

EFFECTIVE: August 25, 2008

Houck, Shelly Spring Garden, Special Education Teacher

Nelson, Sunny Freemansburg, Grade 3 Teacher

Wagner, Michael Liberty, Mathematics Teacher

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

23. *Salary Allowances for Additional Credits Under the Incentive Program*

INFORMATION:

In accordance with Article XV, “Advancement to Higher Classification,” of the Collective Bargaining Agreement between the Board of School Directors and the Bethlehem Education Association, the following teachers are certified by the superintendent of schools as having met all requirements for incentive increments as listed.

Salary adjustments will be in accordance with the Base Step Salary Schedule of the Collective Bargaining Agreement for all categories listed as approved by the Board of School Directors for the 2008-2009 school year.

RECOMMENDATION:

That the administration be authorized to place the following employees on the appropriate salary lane in accordance with the Collective Bargaining Agreement effective September 1, 2008:

BACHELOR’S +15

DeStasio, Gregory – Nitschmann Middle School

MASTER’S

Baret, Rebecca – Liberty High School

MASTER’S +15

Eilers, Jennifer – Farmersville Elementary School

MASTER’S +30

Lawrence, Nancy – Regional Academic Standards Academy

MASTER’S +45

Haddad, Lydia – Center for Language Assessment

The administration’s recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

24. *Revisions to Board Policy Number 006 – Board Meetings – Second Reading*

INFORMATION:

After the board approved the changes to Board Policy Number 006 – Board Meetings at the August 18, 2008, Regular Board Meeting, the board had requested one change to the Order of Business by moving the Reports of the Student Representatives after Courtesy of the Floor in the beginning of the meeting rather than later in the meeting after Reports of the Committees. It was further requested that the Special Meetings agenda be rearranged and some items be deleted.

The board reviewed the Regular Board Meeting changes at the November 10, 2008, Board Human Resources Committee Meeting, as well as the requested changes on the Special Meeting agenda.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 006 – Board Meetings.

Director Follweiler stated that with all of the items, it stated second reading versus final reading and vote. She asked if they were moving to vote before the final reading.

Dr. Lewis replied that he believed they only needed a second reading and they could vote on the second reading. He added that usually when there was great involvement in a policy, they would go to a third reading, but when there were minimal adjustments such as agendas or the insertion of an attendance line that was missing, they have two readings.

President Leeson also pointed out that after last week's meeting, she and Dr. Lewis noticed that page 6 of 11 on Section .006 – Special Meetings needed to be amended. She stated that it was part of the changes in the adjustments.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

First Reading – July 28, 2008

Second Reading – August 11, 2008

Third Reading - August 18, 2008

SECTION: LOCAL BOARD PROCEDURES

TITLE: MEETINGS

ADOPTED: November 15, 2004

REVISED:

65 P.S. 701 et seq	006. MEETINGS Section 1. <u>Parliamentary Authority</u> Cushing's Manual, Robert's Rules of Order or other approved manuals shall be the authority on all questions of parliamentary law not covered by the bylaws of the Board: a. The President may speak on all points of order in preference to other members of the Board and shall decide questions of order, subject to an appeal to the Board by any two (2) members. b. A motion must be seconded and, when required, repeated by the President or read aloud before it is debated; every motion must be reduced to writing if the President or any member of the Board shall so require. c. Any member who has made a motion shall have liberty to withdraw it with the consent of the seconder. d. The consideration of any question may be postponed to a fixed time or the question may be suppressed altogether by an indefinite postponement. e. A motion once voted down shall not be renewed at the same meeting without the consent of the number of members required for adoption. f. An amendment may be moved on any motion and shall be decided before the original motion; but not more than one (1) amendment to an amendment shall be entertained. g. If a motion under debate is composed of two (2) or more parts, which are so far independent of each other as to be susceptible of division into several questions, any two (2) members may have it divided and a vote taken on each part.
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SC 508	h. When any item for discussion is properly brought before the Board, consideration of the same shall not be interrupted except by motion for adjournment, for tabling, for the previous question, for postponement, for commitment or for amendment. i. A motion for adjournment shall always be in order and shall be decided without debate except that it cannot be entertained without unanimous consent when the Board is voting on another question. j. The question cannot be moved by less than a majority of the members present, and when thus called, all debates shall be precluded. The call for the previous questions shall not cut off any pending amendment, but the vote shall be taken without debate on the amendments in their order and finally on the question. k. A motion for postponement shall preclude commitment, and motion for commitment shall preclude amendment or decision on the original subject. l. A motion for reconsideration shall be entertained when made and seconded by members who were in the majority on the vote on the original question. m. If the previous question is decided in the negative, the effect shall be to arrest the discussion and produce indefinite postponement. n. No member shall be interrupted when speaking unless they are out of order, or for purposes of correcting mistakes and misrepresentations. o. No member in the course of debate shall be allowed to indulge in personal reflections. p. If any member acts in any respect in a disorderly manner, it shall be the privilege of any member and the duty of the President to call that member to order. q. If any member shall consider themselves aggrieved by a decision of the chair, it shall be their privilege to appeal to the Board and a vote on such appeal shall be taken without debate. r. When the taking of a vote has commenced, no further remarks or debates shall be permitted, unless some evident mistake has been made, in which case the mistake shall be rectified and the taking of the vote shall then be continued. A majority vote of those members present and voting shall prevail, except in those subjects enumerated in law requiring a majority of all members of the Board.
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	s. Any two (2) members may require the recording of the yeas and nays on any subject or question, irrespective of whether the subject matter under discussion be such as shall require the recording of the yeas and nays under the provisions of the School Code. t. The first person recognized by the President as desiring to speak shall have the right to the floor. u. To allow ample time for full consideration before Board meetings, any new proposals by Board members at meetings shall be laid on the table or deferred until the next regular or special meeting unless it is clearly shown that immediate action on the proposal is essential.
SC 422	Section 2. <u>Quorum</u> A quorum shall be five (5) Board members present at a meeting. No business shall be transacted at a meeting without a quorum, but the Board members present at such a meeting may adjourn to another time.
SC 405, 426, 427, 428	Section 3. <u>Presiding Officer</u> The President shall preside at all Board meetings. In the absence, disability or disqualification of the President, the Vice-President shall act instead. If neither person is present, a Board member shall be elected President pro tempore by a plurality of those present to preside at that meeting only. The act of any person so designated shall be legal and binding.
65 P.S. 703, 709	Section 4. <u>Notice</u> Notice of all open public Board meetings, including committee meetings and discussion sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board and the posting of such notice at the administrative offices of the Board.
65 P.S. 703, 709	a. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the fiscal year at least three (3) days prior to the time of the first regular meeting.
65 P.S. 703, 709	b. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.

65 P.S. 703, 709	c. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.
65 P.S. 703	d. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of meeting and sending copies of such notice to interested parties.
65 P.S. 709	e. Notice of all public meetings shall be given to any newspaper(s) circulating in Northampton County and a radio or television station which so requests. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.
SC 423	Notice of all regular and special Board meetings shall be given to Board members prior to the time of the meeting.
	Section 5. <u>Regular Meetings</u>
65 P.S. 701 et seq SC 421	Regular Board meetings shall be public and shall be held at least once every two (2) months. All regular meetings of the Board shall be held in the auditorium at the East Hills Middle School, 2005 Chester Road, Bethlehem, Pennsylvania, or at such other place or places as the Board may from time to time determine. The stated time for all regular meetings shall be the third Monday of each month at 7:00 p.m. or at the call of the President with prior notice to each member and the press. The meeting for organization in December will be held at the call of the Board during the first week in December. No business shall be transacted at this meeting other than reorganization. Board members may request that verbatim comments be included in the written minutes. a. Agenda It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting.

The agenda for the regular meeting is hand-delivered to Board members, BEA officials (3), custodial/maintenance personnel (1), teacher aides (1), cafeteria personnel (1), and the press on the Friday preceding the Board meeting. Copies are also distributed to key administrative personnel and to each elementary and secondary school faculty room prior to the meeting.

b. **Order Of Business**

The order of business for regular meetings shall be as follows, unless altered by the President or a majority of those present and voting:

1. Roll Call
2. Pledge of Allegiance
3. Silent Meditation
4. Instructional Report or Student Recognition
5. Courtesy of Floor to Visitors
- 6. Reports of Student Representatives**
7. Approval of Minutes
8. Approval of Committee Minutes
9. Financial Report/Payment of Bills
10. President's Communication/Special Meetings
11. Superintendent's Report/Federal Program Update
12. Unfinished Business
13. Recommendations of Administration
14. Reports of Committees
15. New and Miscellaneous Business
16. Courtesy of the Floor to Visitors

65 P.S. 701 et seq SC 426	17. Adjournment Section 6. <u>Special Meetings</u> Special meetings shall be public and may be called for special or general purposes. The President may call a special meeting at any time. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the Board members. No business shall be transacted at any special meetings except that named in the call sent to the members for such special meetings; provided, that special meetings may be called for general purposes. All special meetings of the Board shall be held in the auditorium at the East Hills Middle School, 2005 Chester Road, Bethlehem, Pennsylvania, or at such other place or places as the Board may determine. Unless a special meeting is called for a specific purpose, the following shall be the order of business: 1. Roll Call 2. Pledge of Allegiance 3. Silent Meditation 4. Courtesy of Floor to Visitors 5. Approval of Minutes/Regular and Committee 6. President's Communication/Special Meetings 7. Superintendent's Report 8. Unfinished Business 9. Recommendations of Administration 10. New and Miscellaneous Business 11. Courtesy of the Floor to Visitors 12. Adjournment
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Pol. 903 65 P.S. 701 et seq	Section 7. <u>Hearing Of The Public</u> A member of the public present at a Board meeting may address the Board in accordance with law and Board policy and procedures. Section 8. <u>Voting</u> All motions shall require for adoption a majority vote of those Board members present and voting, except as provided by statute or Board procedures. All votes on motions and resolutions shall be by voice vote unless an oral roll call vote is requested by the President or another Board member.
SC 324	a. The following actions require the unanimous consent of all the remaining members of the Board: 1. Appoint as attorney or solicitor for the Board a school director who has served for two (2) consecutive terms of six (6) years each after resigning office. 2. Appoint as Secretary to the Board of a district of the second class a school director who has resigned his/her office. b. The following actions require the recorded affirmative votes of two-thirds of the full number of Board members:
SC 609	1. Transfer of budgeted funds.
SC 687	2. Transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another.
SC 634	3. Incur a temporary debt or borrow money upon such obligation.
SC 687	4. Incur a temporary debt to meet an emergency or catastrophe.
SC 324	5. Elect to a teaching position a person who has served as a Board member and who has resigned.
SC 707	6. Convey land or buildings to the municipality co-terminus with the school district.
SC 803	7. Adopt or change textbooks without the recommendation of the Superintendent.

006. MEETINGS - Pg. 8

SC 1129	8. Dismiss, after a hearing, a tenured professional employee.
SC 671	9. Fix the fiscal year to begin on the first day of January.
SC 508	c. The following actions require the recorded affirmative votes of a majority of the full number of Board members:
	1. Fixing the length of school term.
Pol. 108	2. Adopting textbooks recommended by the Superintendent.
SC 1071, 1076	3. Appointing the district Superintendent and Assistant Superintendent(s).
	4. Appointing teachers and principals.
Pol. 604	5. Adopting the annual budget.
Pol. 005, 606	6. Appointing tax collectors and other appointees.
Pol. 605	7. Levying and assessing taxes.
	8. Purchasing, selling, or condemning land.
	9. Locating new buildings or changing the location of old ones.
Pol. 107	10. Adopting planned instruction.
	11. Establishing additional schools or departments.
SC 621	12. Designating depositories for school funds.
	13. Expending district funds.
Pol. 610	14. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to \$10,000 bid requirements).
	15. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.
SC 224	16. Combining or reorganizing into a larger school district.

	17. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.
SC 514, 1080	18. Dismissing, after a hearing, a nontenured employee.
SC 212	19. Adopting a corporate seal for the district.
SC 702	20. Determining the location and amount of any real estate required by the school district for school purposes.
SC 708	21. Vacating and abandoning property to which the Board has title.
SC 1503	22. Determining the holidays, other than those provided by statute, to be observed by special exercises and those on which the schools shall be closed for the whole day.
Pol. 004	23. Removing a school director.
Pol. 004	24. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.
Pol. 005	25. Removing an officer of the Board.
Pol. 005	26. Removing an appointee of the Board.
Pol. 003	27. Adopting, amending or repealing Board policy or procedure.
	Section 9. <u>Minutes</u>
65 P.S. 706 SC 518	The Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all open Board meetings and Board committee meetings. Said minutes shall be comprehensible and complete and shall show: a. The date, place, and time of the meeting. b. The names of Board members present. c. The presiding officer. d. The substance of all official actions. e. Actions taken.
65 P.S. 705	f. Recorded votes and a record by individual members of all roll call votes taken.

SC 433	g. The names of all citizens who appeared officially and the subject of their testimony. The Board Secretary shall provide each Board member with a copy of the minutes of the last meeting prior to the next regular meeting. The minutes of Board meetings shall be approved within two (2) months and signed by the Board Secretary. All Board meetings are tape-recorded and the tapes are kept for two (2) years. The tapes are transcribed by the Board Secretary and reduced to minute form. Twenty (20) copies of the minutes are run and are distributed to Board members, the solicitor, the Superintendent, and other key administrative personnel. A copy of the permanent Minute Book is kept on file in the Office of the Board Secretary. Section 10. <u>Adjournment</u>
Pol. 006 65 P.S. 703, 709	The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place, upon the majority vote of those present. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon. Notice of the rescheduled meeting shall be given as provided in Board policy. Section 11. <u>Executive Session</u>
65 P.S. 707, 708	The Board may hold an executive session, which is not an open meeting, before, during, at the conclusion of an open meeting, or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the open meeting prior to or after the executive session. The Board may discuss the following matters in executive session: a. Employment issues. b. Labor relations. c. Purchase or lease of real estate. d. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation. e. Matters that must be conducted in private to protect a lawful privilege or confidentiality.

	Official actions based on discussions held in executive session shall be taken at a public meeting. Section 12. <u>Work Sessions</u> The Board may meet as a Committee of the Whole in an open meeting to vote on or to discuss issues. Public notice of such meetings shall be made. A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the President; the President shall call such a meeting when requested to do so by Board members. Public notice of the meeting shall be made in accordance with Pol. 006, 4.b.
65 P.S. 701 et seq	
65 P.S. 703, 709	The Board Secretary shall provide notice of a meeting of the Committee of the Whole as per the notice provisions of Board procedures. Section 13. <u>Committee Meetings</u>
65 P.S. 703, 709	1. Each committee will meet a minimum of one evening a month to discuss specific issues and major initiatives in its respective area. The responsible cabinet member for each individual committee will serve as the district's liaison and will generate the agenda with dialogue with the board chairperson prior to the meeting. The board chairperson will facilitate the meeting.
65 P.S. 701 et seq	2. Minutes of each committee meeting will be prepared by the cabinet member working with the respective committee and distributed to the entire board prior to the regular board meeting. Board members who cannot attend the meeting can submit verbal or written questions to be answered and recorded on the committee minutes. 3. The intent of these committee meetings is to fully discuss issues, formulate policy, and develop recommended proposals for action by the full board. Committee meetings will be open to all board members if they wish to participate in the discussions. Board members in attendance at committee meetings will, through consensus, place committee meeting agenda items on the regular board meeting agenda.

25. *Revisions to Board Policy Number 204 – Attendance – Second Reading*

INFORMATION:

Board Policy 204 – Attendance, was approved by the Board of School Directors at the June 28, 2004, Regular Board Meeting. Upon review of this agenda item, the administration noticed that an item was missing under the Noncumulative Absences section that listed preapproved college visits up to three days as a noncumulative absence.

The board reviewed this adjustment at the November 10, 2008, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached revision made to Board Policy Number 204 – Attendance regarding preapproved college visits up to three days as a noncumulative absence.

Director Follweiler stated that with all of the items, it stated second reading versus final reading and vote. She asked if they were moving to vote before the final reading.

Dr. Lewis replied that he believed they only needed a second reading and they could vote on the second reading. He added that usually when there was great involvement in a policy, they would go to a third reading, but when there were minimal adjustments such as agendas or the insertion of an attendance line that was missing, they have two readings.

President Leeson also pointed out that after last week's meeting, she and Dr. Lewis noticed that page 6 of 11 on Section .006 – Special Meetings needed to be amended. She stated that it was part of the changes in the adjustments.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: ATTENDANCE

ADOPTED: June 28, 2004

REVISED:

	204. ATTENDANCE
1. Purpose	The Board requires that school-aged students enrolled in district schools attend school regularly, in accordance with state laws. The educational program offered by this district is predicated upon the presence of the student and requires continuity of instruction and classroom participation in order for students to achieve academic standards and consistent educational progress.
2. Authority SC 1301, 1302, 1327, 1329 Title 22 Sec. 11.11, 11.13, 11.23, 11.25, 11.41	Attendance shall be required of all students enrolled in district schools during the days and hours that school is in session, except that a principal or teacher may excuse a student for temporary absences when receiving satisfactory evidence of mental, physical, or other urgent conditions that may reasonably cause the student's absence. The Board considers the following conditions to constitute reasonable cause for absence from school: 1. Illness. 2. Quarantine. 3. Recovery from accident. 4. Required court attendance. 5. Death in family. 6. Family educational trips.
Title 22 Sec. 11.26	
Title 22 Sec. 11.22, 11.28 SC 1327, 1329 Pol. 115, 117, 118	Attendance need not always be within school facilities. A student will be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction or health care; the student is engaged in a work-study or career education program; the student is receiving approved homebound instruction.

Title 22 Sec. 11.21	All absences occasioned by observance of the student's religion on a day approved as a religious holiday shall be excused, and no student so excused shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.
SC 1546 Title 22 Sec. 11.21	The Board shall, upon written request of the parents/guardians, release from attendance a student participating in a religious instruction program. Such instruction shall not require the child's absence from school for more than thirty-six (36) hours per school year, and its organizers must inform the Board of the child's attendance record. The Board shall not provide transportation to religious instruction.
Title 22 Sec. 11.23, 11.25	The Board will recognize other justifiable absences for part of the school day. These shall include medical or dental appointments, court appearance, or family emergency. The Board shall excuse the following students from the requirements of attendance at the schools of this district:
SC 1330	1. On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.
Title 22 Sec. 11.5, 11.32	2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught, except that such students and students attending college and also enrolled part-time in the district schools shall be counted as being in attendance in this district.
SC 1327	3. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.
SC 1330	4. Students fourteen (14) years of age, and fifteen (15) years of age who completed sixth grade, who are engaged in farm work or private domestic service under duly issued permits.
SC 1330	5. Students sixteen (16) years of age who are regularly employed during the school session and holding a lawfully issued employment certificate. The Board may excuse the following students from the requirements of attendance at district schools:
Title 22 Sec. 11.22	1. Students receiving private instruction from a properly qualified tutor.

Title 22 Sec. 11.34	2. Homebound children unable to attend school on the recommendation of a physician or practitioner of the healing arts.
SC 1327	3. Students enrolled in special schools conducted by the Colonial Intermediate Unit or the Department of Education.
SC 1332, 1333	The Board may report to appropriate authorities infractions of the law regarding the attendance of students below the age of seventeen (17). The Board shall issue notice to those parents/guardians who fail to comply with the statutory requirements of compulsory attendance that such infractions will be prosecuted according to law.
3. Delegation of Responsibility	The Superintendent or designee shall develop procedures for the attendance of students which:
Title 22 Sec. 11.1, 11.2, 11.3	1. Ensure a school session that conforms with requirements of state regulations.
SC 1332, 1339	2. Govern the keeping of attendance records in accordance with state statutes.
SC 1333, 1338	3. Impose on truant students appropriate incremental disciplinary measures for infractions of school rules, but no penalty may have an irredeemably negative effect on the student's record beyond that which naturally follows absence from classroom learning experiences.
	4. Identify the habitual truant, investigate the causes of truant behavior, and consider modification of the student's educational program to meet particular needs and interests.
	5. Ensure that students with excused absences have an opportunity to make up work.
SC 1333, 1338, 1354 Title 22 Sec. 11.24	6. Issue written notice to any parent/guardian who fails to comply with the compulsory attendance statute, within three (3) days of any proceeding brought under that statute. Such notice shall inform the parent/guardian of the date(s) the absence occurred, that the absence was unexcused and in violation of law, that the parent/guardian is being notified and informed of his/her liability under law for the absence of the student, and that further violation during the school term will be prosecuted without notice.
SC 510, 1318	Repeated infractions of Board policy requiring the attendance of enrolled students may constitute misconduct and disobedience to warrant the student's suspension or expulsion from the regular school program.

4. Guidelines
SC 1329

Student absences are generally governed under the definition and authority of the Pennsylvania School Code of 1949. This section permits student absences to be considered excused in cases of illness, quarantines, recovery from an accident, required court attendance, death in the family, or any other urgent reason justifying a temporary absence. Absences covered under law must be directly related to the student's inability to attend school due to reasons cited above and not merely for the convenience of the family. **The Superintendent shall have the discretion to approve absences for special events such as unique athletic events, academics, arts/theater, and extended college visits that exceed the cumulative absences allowed to students each year.**

Absences will generally be recognized as cumulative or noncumulative. **Cumulative absences** refer to days that contribute to the allotted number of days a student may be absent (ten [10] for elementary and seven [7] for middle and high school). **Noncumulative absences** are absences that do not contribute to the specified ten (10) or seven (7) days.

Cumulative Absences

Excused absences include:

1. A maximum of ten (10) days of absence for elementary students during a school year verified by a parental note. All absences beyond the tenth day of absence will require a physician's note.
2. A maximum of seven (7) days of absence for middle and high school students during a school year verified by a parental note. All absences beyond the seventh day of absence will require a physician's note.
3. Preapproved family vacation while school is in session per Board policy.
4. Preapproved college visits beyond three (3) days.

Unexcused/Unlawful absences include:

1. Any day for which a written excuse is not submitted within three (3) school days of a student's return from an absence, including notes from physicians.
2. Any written excuse not approved by the principal.
3. Any absence not excused by a physician's note after ten (10) absences verified by parental excuses in the elementary school and seven (7) absences verified by parental excuses in the middle and high school had already been received.

4. **Truancy** – Unlawful absence (age sixteen [16] and under) and unexcused absence (age seventeen [17] and over).

Noncumulative Absences

Noncumulative absences include:

1. Suspensions from school.
2. Illness verified by a physician's note submitted within three (3) days of a student's return. Any absence in which a physician's note is submitted is not included in the ten (10) days permitted for parental excuses in elementary school or the seven (7) days permitted for parental excuses in middle and high school.
3. Death in the family – from date of death until two (2) days after the funeral unless otherwise authorized by the building principal.
4. Religious holidays.

5. Preapproved college visits up to three (3) days.

Attendance Violations

The Student Code of Conduct defines **attendance violations** as:

1. Late to class.
2. Late to school.
3. Unexcused class absences.

Late to class and late to school will result in an administrative discipline referral upon the third occurrence. Unexcused class absences will result in an administrative discipline referral upon the first occurrence.

Continued attendance violations may result in the student being classified as a habitual offender as defined in the Student Code of Conduct which may result in expulsion from the district.

Late to Class

1. First and second unexcused late to class – to be addressed by classroom teacher interventions.

SC 1333	2. Unexcused lateness exceeding fifty percent (50%) or more of one (1) class period will be considered an unexcused absence from class and will result in a “0” (Zero) grade for the work in that class on that day. <u>Late to School</u> 1. The following lates to school will not result in disciplinary action: a. Illness and appointments verified by a physician’s note. b. Court appearances. c. Funeral for family member. 2. First and second unexcused late to school – warning to be issued. 3. Students who arrive late and do not report to homeroom or procure a late slip from the office, student service center, or vocational technical school will be charged with an unexcused/unlawful absence which will result in a “0” (Zero) grade for all class work that day. <u>Unexcused Class Absence</u> 1. Unlawful and unexcused absences or unexcused class absences will result in a “0” (Zero) grade for all class work missed that day. 2. Credit will be denied at the high school level for those students who accrue more than nine (9) cumulative absences in a semester length course. Credit will also be denied for a nine-week course for those students who accrue more than five (5) cumulative absences. Students would be required to secure a doctor's note on the tenth day of the cumulative absence to ensure course credit for the semester length course. They would be required to secure a doctor's note on the sixth day of the cumulative absence to ensure credit for the nine-week course. Those students who miss more than the allotted days will receive the grade for the course but not the credit. An appeal to the principal may be made based on extenuating circumstances related to attendance. <u>Truancy</u> 1. Any day for which a student is confirmed truant will result in the student being cited for a violation of the Student Code of Conduct. 2. Three (3) unlawful absences will result in written notice of violation of the
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SC 1329	Compulsory Attendance Law and may result in prosecution. 3. Unlawful and unexcused absences or unexcused class absences will result in a "0" (Zero) grade for all class work missed that day. In each incident the administrator will decide on an individual basis if alternative action will best meet the needs of the student, the school district, and/or the employees of the school district. <u>Requirement for a Written Parental Explanation for a Student's Legal Absence</u> 1. Parents/Guardians are required to submit a written explanation for the legal absence of their child within three (3) days from the date of the child's return to school. Failure to provide such written explanation or failure of the child to present the excuse to the principal will result in the absence being declared unexcused and/or unlawful. The mere fact that a parent/guardian provides a written explanation does not qualify the absence as excused. The absence must be for a legal reason as determined by the principal and/or teacher, according to law. 2. When it is known that a parent(s)/guardian(s) cannot read or write, the principal or teacher may accept a verbal excuse. However, the verbal excuse shall be documented, in writing, as to the date of the absence, the reason, and the name of the parent/guardian contacted. This documented note is to be signed by the person from the school who contacted the parent/guardian. 3. In those cases where a child has an excessive number of absences verified only by a verbal communication, a home visit shall be made by the attendance officer and/or the home-school visitor to secure the mark of the parent/guardian on a written excuse provided by the school. 4. If the dominant language in a student's home is not English and the parent(s)/guardian(s) are able to read and write in another language, s/he shall be required to submit a written explanation in that language.
Title 22 Sec. 11.26	<u>Educational/Vacation Tours and Trips, Grades K-12</u> Requests by parents/guardians to have their children excused from school for educational/vacation trips must be evaluated under the authority of the Regulations of the State Board of Education, Chapter 11, Pupil Attendance, Section 11.26 "Educational Tours and Trips, Not School-Sponsored." "Upon receipt of a written request from the parents of the pupils

involved, pupils may be excused from school attendance to participate in an educational tour or trip provided during the school term at the expense of the parents when such tour or trip is so evaluated by the District

Superintendent or designee and pupil participants therein are subject to direction and supervision of an adult personage acceptable to the District Superintendent and to the parents of the pupils concerned."

Parents/Guardians are strongly encouraged to schedule family vacations with the school district calendar in mind to ensure that students attend school a maximum number of days:

1. Students at the elementary level will be permitted to take four (4) educational trips, up to a cumulative maximum of fifteen (15) school days during their tenure in elementary school. Educational trips may not exceed five (5) days per year.
2. Middle school students will be permitted to take two (2) educational trips, up to a cumulative maximum of ten (10) school days during their tenure at the middle school level. Educational trips may not exceed five (5) days per year.
3. High school students will be permitted to take two (2) educational trips, up to a cumulative maximum of ten (10) school days during their tenure at the high school level. Educational trips may not exceed five (5) days per year.
4. Parental requests which go beyond the number of days or trips allowed must first be approved by the building principal and then referred to the Superintendent or designee for final permission.
5. Any days taken beyond the maximum of five (5) days permitted for educational trips in a given year may be considered unexcused and unlawful for students under the age of seventeen (17) and unexcused for students seventeen (17) years of age and over. Appropriate legal action may be taken where applicable.
6. The following will be taken into consideration by the principal in granting permission for the trip:
 - a. The student's academic standing.
 - b. The student's attendance record.
 - c. The effect the absence will have on the student's educational welfare.
 - d. Exceptionality of the request.

School Code 510, 1301, 1302, 1318, 1327, 1329, 1330, 1332, 1333, 1338, 1339, 1354, 1546 PA Code Title 22 Sec. 11.1, 11.2, 11.3, 11.5, 11.11, 11.13, 11.21, 11.22, 11.23, 11.24, 11.25, 11.28, 11.32, 11.34, 11.41 Board Policy 115, 117, 118	e. The Student Code of Conduct. 7. The Application for Permission for Student Excusal Due to an Educational Trip or Tour must be submitted to the principal ten (10) school days prior to the trip. 8. It will be the student's responsibility to contact teachers and make up assignments missed. 9. Permission will not be granted for trips/tours during the district's standardized testing period, the state's testing periods, and the secondary school examination periods at the end of the first and second semesters.
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26. *Revisions to Board Policy Number 701.1 – Naming of School District Facilities – Second Reading*

INFORMATION:

Board Policy 701.1 – Naming of School District Facilities was approved by the Board of School Directors at the March 19, 2007, Regular Board Meeting. An adjustment was made to the guidelines criteria to include “any and all other property owned by the school district.”

The board reviewed this adjustment at the November 10, 2008, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached adjustment made to Board Policy Number 701.1 – Naming of School District Facilities.

Director Follweiler stated that with all of the items, it stated second reading versus final reading and vote. She asked if they were moving to vote before the final reading.

Dr. Lewis replied that he believed they only needed a second reading and they could vote on the second reading. He added that usually when there was great involvement in a policy, they would go to a third reading, but when there were minimal adjustments such as agendas or the insertion of an attendance line that was missing, they have two readings.

President Leeson also pointed out that after last week’s meeting, she and Dr. Lewis noticed that page 6 of 11 on Section .006 – Special Meetings needed to be amended. She stated that it was part of the changes in the adjustments.

Director Koch stated she would be voting against the item, mainly because she was philosophically opposed to naming anything, whether it was a building or a seat in the district. She added that she would hope that they were not going to accept money from people so that the schools may be named. She noted that there had been some negative and hurtful situations in the past and had concerns. She concluded that she would not like to see them repeated.

The administration’s recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

First Reading- November 10, 2008, Board Human
Resources Committee Meeting

SECTION: PROPERTY

TITLE: NAMING SCHOOL DISTRICT
FACILITIES

ADOPTED: March 19, 2007

REVISED:

701.1. NAMING SCHOOL DISTRICT FACILITIES	
1. Purpose	The School Board believes that naming facilities is a matter of great importance, one that deserves thoughtful attention. This policy establishes an equitable process by which the Board of School Directors can assume its responsibility for naming school facilities.
2. Authority	Prior to action by the Board, the nomination shall be referred to the Facilities Committee and, with no less than four (4) School Board members in attendance, will make a recommendation on the nomination to the Board. Once a facility has been officially named, it shall not be renamed except for compelling reasons to be determined by the Board.
3. Guidelines	Criteria that may be considered when naming school facilities are: 1. The school district provides many opportunities for the naming of buildings, components of buildings, auditoriums, gymnasiums, playgrounds, fields, laboratories, classrooms, equipment and any and all other property owned by the school district. 2. A facility may be named after a geographic location and/or a section of the district it serves. 3. A facility may be named after a person. If named after a person, that person shall be of exemplary moral character; have made an outstanding contribution to education, humanity or community; or have displayed outstanding leadership; or be a person of historical significance. 4. Facilities may be named after major contributors to the district. The School Board will evaluate the financial value of naming rights based on a review of the market for naming rights. The Bethlehem Area School District shall have the authority to revoke the naming of a facility for compelling reasons as determined by the Board of School Directors.

27. *Revisions to Board Policy Number 707 – Use of School Facilities – Second Reading*

INFORMATION:

Board Policy 707 – Use of School Facilities was revised and approved by the Board of School Directors at the April 21, 2008, Regular Board Meeting. Adjustments to the policy need to be made under Class I – District-Sponsored Activities, Class II – Community Service Groups, and to the Rental Charges form – Note 4: Circumstances Requiring a Site Manager.

The board reviewed these changes at the November 10, 2008, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 707 – Use of School Facilities.

Director McKeon moved to table Item 27. Director Cann seconded the motion. The motion was passed by majority voice vote with one vote of opposition from Director Amato.

DIRECTOR MCKEON –
MOVE TO TABLE
ITEM 27

2nd Reading – November 17, 2008, Regular Board Meeting

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: November 15, 2004

REVISÉ: April 21, 2008

	707. USE OF SCHOOL FACILITIES The Board recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the Board may make school facilities available to individuals and community groups without discrimination and in accordance with this policy, provided the use does not interfere with the educational program of the schools.
1. Purpose	
2. Authority	The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities: 1. Instruction in any branch of education, learning and the arts, consistent with the school district's mission. 2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community. 3. Polling places for holding primaries, elections and special elections as permitted or required by state law. 4. Recreation, physical training and athletics, including competitive athletic contests for children and adults.
SC 775	The Board shall establish a schedule of fees for the use of school facilities by approved groups. The fee schedule shall differentiate between profit and nonprofit groups.
3. Delegation of Responsibility	The Superintendent or designee shall implement procedures for requesting and granting permission for use of school facilities and shall distribute the policy and procedures to individuals affected by them. An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent or designee.

4. Classifications	The classification scheme established in this policy will be used in determining fees or other requirements. <u>Class I – District-Sponsored Activities</u> Class I activities are those that are directly sponsored by the district or those directly supporting district activities. They include activities such as, but not limited to, school programs (open houses, concerts, etc.), college fairs, science fairs, interscholastic and intramural athletic events, and approved clubs. This group also includes, but is not limited to; Board of School Directors, employees, alumni organizations, PTA's, ~~district-based youth athletic programs~~ and formally recognized booster groups. As district-sponsored or district supporting activities, building or custodial fees will not be charged and no insurance certificate will be necessary. <u>Class II – Community Service Groups</u> Class II represents nonprofit organizations that provide services to the communities within the district and include the Boys and Girls Scouts, Boys and Girls Club of Bethlehem, community recreation organizations supporting primarily the students of the Bethlehem Area School District, fraternal organizations, and other nonprofit community service groups. This group also includes, but is not limited to; district based youth athletic programs. Class II organizations will be provided use of district ~~buildings~~ facilities without charge, but will be required to pay custodial fees and/or other personnel fees when necessary. Lease fees will be charged per Policy 707 attachment. They will also be required to provide an insurance certificate in the specified amounts naming the district as additionally insured. <u>Class III – All Other Organizations and Individuals</u> Class III represents all other organizations and individuals requesting use of district facilities. These groups will be required to pay building use fees, custodial fees and/or other personnel fees when necessary, and to provide an insurance certificate. District employees requesting the use of district facilities in a capacity other than their official district capacity must conform to the same requirements as any of the organizations and individuals as identified in this policy. <u>Application Process</u> An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form two (2) weeks in advance of the proposed date to the building principal. The application must specify the portion of the school facilities requested for use;
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5. Guidelines	proposed activities; number of individuals participating; and the beginning and ending date, time and duration of the proposed event. Along with the completed application, the individual or group must submit the following: 1. Payment of the specified rental fee. 2. Evidence of organizational liability to limits required by district guidelines. 3. Documentation evidencing the school district shall be held harmless by the user for any liability that arises from use of school facilities by the individual or group. <u>Application Evaluation</u> No application to use school facilities shall be approved if the proposed activity would result in any of the following: 1. Conflict with any school-sponsored activity. 2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action. 3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator. 4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity. The district reserves the right to limit the duration of the lease to promote broad-based community involvement. <u>Limitations</u> When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following: 1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form. 2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form. 3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district. 4. School equipment used in conjunction with requested facilities shall be
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SC511 10 P.S. 311 et seq. 20 U.S.C. Sec. 7181 et seq. 35 P.S. 1223.5 School Code 511, 775	identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school. <u>Prohibited Activities</u> The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities: 1. Possession, use or distribution of illegal drugs and/or alcoholic beverages. 2. Possession of weapons. 3. Conduct that would alter damage or be injurious to any district property, equipment or furnishings. 4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations. 5. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the district. 6. Use of tobacco products. <u>Violations</u> The school district reserves the right to remove from the schools district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures. In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, the individual or community group forfeits the right to submit future written requests to use school district property, unless otherwise decided by the Board. <u>Fee Schedule</u> Use of school facilities for activities directly related to the educational program and district operations shall be without cost to the users. Other classifications of users will pay based on the board approved Recommended Rental Charges.
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PA Code Title 22 Sec. 403.1 10 P.S. 311 et seq 35 P.S. 1223.5 20 U.S.C. Sec. 7181 et seq 20 U.S.C. Sec. 7905	
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BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania
FEE SCHEDULE FOR USE OF SCHOOL FACILITIES

RECOMMENDED RENTAL CHARGES

Class 1 — District Sponsored Activities and District Recognized Groups Acting in Support of District Activities (i.e. PTA, ~~Youth Athletic Programs~~ Booster Clubs, etc.).

Class 2 – Community Service Groups (i.e. Community Recognized Boards, Non-Profit Organizations, **Youth Athletic Programs**)

Class 3 - All Other Groups (i.e. Private Individuals, for Profit Organizations)

Facility				Rental Charge
<u>Gymnasium</u>	<u>Class 1</u>	High School		N/C
		Middle School		N/C
		Elementary		N/C
	<u>Class 2</u>	High School		N/C
		Middle School		N/C
		Elementary		N/C
	<u>Class 3</u>	High School	Practice	\$500
			Events/Games	\$1,000
		High School (aux. gym)	Practice	\$200
			Events/Games	\$500
		Middle School	Practice	\$100
			Events/Games	\$350
		Elementary	Practice	\$100
			Events/Games	\$200
<u>Auditorium</u>	<u>Class 1</u>	High School		N/C
		Middle School		N/C
		Elementary		N/C
	<u>Class 2</u>	High School	Activity	\$350
			Rehearsal	\$150
		Middle School	Activity	\$250
			Rehearsal	\$100
		Elementary	Activity	\$75
			Rehearsal	\$35
	<u>Class 3</u>	High School	Activity	\$700
			Rehearsal	\$200
		Middle School	Activity	\$550
			Rehearsal	\$200
		Elementary	Activity	\$200
			Rehearsal	\$100
<u>All Purpose Room</u>	<u>Class 1</u>			N/C
	<u>Class 2</u>			N/C
	<u>Class 3</u>			\$150
<u>Kitchen Dining Room</u> (per four hour use)	<u>Class 1</u>			N/C
	<u>Class 2</u>			N/C
	<u>Class 3</u>			\$200
<u>Classrooms</u> (per classroom per four hours)	<u>Class 1</u>			N/C
	<u>Class 2</u>			N/C
	<u>Class 3</u>			\$100
<u>Stadium and Athletic Fields</u>				
<u>BASD Stadium</u>	<u>Class 2</u>		\$300 (Plus Expenses)	
			\$200 (Lights)	
	<u>Class 3</u>		\$1,500 (Plus Expenses)	
			\$200 (Lights)	
<u>Athletic Fields</u>	<u>Class 2</u>	Elementary School	\$25 (Daily Rate)	
			\$100 (Seasonal Rate)	
		Middle School	\$25 (Daily Rate)	
			\$100 (Seasonal Rate)	
		High School	\$50 (Daily Rate)	

	<u>Class 3</u>	Elementary School	\$50 (Daily Rate)
			\$200 (Seasonal Rate)
		Middle School	\$50 (Daily Rate)
			\$200 (Seasonal Rate)
		High School	\$100 (Daily Rate)
<u>Swimming Pools</u>	<u>Class 2</u>		25 (Per Hour)
	<u>Class 3</u>		100 (Per Hour)
<u>Planetarium</u>	<u>Class 2</u>		\$5 (Per Hour)
	<u>Class 3</u>		\$20 (Per Hour)
<u>Folding Chairs</u>	<u>Class 2</u>		\$20/100
	<u>Class 3</u>		\$25/100
<u>Moveable Stage</u>	<u>Class 2</u>		\$50
	<u>Class 3</u>		\$75
<u>Sound Equipment</u>	<u>Class 2</u>		\$25
	<u>Class 3</u>		\$50
<u>Movie Projector</u>	<u>Class 2</u>		\$30
	<u>Class 3</u>		\$30
<u>Slide Projector</u>	<u>Class 2</u>		\$30
	<u>Class 3</u>		\$30

Note 1: The above fees do not include amounts charged when extra school personnel are required. Designated school employees must be present whenever kitchen equipment; special lighting; sound systems, and motion picture projectors are to be used. The charges for these employees will be based on hourly rates and rates and will be the same for all classes of organizations. Permit holder must clear cafeteria use with Cafeteria Director. The Bethlehem Area School District will charge for site management when utilizing the facilities at the high schools, which include the gymnasiums, swimming pools, and athletic fields. Stadium cleaning and field prep will be charged at the current hourly rates.

Note 2: Bethlehem Area School District retains the right to regulate the kinds, quality, and prices of any goods or services vended or offered to the public by permit holder and all sub-concessionaire vending on said premises under authority of permit holder, so as to eliminate unreasonable risk of harm to the general public (this is limited by the preemptive right of the United States of America or any agent thereof or another public agency to regulate such price or quality).

Concessionaire will agree to indemnify and save harmless Bethlehem Area School District against any and all loss, damage, costs, and expenses, which Bethlehem Area School District may hereafter suffer, incur, be put to or pay by reason of Concessionaire's Contract, and will agree to pay and discharge forthwith, on demand of Bethlehem Area School District, each and every debt, obligation, or claim which shall be made, assigned, or apportioned against Bethlehem Area School District by any Claimant pursuant to claim proved according to law as a result of the issuance of Concessionaire Contract.

Note 3: The Bethlehem Area School District may revoke a facility usage permit in the event of inclement weather. School district personnel will notify Concessionaire if, at their discretion, this decision is made.

Note 4: Circumstances Requiring a Site Manager:

1. If public spectators are allowed/present.
2. Pool utilization will comply with the following regulations:
 - a. Groups must supply or secure their own certified lifeguard(s) and submit current lifeguard credentials with the Application for Lease. The lessor will employ the number of certified lifeguards as required by current public bathing regulations which will be verified at lease signing by district Athletic Directors.
 - b. A site manager will be required for all outside pool leases.
3. Leases requesting multiple buildings and/or field locations will require a site manager to be present.
4. All Bethlehem Area School District Stadium use will require a site manager and a field attendant(s). The district reserves the right to require the hiring of all ancillary personnel necessary to operate the facility in a safe and secure manner.

28. *Authorization to Expend Capital Reserve Funds – Bids Opened October 29, 2008 – Library Book Detection System – Freedom High School*

INFORMATION:

Bids were received and publicly opened at noon, Wednesday, October 29, 2008, for:

Library Book Detection System – Freedom High School

The bids have been tabulated and reviewed by the appropriate administrative and supervisory personnel. The recommendation of award is based upon the lowest responsible bidder meeting specifications. (The Tabulation of Bids is attached.)

RECOMMENDATION:

That the administration be authorized to award a contract to the lowest responsible bidder meeting specifications as indicated on the attached Tabulation of Bids.

Library Book Detection System –
Freedom High School

Brodart Company
100 North Road
McElhattan, Pennsylvania 17748 \$22,333.11

The Capital Reserve Fund has a fund balance of \$1,438,785.33, as of November 6, 2008.

Director Tenaglia stated that he had a conversation with the superintendent and noted that the amount of \$1,438,00 in the Capital Reserve Fund did not appear in the budget nor did it appear in the most recent Finance Committee Item 3, which was presented to them by Mr. Majewski. He said that he could hold further questions until next week's Finance Committee Meeting.

Director Haytmanek apologized for his late arrival, stating that he was in the operating room. He moved to request reconsideration of Item 16. Director Koch seconded the motion. The motion passed by raise of hands.

DR. HAYTMANEK –
MOTION TO
RECONSIDER ITEM 16

President Leeson called for a vote on the administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28. The question was called with roll call as follows: Yea, Directors Amato, Cann (with the exception of Items 5 and 16 – no), Dexter (with the exception of Items 3, 4, and 16 – no), Follweiler, Haytmanek, Koch (with the exception of Item 26 – no), McKeon (with the exception of Items 5 and 16 – no), Tenaglia and Leeson (with the exception of Items 3, 4, 5, 16 and 26 – no; in addition to recusal on Item 20).

ROLL CALL –
ADMINISTRATION'S
RECOMMENDATIONS
3, 4, 5, 14, 16, 20, 24, 25,
26, and 28

Items 14, 24, 25, and 28 passed 9 – 0.

Item 3 passed 7 – 2.

Item 4 passed 7 – 2.

Item 5 passed 6 – 3.

Item 16 passed 5 – 4.

Item 20 passed 8 – 0 (with one recusal).

Item 26 passed 7 – 2.

The administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

Bid Opening: October 29, 2008

November 17, 2008

**TABULATION OF BIDS
FOR
LIBRARY BOOK DETECTION SYSTEM –
FREEDOM HIGH SCHOOL**

Brodart Company

Demco, Inc.

\$22,333.11

\$22,904.00

BID AWARD

7 specifications mailed
2 bids received

29. *Bid Award – Bids Opened November 3, 2008 – Xerographic Paper – White*

INFORMATION:

Bids were received and publicly opened at noon, Monday, November 3, 2008, for:

Xerographic Paper – White

The bids have been tabulated and reviewed by the appropriate administrative and supervisory personnel. The recommendation of award is based upon the lowest responsible bidder meeting specifications. (The Tabulation of Bids is attached.)

RECOMMENDATION:

That the administration be authorized to award a contract to the lowest responsible bidder meeting specifications as indicated on the attached Tabulation of Bids.

Xerographic Paper – White

Ricoh Americas Corporation
1531 Boettler Road
Suite E
Uniontown, Ohio 44685

\$68,040

Account Code: 10-0171-00

Xerographic Paper is inventoried and charged to building budgets as paper is requisitioned from the maintenance warehouse.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29 and 33 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

Bid Opening: November 3, 2008

November 17, 2008

**TABULATION OF BIDS
FOR
XEROGRAPHIC PAPER – WHITE**

	Cost for 2,520 Cartons (3 Truckloads)
Paper Mart Inc.	\$69,930.00
Ricoh Americas Corporation	68,040.00
RIS Paper Company	70,686.00
Whiteman Tower	46,536.00 *
Xerox Corporation	69,610.80

BID AWARD

15 specifications mailed
5 bids received
* two truckloads

30. *Treasurer's Report*

RECOMMENDATION:

That the Board of School Directors approves the Treasurer's Report dated October 31, 2008.

President Leeson requested a motion to approve the Financial Report and Payment of the Bills – Items 30 and 31 on the Recommendations of the Administration. The motion was made by Directors McKeon and seconded by Director Follweiler.

APPROVAL OF
FINANCIAL
REPORT/
PAYMENT OF
BILLS

President Leeson inquired if there was any discussion on the items.

Director Tenaglia replied that they had several questions and in the absence of Mr. Majewski, he moved to table the matter.

President Leeson asked if there was a problem with the Payment of the Bills.

Dr. Lewis inquired with Mrs. Morton if there was a problem with discounts or other items. He asked if they could possibly discuss the liability first because he was concerned about the district incurring an interest charge.

Director Tenaglia responded that he did not either and asked if they knew it they would.

Director Amato asked the solicitor if it was something that could be done.

Attorney Spry replied that they could table it if it was their choice.

Director Amato asked if the board really wanted to table paying the bills and questioned their liability. He firmly conveyed that he recalled it happening at Nazareth Area School District and added that the solicitor stated that the board would be responsible if the bills were not paid.

Dr. Lewis stated that Mrs. Morton relayed to him that it was a large run and there was a definite possibility that if they were not approved tonight and approved at their December meeting, they could incur potential charges.

Director Tenaglia recommended making an amendment to approve the bills and table the Treasurer's Report.

Dr. Lewis replied that it would be much more acceptable to the administration.

President Leeson reviewed that they would table the Treasurer's Report and pay the monthly bills. She mentioned that the budget information was an information item only.

Director Tenaglia stated that they could discuss the budget information at the Finance Committee Meeting.

Dr. Lewis asked for two separate motions, one to table the Treasurer's Report and the other to pay the bills.

Director Tenaglia moved to table the Treasurer's Report, which was seconded by Director Dexter. The motion passed by voice vote with one voice of opposition from Director Amato.

DIRECTOR
TENAGLIA –
MOTION TO
TABLE

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

REPORT OF THE TREASURER
October 1 through October 31, 2008

BEGINNING CASH AND INVESTMENT BALANCE

Wachovia Bank - Cash Management	3,553,958.73
Bank of America - General Account	1,001,118.09
Pennsylvania School District Liquid Asset Fund	10,713,370.67
Wachovia - Worker's Comp Trust Fund	643,420.79
Pennsylvania Local Government Investment Trust	77,150.60
Pennsylvania State Treasurer Invest Program	2,576,798.54
Wachovia Money Market	54,736.43
Bank of America Money Market	36,028,768.21
Commerce Bank Money Market	1,125.62
Sovereign Bank Money Market	28,828.85
PSDLAF - Term Investments	15,000,000.00
KNBT Bank - Scholarship Fund	45,971.98
KNBT Bank - Scholarship Fund	112,000.00
Baird Public Investment Advisors - 2007A Bond Fund	20,473,266.75

TOTAL CASH AND INVESTMENT BALANCE \$ 90,310,515.26

MONTHLY RECEIPTS

Local Sources	7,072,181.59
State Sources	7,042,025.63
Federal Sources	932,005.54
Other Financing Sources	0.00

\$ 15,046,212.76

MONTHLY DISBURSEMENTS

Monthly Bills Paid	10,048,571.69
Payroll	7,639,127.66
Debt Service	2,346,518.57

\$ 20,034,217.92

TOTAL FUNDS AVAILABLE

\$ 85,322,510.10

ENDING CASH AND INVESTMENT BALANCE

		<u>Interest Rate</u>
Wachovia Bank - Cash Management	2,519,202.79	1.790%
Bank of America - General Account	1,001,371.25	1.370%
Pennsylvania School District Liquid Asset Fund	2,288,454.44	varies 1.50% to 1.99%
Wachovia - Worker's Comp Trust Fund	643,987.43	1.680%
Pennsylvania Local Government Investment Trust	77,314.73	2.510%
Pennsylvania State Treasurer Invest Program	767,955.97	1.931%
Wachovia Money Market	54,745.90	0.200%
Bank of America Money Market	38,108,628.45	3.770%
Commerce Bank Money Market	1,126.91	1.350%
Sovereign Bank Money Market	28,914.74	3.570%
PSDLAF - Term Investments	22,000,000.00	see attachment
KNBT Bank - Scholarship Fund	45,971.98	3.750%
KNBT Bank - Scholarship Fund	112,000.00	4.300%
Baird Public Investment Advisors - 2007A Bond Fund	17,672,835.51	4.410%

TOTAL CASH AND INVESTMENT BALANCE \$ 85,322,510.10

Interest Received for October; to be posted in November \$ 172,095.97

Respectfully Submitted,

Anne M. Morton
Treasurer

31. *Monthly Bills*

RECOMMENDATION:

That the bills, which have been reviewed as to correctness by the appropriate Business Office staff and verified by the treasurer, be approved for payment. A copy of the bill list is available in the Business Office of the Education Center, 1516 Sycamore Street, Bethlehem, Pennsylvania, for review.

President Leeson requested a motion to approve the Financial Report and Payment of the Bills – Items 30 and 31 on the Recommendations of the Administration. The motion was made by Directors McKeon and seconded by Director Follweiler.

APPROVAL OF
FINANCIAL
REPORT/
PAYMENT OF
BILLS

President Leeson inquired if there was any discussion on the items.

Director Tenaglia replied that they had several questions and in the absence of Mr. Majewski, he moved to table the matter.

President Leeson asked if there was a problem with the Payment of the Bills.

Dr. Lewis inquired with Mrs. Morton if there was a problem with discounts or other items. He asked if they could possibly discuss the liability first because he was concerned about the district incurring an interest charge.

Director Tenaglia responded that he did not either and asked if they knew it they would.

Director Amato asked the solicitor if it was something that could be done.

Attorney Spry replied that they could table it if it was their choice.

Director Amato asked if the board really wanted to table paying the bills and questioned their liability. He firmly conveyed that he recalled it happening at Nazareth Area School District and added that the solicitor stated that the board would be responsible if the bills were not paid.

Dr. Lewis stated that Mrs. Morton relayed to him that it was a large run and there was a definite possibility that if they were not approved tonight and approved at their December meeting, they could incur potential charges.

Director Tenaglia recommended making an amendment to approve the bills and table the Treasurer's Report.

Dr. Lewis replied that it would be much more acceptable to the administration.

President Leeson reviewed that they would table the Treasurer's Report and pay the monthly bills. She mentioned that the budget information was an information item only.

Director Tenaglia stated that they could discuss the budget information at the Finance Committee Meeting.

Dr. Lewis asked for two separate motions, one to table the Treasurer's Report and the other to pay the bills.

Director Tenaglia moved to table the Treasurer's Report, which was seconded by Director Dexter. The motion passed by voice vote with one voice of opposition from Director Amato.

DIRECTOR
TENAGLIA –
MOTION TO
TABLE

Director McKeon moved to amend the motion to approve the monthly bills, which was seconded by Director Tenaglia.

DIRECTOR
MCKEON –
MOTION TO
AMEND
MOTION TO
APPROVE
MONTHLY
BILLS

The question was called with roll call as follows: Yea, Directors Amato, Cann, Dexter, Follweiler, Koch, McKeon, Tenaglia and Leeson. The motion passed 8 – 0.

ROLL CALL –
AMEND
MOTION TO
APPROVE
MONTHLY
BILLS

32. *Budget Information*

INFORMATION:

Presented for information is the statement of the Condition of the Budget by major accounts.

2008-2009 REVENUES

	A	B	C	D	E	F	G
	2008-2009					2007-2008	
Description	Budget	Realized October, 2008	Unrealized \$ (B-A = C)	Unrealized % (C / A = D)	Projected June 30, 2009	Realized June, 2008	Realized October, 2007
CURRENT REAL ESTATE	101,612,861	11,292,443	(90,320,418)	-88.89%	100,600,000	98,744,538	(94,584)
INTERIM REAL ESTATE	1,300,000	28,542	(1,271,458)	-97.80%	1,000,000	656,034	
PUBLIC UTILITY REALTY	172,000	153,055	(18,945)	-11.01%	153,055	162,642	162,642
PAYMENTS IN LIEU OF TAX	121,000	23,011	(97,989)	-80.98%	126,800	120,798	58,238
UNDISTRIBUTED TAXES		79,087,222	79,087,222	-		44,297	88,804,571
PER CAPITA TAX SECT 679	240,000	92,400	(147,600)	-61.50%	240,000	242,083	(20)
PER CAPITA TAX ACT 511	240,000	92,400	(147,600)	-61.50%	240,000	242,083	(20)
LOCAL SERVICES TAX	485,000	124,074	(360,926)	-74.42%	358,300	136,722	47,346
EARNED INCOME TAX	11,200,000	3,090,715	(8,109,285)	-72.40%	10,600,000	10,400,810	3,530,514
REAL ESTATE TRANSFER TAX	2,800,000	997,735	(1,802,265)	-64.37%	2,500,000	2,316,670	810,226
MERCANTILE TAX	2,200,000	1,373,651	(826,349)	-37.56%	2,500,000	2,414,521	1,362,382
DEL. REAL ESTATE	2,800,000	2,000,971	(799,029)	-28.54%	2,800,000	2,681,813	1,513,022
DEL. PER CAPITA SECT 679	70,000	26,799	(43,201)	-61.72%	70,000	58,205	10,159
DEL. LOCAL SERVICES TAX		0	-	-			
DEL. MERCANTILE TAX	380,000	384,975	4,975	1.31%	500,000	323,786	167,611
TOTAL LOCAL TAX SOURCES	\$ 123,620,861	\$ 98,767,994	\$ (24,852,867)	-20.10%	\$ 121,688,155	\$ 118,545,001	\$ 96,372,088
INTEREST ON INVESTMENTS	2,400,000	225,961	(2,174,039)	-90.58%	1,200,000	1,685,398	205,797
DRIVER ED LAB FEES	13,250	5,850	(7,400)	-55.85%	12,500	12,500	4,700
RENTALS	10,000	5,433	(4,567)	-45.67%	10,000	10,148	7,375
TUITION FROM PATRONS	320,000	173,598	(146,402)	-45.75%	380,000	394,042	189,598
SRVCS. / OTH LOC GOV UNITS	15,000		(15,000)	-100.00%		22,020	8,610
MISCELLANEOUS REVENUE	100,000	16,283	(83,717)	-83.72%	185,000	185,312	10,435
REFUNDS FROM PRIOR YEAR EXP		2,150			10,000	12,913	6,847
TOTAL OTHER LOCAL SOURCES	\$ 2,858,250	\$ 429,274	\$ (2,431,126)	-85.06%	\$ 1,797,500	\$ 2,322,333	\$ 433,363
TOTAL LOCAL SOURCES	\$ 126,479,111	\$ 99,197,269	\$ (27,283,992)	-21.57%	\$ 123,485,655	\$ 120,867,335	\$ 96,805,450
BASIC INSTRUCTIONAL SUBSIDY	22,955,949	6,926,734	(16,029,215)	-69.83%	22,955,949	21,674,304	6,330,522
CHARTER SCHOOLS	1,268,300	446,632	(821,668)	-64.78%	1,325,000	1,286,786	390,440
TUITION : ORPHANS/CHILDREN	315,000		(315,000)	-100.00%	315,000	349,693	164
HOMEBOUND INSTRUCTION			-				
VOCATIONAL EDUCATION	200,000	56,816	(143,184)	-71.59%	162,400	182,650	63,914
DRIVER EDUCATION	10,745		(10,745)	-100.00%	10,745	10,605	10,605

2008-2009 REVENUES

	A	B	C	D	E	F	G
	2008-2009					2007-2008	
Description	Budget	Realized October, 2008	Unrealized \$ (B-A = C)	Unrealized % (C/ A = D)	Projected June 30, 2009	Realized June, 2008	Realized October, 2007
MIGRATORY CHILDREN	2,200		(2,200)	-100.00%	3,500	3,520	
SPECIAL EDUCATION	6,570,240	1,961,576	(4,608,664)	-70.14%	6,667,750	6,453,560	1,925,040
TRANSPORTATION	2,088,000	434,403	(1,653,597)	-79.20%	2,250,000	2,180,482	400,113
RENTALS AND SINKING FUND	1,550,000	179,546	(1,370,454)	-88.42%	1,550,000	1,307,669	176,705
HEALTH SERVICES	394,420		(394,420)	-100.00%	380,000	390,767	
PROPERTY TAX RED. ALLOCATION	4,720,061	4,720,061	(0)	0.00%	4,720,061		
SOCIAL SECURITY	3,237,479	1,369,283	(1,868,196)	-57.71%	3,300,000	3,257,863	1,096,168
PSERS - PENSION CONTRIBUTION	2,107,793	1,038,091	(1,069,702)	-50.75%	2,200,000	2,829,376	921,628
IMPACT AID	50,000		(50,000)	-100.00%	50,000	62,930	
TOTAL STATE & FEDERAL SOURCES	\$ 45,470,187	\$ 17,133,142	\$ (28,337,045)	-62.32%	\$ 45,890,405	\$ 39,990,205	\$ 11,315,299
INTERFUND TRANSFERS	250,000		(250,000)	-100.00%	250,000	2,850,000	2,500,000
SALE OF FIXED ASSETS	7,000	10,470	3,470	49.57%	15,000	13,642	2,575
INDIRECT COSTS			-		70,000	66,750	
TOTAL OTHER SOURCES	\$ 257,000	\$ 10,470	\$ (246,530)	-95.93%	\$ 335,000	\$ 2,930,392	\$ 2,502,575
TOTAL REVENUE	\$ 172,206,298	\$ 116,340,880	\$ (55,867,567)	-32.44%	\$ 169,711,060	\$ 163,787,931	\$ 110,623,324
UNRESERVED FUND BALANCE			-		(\$4,124,356)		
TOTAL FUND APPROPRIATED BALANCE	\$ -	\$ -	\$ -		\$ (4,124,356)	\$ -	\$ -
TOTAL DISTRICT REVENUE	\$ 172,206,298	\$ 116,340,880	\$ (55,867,567)	-32.44%	\$ 173,835,416	\$ 163,787,931	\$ 110,623,324

2008-2009 EXPENDITURES BY PROGRAM

Includes Year-To-Date October Information

			2008-2009						2007-2008	2007-2008
PROGRAM	PROGRAM CODE	Responsible Office	A	B	C	D	E	F	G	H
			2008-2009 APPROVED BUDGET	2008-2009 AMENDED BUDGET	2008-2009 PROJECTED EXPENDITURES JUNE 30, 2009	2008-2009 UNEXPENDED BUDGET \$ (B - C = D)	2008-2009 UNEXPENDED BUDGET % (D / B = E)	2008-2009 EXPENDED BUDGET INCLUDING ENCUMBRANCES as of October, 2008	2007-2008 EXPENDED BUDGET INCLUDING ENCUMBRANCES as of October , 2007	2007-2008 EXPENDED BUDGET FINAL ACTUAL EXPENDITURES as of June, 2008
BUILDING ALLOCATION	100	PRIN	1,428,603	1,428,603	1,250,000	178,603	12.50%	759,129	892,649	1,414,106
BOARD	AA	SUPT	347,150	347,150	410,000	(62,850)	-18.10%	142,251	84,555	274,834
CABINET	AB	SUPT	1,174,552	1,174,552	1,182,516	(7,964)	-0.68%	366,971	407,978	1,226,818
BUDGETARY RESERVE	AC	SUPT	100,000	100,000	-	100,000	100.00%	0	0	0
SUPT OFFICE-EQUIPMENT REPLACEMENT RESERVE	AD	SUPT	7,000	7,000	-	7,000	100.00%	0	0	2,256
SUPERINTENDENT'S OFFICE	AE	SUPT	178,300	178,300	120,000	58,300	32.70%	21,577	61,694	154,979
BUILDING STAFF	AF	SUPT	6,201,461	6,201,461	6,395,370	(193,909)	-3.13%	1,837,329	1,794,024	6,206,588
PUBLIC RELATIONS	AN	SUPT	21,143	21,143	38,500	(17,357)	-82.09%	31,552	32,824	124,907
STAFFING-TEACHERS	CA	HR	58,379,392	58,379,392	57,983,432	395,960	0.68%	8,989,027	9,102,919	57,359,728
CHILD ACCOUNTING DEPARTMENT	CD	HR	242,013	242,013	242,013	0	0.00%	65,802	61,344	227,557
STAFFING-TEACHER ASSISTANTS	CE	HR	2,481,187	2,481,187	2,652,140	(170,953)	-6.89%	444,074	361,371	2,525,377
STAFFING-SUBSTITUTES	CG	HR	1,273,000	1,273,000	1,273,000	0	0.00%	209,229	205,367	1,299,660
HUMAN RESOURCES DEPARTMENT	CK	HR	399,575	399,575	363,120	36,455	9.12%	129,603	118,275	331,381
STUDENT ACTIVITIES	D1	C&I	244,236	244,236	184,100	60,136	24.62%	93,851	144,806	283,999
CREDIT ACQUISITION PROGRAM	D2	C&I	27,785	27,785	55,000	(27,215)	-97.95%	3,662	2,647	54,940
CURRICULUM ENRICHMENT ACTIVITIES	D3	C&I	130,000	130,000	100,000	30,000	23.08%	10,723	21,606	191,261
CAREER ACADEMY/RASA/ALTERNATIVE EDUCATION	D4	C&I	512,761	512,761	568,690	(55,929)	-10.91%	118,784	199,253	953,944
TESTING - K-12	D5	C&I	30,000	30,000	14,000	16,000	53.33%	0	4,429	14,196
ACADEMIC INTERVENTIONS	DA	C&I	100,000	100,000	140,000	(40,000)	-40.00%	43,060	23,145	137,457
MUSICAL INSTRUMENT REPAIR	DD	C&I	37,000	37,000	35,000	2,000	5.41%	21,607	12,636	34,016
DEPARTMENT OF INSTRUCTION	DE	C&I	286,600	286,600	239,200	47,400	16.54%	80,730	102,137	302,642
READING RECOVERY/PROJECT READ	DF	C&I	28,212	28,212	25,000	3,212	11.39%	8,512	10,309	26,526
INSTRUCTIONAL MTLS RESERVE	DG	C&I	500,000	500,000	475,000	25,000	5.00%	405,756	733,432	683,771
EQUIPMENT REPAIR	DM	C&I	13,000	13,000	12,000	1,000	7.69%	12,323	17,356	11,116
PLANETARIUM	DO	C&I	2,444	2,444	2,000	444	18.17%	0	1,963	2,578
SUMMER SCHOOL - SECONDARY	DQ	C&I	50,000	50,000	60,000	(10,000)	-20.00%	57,910	143,051	141,644
DRIVER EDUCATION	DS	C&I	90,125	90,125	79,500	10,625	11.79%	0	0	98,483
ASST SUPERINTENDENT FOR CURR & INSTRUCT	DT	C&I	630,006	630,006	620,000	10,006	1.59%	152,180	196,338	598,443
INTERSCHOLASTIC ATHLETICS	DU	C&I	1,532,629	1,532,629	1,500,000	32,629	2.13%	207,891	0	1,418,521

2008-2009 EXPENDITURES BY PROGRAM

Includes Year-To-Date October Information

PROGRAM	PROGRAM CODE	Responsible Office	2008-2009					2007-2008	2007-2008	
			A	B	C	D	E	F	G	H
			2008-2009 APPROVED BUDGET	2008-2009 AMENDED BUDGET	2008-2009 PROJECTED EXPENDITURES JUNE 30, 2009	2008-2009 UNEXPENDED BUDGET \$ (B - C = D)	2008-2009 UNEXPENDED BUDGET % (D / B = E)	2008-2009 EXPENDED BUDGET INCLUDING ENCUMBRANCES as of October, 2008	2007-2008 EXPENDED BUDGET INCLUDING ENCUMBRANCES as of October , 2007	2007-2008 EXPENDED BUDGET FINAL ACTUAL EXPENDITURES as of June, 2008
INTRAMURALS	DV	C&I	74,000	74,000	72,000	2,000	2.70%	8,474	7,840	87,824
ATTENDANCE SERVICES	E4	STD SVCS	86,160	86,160	91,335	(5,175)	-6.01%	16,045	27,419	99,655
MINORITY AFFAIRS/GOV. PROGRAMS/GRANTS	EB	STD SVCS	29,939	29,939	25,000	4,939	16.50%	4,296	8,815	26,033
SPARK - EARLY CHILDHOOD/SUMMER	EC	STD SVCS	629,992	629,992	600,000	29,992	4.76%	99,925	169,130	647,621
SCHOOL RESOURCE OFFICERS	EF	STD SVCS	281,000	281,000	281,000	0	0.00%	0	0	311,097
HOMEBOUND INSTRUCT/REGULAR ED.	EG	STD SVCS	155,000	155,000	215,000	(60,000)	-38.71%	15,325	10,307	211,633
HEALTH SERVICES - MEDICAL	EH	STD SVCS	51,822	51,822	39,000	12,822	24.74%	14,793	15,363	38,691
HEALTH SERVICES - DENTAL	EJ	STD SVCS	10,364	10,364	9,000	1,364	13.16%	707	215	8,781
STUDENT SERVICES	EK	STD SVCS	2,500	2,500	2,500	0	0.00%	750	859	11,835
GUIDANCE (SUMMER)	ET	STD SVCS	35,000	35,000	40,000	(5,000)	-14.29%	33,229	27,774	35,461
ENGLISH ACQUISITION	EY	STD SVCS	260,963	260,963	250,000	10,963	4.20%	94,781	108,934	257,651
BUSINESS DEPT-ACCOUNTS PAYABLE	GA	F&A	1,006,527	1,006,527	940,000	66,527	6.61%	441,900	391,444	934,866
BUSINESS DEPT-ACCOUNTS RECEIVABLE	GB	F&A	1,024,077	1,024,077	925,000	99,077	9.67%	254,140	219,914	878,968
DEBT SERVICE	GC	F&A	19,298,602	19,298,602	24,000,000	(4,701,398)	-24.36%	11,013,831	10,838,724	17,128,686
EMPLOYEE BENEFITS	GD	F&A	29,826,642	29,826,642	29,500,000	326,642	1.10%	2,177,058	7,077,421	31,522,855
INSURANCE	GE	F&A	643,658	643,658	630,000	13,658	2.12%	2,824	563,844	613,658
INTERSYSTEM PAYMENTS	GF	F&A	20,746,441	20,746,441	19,875,000	871,441	4.20%	12,359,359	11,138,290	19,096,341
PHOTOCOPIERS	GP	F&A	607,692	607,692	595,000	12,692	2.09%	171,576	162,325	591,247
SPECIAL EDUCATION	LF	SPEC ED	545,959	545,959	541,000	4,959	0.91%	224,712	292,728	737,837
HOMEBOUND INSTRUCTION / SPECIAL ED.	LG	SPEC ED	30,000	30,000	37,000	(7,000)	-23.33%	1,182	3,067	36,862
MAINTENANCE / CUSTODIAL DEPARTMENT	NA	B&G	11,002,051	11,002,051	9,700,000	1,302,051	11.83%	2,366,889	2,325,905	9,698,327
MAINTENANCE DEPT - SUPPLIES	NE	B&G	459,600	459,600	500,000	(40,400)	-8.79%	236,427	230,558	488,199
MAINTENANCE DEPT - CONTRACTED SERVICES	NF	B&G	966,500	966,500	1,100,000	(133,500)	-13.81%	652,882	663,744	1,120,546
TRANSPORTATION DEPARTMENT	NT	B&G	4,521,504	4,521,504	4,400,000	121,504	2.69%	1,434,868	1,322,984	4,481,857
TECHNICAL SERVICES	TK	TECH	650,186	650,186	720,000	(69,814)	-10.74%	533,841	490,911	772,720
INFO & COMMUNICATIONS TECHNOLOGY DEPT.	TL	TECH	2,078,389	2,078,389	1,960,000	118,389	5.70%	1,423,344	1,332,600	1,867,938
DATA PROCESSING DEPARTMENT	TN	TECH	733,556	733,556	768,000	(34,444)	-4.70%	349,829	383,210	840,709
TOTALS			\$172,206,298	\$172,206,298	173,835,416	(\$1,629,118)	-0.95%	\$48,146,521	\$52,550,436	\$168,649,626

33. *Special Education Settlement Agreements*

INFORMATION:

Case 1

The parent of Student Number 0961688 of the Bethlehem Area School District, filed a due process complaint on behalf of their child alleging the denial of a Free Appropriate Public Education (FAPE) under the Individuals with Disabilities Education Act (IDEA). Two sessions were held in the due process hearing procedures. An Agreement and Release in Lieu of Further Appeals was drafted by the Hearing Officer and the Appeals Panel. This agreement was reviewed with the Board of School Directors in Executive Session on November 17, 2008, prior to the Regular Board Meeting.

Case 2

The parent of Student Number 0941244 of the Bethlehem Area School District, filed a due process complaint on behalf of their child alleging the denial of a Free Appropriate Public Education (FAPE) under the Individuals with Disabilities Education Act (IDEA). Two sessions were held in the due process hearing procedures. An Agreement and Release in Lieu of Further Appeals was drafted by the Hearing Officer and the Appeals Panel. This agreement was reviewed with the Board of School Directors in Executive Session on November 17, 2008, prior to the Regular Board Meeting.

Upon review of the Agreements, the board wished to take action on these Agreements and vote on them at the Regular Board Meeting that was following Executive Session.

RECOMMENDATION:

That the Board of School Directors approves:

- a. The Agreement and Release in Lieu of Further Appeals for Student Number 0961688 as decided by the State Hearing Officer and the Appeals Panel.
- b. The Agreement and Release in Lieu of Further Appeals for Student Number 0941244 as decided by the State Hearing Officer and the Appeals Panel.

Director Follweiler moved the Recommendations of the Administration.
Director Tenaglia seconded the motion.

DIRECTOR
FOLLWEILER –
MOVE TO ACCEPT
RECOMMENDATIONS

Director Koch moved to table Item 7 so there could be an opportunity for more discussion. Director Follweiler seconded the motion. The motion was passed by majority voice vote with one vote of opposition from Director Amato.

DIRECTOR KOCH –
MOVE TO TABLE
ITEM 7

Director Dexter moved to table Item 3. The motion was not seconded.

DIRECTOR DEXTER –
MOVE TO TABLE
ITEM 3

Director McKeon moved to table Item 27. Director Cann seconded the motion. The motion was passed by majority voice vote with one vote of opposition from Director Amato.

DIRECTOR MCKEON –
MOVE TO TABLE
ITEM 27

President Leeson called for a vote on the administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33. The question was called with roll call as follows: Yea, Directors Amato, Cann (with the exception of 15 and 16 – no), Dexter (with the exception of 15 and 16 – no), Follweiler (with the exception of 15 – no), Koch, McKeon (with the exception of 16 – no), Tenaglia, and Leeson (with the exception of 11, 15 and 16 – no).

ROLL CALL –
ADMINISTRATION'S
RECOMMENDATIONS
1, 2, 6, 8, 9, 10, 11, 12,
13, 15, 16, 17, 18, 19, 21,
22, 23, 29, and 33

Items 1, 2, 6, 8, 9, 10, 12, 13, 17, 18, 19, 21, 22, 23, 29, and 33 passed 8 – 0.

Item 11 passed 7 – 1.

Item 15 failed 4 – 4.

Item 16 failed 4 – 4.

Dr. Lewis made an announcement regarding Items 15 and 16. He noted that the vote was 4 – 4. He stated that he regretted their decision for him to teach at Moravian College. He also pointed out that they voted no to authorize transportation regarding the health, safety and interest of students. He asked for clarification on that item because he had approved transportation for Freedom students for the upcoming game.

President Leeson asked Dr. Lewis if it would be acceptable to complete the pulled recommendations prior to addressing his question.

Dr. Lewis agreed with President Leeson's request.

Director Haytmanek apologized for his late arrival, stating that he was in the operating room. He moved to request reconsideration of Item 16. Director Koch seconded the motion. The motion passed by raise of hands.

DR. HAYTMANEK –
MOTION TO
RECONSIDER ITEM 16

President Leeson called for a vote on the administration's recommendations 3, 4, 5, 14, 16, 20, 24, 25, 26, and 28. The question was called with roll call as follows: Yea, Directors Amato, Cann (with the exception of Items 5 and 16 – no), Dexter (with the exception of Items 3, 4, and 16 – no), Follweiler, Haytmanek, Koch (with the exception of Item 26 – no), McKeon (with the exception of Items 5 and 16 – no), Tenaglia and Leeson (with the exception of Items 3, 4, 5, 16 and 26 – no; in addition to recusal on Item 20).

ROLL CALL –
ADMINISTRATION'S
RECOMMENDATIONS
3, 4, 5, 14, 16, 20, 24, 25,
26, and 28

Items 14, 24, 25, and 28 passed 9 – 0.
Item 3 passed 7 – 2.
Item 4 passed 7 – 2.
Item 5 passed 6 – 3.
Item 16 passed 5 – 4.
Item 20 passed 8 – 0 (with one recusal).
Item 26 passed 7 – 2.

The administration's recommendations 1, 2, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 22, 23, 29, and 33 were considered together.

BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL – Director McKeon reported that the joint committee of the Bethlehem Area Vocational-Technical School met on Wednesday, November 5. He said the auction of the student built house was held on November 8 but the board members were not aware of the outcome. The board went over a few policy revisions and discussion related to their twentieth house project.

COMMITTEE
REPORTS

President Leeson added that at the last meeting, in deference to some of the financial situations in Bethlehem and at fellow school districts, Mr. Williams had curtailed spending and had also cut some of the field trips. He also recommended that any excess from last year's budget be returned to the school district.

DUAL ENROLLMENT – Director Cann stated that she did not have a report and noted the next meeting would be held on December 12, 2008.

DIVERSITY COMMITTEE – Director Koch stated the next meeting would be held at noon on Friday, December 5, 2008.

PSBA – Director Koch stated that a meeting would be held this weekend in Harrisburg and would report on it upon her return.

NORTHAMPTON COMMUNITY COLLEGE BOARD OF TRUSTEES – Director Koch stated that she had no report at this time.

COLONIAL INTERMEDIATE UNIT 20 – Director Dexter stated that the Intermediate Unit had not met since she gave the last report.

BETHLEHEM PARKS AND RECREATION COMMISSION – President Leeson stated that there would be a meeting held this Thursday so she did not have a report at the present time.

President Leeson asked if the board members had any unfinished business to address.

UNFINISHED
BUSINESS

Director Amato stated that he would ask the following question until he was no longer on the board: "What has happened or has been done regarding the skydiving incident? Who authorized it? Has any disciplinary action been taken and if not, then why not?"

President Leeson replied that she thought Dr. Lewis addressed it at another meeting.

Dr. Lewis said that it was a personnel matter, which he could not specifically discuss, but believed that he had dealt with it in a satisfactory manner.

Director Amato inquired if he could see Dr. Lewis after the meeting.

Dr. Lewis agreed.

Director Follweiler wanted to make it clear that it was her personal understanding that she absolutely understood that Dr. Lewis had the authority in the case of emergency on transportation but that she felt the wording in the issue was in conflict with that policy, which was the reason for her clarification and negative vote.

Director Dexter echoed Director Follweiler's comment and noted that it was the specific issue that she felt went beyond for all of the reasons she stated. She did feel that an emergency situation was not necessarily created when there were extracurricular activities. She said that it was not the same as if it would be during the school day as well. She thought they had to think twice before they decided to bus for extracurricular activities considering the budget year.

President Leeson stated that she had requested information on the impact of policy changes on athletic organizations. She was aware that received a slip regarding the impact of the cost, but she was looking for the impact on the organizations. She noted that someone had spoken earlier stating that it might cost them an additional \$40,000. If she understood correctly, if they were moved from Class I to Class II, they would incur additional expenses if they were in the buildings late in the evening or on the weekends. She asked about looking at their historic use and what it would mean to the organization.

Mr. Gilliland agreed to look at the approved leases to cost out. He noted that the major costs to the organizations were definitely during the weekends.

President Leeson asked Mr. Gilliland if the Boy Scouts and Girl Scouts were also under the Class II Classification as well. She asked if they were being charged to use the facilities.

Mr. Gilliland responded that as far as their meetings, they were not being charged, but were charged for use of the swimming pool or on weekends, when it was not regular operational hours.

President Leeson stated that Mrs. Cecchini spoke earlier about trying to develop opportunities for parents to join in finding solutions to some of the extracurricular program funding. She noted that she really appreciated her phone contact and suggestion to come together as a community to attempt to find solutions. President Leeson said that she wanted to make a recommendation to put together a task force, which might be able to communicate with the appropriate administrators to find some solutions.

NEW AND
MISCELLANEOUS
BUSINESS

Director Dexter asked Dr. Lewis if he had a staff member who might be able to lead the effort so then it would provide consistency. If they just had a task force, it is sometimes lost because there was not a central area for phone calls and the coordination of efforts.

President Leeson offered Dr. Lewis time to think about Director Dexter's suggestion.

Dr. Lewis questioned if it would be a workable sub-committee of PAC (Parent Advisory Committee), where he could have a cabinet member, who was already responsible. He pointed out that they could work through Mrs. Venkersammy to create the task force. He thought it was an excellent idea.

Director Follweiler inquired about the nomination form for Northampton Community College Board, which they received.

Dr. Lewis advised the board members to return the form to Mrs. Morton this evening to ensure their filing.

Director Koch asked about the nominating process at the previous meeting.

Dr. Lewis replied that the document was in need of completion. He advised that Dr. Scott polled every board member in the county on the approval process.

The following individuals addressed the Board of School Directors:

COURTESY OF THE
FLOOR TO VISITORS

1. Kelly Webb – 102 Quaker Drive, Bethlehem –

Mrs. Webb stated that she was disturbed by the ceremonial beating of the mascot and expressed that because of its violent nature, it did seem to fit in with the "No Place For Hate" and Zero Tolerance Policy. She thought that poor judgment had allowed it to occur. She reviewed the meeting notes from November 6, 2008 where the concern was addressed and noted Dr. Lewis' response to the specific concern was that they would investigate the allegation and he expressed that they did not condone violence interspersed in pep situations, even if it was playacting. She pointed out that if anyone had been to the recent Liberty games knew that it still occurred and had been broadcast on cable television. She noted that she came in with a lack of confidence for the board to show equity to both schools because her concern was for the safety of all children in the district. She said that her three and six year old children were at the last Freedom – Liberty Football Game and expressed that she had legitimate concerns. She said that after sitting through the meeting, she had even less confidence after hearing the events of the last Freedom – Liberty Football Game referred to as "small" events that took place afterwards. She did not think that the young woman, including her parents, who had the rock shatter the window next to her head and was injured as a result, would consider those events as small.

NOVEMBER 17, 2008

Mrs. Webb commented that she heard discussion regarding the busing issue as if it was an “apples to apples” analogy that Freedom being bused to Liberty was the same as Liberty being bused to Liberty. She added that she must have missed something in that conversation because she did not understand it. She stated that she was leaving with less confidence and was more firm in her resolve that she made the right decision in taking the first steps to contact the Pennsylvania Department of Education and the Pennsylvania Interscholastic Athletic Association, to ask them if they, as an outside source, could come to see what was taking place and if they felt there was a need for an investigation. She concluded that she was completely more confused upon leaving than when she arrived.

Directors Tenaglia and McKeon moved to adjourn the meeting, which carried by voice vote. The meeting adjourned at 10:10 p.m. ADJOURNMENT

Attest,

Stanley J. Majewski, Jr.
Board Secretary

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