

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
REGULAR MEETING

APRIL 27, 2009

The Regular Meeting of the Board of School Directors of the Bethlehem Area School District was held on Monday, April 27, 2009, at 7:10 p.m. in the Auditorium of East Hills Middle School, 2005 Chester Road, Bethlehem, Pennsylvania.

REGULAR
MEETING

The board secretary called the roll:

MEMBERS
PRESENT

Members present: Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia and Leeson – 8. Members absent: Director Amato
Student member representatives William Velekei and Megan Kelleher – 2.

Others present: Dr. Joseph A. Lewis, Superintendent of Schools; Donald F. Spry III, Solicitor; Stanley J. Majewski Jr., Board Secretary; 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 few moments of silent meditation.

SILENT
MEDITATION

Mr. Shearer stated that he was present to provide a brief update on the West Cornwall bond transaction of approximately \$95,000,000 to refund the bonds, pay the swap termination and add some new money. He explained that they obtained insurance quotes, the school district credit rating and then started negotiations with the underwriters. Of the \$95,000,000, they were able to sell roughly \$20,000,000 through the retail order period, which was approximately what he expected. He stated that they received good participation from the two main underwriters, RBC Capital Markets and Janney Montgomery Scott, in addition to others they included. The institutional ordering period followed where they attempted to find buyers such as mutual funds and insurance companies. Mr. Shearer explained that they expected the bonds to trade at about 100 basis points or one full percent over the index, noting that the retail period was good, with sales of 80-85 over the index. By the end of the first day of the institutional order period, they had approximately another \$20,000,000 sold at reasonable levels. They considered stopping the remainder of the transaction with the thought of attracting more buyers after the Easter holiday. After giving more thought to the situation, he presented a new idea to market the bonds. They contacted their head traders who agreed to it and received transactions at levels that he thought were a little better than acceptable. He pointed out that the underwriter's commission paid by the district was much better than average and compared it to another district that had a sizeable deal over \$100,000,000.

FINANCIAL
PRESENTATION –
SCOTT SHEARER

Mr. Shearer added that the interest rates were substantially better. He explained that both the refunding of the West Cornwall and the refunding of the Shippensburg settlement would take place on Friday and at that point those bonds would be called and the swaps terminated.

Mr. Shearer also addressed the Bethlehem Area Vocational Technical School Authority. He explained that the authority had 2001 bonds, which were eligible to be refinanced and chose his firm as the financial advisor and RBC Capital Markets as the underwriter for the transaction. He noted that Attorney Kevin Reid from King, Spry, and Associates, would be presenting some legal documents for board consideration. The documents were considered a parameters resolution where maximum interest rates and dollar amounts were set. It was the same resolution that all three-member districts would be approving. He said that the key was that they would not execute the refinancing if the net savings was less than 3 percent of the amount they were refunding which was approximately \$280,000. Mr. Shearer stated that the Vo-Tech Authority set the target, which in his opinion was aggressive, noting that 2 percent was often the rule of thumb. He added that they would price the bonds at the end of the week or at the beginning part of the following week and would then return to report the final savings. He pointed out the large bond series, known as the Refunding Series of 2001, was for \$8,800,000, noting the interest rate averaged 4.75 percent. The other series, known as the Improvement Series of 2001, with a rate closer to 5 percent, which was being refunded. Mr. Shearer revealed the numbers associated with Bethlehem Vo-Tech Authority transaction, which was an issue of \$9,700,000, having an average rate of 3.75, which was approximately one full percent lower. He added that they were not changing payment dates, lengthening or shortening the duration. The total savings net savings generated, after issuance costs, would be approximately \$280,000, which was basically at target. He referred to the estimated or not to exceed fees such as legal, financial advisor, and credit rating fees related to the refinancing located on page 7. He said the fees were estimated until they actually priced the bonds. Page 8 revealed pro rata savings based upon interest rates from the week of April 20. If transaction occurred and they were able to hit the minimum savings target, if not better, they would realize approximately \$175,000 of net savings in the 2009-2010 fiscal year. He pointed out that the vo-tech debt would stay about the same as current. He added that Northampton and Saucon Valley District's pro rata share would be approximately \$65,000 and \$35,000 respectively. He pointed out that if the deal was done today, the savings would be somewhat better, but they needed to come before the three boards to obtain proper document approval, get a couple of other items through compliance, and then would be ready to move ahead. Mr. Shearer moved on to page 12 and focused on the total of \$10,800,000 which was approximately one million more than what he showed on the previous page. He explained that if the real deal was approximately \$9,800,000 but they over-inflated it to \$10,800,000 for flexibility as they did for the district's transaction.

Mr. Shearer noted the 8 percent interest rates in column 3 and explained that even though they would not do the transaction at that rate, they had to do it for DCED (Department of Community and Economic Development) approvals. The numbers contained in the legal documents for board consideration were located on page 13 where the pro rata amount in column 2 was approximately \$6,800,000. He would have final numbers once the transaction was completed. He reviewed that for sizing flexibility, the total for the transaction would be \$10,800,000 but it would really be approximately \$9,800,000. He concluded that the parameters were basically identical to the refunding of the West Cornwall bonds.

Director Cann inquired if the new rate was variable.

Mr. Shearer replied that the new loan would be a traditional fixed rate bond issue. He explained that at present, the 2001 bonds were traditional and they were being refunded with the same type of traditional fixed-rate bonds.

Director Cann pointed out the rate change on page 6.

Mr. Shearer explained that it was somewhat deceiving when they saw rate changes on the fixed-rate schedules. He stated that each maturity or year had a fixed rate and together it was a blended fixed rate. Once the transaction was completed, the rates would not fluctuate and they would know exactly how much debt service they would be paying through the maturity. Mr. Shearer pointed out that the way the schedules appeared, it looked variable because they were increasing but once the transaction was done, the rate was locked.

Director Cann asked if the rate was expected to be 3.75.

Mr. Shearer replied that it was at that level last week when he shared it with the Vo-Tech Authority but hopefully they could do better.

Director Koch commented that she was interested in the difference between what Bethlehem Area School District paid as compared to Northampton and Saucon Valley School Districts. She added that she assumed there was a difference in percentage rates.

Mr. Shearer referred to page 6, columns 8, 9, and 10 showed that under the description where market value/pro rata is listed, Bethlehem's portion was approximately 63.22, Northampton was approximately 23.85, and Saucon Valley was 12.93. They were based upon the articles of agreement. The way the debt service was calculated, it was based upon the market values of the member districts.

Director Koch inquired if each school district was required to prove they could in fact incur the debt. She recalled a situation many years ago where the other school districts could not borrow the money and were counting on Bethlehem, but the district could not carry them.

Mr. Shearer replied that each of the districts had to prove they had borrowing base and debt capacity. They needed to be certain they were in compliance or the transaction could not be done. It was set up identically to the existing 2001 bonds, where the individual school districts were guaranteeing their pro rata share, which would allow them to get the slightly better rates.

President Leeson stated that they were refinancing debt they already had with the Bethlehem Area Vocational-Technical School.

Mr. Shearer added that they were basically replacing the 2001 bonds at a 4.75 percent rate with the new 2009 bonds at a 3.75 percent rate, reducing the interest rate for all three-member districts. It was split based upon the market values. He noted that there was not any new money in the transaction. It was only for refunding.

Attorney Damgaard stated that he was the voice many heard on the cell phone at the April 14 meeting, describing and answering questions regarding a supplemental resolution prepared and adopted that evening. He reflected that during the conversation, he offered to attend the present meeting to answer questions. He also took advantage of the opportunity to have the various closing documents signed which preceded the executive session of the board, where the paperwork associated with both bond issues and refinancings which were scheduled to close on May 1. He noted that they had continued to negotiate with Wachovia Bank through their counsel with regard to the final terms of the loan documents. They also were dealing with J.P. Morgan on the swap documents. He recalled that the resolution was a supplemental resolution, which amended one of the resolutions adopted on March 16, which was associated with the Wachovia Bank loan refinancing of the Shippensburg Borough Authority bond issue. In the present case, they were refinancing variable rate bonds with a bank loan for an additional two years, with the contemplation of another financing in 2011. He commented that they were attempting to draft the documents in a way that they did not have to return to the school district level in 2011. He stated that all of the necessary paperwork and drafting would be in place to deal with the refinancing, unless it was something they did which was totally unforeseen at the present time. The schedules in the resolution showed not only the two-year loan but also how the future 2011 bond issue would look. He thought it was probably one of the major causes for confusion. He further explained that they were trying to look forward to what it could be, using maximum rates and maximum parameters, so that when it came, it would be done smoothly and without further action, hopefully reducing the expense which would otherwise be the case.

COMMENTARY-
JENS DAMGAARD,
ESQUIRE

Attorney Damgaard pointed out that if the financial world would return to normal, they would attempt to issue a variable rate bond issue with good rates, liquidity, good insurance, which they were enjoying before the upheaval, that could match the swap transaction which they were trying to avoid terminating. He reminded the board that they were terminating the West Cornwall, but not Shippensburg, because it would be too costly with regard to the principle. He said that if they could keep it going with another variable rate bond issue, they would do so, but if not, they would regroup, look at it, and maybe roll over the bank loan.

Director Dexter commented that in the past, the board did not ask enough questions and they were, as a board, trying to learn from past mistakes. She noted that she did not mean individual mistakes because most of the board members were not seated at the time when some earlier decisions were made. As a collective board, they were trying to keep themselves educated about financial transactions to make sure they understood resolutions and other documents they were asked to sign; maybe even more than another board because their current situation called for it. She reviewed that the recently posed questions were the kinds of questions they intended to have in the future and even though they were trying to be very cost effective by not asking him to come out to answer questions, they would rather err on the side having the information. Director Dexter requested a summary of their transactions from 2003 forward, which indicated their current status and plan for the future. She gave the example of the direction they were going with West Cornwall and what they did with Shippensburg and what would be next. She also requested some indication that would remind the board of what they would need to be doing or thinking about as they moved forward, such as what would be automatic and what they would need to plan for as far as meetings.

Attorney Damgaard replied that the Shippensburg and West Cornwall bond issues would be paid off and they would not have to think about them again. The swap on the West Cornwall would be gone and the Shippensburg would be transferred to the new authority but had nothing to do until 2011. He thought it might be a good idea to show the rates being paid on the variable rate bonds and what they had locked into to reflect where they were at the present time.

Director Dexter commented that she did not need all of the graphs but would like the information about what they were paying and were presently paying, in addition to a brief summary on the fees, so they could be thinking about and planning for the future. She pointed out that the fees were under what they had expected by a few hundred thousand.

Attorney Damgaard mentioned the percentage of variable rate debt and that a large segment was removed.

President Leeson recommended that Director Dexter communicate her thoughts with Mr. Shearer during a Finance Committee Meeting and also to obtain additional thoughts on the subject from other board members.

Director Dexter replied that she hoped the other board members could state if they wanted the report and she thought Mr. Shearer knew what type of information to highlight. She noted that she did not want to set him in motion on the district dollar by herself.

President Leeson inquired if there was interest by the board to obtain the information. She observed a consensus of the board in support of obtaining a report from Mr. Shearer.

Attorney Reid, bond counsel for the Bethlehem Area Vocational Technical School Authority, presented an updated resolution. He reviewed that the only change in the resolution was to incorporate the maximum amounts as described by Mr. Shearer. He noted that they presently had lease rental debt with the authority, which was from the 2001 improvement series and 2001 refunding series. The purpose of the resolution was to refund both bonds at a savings for each member district, which was a 3 percent minimum in the aggregate savings. He explained that page 6, section 6, was the most important part of the resolution. It discussed the fact that the refunding was to only occur if the savings level was achieved, net of all costs and expenses. The percentage could be seen in the middle of section. He stated that if the market did not cooperate, they would still remain with the existing lease rental obligation with no changes. However, the hope was that they would not remain with it and they would walk away with a savings, as described by Mr. Shearer, mostly realized in the beginning of 2009-2010. Attorney Reid said that the structure was quite simple and explained that the vo-tech could not issue debt and went through the authority. As a result, the authority owned the facility and the premises. Although they issued the bonds, they did not take on the debt service per se, but would do it for them. Through the articles of agreement, the member districts would pay back lease rental debt that equaled the debt service statement. It was basically accomplished through a lease, which existed through the authority since 1999. There was a first supplemental lease in 2001 and this lease would be the second supplemental lease. He pointed out that the form of it presented to them this evening essentially pledged the lease rental obligation matched specifically to their pro rata share which was the mechanism recognized by DCED (Department of Community and Economic Development).

KEVIN REID,
ESQUIRE –
PRESENTATION OF
RESOLUTION

President Leeson asked if the board would be voting on the updated resolution.

Attorney Reid affirmed her inquiry.

Director Cann inquired about the term of the lease.

Attorney Reid replied that the length of the lease would go out as long as the bonds. He pointed out that the schedule showed them going out to 2021.

Dr. Lewis inquired if the only change to the resolution was the reinsertion of the maximum.

Attorney Reid agreed, stating that the schedules were produced by PFM (Public Financial Management).

Dr. Lewis requested that for future reference, when the information was ascertained, to communicate with either him or Mr. Majewski, so they could fax or email it to the board so they would have the opportunity to review it.

Attorney Reid agreed with the request.

Miss Jodi Sponchiado, Governor Wolf Elementary School Principal, was present to speak about their school's professional development school partnership with East Stroudsburg University. She introduced the following presenters: Dr. Patricia Pinciotti, liaison from East Stroudsburg University; Mrs. Stacey Leone, 5th grade teacher and professional development school liaison; and Mr. Sean Bellis, resident student teacher at Governor Wolf Elementary.

INSTRUCTIONAL
REPORT –
GOVERNOR WOLF

Miss Sponchiado stated that the partnership provided a wonderful learning opportunity for a number of people involved in the school. She explained that they had many professional development opportunities for their teachers as well as practice-based inquiries, which provided a wonderful quality education for students and student teachers at the school.

Mr. Bellis stated that he was a beginning educator from East Stroudsburg University, working at Governor Wolf Professional Development School, where he had many exciting and educational experiences with co-teaching being one of them. He noted that he developed the ability to work, plan, and teach with multiple teachers in several settings, such as Arts Immersion Week with Mrs. Shermetta, and After School Science Club with Ms. Hollinger. He added that he was chosen to be Santa Claus last Christmas by Miss Sponchiado and the PTA. He pointed out that he had also worked one-on-one with students to learn to identify weaknesses and to develop strategies to strengthen them. Mr. Bellis noted that liaison meetings were held several times throughout the year to allow beginning educators to plan and reflect upon their teaching strategies and best practices. East Stroudsburg University mentors also closely monitored beginning educators and provided feedback on lessons and best practices.

Dr. Pinciotti commented that their professional development goal, since 2003, was to build a dynamic collaborative community of learners, including apprentices, resident student teachers, PDS teachers and administrators and East Stroudsburg University Faculty. The professional development at Governor Wolf was both informal and formal, and might occur with individuals, grade level teams, whole school staff, or across the three ESU – Bethlehem PDS sites, at Lincoln, Donegan, and Governor Wolf Elementary Schools. Professional development initiatives included the creation and implementation of integrated understanding by design units at every grade level, co-teaching models and strategies, literacy, and documentation models, and arts integration. The PDS Coordinating Council at ESU provided both direction and support for some of the initiatives. She noted that their collaborative work at Governor Wolf had been presented at state and national conferences, including best practice ideas and inquiry projects. Dr. Pinciotti concluded that in 2007, the National Association for Professional Development Schools honored their PDS collaboration with the Spirit of Partnership Award.

Mrs. Leone stated that the professional development program impacted how they looked at instruction. To augment their science curriculum they instituted a second grade science club. The second grade students met on a weekly basis after school with pre-service teachers, a faculty member, and an East Stroudsburg University professor, for lessons from a “hands-on” learning program. She explained that the second graders were taught engaging lessons about solids, liquids, and gasses. They observed salt crystals dissolved, and followed through with the evaporation process. They also compared the dissolving rates for sugar granules and cubes. Mrs. Leone noted that the second grade students loved the experience by allowing them to explore their natural curiosity and continue with their science education at a time of the year when they were receiving social studies instruction in the classroom. Most recently the fifth grade Arts Immersion Week was featured in the Morning Call Newspaper. The teachers collaborated with almost twenty other professionals, including Dr. Pinciotti, specialists, support teachers, ESU pre-service teachers, and teacher assistants. The integrated arts week immersed students and teachers into the world of Leonardo Da Vinci. All three fifth grade classrooms were transformed into integrated learning studios called ateliers with students from each class involved in rotation. The exciting learning experience was not arts and crafts but rather a research based, best practices approach that supported arts integration as a means to a deeper, more meaningful understanding. The teachers still worked from the Pennsylvania State Standards and district curriculum requirements but used arts integration and brain-based learning to create an engaging learning experience for the students. The goal was to have the students develop a mind-set similar to Leonardo’s whole brain thinking by providing lessons inspired by his creativity. The teachers used Da Vinci as a reference to provide lessons in math, science, reading, writing, music, physical education, technology, drama, and art. The students worked as apprentices and then journeymen.

Mrs. Leone said they eventually became masters of the seven Da Vincian Principles. She commented that the children were all geniuses at work. She noted that they also presented best practice teaching strategies and assessment models at state and national conferences. Most importantly, professional development schools centered on the success of students. They were accomplishing it through more opportunities for small group instruction, individualized learning, differentiated instruction and curriculum, and the integration of abilities. There were more opportunities for co-teaching and having multiple teachers in the classroom. The children had more opportunities to respond, interact, and ask questions. Re-teaching, enrichment, and one-on-one instruction were more easily accessed by more students. The success of the students was the primary benefit of professional development schools.

Dr. Pinciotti extended an invitation for all to attend the East Stroudsburg University PDS Celebration of Learning, where the apprentices showcased their outstanding work alongside the master teachers, in the multi-purpose room at Governor Wolf Elementary at 4 p.m. on Wednesday, April 29.

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. 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:

COURTESY OF THE
FLOOR TO
VISITORS

1. Anita Shive – 1201 Maple Street, Bethlehem –
Representative – Liberty High School Block Watch –
Mrs. Shive stated that she was in attendance to present a petition to the school board to rescind the senior lunch privilege. She said that the block watch referred to the privilege as the “open lunch” program because all students, freshman through seniors roamed the neighborhood from 8:30 a.m. until 2:30 p.m. The problem was ongoing since the inception of the program. She pointed out that the problem had escalated in the last three years. Mrs. Shive gave examples of situations observed by block watch members such as three students on Lafayette Field playing hacky sack at 9:30 a.m. The students were approached and questioned why they were not in school and they replied that they were on lunch.

The following day, the same three students were observed at the same time and said they were waiting for their mother to pick them up. Mrs. Shive commented that a block watch member went to her garage at 9 a.m. in the morning, finding a Liberty High School couple conducting their own "anatomy" class. Another block watch member who was a correctional officer went into his garage during the morning and found two boys who took lawn furniture from his backyard and were sitting behind his garage smoking pot. She added that another block watch member saw fifteen students at Lafayette Field, one week ago, at 9:30 in the morning. The next day, the same students were there on a Tuesday with a cooler for the entire day. A block watch member went into her fenced backyard, found students sitting on her swing, approached them and stated, "Please leave my yard." They left and the next day they returned. Mrs. Shive commented that the students left the building at 9:45 a.m., walk by her home and were asked if they had early dismissal. They replied, "No, we're going to lunch." "Every senior in the school may leave the building to go to lunch." She noted that the school crossing guard signed the petition today. She pointed out that he had to actually call a school monitor to come across the street because the Liberty High School students constantly harassed the grade school students and the Northeast Middle School students. This morning they had four students sitting in the middle of Maple Street at 9 o'clock. She said that Officers Van Scott and Bronson were in court all day so she was informed to call the city police. The police cited the students and sent them back to the high school. At 9:30 she heard people talking and saw four students sitting on her steps having their morning Slurpees. A patrolman came by and asked the students what they were doing and they replied that they were just "chit-chatting" and explained that they had a block off. When asked why they did not go to the library or to study hall they replied that they would rather be outside. When asked for identification, only one student out of four presented it. Mrs. Shive commented that in addition to their loitering, they were constantly picking up garbage, including fast food wrappers and bottles in their yard and bushes, bottles smashed in the streets or against fire hydrants, pizza boxes on lawns or pizza on front steps. She said they were tired of cleaning up the garbage. The patrolman who chased the students back to school today stated that the city police were tired of coming out to the neighborhood to deal with the students and that something had to change. The block watch participants agreed. Mrs. Shive noted that they were very fortunate to have Officer Van Scott as a superb school resource officer for the past three years. She pointed out that he actually signed the petition and was in the audience as a supporter. She added that he was starting a garbage clean-up in the neighborhood which would be held twice monthly beginning in May involving detention students to clean-up the garbage they dealt with on a daily basis. She said they were also fortunate to have Officer Bronson join the school.

The block watch group met with Mrs. Durante, Officer Van Scott, Director Leeson, and Mr. Washington, approximately six weeks ago. They were all in agreement to keep the students in the school. She stated that Mrs. Durante was actually the first principal who came to their block watch meetings and listened to their problems concerning the neighborhood. She agreed that the students should be kept in the school. If any student was found wandering the neighborhood, they would be skipping class or completely cutting school and would be cited and secondly be arrested. It would make her job a lot less stressful. It would also enable Officers Van Scott and Bronson to spend most of their day inside the school instead of combing the neighborhood. They also had other people in the community in full agreement with the block watch such as Police Commissioner Randy Miller. She pointed out that Mayor Callahan was a member of the block watch at one time and understood what they were dealing with and was in total agreement to keep the students in the school. She said Judge Leonard Zito was at the block watch meeting one week ago, experienced with many juvenile cases and was in total agreement with the block watch. District Attorney John Morganelli often drove by the school and commented that he did not understand why the students were out and about. When they informed him about the block watch, he was in total agreement that the students should be in the school. Mrs. Shive commented that the block watch members were tired of being police officers working out of their homes. She asked about the school policy and who was responsible for the students that left the school without permission. She concluded that every block watch member was also a taxpayer and their tax dollars were being wasted to educate the students. She requested that the petition be taken into consideration.

2. Christina Bianco – 328 East Morton Street, Bethlehem –
Ms. Bianco thanked Dr. Lewis and Mr. Gilliland for providing the opportunity for her and Peter Crownfield to tour Broughal Middle School last week. She said that she would soon be a graduate of Lehigh University with a double major in environmental studies and Spanish and a minor in business and would be continuing for her master's degree in environmental policy design. She had worked on a semester long project with Mr. Crownfield at the Alliance for Sustainable Communities to explore ways the school district could reduce its greenhouse gas emissions and become more sustainable. After attending the March Board Meeting and hearing that parents were interested in the district going "green," she was motivated to speak at the meeting. She pointed out that for those who were not aware, in December of 2006, the Bethlehem Area School District signed a climate protection agreement, which meant that the district would strive to reduce its carbon dioxide emissions. This semester she researched what the district could do to meet the agreement, which included the development of an action plan for focusing on broad concepts of energy conservation, community outreach, and integrating environmental issues across the curriculum.

Christina recommended that the board approve the agenda item regarding the Broughal Middle School Science and Technology Curriculum. She addressed her research on the valuable method of integrating environmental issues across the curriculum and pointed out that Pennsylvania standards called for the methodology. Christina explained that the environment and ecology examined the world with respect to the economic, cultural, political, and social structure, as well as natural processes and systems. Integration across systems was what set the academic area apart from others (a quote from the standards). During her tour of the Broughal Middle School, she noticed that students would be able to learn from the science and technology of the building itself. However, to meet the state's science eligible content, science anchors and academic standards for environment and ecology, which were mostly integrated concepts, needed to be woven throughout the curriculum, of which many were in the new curriculum. While it was certainly an improvement, the curriculum did not specifically address the academic standards on environment and ecology. In addition, she recommended that the administration consider it goals for more students to walk and bike to school using the Safe Schools/Healthy Students Initiative. Miss Bianco explained that safe routes would not only reduce children's exposure to harmful diesel emissions, but would also promote more physically active students. She pointed out that some people might not be aware that Dream Green at Liberty High School and the Green Team at Freedom High School, had been surveying recycling, lighting use, and bus idling at their respective schools. She concluded by quoting Margaret Meade – "Never doubt that a small group of thoughtful, committed citizens could change the world. Indeed, it was the only thing that ever has." She added that the message should be permeated throughout the halls of the schools to empower students to believe in themselves as active members of their schools as well as the world. Christina presented a report for the district to use for students, faculty, and staff, with various recommendations and expressed that she hoped they would constantly keep the environment in future dialogue. She was grateful for the opportunity to learn through the district and extended good luck in the completion of the district's first LEED Certified Gold Building.

President Leeson noted that Ms. Bianco provided a CD of her program for every board member and commented that they would have administration review the material.

3. Sis Obed Torres Cordero – 612 Prospect Avenue, Bethlehem – Bethlehem Coalition for Quality Education –
Mr. Torres Cordero announced a public meeting, which would be held from 7 p.m. until 9 p.m., Tuesday, May 5, at the Wesley United Methodist Church for a Meet the Candidates Night for both incumbent and new candidates.

President Leeson stated that a few board members had responded to the invitation and pointed out that there was some conflict because of a vo-tech meeting on the same evening.

4. Jayme Janos – 2051 9th Street, Bethlehem –

Mrs. Janos stated that she was a parent involved with the SPARK Program and also a co-chairperson of the parent committee. She wanted everyone to understand the importance of the SPARK Pre-K Program was for the children. The program was not only valuable for the children, but also valuable to many people employed by SPARK. If they chose to discontinue the SPARK Program, it would not only be unjust for the children, but also all of the teachers; many of which were bi-lingual, having degrees in early childhood education, the teaching assistants, early childhood coaches, speech therapists, kitchen and janitorial staff, bus drivers, and many other countless people. She pointed out the staff would be unemployed during a rough economy in the country. To add them to the unemployment market would be an injustice for all. They could not find a more dedicated group of individuals to help teach and take care of the children. As they could see, the program was very important to a lot of people. She wished that all children could have the same positive experience that SPARK children had when starting their education. The program allowed the children to love learning and to grow, planting the seed early, showing them how much they should enjoy and value their education, not only now but throughout all of their years ahead. One could clearly see a difference in the children who had gone through the program versus the different preschool programs in the area. She encouraged everyone to come up with alternative measures in order to keep the program thriving. She suggested the reduction of class size or cut down on the number of classrooms. She mentioned making the program a nonprofit organization. She asked them to keep the children in mind when considering the program because they were the future.

5. Vivian Robledo-Shorey – Career Academy Principal –

Mrs. Robledo-Shorey stated that the Career Academy held a one-day conference, hosted by Northampton Community College after receiving monetary support from the Anti-Gang Task Force. The teachers created inter-curricular lessons regarding criminology and other areas where students were able to participate in workshops dealing with crime in the community and how they could eliminate it as well as how crime affected an individual's future employment. She noted that Judge Nancy Matos Gonzalez participated, as well as admissions, human resources, and the Northampton County Probation Department. Mrs. Robledo-Shorey pointed out that it was an excellent program with many students being touched by the information received. They hoped to continue the dialogue by utilizing the funds offered. She displayed the t-shirt designed by the students and presented one to Dr. Lewis and President Leeson.

Mrs. Robledo-Shorey read the statement on the back of the shirts: Homes-Schools devastated by false stories of hope that do not exist – Murder Does Paralyze Thoughts – Limbs, Minds, and Dreams are Lost - Defamation, Gangs, Unreal, Not Real, Surreal – Images of Families Driven Apart – Children Hurt and Confused – Dead End – No Hope – No Help – No Family – No Dreams – Not Us – The Cycle Ends Here – Career Academy – Believers of Freedom and Believers in Liberty – Believers in Hope.

6. Keith Bullard – 16 Kittatinny Lane, Lehighton –
Mr. Bullard stated that his wife, Michelle, was a math teacher at Freedom High School but was presently out on leave. He noted that he had written a letter to the district regarding the situation. He commented that his wife received a picture of male anatomy from the students in her shop, which was not taken seriously by administration.

Attorney Spry stated that the discussion involved whether it should be a public or private matter. He expressed that he recommended to the superintendent that he meet directly with Mr. and Mrs. Bullard.

Mr. Bullard replied that he sent a letter to arrange it and he never received anything back.

Dr. Lewis commented to Mr. Bullard that there was an ongoing investigation but it was not public and agreed to make arrangements for a future meeting.

7. Joy Polignano – 2560 Cherry Lane, Bethlehem –
Ms. Polignano thanked the board for listening to individuals who had spoken on behalf of SPARK, hearing a message of the importance of the program. She commented that she was present to speak on behalf of herself, Dr. Robin Hojnoski, Professor of School Psychology, Lehigh University, and SPARK. She stated that she was encouraged by the consideration of using Title I funds from the government stimulus package to support the activities of SPARK which were applicable under government regulations. Using the funds in that manner would provide stimulation of an entirely different sort such as cognitive, social and emotional stimulation of the city's young children through high quality early education. They were wise to spend the funds to support SPARK. Finally, building on the momentum of support, she urged them to find the additional necessary funding to fully fund the SPARK Program. Ms. Polignano explained that Title I funds provided support for the majority of SPARK's activities but funding was necessary for other components, including transportation, custodial services, and building services such as electricity and heating. The other components were vital to SPARK's ability to effectively support children and families.

Lack of funding for those components would severely limit the impact made by SPARK. She stated that she understood that difficult decisions must be made and there must be compromises. She urged the board to make the right decision by fully funding SPARK without compromising the high quality early education that the city's children deserved.

LIBERTY HIGH SCHOOL – Megan Kelleher stated there was a feeling of spring fever at the high school with seniors anxiously counting down each of the 17 days left until finals and college decisions were the hot topic.

STUDENT
REPORTS

In the academic arena, Liberty High School French students did exceedingly well on the National French Exam. Rayna Allonce placed first in the Lehigh Valley on the Level 5 examination and Sidney Mendez placed seventh in the nation on the Native Speaker examination. Sophomore and super genius Ben Kraft advanced to the national level of competition for the National Chemistry Olympiad. Megan noted that today was the last day of the national competition and if he moved onto the next level, he would compete over the summer in the International Olympiad in Cambridge, England.

The National Honor Society held their final blood drive of the year last Friday. Over 150 students and faculty donated blood through the Miller Keystone Blood Center, which was actually 30 more than the original allotment they had given for the day.

The Liberty High School Spring Art Show would be held on May 1, 2, 8, and 9, in the Hurricane Art Gallery. Megan expressed that she had the chance to view the artwork and said they were amazing.

The spring prom would be held on Friday, May 15, on the Cornucopia Majesty luxury ship, which would depart from Hoboken, New Jersey. She said that it was the biggest date remaining on their social calendar and the seniors were very excited about the event.

In closing, Megan announced that Liberty's spring musical "Peter Pan" was held this past weekend and would also be held this Friday and Saturday at 6:30 p.m.

FREEDOM HIGH SCHOOL – William Velekei commented that the students at Freedom High School could definitely relate to the spring feeling and the weather added to their mood. The students all wanted to be outdoors, enjoying the weather, but instead they were hitting the books fairly hard.

He announced that the FHS Cultural Awareness Club would be holding a talent show on May 15 in the auditorium of the high school. The acts would be ranging from singing to stand up comedy. He pointed out that ethnicity and culture were encouraged in the acts.

The Freedom High School Art Show would be held tomorrow from 6:30 p.m. until 8:00 p.m. in the main lobby of the high school. Artwork, woodwork, music, and food would be available. Will commented that the hallways were full of various forms of great artwork and he encouraged everyone to attend the display.

Will noted that the spring prom would be held on Friday, May 8 at the Holiday Inn in Fogelsville from 5:00 p.m. until 10:00 p.m.

On April 30, the Freedom High School Choirs would be holding their spring concert, which would commence at 7:30 p.m. The orchestra also would be presenting their annual festival on May 6 at 7:30 p.m. Both events would be held in the auditorium.

The National Honor Society organized a Dodge Ball Tournament to be held on Friday. The tournament was open to all grade levels. He recalled that last year's event was a great success.

Will reminded everyone that Special Olympics was approaching and the students were excited about it at the school.

He recognized the FHS Theatre Company on their outstanding production of "The Wizard of Oz." Will recalled that he saw many familiar faces from the board. He added that the show would go down as one of the best in school history. He congratulated everyone who worked hard to make the show a success and thanked the director, Miss Jennifer Wescoe, who did an outstanding job. He commented that Warner Brothers was preparing an online documentary of the play next year.

A motion was made by Directors Koch and McKeon to approve the minutes of the January 12, 2009 Public Budget Hearing, the January 26, 2009 Regular Board Meeting, and the February 9, 2009 Special Board Meeting. The motion was carried by voice vote.

APPROVAL OF
MINUTES

A motion was made by Directors Follweiler and Koch to approve the minutes from the January 12, 2009 Board Finance Committee Meeting, the April 6, 2009 Board Facilities Committee Meeting, the April 14, 2009 Board Curriculum Committee Meeting, and the April 14, 2009 Board Human Resources Committee Meeting.

APPROVAL OF
COMMITTEE
MINUTES

Director Tenaglia made a request to table the Finance Committee Meeting of January 12 because there was not opportunity for discussion based upon the previous absence of Mr. Majewski. Director McKeon seconded the motion. The motion carried by voice vote with one dissenting vote by Director Koch.

MOTION TO
TABLE – JANUARY
FINANCE
COMMITTEE
MEETING

President Leeson stated that she believed they discussed at the Curriculum Committee Meeting having AP and Honors, in addition to Gifted and Talented for next month's agenda but she did not see them on the tentative topics for the next month in the minutes.

Mrs. Katona replied that she believed the thought was to include those topics with the topic of rigor but she offered to separately list them.

President Leeson agreed that it would be fine if the intention was to discuss the topics at the next meeting. She inquired about the Gifted and Talented Task Force discussion next month with Mr. Agretto.

Mr. Agretto affirmed her inquiry.

President Leeson called for a voice vote on the acceptance of the three remaining committee minutes. The motion was carried by voice vote.

APPROVAL OF
MODIFIED MOTION

Directors Follweiler and Tenaglia made the motion to approve the Financial Report and Payment of the Bills.

APPROVAL OF
FINANCIAL
REPORT/
PAYMENT OF BILLS

President Leeson inquired if there were any questions on the items.

Director Tenaglia referred to the entry under the 2005-2007 Bond Issue on page 16 on Payment of the Bills. The description read "a letter of credit extension." He requested an explanation as to why they had a letter of credit in the bond fund and why the extension of the letter of credit did not require board approval.

Mr. Majewski replied that the only letter of credits being charged to the bond fund were those that were required by development agreement either at the Liberty High School site or Broughal Middle School project. They had signed a development agreement stating they would provide the letter of credit until the completion of the project. He pointed out that when one expired, it was renewed. It would be renewed for another term until they completed the project, the city was able to sign off on it and release them from obligation.

Director Tenaglia stated that he could defer the conversation to the Finance Committee Meeting. In the interim, he requested either bond counsel or the solicitor to provide an opinion as to whether the extension of a letter of credit was an action that required board approval.

Director Tenaglia addressed the Treasurer's Report and noted that it showed an ending balance in the M & T 2007-2008 Bond Fund of \$8,600,000 with an interest rate of 0.346. In the prior month they had \$11,900,000 and it was approximately the \$3,300,000 previously discussed as being paid out of the general fund and then reimbursed from the bond fund.

Director Tenaglia pointed out that on the federal report there was an interest rate of 3.97 and in November they had an interest rate of 4.38. He asked why the interest rate dropped so precipitously.

Mr. Majewski deferred to Mrs. Morton, the treasurer who created the report.

Mrs. Morton responded that she did not look into it and added that she knew they were down to the last amount of available funds. They were cashing in securities to be able to cover expenses at this point.

Director Tenaglia commented that he thought there were a number of securities with laddered maturities which had significantly higher coupon rates.

Mr. Majewski replied that it was correct and they all did.

Director Tenaglia inquired if they were all liquidated and moved into a money market.

Mr. Majewski replied, "They were not." He added that the only securities liquidated were the ones required to make the general fund whole. Everything else was still in place.

Director Tenaglia asked how they could go from a 3.97 to a 0.36 in one month.

Mr. Majewski replied that he did not have an answer for that at the present time. He stated that he would have to look at the activity.

Director Tenaglia agreed to have further discussion at the next Finance Committee Meeting.

President Leeson called for a vote on the item. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson – 8.

ROLL CALL –
FINANCIAL
REPORT/
PAYMENT OF
BILLS

The motion passed 8 – 0.

President Leeson reported that an executive session of the Board of School Directors was held this evening. Student discipline, litigation and personnel matters were discussed.

PRESIDENT'S
COMMUNICATION/
SPECIAL MEETINGS

She stated that the transportation department was sponsoring a bus rodeo on May 9 at 10 a.m., which was for the whole region. She noted that it involved driving maneuvers by the district bus drivers in competition with other area drivers. She added that it also featured a safety program with the involvement of the fire and police departments.

President Leeson announced that the senior citizens night at Liberty High School involving dinner and a viewing of the play would be held this Thursday evening. She added that the Special Olympics was scheduled for Thursday, May 7, at 10 a.m. in the B.A.S.D. Stadium. It was the fifth year the school was hosting the event and she commented that it was always a very special event to attend.

President Leeson stated that the board and the public were welcome to tour the new Broughal Middle School which would commence at 6:00 p.m.

She noted that the All Faith Racial Reconciliation Alliance would be meeting tomorrow at the Wesley United Methodist Church beginning at 7:00 p.m. She stated that Dr. Lewis would be present along with a number of administrators and it would be an opportunity for dialogue.

Dr. Lewis requested that the line items in Item 3, which addressed the expenses for planetarium equipment and software and also the greenhouse equipment, be held. He stated they were in funding negotiations and would come back to the board later if they were not successful with those two items.

SUPERINTENDENT'S
REPORT/FEDERAL
PROGRAM UPDATE

He requested that Student Waiver #0970145 be pulled in Item 10.

Dr. Lewis noted a correction on Item 18, page 23, Number 1 - Resignations. There is a correction in the assignment for employee Dax Fleckenstein, which should read Donegan Elementary School.

He noted a correction on Item 20, page 26, Number 3 – Leaves of Absence. Kimberlee Kluska should be removed from the recommendation.

Dr. Lewis stated they received notice that Classrooms for the Future Student Capitol Day would be showcasing projects of technology and Liberty High School would be presented as one of approximately 30 high schools selected across the commonwealth. The project receiving recognition was regarding the effective use of classroom technology and 21st Century Learning. He explained that approximately 200 students (up to six from each selected high school) across the commonwealth were selected. Liberty High School teacher, Tony Markovich would be accompanying six of the students. The project selection would be based upon connections to the PA Academic and ISTE (International Society for Technology in Education) Standards, 21st Century and higher order thinking skills. He recognized Classrooms for the Future Coach who had worked with Mr. Markovich on various projects. The event would be held in the Capitol Rotunda on May 6 from 10 a.m. until 2 p.m.

Dr. Lewis said he received two thank you letters from the Big Brothers/Big Sisters of the Lehigh Valley on behalf of the children they served.

The organization thanked the Liberty High School National Honor Society volunteers who served at the Bowl for Kids' Sake 2009 and the EITC recognition party. He also recognized the two teachers, Mrs. Guarriello and Mr. Hoffman, for their assistance in providing the National Honor Society Volunteers.

Dr. Lewis stated that a total of 1,366 vaccines were administered at the flu shot clinic. He thanked Kathy Halkins and her staff for the coordination of the clinic. He mentioned they were keeping an eye on the swine flu issue as it related to schools and large gatherings. He noted that Mrs. Halkins informed him about information she had distributed to all district staff.

Dr. Lewis announced that Freedom High School's Shikha Saxena was the winner of the Da Vinci Center's Science Hall of Fame 2009 Apprentice Award.

Director Koch thanked Mrs. Ostman for the report she had received relative to the SPARK Program. She expressed that it was exactly what she requested.

UNFINISHED
BUSINESS

Director Dexter noted that a number of people had approached her and other board members to inquire whether the Bethlehem Area School District had investigated the possibility that it might have legal claims arising from the swap transactions such as some of the transactions discussed earlier this evening. She stated that the school board was investigating claims and, in fact, they had discussed legal matters pertaining to the swaps with multiple counsel. She said that to date, no decisions were made and no action authorized. They would keep the public informed if the situation changed.

President Leeson brought attention to the issue involving "senior privilege." She said that Mrs. Shive brought forward some of the issues concerning Liberty High School and she noted that the central building administration were very responsive in addition to the city police department and school resource officers. She asked Dr. Lewis to look at the senior privilege issue and offered to place it in the curriculum committee or human resources committee.

Dr. Lewis replied that it was previously discussed with Mrs. Shive. He explained that he met with Mrs. Durante and four of her assistants along with Commissioner Miller to discuss the issues face to face. He had preliminary discussion with both principals and also with the student advisory committee. He stated that it was on tomorrow morning's agenda for cabinet discussion and they would bring a report to the board. They were aware that it was serious issue and they were not taking it lightly. Dr. Lewis expressed that the responsibility for any students in the buildings resides with administration; primarily with the building principals, however, they took responsibility for policy enforcement. He concluded that the board would have the ultimate decision relative to modifying, continuing, or discontinuing the current program and they would have it by the next curriculum meeting.

APRIL 27, 2009

President Leeson commented that it would possibly be brought to next month's agenda.

Dr. Lewis responded that it would if there was a resolution or recommendation coming out of it.

Director Follweiler addressed an issue which she intended to bring up under the committee minutes. She noted that at the last curriculum meeting they had recognized math students who had received several awards. She was aware that they often recognized students at the regular board meetings. She said the event she was speaking about was recognized for the past two years at the curriculum committee meeting but she thought the students were worthy for recognition at both meetings.

Dr. Lewis presented the recommendations of the administration.

President Leeson noted Item 33 was an updated bond refinancing resolution from Attorney Reid.

RECOMMENDATIONS
OF THE
ADMINISTRATION

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April 27, 2009
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1. *Proposed Budget of the Bethlehem Area Vocational-Technical School for the 2009-2010 School Year*

INFORMATION:

The 2009-2010 Proposed Budget for the Bethlehem Area Vocational-Technical School is \$10,313,405, which is an increase of \$236,325 or 2.35 percent from the 2008-2009 Budget. This budget designates \$5,390,348 as the estimated cost to the Bethlehem Area School District, an increase of \$192,648 or 3.71 percent.

RECOMMENDATION:

That the proposed budget for the Bethlehem Area Vocational-Technical School for the 2009-2010 school year in the amount of \$10,313,405 be approved as presented.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

2. *Authorization to Expend 2007 Bond Funds – Library Move – Broughal Middle School Construction Project*

INFORMATION:

Quotations were solicited for:

Library Move – Broughal Middle School

The lowest responsible quotation was Overton & Associates, PO Box 128, Mineola, New York 11501, at a cost not to exceed \$ 7,550.

The following vendors also submitted quotes:

Carney-McNicholas, Inc.	\$9,250
J. P. Jay Associates, Inc.	No Quote

Account Code: 30-2600-432-240-0000-00001

Bond fund account, no General Operating Fund appropriation

3. *Broughal Building and Classroom Equipment*

INFORMATION:

At the April 6, 2009, Board Facilities Committee Meeting, the board reviewed the attached list of building equipment for the New Broughal Middle School.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to proceed with purchasing/bidding of equipment on the attached list in order to fit out the building for start of school in August 2009.

Director Follweiler requested clarification with regard to the pulled line items for the planetarium and greenhouse in the total amount of \$165,000 and that they would be discussed at a future meeting.

Dr. Lewis agreed the amounts were \$155,000 and \$10,000.

Director Cann inquired about the communication and emergency notification system.

Dr. Lewis explained that it was a system that allowed computers in the principal's, nurse's, and assistant principal's areas, or any web-based access using a secured code to communicate directly to the broadcast media within the school. It was the interface to allow the technology for the systems involving any emergency announcements, postings, or lock-downs.

Director Cann asked if the system was in all schools.

Dr. Lewis replied, "No, it was relatively new but it was something they would like to add to most schools."

President Leeson inquired if the cost was ongoing.

Dr. Lewis responded that it was a one-time charge for the software.

Director Dexter asked why the system would provide superior communication to what was currently in place at the other schools such as Northeast Middle School.

Dr. Lewis commented that at the present time they did not have the capability to get an instant message across. He asked Mr. Fazil, Mr. Gilliland, and Mr. Santoro to contribute to the conversation as to why it would be advantageous over a public address system.

Mr. Fazil stated that it could be silent and relayed over the televisions. He was not a security expert but it was an advantage over the PA system by silent communication over the screen.

Dr. Lewis asked if he was correct in that the principal could post announcements such as upcoming open houses, or assembly programs.

Mr. Fazil said it was scrolling information such as an upcoming test or an announcement. He added that the monitors in strategic locations would all be activated by the program.

Director Dexter moved to amend the item to remove the \$13,000 communications device.

DIRECTOR
DEXTER –
MOTION TO
AMEND

There motion was not seconded.

The administration's recommendations 3, 6, 16, 21, and 23 were considered together.

Broughal Building and Classroom Equipment
4/3/2009

VENDOR	QTY	ITEM	EST. COST EACH	EST. TOTAL
SchoolWorld	95	Curriculum software - Photoshop Elements	\$ 50.00	\$ 4,750.00
Dashboard	1	LEED Commitment - Building as a learning tool software and hardware	\$ 20,475.00	\$ 20,475.00
~~Audiovision~~	~~8~~	~~Demonstration Cameras - Science and FCS classrooms~~	~~\$ 250.00~~	~~\$ 2,000.00~~
Apple	125	Desktop Computers (for labs)	\$ 1,150.00	\$ 143,750.00
Apple	65	Desktop Computers (for labs)	\$ 1,150.00	\$ 74,750.00
~~PEPPM~~	~~60~~	~~Digital Cameras~~	~~\$ 200.00~~	~~\$ 12,000.00~~
PEPPM	30	Digital Cameras	\$ 200.00	\$ 6,000.00
~~PEPPM~~	~~60~~	~~Digital Video Cameras~~	~~\$ 200.00~~	~~\$ 12,000.00~~
PEPPM	30	Digital Video Cameras	\$ 200.00	\$ 6,000.00
CSI	1	Communication and Emergency Notification System	\$ 13,000.00	\$ 13,000.00
Apple	32	Final Cut Express Licenses for TV Studio laptops	\$ 179.00	\$ 5,728.00
Finale Music	20	Finale Notepad Software for Music classes	\$ 100.00	\$ 2,000.00
PEPPM	6	Firewire Drives for media storage	\$ 200.00	\$ 1,200.00
Apple	1	iWork site license - productivity software	\$ 500.00	\$ 500.00
Soundtree	16	Keyboards for Music Composition Class	\$ 700.00	\$ 11,200.00
Apple	30	Laptop Computers (for TV studio)	\$ 1,050.00	\$ 31,500.00
PEPPM	1	Memory Cards, Media Disk Storage, Batteries, Cables	\$ 5,000.00	\$ 5,000.00
Spitz	1	Planetarium equipment & software	\$ 155,000.00	\$ 155,000.00
~~TBA~~	~~1~~	~~Projector for auditorium~~	~~\$ 8,000.00~~	~~\$ 8,000.00~~
PEPPM	5	Scanners for Graphic Design class	\$ 100.00	\$ 500.00
TBA	1	Science Lab Equipment (8 labs)	\$ 10,000.00	\$ 10,000.00
Vernier	32	Science Probeware (Complete sets of probes for scientific measurements)	\$ 1,044.00	\$ 33,408.00
~~TBA~~	~~73~~	~~Televisions, Mounts, and Installation~~	~~\$ 1,350.00~~	~~\$ 98,550.00~~
TBA	61	Televisions, Mounts, and Installation	\$ 1,350.00	\$ 82,350.00
TBA	1	TV Studio Equipment, Installation, Training	\$ 34,608.69	\$ 34,608.69
WeatherBug	1	Weather Station	\$ 1,200.00	\$ 1,200.00
		CURRICULUM SUPPORT MATERIALS SUBTOTAL		\$ 499,169.69
TBA	1	Appliances (Family Center, Family Consumer Science, Health Room, Faculty Dining Room, 2 Offices)	\$ 20,000.00	\$ 20,000.00
Bid	1	Infrastructure Wiring	\$ 34,950.00	\$ 34,950.00
Strategic	1	Telephone System (includes telephones, mounting kits, software, and gateway equipment)	\$ 39,058.70	\$ 39,058.70
TBA	1	Fitness Equipment	\$ 30,000.00	\$ 30,000.00
Nobles	1	Floor Scrubbers	\$ 14,300.00	\$ 14,300.00
<del></del>	~~1~~	~~Floor Scrubbers~~	~~\$ 6,000.00~~	~~\$ 6,000.00~~
School Specialties	1	Furniture	\$ 310,570.28	\$ 310,570.28
TBA	1	Greenhouse Equipment	\$ 10,000.00	\$ 10,000.00
<del></del>	~~1~~	~~High Lift~~	~~\$ 10,000.00~~	~~\$ 10,000.00~~
		BUILDING EQUIPMENT SUBTOTAL		\$ 458,878.98

4. *Individual Private Transportation Contract*

RECOMMENDATION:

That the Bethlehem Area School District adds an additional transportation contract for carrier service for the 2008-2009 school year and that it be approved as presented in the amount of \$13,310.

a. Resources for Human Development

\$13,310 to transport a special needs student to the Colonial Academy, Wind Gap, PA.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

5. *Approval for Act 80 Request Application*

INFORMATION:

During the 2008-2009 school year, our instructional calendar was 181 days for all students in grades 1 through 11 and Freedom High School seniors who are scheduled to graduate on June 4, 2009. Our instructional calendar was 180 days for Liberty High School seniors who are scheduled to graduate on June 3, 2009, and all kindergarten students. Due to inclement weather, it is necessary to convert teacher inservice days into Act 80 days. An Act 80 approval from the Pennsylvania Department of Education will eliminate any subsidy penalty for grades with less than 180 days of instruction.

RECOMMENDATION:

That the administration be authorized to submit an Act 80 Request Application for the 2008-2009 school year to the Pennsylvania Department of Education identifying up to five scheduled inservice days (August 21, October 10, November 26, 2008; January 16, and February 13, 2009) and that our original calendar be revised to reflect up to 185 days.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.



School Year 2008-2009

AUN: 120481002
LEGEND

Save Complete | Save Incomplete | Back



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PDE-4085 Request for Section 1504 (Act 80) Exception

School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009			
Description		am Kindergarten ☐ Alternative Education						
GRADES								
Kindergarten		Elementary						
5-year-old Kindergarten AM ☐ Alternate Day		☐ 1	☐ 2	☐ 3	☐ 4	☐ 5	☐ 6	☐ Ungraded
		Secondary						
		☐ 7	☐ 8	☐ 9	☐ 10	☐ 11	☐ 12	☐ Ungraded
1. Number of instructional days on the original calendar					184			
2. Number of instructional hours in a regular school day					2 : 45 (hours:minutes)			
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80					10 : 36 (hours:minutes)			
4. Number of instructional hours on original calendar					495:24 (hours:minutes)			
5. Number of full-day dismissals requested					4			
6. Total instructional hours lost due to full-day dismissal requests					11:00 (hours:minutes)			
7. Number of early dismissals requested					0			
8. Total instructional hours lost due to early dismissal requests					0 : 0 (hours:minutes)			
9. Total instructional hours lost due to Act 80 requests					11:00 (hours:minutes)			
10. Instructional days on revised calendar (<u>Days in Session</u>)					180			
11. Total number of instructional hours on revised calendar					484:24 (hours:minutes)			
Full-Day Dismissals								
Dates of full-day dismissals and activity planned for each date: New Dismissal								
		Date	Activity					
		8/21/2008	2. Curriculum planning and development					
		10/10/2008	2. Curriculum planning and development					
		11/26/2008	2. Curriculum planning and development					
		1/16/2009	2. Curriculum planning and development					
Early Dismissals								
Dates of early dismissals and activity planned for each date: New Dismissal								



Child Accounting System (CAD)

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PDE-4085 Request for Section 1504 (Act 80) Exception

School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009			
Description		PM kindergarten ☐ Alternative Education						
GRADES								
Kindergarten		Elementary						
5-year-old Kindergarten PM ☐ Alternate Day		☐ 1	☐ 2	☐ 3	☐ 4	☐ 5	☐ 6	☐ Ungraded
		Secondary						
		☐ 7	☐ 8	☐ 9	☐ 10	☐ 11	☐ 12	☐ Ungraded
1. Number of instructional days on the original calendar						185		
2. Number of instructional hours in a regular school day						2 : 45 (hours:minutes)		
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80						10 : 36 (hours:minutes)		
4. Number of instructional hours on original calendar						498:09 (hours:minutes)		
5. Number of full-day dismissals requested						5		
6. Total instructional hours lost due to full-day dismissal requests						13:45 (hours:minutes)		
7. Number of early dismissals requested						0		
8. Total instructional hours lost due to early dismissal requests						0 : 0 (hours:minutes)		
9. Total instructional hours lost due to Act 80 requests						13:45 (hours:minutes)		
10. Instructional days on revised calendar (<u>Days in Session</u>)						180		
11. Total number of instructional hours on revised calendar						484:24 (hours:minutes)		
Full-Day Dismissals								
Dates of full-day dismissals and activity planned for each date: New Dismissal								
		Date	Activity					
		8/21/2008	2. Curriculum planning and development					
		10/10/2008	2. Curriculum planning and development					
		11/26/2008	2. Curriculum planning and development					
		1/16/2009	2. Curriculum planning and development					
		2/13/2009	2. Curriculum planning and development					
Early Dismissals								



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PDE-4085 Request for Section 1504 (Act 80) Exception School Year 2008-2009

Bethlehem Area SD
COMMENTS

Northampton County
INSTRUCTIONS

AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009			
Description		full day kindergarten ☐ Alternative Education						
GRADES								
Kindergarten		Elementary						
5-year-old Kindergarten Full Time ☐ Alternate Day		☐ 1	☐ 2	☐ 3	☐ 4	☐ 5	☐ 6	☐ Ungraded
		Secondary						
		☐ 7	☐ 8	☐ 9	☐ 10	☐ 11	☐ 12	☐ Ungraded
1. Number of instructional days on the original calendar		184						
2. Number of instructional hours in a regular school day		5 : 35 (hours:minutes)						
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80		22 : 40 (hours:minutes)						
4. Number of instructional hours on original calendar		1004:40 (hours:minutes)						
5. Number of full-day dismissals requested		4						
6. Total instructional hours lost due to full-day dismissal requests		22:20 (hours:minutes)						
7. Number of early dismissals requested		0						
8. Total instructional hours lost due to early dismissal requests		0 : 0 (hours:minutes)						
9. Total instructional hours lost due to Act 80 requests		22:20 (hours:minutes)						
10. Instructional days on revised calendar (<u>Days in Session</u>)		180						
11. Total number of instructional hours on revised calendar		982:20 (hours:minutes)						
Full-Day Dismissals								
Dates of full-day dismissals and activity planned for each date: New Dismissal								
		Date	Activity					
		8/21/2008	2. Curriculum planning and development					
		10/10/2008	2. Curriculum planning and development					
		11/26/2008	2. Curriculum planning and development					
		1/16/2009	2. Curriculum planning and development					
Early Dismissals								
Dates of early dismissals and activity planned for each date: New Dismissal								



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PDE-4085 Request for Section 1504 (Act 80) Exception School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009			
Description		Elementary grades 1-5		☐ Alternative Education				
GRADES								
Kindergarten		Elementary						
☐ (No Kindergarten) ☐ Alternate Day		☒ 1	☒ 2	☒ 3	☒ 4	☒ 5	☐ 6	☐ Ungraded
		Secondary						
		☐ 7	☐ 8	☐ 9	☐ 10	☐ 11	☐ 12	☐ Ungraded
1. Number of instructional days on the original calendar					184			
2. Number of instructional hours in a regular school day					5 : 35 (hours:minutes)			
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80					22 : 40 (hours:minutes)			
4. Number of instructional hours on original calendar					1004:40 (hours:minutes)			
5. Number of full-day dismissals requested					3			
6. Total instructional hours lost due to full-day dismissal requests					16:45 (hours:minutes)			
7. Number of early dismissals requested					0			
8. Total instructional hours lost due to early dismissal requests					0 : 0 (hours:minutes)			
9. Total instructional hours lost due to Act 80 requests					16:45 (hours:minutes)			
10. Instructional days on revised calendar (<u>Days in Session</u>)					181			
11. Total number of instructional hours on revised calendar					987:55 (hours:minutes)			
Full-Day Dismissals								
Dates of full-day dismissals and activity planned for each date: New Dismissal								
		Date	Activity					
		8/21/2008	2. Curriculum planning and development					
		10/10/2008	2. Curriculum planning and development					
		11/26/2008	2. Curriculum planning and development					
Early Dismissals								
Dates of early dismissals and activity planned for each date: New Dismissal								

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PDE-4085 Request for Section 1504 (Act 80) Exception School Year 2008-2009

Bethlehem Area SD
COMMENTSNorthampton County
INSTRUCTIONSAUN: 120481002
LEGEND

Date school board approved request: month day year 2009	
Description Middle School ☐ Alternative Education	
GRADES	
Kindergarten ☐ (No Kindergarten) ☐ Alternate Day	Elementary ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ Ungraded Secondary ☒ 7 ☒ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12 ☐ Ungraded
1. Number of instructional days on the original calendar	184
2. Number of instructional hours in a regular school day	5 : 46 (hours:minutes)
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80	9 : 36 (hours:minutes)
4. Number of instructional hours on original calendar	1051:28 (hours:minutes)
5. Number of full-day dismissals requested	3
6. Total instructional hours lost due to full-day dismissal requests	17:18 (hours:minutes)
7. Number of early dismissals requested	0
8. Total instructional hours lost due to early dismissal requests	0 : 0 (hours:minutes)
9. Total instructional hours lost due to Act 80 requests	17:18 (hours:minutes)
10. Instructional days on revised calendar (<u>Days in Session</u>)	181
11. Total number of instructional hours on revised calendar	1034:10 (hours:minutes)
Full-Day Dismissals	
Dates of full-day dismissals and activity planned for each date: New Dismissal	
Date	Activity
8/21/2008	2. Curriculum planning and development
10/10/2008	2. Curriculum planning and development
11/26/2008	2. Curriculum planning and development
Early Dismissals	
Dates of early dismissals and activity planned for each date: New Dismissal	

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PDE-4085 Request for Section 1504 (Act 80) Exception

School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009
Description		Freedom High School ☐ Alternative Education			
GRADES					
Kindergarten		Elementary			
(No Kindergarten) ☐ Alternate Day		☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ Ungraded			
		Secondary			
		☐ 7 ☐ 8 ☒ 9 ☒ 10 ☒ 11 ☒ 12 ☐ Ungraded			
1. Number of instructional days on the original calendar		184			
2. Number of instructional hours in a regular school day		5 : 50 (hours:minutes)			
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80		5 : 15 (hours:minutes)			
4. Number of instructional hours on original calendar		1068:05 (hours:minutes)			
5. Number of full-day dismissals requested		3			
6. Total instructional hours lost due to full-day dismissal requests		17:30 (hours:minutes)			
7. Number of early dismissals requested		0			
8. Total instructional hours lost due to early dismissal requests		0 : 0 (hours:minutes)			
9. Total instructional hours lost due to Act 80 requests		17:30 (hours:minutes)			
10. Instructional days on revised calendar (<u>Days in Session</u>)		181			
11. Total number of instructional hours on revised calendar		1050:35 (hours:minutes)			
Full-Day Dismissals					
Dates of full-day dismissals and activity planned for each date: New Dismissal					
		Date	Activity		
		8/21/2008	2. Curriculum planning and development		
		10/10/2008	2. Curriculum planning and development		
		11/26/2008	2. Curriculum planning and development		
Early Dismissals					
Dates of early dismissals and activity planned for each date: New Dismissal					

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PDE-4085 Request for Section 1504 (Act 80) Exception School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009
Description		Liberty High grades 9-11		☐ Alternative Education	
GRADES					
Kindergarten		Elementary			
(No Kindergarten) ☐ Alternate Day		☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ Ungraded			
		Secondary			
		☐ 7 ☐ 8 ☒ 9 ☒ 10 ☒ 11 ☐ 12 ☐ Ungraded			
1. Number of instructional days on the original calendar		184			
2. Number of instructional hours in a regular school day		5 : 42 (hours:minutes)			
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80		4 : 21 (hours:minutes)			
4. Number of instructional hours on original calendar		1044:27 (hours:minutes)			
5. Number of full-day dismissals requested		3			
6. Total instructional hours lost due to full-day dismissal requests		17:06 (hours:minutes)			
7. Number of early dismissals requested		0			
8. Total instructional hours lost due to early dismissal requests		0 : 0 (hours:minutes)			
9. Total instructional hours lost due to Act 80 requests		17:06 (hours:minutes)			
10. Instructional days on revised calendar (<u>Days in Session</u>)		181			
11. Total number of instructional hours on revised calendar		1027:21 (hours:minutes)			
Full-Day Dismissals					
Dates of full-day dismissals and activity planned for each date: New Dismissal					
		Date	Activity		
		8/21/2008	2. Curriculum planning and development		
		10/10/2008	2. Curriculum planning and development		
		11/26/2008	2. Curriculum planning and development		
Early Dismissals					
Dates of early dismissals and activity planned for each date: New Dismissal					

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PDE-4085 Request for Section 1504 (Act 80) Exception School Year 2008-2009

 Bethlehem Area SD
COMMENTS

 Northampton County
INSTRUCTIONS

 AUN: 120481002
LEGEND

Date school board approved request:		month	day	year	2009
Description		Liberty Seniors ☐ Alternative Education			
GRADES					
Kindergarten		Elementary			
(No Kindergarten) ☐ Alternate Day		☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ Ungraded			
		Secondary			
		☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☒ 12 ☐ Ungraded			
1. Number of instructional days on the original calendar		184			
2. Number of instructional hours in a regular school day		5 : 42 (hours:minutes)			
3. Total instructional hours lost due to planned, shortened school days <u>not</u> addressed by Act 80		2 : 54 (hours:minutes)			
4. Number of instructional hours on original calendar		1045:54 (hours:minutes)			
5. Number of full-day dismissals requested		4			
6. Total instructional hours lost due to full-day dismissal requests		22:48 (hours:minutes)			
7. Number of early dismissals requested		0			
8. Total instructional hours lost due to early dismissal requests		0 : 0 (hours:minutes)			
9. Total instructional hours lost due to Act 80 requests		22:48 (hours:minutes)			
10. Instructional days on revised calendar (<u>Days in Session</u>)		180			
11. Total number of instructional hours on revised calendar		1023:06 (hours:minutes)			
Full-Day Dismissals					
Dates of full-day dismissals and activity planned for each date: New Dismissal					
		Date	Activity		
		8/21/2008	2. Curriculum planning and development		
		10/10/2008	2. Curriculum planning and development		
		11/26/2008	2. Curriculum planning and development		
		1/16/2009	2. Curriculum planning and development		
Early Dismissals					
Dates of early dismissals and activity planned for each date: New Dismissal					

6. *Broughal Middle School Science and Technology Curriculum*

INFORMATION:

At the March 9, 2009, Board Curriculum Committee Meeting, information was presented to the board by the Assistant Superintendent for Curriculum and Instruction, along with the Supervisor of Science, the Acting Director of Information Technology, and the principal of Broughal Middle School, regarding a curriculum that has been written to align with the goals of the new Broughal Middle School, to open in fall 2009. At the April 14, 2009, Board Curriculum Committee Meeting, these presenters brought forth responses to questions board members posed following the initial curriculum presentation. At that time, board members received a collaborative paper, citing research to validate the proposed curriculum; a comparison of a current student schedule and a proposed student schedule for each grade level; the original position paper for the new Broughal Middle School, first drafted in 2005; and responses to additional e-mailed questions. Following discussion at the April meeting, board members indicated a favorable view of the proposed curriculum.

RECOMMENDATION:

That the Board of School Directors approves the proposed curriculum for Science and Technology, to be implemented in Broughal Middle School, beginning fall 2009.

President Leeson inquired if there were any adjustments since the line items regarding the planetarium and greenhouse were pulled.

Dr. Lewis stated, “Not at this time.” He noted that Mr. Santoro had an alternate schedule that he announced at the curriculum meeting. He said that he wanted to be cautious because he was still having discussions and was optimistic they would see some modicum of equipment. He added that he had some recent contacts and an upcoming meeting so he wanted to keep it under wraps.

The administration’s recommendations 3, 6, 16, 21, and 23 were considered together.

7. *Community Service Agencies*

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 sponsors 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, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

Name of Agency/Organization: Boutique at the Rink, St. Luke's Hospital,
The Wellness Community

Address: c/o Haytmanek, 269 W. Langhorne Avenue, Bethlehem, PA 18017

Phone number: 610-865-4652

Contact Person: Susan Haytmanek

Email address:

Web Site address:

Number of students requested: 10-15

Minimum age: 16

Description of service opportunities: General help with the sale, including moving, hanging, and folding of donated items.

Minimum Time of Service Per Shift or Session: 4 hours

Hours agency is open to community service students:

9am to 1pm, Monday through Saturday, April 30 to May 21, 2009, and 12 to 5pm, Saturday, May 30, 2009, to dismantle sale merchandise and equipment.

Dress requirements: Casual

Supervision provided by: Adult volunteers

Training and/or orientation: On site

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)

Name of Agency/Organization: Legacy Ministries

Address: 120 S. 12th Street, Easton, PA 18042

Phone number: 610-923-8380

Contact Person: Rodger Smeall

Email address: rsmealle@msn.com

Web Site address:

Number of students requested: No minimum ***Minimum age:*** 17

Description of service opportunities: Preparing food, setting up tables and chairs, serving, and cleaning up at weekly dinner which is open to the community. Assisting with other needs in our community.

Minimum Time of Service Per Shift or Session: 3 hours

Hours agency is open to community service students: As needed

Dress requirements: Clean and casual

Supervision provided by: Rodger Smeall

Training and/or orientation: Janice Allen

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.	(Y)
This agency conducts events/activities where alcohol is served.	(N)
(Parental Waiver is needed if alcohol is served.)	

Name of Agency/Organization: Upward Basketball

Address: 1500 Linden Street, Bethlehem, PA 18017

Phone number: 610-867-5232

Contact Person: Scott Parry, Director

Email address: scottbette76@hotmail.com

Web Site address: upwardathletics.com

Number of students requested: Unlimited

Minimum age: High School Age

Description of service opportunities: Assist coaches in basketball and cheerleading for elementary and middle school age children such as refereeing games, monitoring clocks, and helping in Snack Bar, etc. Set up and clean before and after games.

Minimum Time of Service Per Shift or Session: 2 hours minimum/8 hours maximum

Hours agency is open to community service students: December to March, weeknights and Saturdays

Dress requirements: Casual

Supervision provided by: Scott Parry

Training and/or orientation: Bette Parry

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. (Y)

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

(Parental Waiver is needed if alcohol is served)

8. *Ticket Prices and Student/Family Ticket Programs 2009-2010 - Athletics*

INFORMATION:

During the 2008-2009 school year, the admittance fee for football, basketball, and wrestling events was \$3 for students, \$5 for adults, and no charge for senior citizens.

The Family Ticket Program has been in effect for the past 28 years. This concept was developed to enable families with school-aged children to attend athletic events at a reduced rate. During the 2008-2009 school year, the Family Ticket entitled the purchaser to attend both Freedom and Liberty High Schools' home athletic events. A Student Season Pass was made available in 1989, which entitles a student to attend all Freedom and Liberty High Schools' home football, basketball, and/or wrestling contests.

RECOMMENDATION:

- a. That the administration be authorized to approve the following admittance fees for football, basketball, and wrestling events for the 2009-2010 school year as follows: *

Students	-	\$3
Adults	-	5
Senior Citizens	-	No Charge

- b. That the administration be authorized to approve the Family Ticket Program and Student Season Pass for the 2009-2010 school year as follows: *

Student Football Pass	-	\$ 8
Student Wrestling Pass	-	8
Student Basketball Pass	-	12
Student All Sports Pass	-	18
Family Football Ticket	-	35
Family Basketball Ticket	-	35
Family Wrestling Ticket	-	35
Family All-Sports Ticket	-	60

-
- Ticket prices are remaining the same as the 2008-2009 school year.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

9. *Student Discipline - #0952422, #0964255, #1003316, and #1001179 – Adjudications*

INFORMATION:

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

RECOMMENDATION:

That the Board of School Directors adopts the proposed adjudications relating to Student Numbers: 0952422, 0964255, 1003316, and 1001179.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

10. *Student Discipline - #0945551, #0951284, #0953743, #0957638, #0970145, and #0971555 – Waivers*

INFORMATION:

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

RECOMMENDATION:

That the Board of School of School Directors adopts the waivers relating to Student Numbers 0945551, 0951284, 0953743, 0957638, 0970145, and 0971555.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

11. Tuition Rates for Child Care Program**INFORMATION**

The Bethlehem Area School District's Child Care Program is a self-sustaining program with centers housed in each of the district's sixteen elementary schools and in the SPARK Early Childhood Center. The proposed 4.1 percent average rate increase allows the district to remain competitive with other child care providers in the Lehigh Valley.

Child Care Rate Schedule - Current

<u>Age Groups</u>	<u>2008-2009</u>	
<u>Preschool and Kindergarten (All Year)</u>	<u>Daily</u>	<u>Weekly</u>
0 to 2.5 hours per day	\$ 11.75	\$ 58.75
2.6 to 5.0 hours per day	20.25	101.25
5.1 to 10.0 hours per day	29.00	145.00
10.1 to 11.5 hours per day	31.25	156.25
<u>School-Age Grades 1-5 (All Year)</u>	<u>Daily</u>	<u>Weekly</u>
0 to 2.5 hours per day	\$10.85	54.25
2.6 to 5.0 hours per day	18.50	92.50
5.1 to 10.0 hours per day	26.40	132.00
10.1 to 11.5 hours per day	30.95	154.75

Proposed

<u>Age Groups</u>	<u>2009-2010</u>	
<u>Preschool and Kindergarten (All Year)</u>	<u>Daily</u>	<u>Weekly</u>
0 to 2.5 hours per day	\$ 12.25	61.20
2.6 to 5.0 hours per day	21.10	105.50
5.1 to 10.0 hours per day	30.20	151.00
10.1 to 11.5 hours per day	32.50	162.50
<u>School-Age Grades 1-5 (All Year)</u>	<u>Daily</u>	<u>Weekly</u>
0 to 2.5 hours per day	\$ 11.30	56.50
2.6 to 5.0 hours per day	19.25	96.25
5.1 to 10.0 hours per day	27.50	137.50
10.1 to 11.5 hours per day	32.20	161.00

RECOMMENDATION:

That the Board of School Directors approves the childcare fees for the 2009-2010 school year, effective July 1, 2009.

RECOMMENDATIONS OF THE ADMINISTRATION – April 27, 2009

11. *Tuition Rates for Child Care Program (continued)*

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

12. *Federal/State Program Budgets*

INFORMATION:

The 2008-2009 Budget included \$13,208,834 in both revenues and expenditures for federal and state programs. Budget modifications are necessary to properly reflect the current status of funding from various federal and state organizations in the 2008-2009 Budget. The provisions of the Public School Code of 1949, Title 24, Article VI, Section 609 allow for these budget modifications required on a program basis to reflect revisions approved by the various federal and state organizations. These changes will adjust the total federal and state programs' revenues and expenditures from \$13,208,834 to \$13,103,381.

RECOMMENDATION:

That the administration be authorized to revise the federal and state program budgets as indicated on the attached schedule.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

2008-2009 FEDERAL/STATE PROGRAM BUDGETS

<u>Program Name</u>	<u>Approved Budget</u>	<u>Amended Budget</u>	<u>Increase/ (Decrease)</u>
I.D.E.I.A.	2,133,919	1,778,259	(355,660)
KEYSTONE STARS	47,260	108,685	61,425
MARVINE FAMILY CENTER	324,524	357,703	33,179
SCHOOL IMPROVEMENT DONEGAN & FOUNTAIN HILL	0	235,000	235,000
TITLE I - (NCLB) : Improving Basic Programs	3,328,862	3,320,860	(8,002)
TITLE I - (NCLB) : Academic Achievement Awards	0	7,000	7,000
TITLE III: LEP	331,676	253,281	(78,395)
TOTAL ADJUSTMENTS			<u>(105,453)</u>
APPROVED FEDERAL/STATE BUDGET REVENUES/EXPENDITURES			13,208,834
AMENDED FEDERAL/STATE BUDGET REVENUES/EXPENDITURES			13,103,381

13. *Readiness and Emergency Management for Schools (REMS) Grant*

INFORMATION:

The U.S. Department of Education Office of Safe and Drug Free Schools has announced a grant competition to improve and strengthen schools' emergency management plans and to develop and implement a comprehensive and sustainable emergency management process. The purpose of the grant is to improve readiness and emergency management for schools (REMS) by training school personnel and students in emergency management procedures, communicating with parents about emergency plans and procedures, and coordinating with local law enforcement, public safety, public health, and mental health agencies.

In partnership with the City of Bethlehem Health Bureau, the Bethlehem Area School District will submit an application that will strengthen and enhance the Bethlehem Area School District developed emergency plans, provide training for staff and students, and increase effectiveness and efficiency of emergency response.

RECOMMENDATION:

That the administration be authorized to submit an application to the U.S. Department of Education for a REMS grant in the amount of \$250,000.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

14. *Safe Schools/Healthy Students Grant*

INFORMATION:

The U.S. Department of Education announced a competition for grants that propose to implement an integrated, comprehensive community-wide plan designed to create safe, respectful, and drug-free school environments and to promote pro-social skills and healthy childhood development. The following five elements are required:

1. Safe School Environments and Violence Prevention
2. Alcohol, Tobacco, and Other Drug Prevention Activities
3. Student Behavioral, Social, and Emotional Supports
4. Mental Health Services
5. Early Childhood Social and Emotional Learning Programs

Programs and activities to be initiated with the Safe Schools/Healthy Students grant are all focused on the following complementary goals:

- To reduce and prevent bullying problems among school children and to improve peer relations at school.
- To reduce child and adolescent substance abuse and other problematic behaviors by increasing resilience and decreasing risk factors.
- To prevent youth from engaging in behaviors that put health and well being at risk.
- To provide opportunities for preschool children to participate in elementary school based classes that will nurture and support growth in social and emotional learning which is critical to school readiness.
- To make early identification and assessment of students experiencing difficulties in the classroom.

If funded, this project will provide support for our existing bullying prevention programs and allow us to expand the Olweus Bullying Prevention initiative. It will provide support for the PBIS initiative, support with school resource officers, and support for the ASPIRE program when the existing funding expires. Additionally, a full range of evidence-based programs will be provided within the schools, or at home (in the case of more intensive interventions), that will be subcontracted to community-based agencies with expertise in the implementation of each model with the targeted population.

14. *Safe Schools/Healthy Students Grant*

RECOMMENDATION:

That the administration be authorized to submit a Safe Schools/Healthy Students grant to the U.S. Department of Education in the amount of \$5,999,393 over a period of four years.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

15. *Conference/Staff Trip Attendance***RECOMMENDATION:**

That the following conferences for staff be approved:

May 4-6, 2009 2009 Pennsylvania Safe Schools Conference Harrisburg, Pennsylvania	\$498.53 General
May 4-6, 2009 Fifth Eastern Regional Conference on After-School Baltimore, Maryland	2,368.83 Federal/Marvine Family Center Grant
May 7-9, 2009 The Creative Brain: Using Brain Research on Creativity and the Arts to Improve Learning Washington, D.C.	2,495.85 State/Pre-K Counts Grant
June 28-July 1, 2009 National Educational Computing Conference Washington, D.C.	2,245.44 State/Classrooms for the Future Professional Development for Coach Grant
June 30-July 1, 2009 National Educational Computing Conference Washington, D.C.	823.36 Federal/Title I Grant

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

16. *Field Trip Attendance***RECOMMENDATION:**

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

April 22-25, 2009 (1 Liberty High School Student) Pennsylvania Music Educators Association (PMEA) All State Band Festival Valley Forge, Pennsylvania	\$345.00 General
April 30-May 1, 2009 (16 East Hills Middle School Students) Science Olympiad State Competition Huntington, Pennsylvania	3,499.00 General
May 5-7, 2009 (58 East Hills Middle School Students) Monagacci Spring Camping Trip Whitehaven, Pennsylvania	650.94 General
May 6-8, 2009 (28 Nitschmann Middle School Students) Sequoia Camping Trip – Girls Palmerton, Pennsylvania	474.00 General
May 12-14, 2009 (28 Nitschmann Middle School Students) Sequoia Camping Trip – Boys Palmerton, Pennsylvania	474.00 General
May 17-19, 2009 (6 Northeast Middle School Students, 4 Broughal Middle School Students, 1 Freedom High School Student, and 4 Liberty High School Students) Pennsylvania Junior League Academy of Science (PJAS) State Competition State College, Pennsylvania	3,590.00 General

RECOMMENDATIONS OF THE ADMINISTRATION – April 27, 2009

16. *Field Trip Attendance (continued)*

President Leeson recused herself from the vote because her daughter was listed as a participant.

The administration's recommendations 3, 6, 16, 21, and 23 were considered together.

17. *Approval of Resignation and Retirement Agreement*

INFORMATION:

Dr. Lewis has informed the board of his intentions to retire toward the end of this calendar year. He wanted to provide a generous timeline for the Board of School Directors to conduct a search for his replacement. Subsequent discussions took place with the board for the purpose of establishing a timeline and verifying contract provisions related to retirement. Those provisions are contained in the attached retirement agreement.

RECOMMENDATION:

That the Board of School Directors accepts the resignation for retirement of Dr. Lewis and approves the attached Retirement Agreement.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

RETIREMENT AGREEMENT

AGREEMENT is entered into on the date set forth below by and between Bethlehem Area School District (hereafter "BASD") and Dr. Joseph A. Lewis (hereafter "Lewis").

WHEREAS, Lewis has been employed by BASD as its Superintendent;
and

WHEREAS, Lewis desires to retire; and

WHEREAS, BASD and Lewis want to memorialize Lewis's economic entitlement for retirement.

NOW THEREFORE, intending to be legally bound hereby, it is agreed by and between Lewis and BASD as follows:

1. Lewis will submit to the Board of School Directors (hereafter "Board") an irrevocable letter of resignation for retirement purposes to be effective January 2, 2010.
2. The Board will accept Lewis's letter of retirement.
3. Lewis will work continuously and perform his normal duties until September 25, 2009.
4. Between September 26, 2009, and January 2, 2010, the Board will appoint a substitute superintendent for the period September 26, 2009, through January 2, 2010, and the new superintendent will be commissioned on or after January 3, 2010, as required by the School Code.

5. Between September 26, 2009, and January 2, 2010, all unused vacation/personal leave will be exhausted, however, Lewis shall work for at least two (2) transitional days, but no more than five (5) transitional days as requested by the substitute superintendent.

6. Upon retirement Lewis will be paid the following benefits under his employment contract:

- a. "Active" unused sick leave at the rate of \$100/per day, as well as payment for accrued unused vacation, if any. "Reserve" sick leave is waived.
- b. Continued payment, if any, for Lewis's split dollar whole life insurance policy as described in his contract (benefit premiums have been fully paid, but a shortfall could occur if dividends are not sufficient to pay the premium).
- c. Health, dental, and prescription drug insurance for Lewis until Lewis is medicare eligible.
- d. If Lewis's wife, Kristen does not have healthcare coverage through her employment or loses such coverage for any reason, she will be provided with health, dental, and prescription drug insurances described in the contract until she becomes medicare eligible or otherwise obtains healthcare coverage.

7. Lewis has a period of at least twenty two (22) days within which to consider this Retirement Agreement. Further, for a period of eight (8) days following the execution of this Agreement by both parties, Lewis may revoke and rescind this Agreement. This Agreement shall not become enforceable or

effective until the revocation period has expired or if revoked or rescinded during the revocation period. If Lewis does not revoke or rescind the Agreement within the revocation period, the Agreement shall become fully effective. To revoke or rescind the agreement, written notice shall be given by Lewis and received at the office of solicitor within the revocation period.

8. This Agreement relates to and effectuates a release and/or waiver of all rights, including, by way of example and not limitation:

- (a) rights established in the Age Discrimination In Employment Act;
- (b) rights created by the Older Workers' Benefit Protection Act;
- (c) rights under the Pennsylvania Human Relations Act;
- (d) rights under the Public School Code of 1949, as amended;
- (e) rights under school district policy;
- (f) rights created by the Rehabilitation Act of 1974;
- (g) rights created by title IX of the Education Amendments of 1972;
- (h) rights under Titles IV, VI and VII of the Civil Rights Act of 1964; and

any other rights that Lewis may have against BASD which have been alleged or may in the future be alleged to have been violated prior to the date of execution hereof. Effective January 3, 2010, this release shall apply to Lewis's current employment agreement, but shall not apply to rights created by this agreement.

9. The board shall waive any and all claims that it may have against Lewis or which may arise in the future against Lewis, and agrees to defend and indemnify Lewis for any and all legal actions that may arise out of his tenure with the BASD. The obligation to defend and indemnify Lewis under this paragraph shall not apply should it be judicially determined that the act that created his liability constituted a crime, actual fraud, actual malice, or willful misconduct.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, set their hands and seals on the date indicated.

BASD AREA SCHOOL DISTRICT

Dated:_____

BY:_____
President

Dated:_____

BY:_____
Board Secretary

Dated:_____

Dr. Joseph A. Lewis

18. *Resignations*

RECOMMENDATION:

Administrative

- | | | |
|----|-------------|--------------------------|
| 1. | NAME: | Bertoni, James |
| | ASSIGNMENT: | Spring Garden, Principal |
| | REASON: | Retirement |
| | EFFECTIVE: | August 1, 2009 |

18. Resignations**RECOMMENDATION:*****Instructional***

1. NAME: **Burns, John Michael**
ASSIGNMENT: Liberty, Chemistry Teacher
REASON: Personal
EFFECTIVE: April 20, 2009
2. NAME: **Faulhefer, Sandra**
ASSIGNMENT: Liberty, Social Studies Teacher
REASON: Personal
EFFECTIVE: March 10, 2009
3. NAME: **Marakovits, Patricia**
ASSIGNMENT: Freemansburg, Grade 4 Teacher
REASON: Retirement
EFFECTIVE: June 10, 2009
4. NAME: **McGuiney, Kathleen**
ASSIGNMENT: Spring Garden, Grade 4 Teacher
REASON: Retirement
EFFECTIVE: June 10, 2009
5. NAME: **Springer, Lynn**
ASSIGNMENT: Spring Garden, Special Education, Life Skills
Support Teacher
REASON: Retirement
EFFECTIVE: June 10, 2009
6. NAME: **Zieger, Craig**
ASSIGNMENT: East Hills, Gifted Support Teacher
REASON: Retirement
EFFECTIVE: June 10, 2009

18. Resignations**RECOMMENDATION:*****Noninstructional***

1. NAME: **Boehm, Jeanne C.**
ASSIGNMENT: Maintenance, 0-3 Secretary/Clerk
REASON: Retirement
EFFECTIVE: July 6, 2009
2. NAME: **Cruz, Carmen V.**
ASSIGNMENT: Regional Academic Standards Academy,
Family Development Specialist
REASON: Personal
EFFECTIVE: April 22, 2009
3. NAME: **Galassi, Frank**
ASSIGNMENT: Transportation, Assistant Supervisor
REASON: Retirement
EFFECTIVE: July 8, 2009
4. NAME: **Gonzalez, Irma**
ASSIGNMENT: Freedom, General Kitchen Help
REASON: Personal
EFFECTIVE: April 16, 2009
5. NAME: **Jaquays, Kathryn**
ASSIGNMENT: Freedom, Monitor
REASON: Retirement
EFFECTIVE: April 18, 2009
6. NAME: **Matey, Kathleen**
ASSIGNMENT: Fountain Hill, Teacher Assistant, General
Duty Aide
REASON: Retirement
EFFECTIVE: March 30, 2009
7. NAME: **Posivak, Marlene**
ASSIGNMENT: East Hills, General Kitchen Help
REASON: Retirement
EFFECTIVE: April 6, 2009

18. *Resignations*

RECOMMENDATION:

Noninstructional (continued)

8.	NAME:	Ward, Johnna
	ASSIGNMENT:	Broughal, Support Technologist
	REASON:	Personal
	EFFECTIVE:	March 17, 2009

18. Resignations**RECOMMENDATION:*****Miscellaneous***

- | | | |
|----|-------------|---|
| 1. | NAME: | Fleckenstein, Dax |
| | ASSIGNMENT: | Broughal, Permanent Day-to-day Substitute |
| | REASON: | Personal |
| | EFFECTIVE: | April 9, 2009 |
| 2. | NAME: | Frederick, Linda |
| | ASSIGNMENT: | Freedom, (.5) Debate Team Advisor |
| | REASON: | Personal |
| | EFFECTIVE: | 2008-2009 school year |
| 3. | NAME: | Kincaid, Lucille |
| | ASSIGNMENT: | Freedom, Spring Musical Vocal Advisor |
| | REASON: | Personal |
| | EFFECTIVE: | 2008-2009 school year |
| 4. | NAME: | Ortelli, Edward |
| | ASSIGNMENT: | Bus Driver |
| | REASON: | Retirement |
| | EFFECTIVE: | March 18, 2009 |

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

19. *Termination*

RECOMMENDATION:

Miscellaneous

- | | | |
|----|-------------|-------------------------|
| 1. | NAME: | Ramirez, Freddie |
| | ASSIGNMENT: | Bus Driver |
| | REASON: | Job Abandonment |
| | EFFECTIVE: | February 23, 2009 |

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

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

1. NAME: **Amadoro, Amy**
 ADDRESS: Hamburg
 ASSIGNMENT: Marvine, Grade 4 Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: May 26, 2009, until the end of the day on
 May 29, 2009

2. NAME: **Negron, Amy**
 ADDRESS: Bethlehem
 ASSIGNMENT: Liberty, Spanish Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: April 17, 2009, until the end of the 2008-2009
 school year

3. NAME: **Nicholson, Christine**
 ADDRESS: Hellertown
 ASSIGNMENT: Regional Academic Standards Academy/Pathways
 Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: April 20, 2009, until the end of the 2008-2009
 school year

4. NAME: **Pethick, Holly**
 ADDRESS: Macungie
 ASSIGNMENT: Nitschmann, Mathematics Teacher
 REASON: Family Medical/Childrearing Leave of Absence
 EFFECTIVE: Family Medical Leave to begin on May 14, 2009,
 until the end of the day on October 23, 2009
 Childrearing Leave of Absence to begin on
 October 26, 2009, until the end of the day on
 January 29, 2010

20. *Leaves of Absence***RECOMMENDATION:*****Noninstructional***

1. NAME: **DeJesus, Elizabeth**
 ADDRESS: Bethlehem
 ASSIGNMENT: Freedom, Teacher Assistant
 REASON: General Leave of Absence
 EFFECTIVE: April 21, 2009

2. NAME: **Hicks, Mary**
 ADDRESS: Freemansburg
 ASSIGNMENT: Child Care, Assistant Center Supervisor
 REASON: Family Medical Leave of Absence
 EFFECTIVE: April 20, 2009, until the end of the day on
 July 15, 2009

3. NAME: **Kluska, Kimberlee**
 ADDRESS: Bethlehem
 ASSIGNMENT: Governor Wolf, Teacher Assistant
 REASON: General Leave of Absence
 EFFECTIVE: April 14, 2009, until the end of the day on
 June 4, 2009

4. NAME: **Urban, Gloria**
 ADDRESS: Bethlehem
 ASSIGNMENT: Fountain Hill, General Kitchen Help
 REASON: General Leave of Absence
 EFFECTIVE: March 10, 2009, until the end of the day on
 June 4, 2009

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

21. *Nominations for Appointment*

RECOMMENDATION:

Instructional

- | | | |
|----|------------------|---|
| 1. | NAME: | Trycinski, Emily M. |
| | ADDRESS: | Nazareth |
| | COLLEGE, DEGREE: | University of Maryland, College Park, B.S. |
| | ASSIGNMENT: | East Hills, Health and Physical Education Teacher |
| | STATUS: | Temporary Professional Employee |
| | SALARY: | \$39,389, prorated (Bachelor's, Step 1) |
| | EFFECTIVE: | April 28, 2009 |

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

1. NAME: **Barbesta, Marina**
 ADDRESS: Hellertown
 ASSIGNMENT: Liberty, Teacher Assistant, Special Education,
 Emotional/Learning Support, 6.75 hours daily

 SALARY: \$13.72 per hour
 EFFECTIVE: April 28, 2009

2. NAME: **Brandon, Larry**
 ADDRESS: Bethlehem
 ASSIGNMENT: Freedom, Supplemental Custodian
 SALARY: \$9.00 per hour
 EFFECTIVE: April 28, 2009

3. NAME: **Kemmerer, Nancy**
 ADDRESS: Bethlehem
 ASSIGNMENT: Freedom, Supplemental Custodian
 SALARY: \$9.00 per hour
 EFFECTIVE: April 28, 2009

4. NAME: **Viejo-Ayala, Veronica**
 ADDRESS: Bethlehem
 ASSIGNMENT: SPARK, (.5) 0-3 Secretary/Clerk, 12 months for
 registration

 SALARY: \$14.01 per hour
 EFFECTIVE: April 28, 2009, contingent upon continued PreK Counts
 grant funding

21. *Nominations for Appointment***RECOMMENDATION:*****Miscellaneous***

1. **ASPIRE Program**
(After School Programs for Instruction, Recreation, and Enrichment)
Helpers
District-wide
Eggleson, Jade
Rodriguez, Ilka Yoshila
SALARY: \$7.15 per hour

2. **Coaches**
Freedom High School
Baseball

Assistant Coach	Burcin, Robert (.5)	New	\$1,645.50
Assistant Coach	Schmitt, Eric	New	3,291.00

Boys Soccer (2009-2010 school year)

Head Coach	Peters, Karl	New	5,063.00
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3. **Data Processing Services**
Mitchell, Thomas
SALARY: \$60.00 per hour, not to exceed 80 hours

4. **Extracurricular Activity Advisors**
Freedom High School

Debate Team	Ziegler, George	357.00
Photo Imaging Club	King, Garrett	357.00
Spring Musical - Vocal	Hubbard, Michelle	588.00

21. *Nominations for Appointment***RECOMMENDATION:*****Miscellaneous (continued)*****5. Ninety-day Substitutes**

NAME: **Aoun, Maya**
 ASSIGNMENT: Freemansburg, Grade 3 Teacher
 SALARY: \$39,389, prorated (Bachelor's, Step 1)
 EFFECTIVE: April 14, 2009

NAME: **Fleckenstein, Dax**
 ASSIGNMENT: Donegan, Grade 3 Teacher
 SALARY: \$39,389, prorated (Bachelor's, Step 1)
 EFFECTIVE: April 14, 2009

NAME: **Trump, Jonathan**
 ASSIGNMENT: Freemansburg, Grade 5 Teacher
 SALARY: \$39,389, prorated (Bachelor's, Step 1)
 EFFECTIVE: March 26, 2009

6. Permanent Day-to-day Substitute***Fountain Hill Elementary School*****Simpson, Marie**

SALARY: \$100.00 per day

EFFECTIVE: April 28, 2009 – May 15, 2009

7. Support Teacher Induction Program**Inductee****School****Support Teacher****Liberto, Kelly**

SPARK

Rupp, Karen**Morrow, Ryan**

Marvine/Thomas Jefferson

Dawley, Joyce**Seaman, Stephanie** Northeast**Gallagher, Pamela**

SUPPORT TEACHER SALARY: \$604.00

Lynde, Christian Freedom**Hercik, Michael (.6)**

SUPPORT TEACHER SALARY: \$403.00

Kaar, Karen Thomas Jefferson**Donaldson, Jessica (.5)**

SUPPORT TEACHER SALARY: \$302.00

21. *Nominations for Appointment***RECOMMENDATION:*****Miscellaneous (continued)*****8. Team Leaders*****Broughal Middle School*****Academic**

3 person	Pitsilos, Heidi (.78)	\$ 820.56
	Volkert, Michelle (.22)	231.44
5 person	Cirucci, Lori	1,349.00
	Anthony DiSipio	1,349.00
	Eric Hatch	1,349.00

East Hills Middle School**Academic**

2 person	Goldberg, Stephanie (.49)	447.00
3 person	Burkhardt, Amanda (.85)	894.00
	VanHise, Michele (.15)	158.00

Nitschmann Middle School**Academic**

3 person	Rodenbach, Scott	1,052.00
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9. Transportation – Part-time Bus Drivers

Andino, Frank	Jara, Alberto
Arthur, Dean	Rivera, Maria
Bolich, William	Shook, Randy
Havlik, Dennis	

SALARY: \$15.68 per hour

21. *Nominations for Appointment***RECOMMENDATION:****Substitutes*****Instructional***

Bender, Joelle
Bethlehem

Klipple, Jeanne
Bethlehem

Benton, Kelly
Bethlehem

Kocsis, Jeffrey
Bethlehem

Bobal, Andrew
Bethlehem

Lubin, Francois
Bethlehem

Caballero, Mario
Bethlehem

Maderic, Kelly
Bethlehem

Caronia, Gabrielle
Nazareth

McGuiney, Kathleen
Bethlehem

Chrin, Kara
Quakertown

Mickelson, Paul
Bethlehem

Dudley-Vadino, Theresa
Bethlehem

Snyder, Mary
Bethlehem

Ellis, Brian
Bethlehem

Snyder, Shana
Tatamy

Gross, David
Washington, New Jersey

Weber, Cynthia
Northampton

Huff, Jacob
Allentown

Weckerle, Karen
Bethlehem

John, Kelly
Bethlehem

21. *Nominations for Appointment***RECOMMENDATION:****Substitutes*****Noninstructional***

Ader, Vyizigiro
Bethlehem

Palagano, Cheryl
Bethlehem

Davco, Judith
Bethlehem

Rivera, Esteban
Bethlehem

Deborah, Irihose
Allentown

Silvoy, Michael
Bethlehem

Delgado, Keila
Bethlehem

Sloyer, Deborah
Catasauqua

Esrom, Bamporeye
Allentown

Vercruyssen, Rudolph
Easton

Floyd, Chappell
Bethlehem

Wirth, Jeffrey
Bethlehem

Maiello, Raymond
Bangor

Yob, Rita Ann
Bethlehem

Molinaro, Sarah
Bethlehem

Director McKeon inquired about the two assistant baseball coaches under Item 2 on page 29. He asked if they were teachers in the district. He commented that if they were not teachers, then why were they seeing the appointment with two weeks remaining in the baseball season. He had concern about exposing the district to liability. He thought when the assistants were appointed; they would be approved prior to the beginning of the season. He did not have an issue with it if they were teachers.

Dr. Lewis stated that he conferred with Mr. Majewski regarding coverage and it was broad based. He added that he would review the timeline, noting that there were a few special board meetings where they could have accelerated the appointment.

RECOMMENDATIONS OF THE ADMINISTRATION – April 27, 2009

21. *Nominations for Appointment (continued)*

The administration's recommendations 3, 6, 16, 21, and 23 were considered together.

22. *Reassignments*

RECOMMENDATION:

Noninstructional

1. NAME: **Colon, Carmen**
 FROM: Broughal, General Kitchen Help, 4.5 hours daily
 TO: Liberty, General Kitchen Help, 3.5 hours daily
 SALARY: \$11.86 per hour
 REASON: Successful Candidate
 EFFECTIVE: April 28, 2009

22. *Reassignments*

RECOMMENDATION:

Miscellaneous

1. NAME: **Coppock, Richard**
ASSIGNMENT: Liberty, Young Republicans Club Advisor
FROM: Step 2, \$334.00
TO: Step 3, \$357.00
REASON: Salary/step adjustment
EFFECTIVE: 2008-2009 school year
2. NAME: **Dolak, Chad**
ASSIGNMENT: Freedom, Yearbook Advisor
FROM: Step 2, \$2,703.00
TO: Step 3, \$2,917.00
REASON: Salary/step adjustment
EFFECTIVE: 2008-2009 school year
3. NAME: **Pethick, Holly**
ASSIGNMENT: Nitschmann, Mathcounts Advisor
FROM: Step 1, \$266.00
TO: Step 2, \$322.00
REASON: Salary/step adjustment
EFFECTIVE: 2008-2009 school year
4. NAME: **Prodes, Jane**
ASSIGNMENT: Liberty, Student Government
FROM: \$357.00
TO: \$1,007.00
REASON: Salary adjustment – originally reported as club
EFFECTIVE: 2008-2009 school year
5. NAME: **Rodgers, Kyle**
ASSIGNMENT: Asa Packer, (.5) iMovie Club Advisor
FROM: Step 1, \$161.00
TO: Step 2, \$167.50
REASON: Salary/step adjustment
EFFECTIVE: 2008-2009 school year

22. Reassignments**RECOMMENDATION:*****Miscellaneous (continued)***

- | | | |
|----|-------------|---|
| 6. | NAME: | Wescoe, Jennifer |
| | ASSIGNMENT: | Freedom, Technical Theatre Crew Advisor |
| | FROM: | \$340.00 |
| | TO: | \$1,007.00 |
| | REASON: | Salary adjustment – originally reported as club |
| | EFFECTIVE: | 2008-2009 school year |
| 7. | NAME: | Ziegler, George |
| | FROM: | Freedom, (.5) Debate Team Advisor |
| | TO: | Freedom, 1.0 Debate Team Advisor |
| | SALARY: | \$357.00 |
| | REASON: | Change in status |
| | EFFECTIVE: | 2008-2009 school year |

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

23. *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

Brad, Shanna Farmersville, Special Education Teacher

EFFECTIVE: August 26, 2007

Kelley, Laura SPARK, Prekindergarten Teacher

EFFECTIVE: October 19, 2007

Layton, Jennifer Freedom, Special Education Teacher

Director McKeon inquired about the length of time involved with the probation period.

Dr. Lewis replied that he did not want to violate their rights but noted that the individuals receiving tenure were on leave. He added that it could not be granted until the day after they returned to employment.

President Leeson called for a vote on Items 3, 6, 16, 21, and 23. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson (with the exception of Item 16 – abstained).

ROLL CALL –
ITEMS 3, 6, 16,
21 and 23

Items 3, 6, 21, and 23 passed 8 – 0.

Item 16 passed 7 – 0 – 1 (abstention).

The administration's recommendations 3, 6, 16, 21, and 23 were considered together.

24. *Establishment of Sick Leave Bank*

INFORMATION:

The Custodian and Maintenance employee group has requested the establishment of a sick leave bank for one employee. This request would permit custodial and maintenance employees to give a selected number of their accumulated sick days to a colleague.

RECOMMENDATION:

That the Board of School Directors authorizes the establishment of a sick leave bank for one employee of the Custodial and Maintenance employee group. This bank is to be used by one individual only, and any days not used by the individual will be returned to the person who donated them.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

25. *Appointment of Assistant Board Secretary*

INFORMATION:

In order to provide additional time to the Assistant to the Superintendent for Finance and Administration to focus on the finances and the budget, the Superintendent of Schools is requesting appointing an Assistant Board Secretary until further notice. The solicitor has reviewed this request.

RECOMMENDATION:

That the Board of School Directors appoints Thomas K. Washington as Assistant Board Secretary until further notice.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

26. *Board Policy Number 113.2 – Behavior Support for Students with Disabilities – Second Reading*

INFORMATION:

The Bethlehem Area School District believes in the use of positive behavior support techniques. This policy is designed to enable students with Individualized Educational Programs (IEP's) who need a Behavior Support Program to obtain a Free Appropriate Public Education (FAPE) within the Least Restrictive Environment (LRE) in accordance with Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and Pennsylvania's regulations (Chapter 14).

The board reviewed this policy at the April 14, 2009, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached Board Policy Number 113.2 – Behavior Support for Students with Disabilities.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

1st Reading – April 14, 2009

2nd Reading – April 27, 2009

SECTION: PROGRAMS

TITLE: Behavior Support for
Students with Disabilities

ADOPTED:

REVISED:

	113.2 Behavior Support
<u>1. Purpose</u>	The Bethlehem Area School District (BASD) believes in the use of positive behavior support techniques. The policy is designed to enable students with Individualized Educational Programs (IEP'S) who need a Behavior Support Program to obtain a Free Appropriate Public Education (FAPE) within the Least Restrictive Environment (LRE) in accordance with the Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and Pennsylvania's regulations (Chapter 14).
<u>2. Authority</u>	The Superintendent and/or his/her designees are authorized to carry out the requirements in this policy and are responsible for ensuring that this policy is implemented in compliance with the IDEA and its implementing regulations. The Superintendent and/or his/her designees shall develop administrative guidelines to implement this policy and appropriate behavior support activities.
<u>3. Guidelines</u>	<u>Behavior Support</u> Positive rather than negative measures shall form the basis of behavior support programs to ensure that all students shall be free from demeaning treatment and the unreasonable use of restraints or other aversive techniques. Behavior support programs shall include a variety of research-based techniques to develop and maintain skills that will enhance student opportunity for learning and self-fulfillment. The types of interventions chosen shall be the least intrusive necessary. <u>Definitions:</u> In addition to or in conjunction with statutory and regulatory provision regarding the behavior support, the following words and terms have the following meanings, unless the context clearly indicates otherwise: <i>Aversive Techniques</i> – Deliberate activities designed to establish a negative association with a specific behavior. <i>Behavior Support</i> – The development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

113.2 – Behavior Support - 2

Mechanical Restraints – Restraints used to control involuntary movement or lack of muscular control of students when due to organic causes of conditions.

Positive Techniques – Methods which utilize positive reinforcement to shape a student's behavior, are ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

Prone Restraints – Prohibited restraints in which a student or eligible young child is held face down.

Restraints – The application of trained therapeutic holds, with or without use of any device, designed to restrain free movement. The term restraint does not include briefly holding, without force, a student or eligible young child in order to calm or comfort him/her, guiding a student or eligible young child to an appropriate activity, or holding a student or eligible young child's hand to safely escort him/her from one area to another.

This term does not include common and appropriate hands-on interventions such as hand-over-hand instruction, hand or arm holding to guide the student away from a place, brief physical calming or comforting of the student, and similar actions. The term also does not include hand-over-hand assistance with feeding or task completion or techniques prescribed by a qualified medical professional for reasons of safety or therapy or medical treatment as agreed and specified in the student's IEP.

Proper use of Restraints

Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

The use of restraints to control the aggressive behavior of an individual student shall cause a meeting of the IEP team within ten school days of the use of restraints, unless waived by the parent. At this meeting, the Team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised behavior plan, a change of placement, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior.

The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be specified in the IEP only if the restraining (i) is used with a specific component elements of a positive behavior support plan; (ii) is used in conjunction with teaching socially appropriate alternative skills or behaviors; (iii) staff are authorized to use the restraining and have received appropriate training; and (iv) the behavior

113.2 – Behavior Support - 3

	plan includes efforts to eliminate the use of restraints. The use of prone restraints is prohibited in educational programs. BASD shall not engage in the use of such restraints. Mechanical restraints may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed by the student's parents. Mechanical restraints shall prevent a student from injuring themselves or others or promote normative body positioning and physical functioning. BASD shall maintain and report data on the use of restraints as prescribed by the Secretary of the Pennsylvania Department of Education or other proper authority. BASD shall not use aversive techniques in any of its educational programs. The following aversive techniques of handling behavior are considered inappropriate and may not be used by the BASD in educational programs. (1) Corporal Punishment (2) Punishment for a manifestation of a student's disability (3) Locked rooms, locked boxes or other locked structures or space from which the student cannot readily exit (4) Noxious substances (5) Deprivation of basic human rights, such as withholding meals, water or fresh air (6) Suspensions constituting a pattern (7) Treatment of a demeaning nature (8) Electric shock (9) Prone Restraints (those restraints where a student is held face down on the floor) BASD has the primary responsibility for ensuring that positive behavior support used in its programs are in accordance with applicable statutory and regulatory requirements, including personnel training for specific procedures, methods, and techniques of behavior support and obtaining parental consent prior to the use of intrusive procedures and restraints are part of the student's IEP.
<u>4. Training</u> <u>22 Pa Code</u> <u>§ 14.133: 34 CFR</u> <u>§ 300-346(a)(2)</u>	<u>Regular Program Training</u> The Superintendent or designee shall provide for the regular training and re-training, as needed, of District faculty and staff in the use of specific procedures, methods, and techniques that those staff members will be expected to employ in the implementation of behavior supports or interventions in accordance with the IEP of the child and this policy. All training and use of such procedures, methods, and techniques shall conform to this policy.

27. *Revisions to Board Policy Number 706 – Property Records – Fourth Reading*

INFORMATION:

The board recognizes that adequate property and inventory records must be maintained on all buildings, equipment, and physical property under district ownership.

Adjustments to the current policy are attached in bold and represent disposal of district owned obsolete equipment.

The board reviewed these changes at the April 14, 2009, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 706 – Property Records.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

DRAFT BETHLEHEM AREA SCHOOL DISTRICT

First Reading – February 9, 2009

Second Reading – February 23, 2009

Third Reading – April 14, 2009

Fourth Reading – April 27, 2009

SECTION: PROPERTY

TITLE: PROPERTY RECORDS

ADOPTED: November 15, 2004

REVISED:

706. PROPERTY RECORDS	
1. Purpose	The Board recognizes that adequate property and inventory records must be maintained on all buildings, equipment, and physical property under district control
2. Authority	The Board directs that a complete inventory, by physical count, of all district-owned equipment and property records of all district buildings and grounds shall be maintained and updated at intervals that coincide with property insurance renewal.
3. Delegation of Responsibility	It shall be the responsibility of the Assistant to the Superintendent for Finance and Administration to ensure that equipment inventories are systematically and accurately recorded, updated, and adjusted annually by reference to purchase orders and withdrawal reports. Property records of facilities shall be maintained on an ongoing basis. The Assistant to the Superintendent for Finance and Administration shall maintain a system of property records which shall show, as appropriate to the item recorded: 1. Description and identification. 2. Year of purchase. 3. Initial cost. 4. Location. 5. Depreciation. 6. Current valuation, in conformity with insurance requirements. Major items of equipment shall be subject to annual physical spot check inventory to determine loss, mislocation or depreciation; major losses shall be reported to the Board.

Records of consumable supplies shall be maintained on a continuous inventory basis.

No equipment shall be removed for personal or nonschool use, except in accordance with Board policy.

Equipment shall be identified with a permanent tag that provides appropriate school district identification.

Disposal of Obsolete/Surplus Materials

As appropriate, the Superintendent shall recommend to the Board the sale of unused, unnecessary, surplus, or obsolete books, furniture, supplies, **technology**, or equipment. The Board shall, by resolution, declare the same to be disposed of by any one or more of the following methods:

1. Public auction after Board notice and approval.
2. Solicitation of bids or quotations from companies or persons engaged in a business related to the nature of the items to be disposed of.
3. Offer to the general public at prices set by the Board, by resolution, upon recommendation by the school administration.
4. Offer to suppliers of similar books, furniture, supplies, or equipment, who shall be required to state their bid for the same as a dollar discount against items they may be proposed to sell to the school district.
5. Other methods as the Board may adopt by resolution enacted at a regular or special Board meeting.
6. **When a District-owned computer has been identified as obsolete equipment by the technology administrator, the computer will be offered to staff members who were assigned the specific laptop and will be sold according to the following guidelines:**
~~When a laptop computer has been identified as obsolete equipment by the technology administrator,~~
 - a. Staff members will be permitted to purchase their assigned computer at the fair market value as determined by usedprice.com or its

	successor site. b. Payments by check will be made payable to the Bethlehem Area School District prior to the release of the equipment. c. Staff members who purchase their own computers will also receive the charger / power cord. d. Purchases will be “as is” and the school district will have no responsibility for defects of any kind. <u>No warranty or guarantee is offered.</u> The school district Information and Technology department will no longer support the equipment. e. ~~Only software that is not licensed to the district will remain on the laptops.~~ <u>Software that is licensed to the district will be removed prior to the completion of the sale.</u> f. <u>If a staff member chooses not to purchase his/her assigned computer, it</u> ~~Laptops not purchased by the individual staff member~~ will be offered <u>for sale</u> by lottery to other staff members. <u>Any remaining computers not purchased through the lottery will be</u> disposed of according to the methods identified via 1 through 5 above. Notice of such disposal of property shall be advertised in accordance with bidding requirements. There shall be no disposal of personal property owned by the school district except by this policy.
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28. *Revisions to Board Policy Number 707 – Use of School Facilities – Fourth 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. At the November 17, 2008, Regular Board Meeting, the board tabled this agenda item as they requested additional information from the administration regarding costs associated with Category I and II of the Lease Policy. This information was provided to the board and was to be discussed at the November 24, 2008, Board Finance Committee Meeting. However, this was not discussed at the meeting on November 24, and this had to be placed on the January 12, 2009, Board Finance Committee Meeting. The costs information and this agenda item were reviewed with the board at the January 12, 2009, Board Finance Committee Meeting. This item was once again tabled at the January 26, 2009, Regular Board Meeting. A Class IA group was added regarding district approved youth athletic programs. This new information was reviewed at the February 9, 2009, Board Human Resources Committee Meeting. At the February 23, 2009, Regular Board Meeting this item was tabled. Adjustments to the current policy are attached with the adjustments in bold.

The board reviewed these changes at the April 14, 2009, 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.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: November 15, 2004

REVISED: April 21, 2008

1st Reading – February 9, 2009

2nd Reading – February 23, 2009

3rd Reading – April 14, 2009

4th Reading – April 27, 2009

	707. USE OF SCHOOL FACILITIES
1. Purpose	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.
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; 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 IA – District Approved Youth Athletic Programs</u> ~~Class IA activities are those district-based youth athletic programs that are voluntarily run formally recognized by the board of school directors. As a district approved youth athletic program the Class I fee schedule will be applied and custodial and site management fees will be charged at one-half the calculated cost.~~ Class IA organizations are those that meet all of the following requirements: a. The organization is a feeder program to Bethlehem Area School District programs. b. The organization is 100% volunteer run. c. The organization is nonprofit. d. The organization does not have plants and physical asset. e. The use of the pool under this classification does not apply. Any organization that charges admission is automatically considered a Class III group. <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. Class II organizations will be provided use of district 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.
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5. Guidelines	Any organization that charges admission is automatically considered a Class III group. <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; 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
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SC511 10 P.S. 311 et seq. 20 U.S.C. Sec. 7181 et seq. 35 P.S. 1223.5	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 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.
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School Code 511, 775 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	<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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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.

29. *Revisions to Board Policy Number 810 – Transportation – Third Reading*

INFORMATION:

Pupil transportation is designed to transport eligible students to and from school from their place of residence within the school's attendance area. The Bethlehem Area School District recognizes that it may be necessary to transport to alternate addresses for various family needs (example: sitter, daycare, joint custody, etc.). In order to provide for a safe and efficient transportation schedule for children, parents needing an alternate transportation schedule are required to obtain and complete the Alternate Transportation Form provided by their school. All applicable guidelines are listed on the form. Adjustments to the current policy are attached with the adjustments in bold.

The board reviewed these changes at the April 14, 2009, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 810 – Transportation.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT

First Reading – February 9, 2009

Second Reading – April 14, 2009

Third Reading – April 27, 2009

SECTION: OPERATIONS

TITLE: TRANSPORTATION

ADOPTED: November 15, 2004

REVISED:

	810. TRANSPORTATION
1. Purpose	Transportation for students shall be provided in accordance with law and Board policy.
2. Authority Title 22 Sec. 23.1, 23.2, 23.4 SC 1361, 1362 SC 1361, 1362	The Board shall purchase, equip, and maintain vehicles and/or contract for school bus services for transportation of students to and from school at regularly scheduled hours and for field trips, extracurricular activities, and after school educational programs. The Board shall provide transportation for all public, private or parochial school students who reside in the district and meet the following criteria: 1. Students in elementary schools who reside one (1) or more miles from their assigned school, and students in secondary schools who reside two (2) or more miles from their assigned school are eligible for transportation. When no school is assigned, the distance requirement is calculated using the school attended and the residence of the student. 2. Students in elementary schools who reside less than one (1) mile and students in secondary schools who reside less than two (2) miles from their assigned or attended school may be transported depending on factors relating to their health or hazardous conditions of the roads or streets they must traverse on their way to and from school.
SC 1362, 1374 Title 22 Sec. 23.3	To fulfill the responsibility of the district for providing transportation to those students who qualify, the Board recognizes that transportation is an integral part of the total education program and, therefore, establishes these policy guidelines: 1. Provide for the safest transportation system that is possible. 2. Supply transportation to all students who are legally eligible to receive school district transportation.

	3. Operate the transportation program as effectively and efficiently as possible. 4. Adapt student transportation to meet the requirement of the educational program. 5. Develop a transportation program that complies with state and federal guidelines and regulations regarding the conservation of energy. 6. Develop a planned center pickup and discharge system whereby students would walk a safe distance to collection points. 7. Pupil transportation is designed to transport eligible students to and from school from their place of residence within the school's attendance area. The Bethlehem Area School District recognizes that it may be necessary to transport to alternate addresses for various family needs (example: sitter, daycare, joint custody, etc.). In order to provide for a safe and efficient transportation schedule for children, parents needing an alternate transportation schedule are required to obtain and complete the Alternate Transportation Form provided by their school. All applicable guidelines are listed on the form.
3. Delegation of Responsibility	The school bus driver shall be responsible for the discipline of students while they are being transported.
Title 22 Sec. 23.4	The principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.
Title 22 Sec. 23.4	The Superintendent or designee shall be responsible to:
Title 22 Sec. 23.1, 23.4	1. Promulgate rules governing the number of chaperones to accompany students in connection with school-related activities.
Title 22 Sec. 23.4	2. Prepare a district map or schedule indicating each bus stop and bus route.
Title 22 Sec. 23.1, 23.4	3. Maintain records and make required reports regarding school transportation.
Title 22 Sec. 23.4	4. Promulgate rules governing student conduct during transport; such rules shall be binding on all students transported by the district.

810. TRANSPORTATION - Pg. 3

School Code 1331, 1361, 1362, 1374, 2541, 2542 PA Code Title 22 Sec. 23.1, 23.2, 23.3, 23.4	
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(District Name, Address, and Logo in this area)

Alternate Transportation Request Form

This form must be completed and submitted to the school office by all parents needing transportation service to locations other than the student's residence.

Student Name:_____ **School:**_____ **Grade:**_____

Home Address:_____

Home Phone:_____ **Alternate Provider's Phone:**_____

Alternate Provider's Name:_____

Alternate Provider's Address:_____

Request for: AM pick up_____ PM drop off_____ Both AM & PM _____

- All requests will be approved on a space available/five days per week basis. Requests for one or several days per week or alternating weeks will not be approved.
- All requests must be for every AM pick up and/or every PM drop off.
- The alternate address must be within the current school attendance area and deemed eligible for transportation.
- When possible intersection and/or an existing neighborhood stops will be utilized as the assigned school bus stop.
- This busing request will remain in effect until the student leaves the current school, alternate location is cancelled or a new busing request form is completed.

Parent(s)/Guardian Name _____

Parent(s)/Guardian Home Phone:_____ **Cell Phone:**_____

Parent(s)/Guardian Signature:_____

Date _____ **Effective Date** _____

(Unless a current bus stop already exists in the requested area, it will require a minimum of 5 days to enact the route change.)

30. *Special Education Settlement Agreement***INFORMATION:**

The parents of Student Number 1001949 of the Bethlehem Area School District, who is eligible for special education under the Individual Disabilities Education Act, along with the Bethlehem Area School District, met to discuss issues surrounding the Free and Appropriate Public Education of this student. Both parties met in the attempt to achieve an amicable resolution to the disputes in an effort to avoid complex time-consuming due process litigation and to move forward in the best interest of the student.

RECOMMENDATION:

That the Board of School Directors approves the Settlement Agreement and Release of all disputes between the Bethlehem Area School District and the parent on behalf of Student Number 1001949, including any claims arising under any provision of federal or state law, relating to the student's educational program, that have or could have arisen between the family and the Bethlehem Area School District up to the date of this agreement. By accepting the terms of the agreement, the parent acknowledges and agrees that by accepting the terms of this agreement, the parent releases and forever discharges the district and insurers from any claim or demand of any kind, administrative or judicial, concerning the education of the student as outlined in the agreement. The district hereby acknowledges and agrees that it has been fully informed of its respective rights, fully understands those rights, and understands the terms of the entire agreement, consisting of 18 sections.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

31. *Authorization to Accept Offer on Property M7SW4 17 5 0204C/Ondine Street, City of Bethlehem - Northampton County Repository Sale*

INFORMATION:

The above-referenced property was turned over to the Northampton County Tax Claim Bureau for collection of delinquent school district real estate taxes. Judicial sales proved to be unsuccessful, and as a result, the property has been retained in the County Repository since 1996. Subsequent attempts to sell the properties were also unsuccessful. On March 12, 2009, the school district received notification from the Tax Claim Bureau that a \$151 bid was tendered for parcel M7SW4 17 5 0204C.

Pennsylvania Real Estate Tax Law (Sec. 627) requires the Tax Claim Bureau to obtain written consent from the taxing district to accept an offer of any price for the property placed in the “repository for unsold properties” without court approval and published notice of sale. The taxing district may not unreasonably withhold its consent to the sale of the property.

The Tax Claim Bureau has evaluated the offer and considers it to be a fair offer and desires the property to be sold.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to send the Tax Claim Bureau written consent to accept the offer of \$151 for parcel/property M7SW4 17 5 0204C/Ondine Street.

The administration’s recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

32. *Lowe's Home Centers, Inc. Real Estate Tax Assessment Appeal Settlement – Lehigh County*

INFORMATION

In August 2007, the school district was notified that Lowe's filed a tax assessment requesting a reduction in taxable assessment. After considerable negotiations, reviews of appraisals, and evaluating market conditions, a settlement was reached and requires board approval. If the settlement is not approved, it will likely result in a hearing before a Lehigh County Court judge on the value of the property.

RECOMMENDATION:

That the Board of School Directors approves the attached Stipulation settling a real estate tax assessment appeal with Lowe's Home Centers, Inc. involving the property located at 1235 Martin Court, Bethlehem, Pennsylvania.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

LOWE'S HOME CENTERS, INC.
1000 Lowe's Boulevard, P.O. Box 1000
Mooresville, NC 28115

Appellant,

vs.

LEHIGH COUNTY BOARD OF
ASSESSMENT APPEALS
Government Center
17 South Seventh Street, Room 517
Allentown, PA 18101

Appellee,

Intervenor:

Lehigh County,
City of Bethlehem, and
Bethlehem Area School District.

Parcel I.D. No. 642810189537

No. 2007-C-4161

No. 2008-C-5493

STIPULATION

Attorney for Appellant:

Richard T. Williams, Sr., Esq
939 Menoher Boulevard
Johnstown, PA 15905
(814) 255-2742
I.D. #17415

STIPULATION

Richard T. Williams, Sr., Esquire, attorney for Lowe's Home Centers, Inc., Thomas F. Traud, Jr., Esquire, attorney for Lehigh County Board of Assessment Appeals, Richard B. Somach, Esquire, attorney for Lehigh County, Ellen C. Schurdak, Esquire, attorney for Bethlehem Area School District, and Joseph M. Kelly, Esquire, attorney for City of Bethlehem, stipulate and agree as follows in the settlement of the above-captioned real estate tax assessment appeal:

1. That the subject commercial property is located at 1235 Martin Court in the City of Bethlehem, Bethlehem Area School District, Lehigh County, identified as Parcel I.D. No. 642810189537.

2. That the fair market value for the subject tax parcel effective January 1, 2008 shall be fixed at \$11,800,000.
3. That the resulting assessed valuation of the subject property by application of the common level ratio applicable to Lehigh County for 2008 (27.9%) shall be \$3,292,200.
4. That the fair market value for the subject tax parcel effective January 1, 2009 shall also be \$11,800,000.
5. That the resulting assessed valuation of the subject property by application of the common level ratio applicable to Lehigh County for 2009 (27%) shall be \$3,186,000.
6. That the parties agree to not initiate any tax assessment appeals for 2010 or 2011. Any party who initiates such an appeal during those years agrees to pay all reasonable attorney fees and expert fees incurred by the non-initiating party in responding to such appeal.

Richard T. Williams, Sr., Esquire
Attorney for Appellant,
Lowe's Home Centers, Inc.
939 Menoher Boulevard
Johnstown, PA 15905

Thomas F. Traud, Jr., Esquire
Attorney for Lehigh County Board
of Assessment Appeals
Lehigh County Government Center
17 South Seventh Street
Allentown, PA 18101

Richard B. Somach, Esquire
Attorney for Lehigh County
Lehigh County Government Center
17 South Seventh Street
Allentown, PA 18101

Ellen C. Schurdak, Esquire
Attorney for Bethlehem Area School District
One West Broad Street, Suite 70
Bethlehem, PA 18018

Joseph M. Kelly, Esquire
Attorney for City of Bethlehem
10 East Church Street
Bethlehem, PA 18018

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

LOWE'S HOME CENTERS, INC.	:	
1000 Lowe's Boulevard, P.O. Box 1000	:	
Mooreville, NC 28115	:	
	:	No. 2007-C-4161
Appellant,	:	No. 2008-C-5493
	:	
vs.	:	
	:	
LEHIGH COUNTY BOARD OF	:	
ASSESSMENT APPEALS	:	
Government Center	:	
17 South Seventh Street, Room 517	:	
Allentown, PA 18101	:	
	:	
Appellee,	:	
Intervenors:	:	
Lehigh County,	:	
City of Bethlehem, and	:	
Bethlehem Area School District.	:	
	:	
Parcel I.D. No. 642810189537	:	

ORDER

AND NOW, this _____ day of _____, 2009, upon consideration of the within Stipulation, entered into by the parties in these tax assessment appeals, it is ORDERED:

1. That the assessment for the above tax parcel effective January 1, 2008 is fixed at \$3,292,200.
2. That the assessment for the above tax parcel effective January 1, 2009 is fixed at \$3,186,000.
3. That the taxing authorities shall make the appropriate tax refunds or tax credits within ninety (90) days of the entry of this Order.

4. That the parties have stipulated that they would not initiate any assessment appeals for 2010 or 2011. Any party initiating an appeal for those years shall be responsible for paying the reasonable attorney and expert fees incurred by the responding party.

BY THE COURT:

J.

33. *Bond Refinancing Resolution – Bethlehem Area Vocational-Technical School Authority*

INFORMATION

The Bethlehem Area Vocational-Technical School Authority is attempting to refinance its existing debt through a parameters based financing that is seeking at least three percent (3%) savings. Since the Authority does not have taxing powers it is required that the three sending school districts, Bethlehem Area, Northampton Area, and Saucon Valley approve the debt issuance and accept financial responsibility for its repayment.

RECOMMENDATION:

The Board of School Directors approves the attached resolution authorizing the incurring of non-electoral debt, which will be used to retire the existing debt, through the issuance of authority bonds of the Bethlehem Area Vocational-Technical School Authority.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

RESOLUTION

OF THE BOARD OF SCHOOL DIRECTORS OF THIS SCHOOL DISTRICT DETERMINING TO INCUR DEBT IN CONCERT WITH THE OTHER SCHOOL DISTRICTS PARTICIPATING IN THE BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL (THE VO-TECH SCHOOL); DETERMINING THAT SUCH DEBT SHALL BE INCURRED AS LEASE RENTAL DEBT TO BE EVIDENCED BY A SERIES OF GUARANTEED LEASE REVENUE BONDS (BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL) REFUNDING SERIES OF 2009 (THE BONDS), TO CARRY OUT THE REFUNDING OF THE BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL AUTHORITY ("AUTHORITY") REMAINING GUARANTEED LEASE REVENUE BONDS REFUNDING SERIES OF 2001 ("2001 REFUNDING BONDS") AND ITS REMAINING GUARANTEED LEASE REVENUE BONDS IMPROVEMENT SERIES OF 2001 ("2001 IMPROVEMENT BONDS") THE 2001 IMPROVEMENT BONDS AND 2001 REFUNDING BONDS, COLLECTIVELY REFERRED TO AS THE "2001 BONDS", THE BONDS TO BE AUTHORIZED AND TO BE ISSUED BY THE AUTHORITY; DETERMINING THAT THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS SHALL BE \$_____ ; DETERMINING THAT THE INITIAL SHARE OF THIS SCHOOL DISTRICT OF SAID MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF SUCH DEBT SHALL BE \$_____ ; PROVIDING THE MANNER OF SHARING OF SUCH MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF SUCH DEBT AMONG THE PARTICIPATING SCHOOL DISTRICTS; DETERMINING THAT THE SALE OF THE BONDS SHALL BE A PRIVATE SALE; AUTHORIZING AND DIRECTING THE PRESIDENT OR VICE PRESIDENT OF THE BOARD OF SCHOOL DIRECTORS AND THE SECRETARY OR ASSISTANT SECRETARY OF THE BOARD OF SCHOOL DIRECTORS OF THIS SCHOOL DISTRICT: (A) TO PREPARE, TO CERTIFY AND TO FILE THE DEBT STATEMENT REQUIRED BY SECTION 8110 OF THE PENNSYLVANIA LOCAL GOVERNMENT UNIT DEBT ACT; (B) TO PREPARE AND TO FILE, AS REQUIRED, ANY STATEMENTS REQUIRED BY SECTION 8024 OF SAID ACT WHICH ARE NECESSARY TO QUALIFY ALL OR ANY PORTION OF THE DEBT OF THIS SCHOOL DISTRICT FOR EXCLUSION FROM THE APPROPRIATE DEBT LIMIT AS SUBSIDIZED OR SELF-LIQUIDATING DEBT; (C) ACTING IN CONCERT WITH THE VO-TECH SCHOOL AND THE OTHER SCHOOL DISTRICTS CONSTITUTING PARTICIPANTS THEREIN, TO EXECUTE, TO ATTEST, TO ACKNOWLEDGE AND TO DELIVER, AS APPROPRIATE, SECOND SUPPLEMENTAL LEASE AGREEMENT BETWEEN SAID AUTHORITY, AS LESSOR, AND SAID VO-TECH SCHOOL AND THE SCHOOL DISTRICTS CONSTITUTING PARTICIPANTS THEREIN, INCLUDING THIS SCHOOL DISTRICT, AS LESSEES, WITH RESPECT TO THE PROPERTY COMPRISING THE VO-TECH SCHOOL AND SAID PROJECT, AND CONTAINING A COVENANT OF GUARANTY OF THIS SCHOOL DISTRICT WITH RESPECT TO PAYMENT OF ITS PROPORTIONATE SHARE OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; APPROVING THE FORM OF SAID SECOND SUPPLEMENTAL LEASE AGREEMENT; CONSENTING TO ASSIGNMENT OF SAID SECOND SUPPLEMENTAL LEASE AGREEMENT BY SAID AUTHORITY TO THE BANK, TRUST COMPANY OR BANK AND TRUST COMPANY TO BE NAMED BY

SAID AUTHORITY AS TRUSTEE, UNDER A SECOND SUPPLEMENTAL TRUST INDENTURE TO BE EXECUTED AND DELIVERED BY SAID AUTHORITY, AS SECURITY FOR SAID BONDS; SPECIFYING THE ANNUAL LEASE RENTAL PAYMENTS TO BE SHARED PROPORTIONATELY BY THIS SCHOOL DISTRICT PURSUANT TO SAID SECOND SUPPLEMENTAL LEASE AGREEMENT AND THE SOURCE OF PAYMENT OF SUCH PROPORTIONATE SHARE OF SUCH LEASE RENTALS BY THIS SCHOOL DISTRICT; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SAID BONDS AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THIS SCHOOL DISTRICT IN SUPPORT OF ITS GUARANTY OBLIGATIONS IN RESPECT OF ITS PROPORTIONATE SHARE OF DEBT SERVICE ON SAID BONDS; CREATING A SINKING FUND IN CONNECTION WITH SUCH GUARANTY OBLIGATIONS AS PROVIDED IN SAID ACT; APPOINTING A SINKING FUND DEPOSITARY AND A PAYING AGENT IN CONNECTION WITH SUCH GUARANTY OBLIGATIONS; DECLARING SUCH DEBT TO BE INCURRED, TOGETHER WITH OTHER INDEBTEDNESS OF THIS SCHOOL DISTRICT, NOT TO BE IN EXCESS OF ANY LIMITATION UPON THE INCURRING OF DEBT BY THIS SCHOOL DISTRICT; PROVIDING FOR PROPER OFFICERS OF THIS SCHOOL DISTRICT TO TAKE ALL OTHER REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SAID PROJECT AND SAID SECOND SUPPLEMENTAL LEASE AGREEMENT; SETTING FORTH CERTAIN COVENANTS RELATING TO THE FEDERAL TAX STATUS OF THE BONDS; COVENANTING TO PAY OVER AT SETTLEMENT SUFFICIENT MONIES TO PROVIDE FOR THE PAYMENT OF THE 2001 BONDS TO BE REFUNDED IN ACCORDANCE WITH THE REFUNDING PROGRAM AND AUTHORIZING AND DIRECTING CERTAIN OTHER ACTIONS; ESTABLISHING A SINKING FUND FOR THE 2001 BONDS BEING REFUNDED; PROVIDING FOR THE EFFECTIVENESS OF THIS RESOLUTION; PROVIDING FOR THE SEVERABILITY OF PROVISIONS OF THIS RESOLUTION; AND PROVIDING FOR REPEAL OF ALL INCONSISTENT RESOLUTIONS OR PARTS OF RESOLUTIONS.

Background

This School District is a school district of the Commonwealth of Pennsylvania (the "Commonwealth") and is a "local government unit" under provisions of the Act of the General Assembly of the Commonwealth known as the "Local Government Unit Debt Act", as amended and supplemented (the "Act"); and

Bethlehem Area School District, Northampton Area School District and Saucon Valley School District, all located in Northampton County, Pennsylvania (individually, a "School District", and collectively, the "School Districts"), are parties to the Articles of Agreement of the Bethlehem, Area Vocational-Technical School (the "Vo-Tech School"), dated June 30, 1995 as amended (the "Articles of Agreement", which definition also includes any prior articles of agreement, and amendments and supplements of the Articles of Agreement, or any future agreement entered into in replacement for the Articles of Agreement), providing, *inter alia*, for the establishment of an area vocational-

technical school, designated as the “Bethlehem Area Vocational-Technical School”, and for the establishment of an area vocational-technical board, known as the Area Vocational-Technical Board (the “Vo-Tech Board”), and of an operating committee, designated as the Area Vocational-Technical School Committee (the “Joint Committee”). The Articles of Agreement run for a term expiring June 30, 2025.

The Bethlehem Area Vocational-Technical School Authority is an authority created under the Pennsylvania Municipality Authorities Act of 1945 (the “Authorities”) by the School Districts, and is empowered thereunder to acquire, hold, construct, improve, maintain, operate and lease public school buildings and other school projects for public school purposes. The Authority has, at the request of the School Districts and the Joint Committee, acquired the area vocational-technical school buildings and facilities on a site located in the Township of Bethlehem, and the Borough of Northampton, Northampton County, Pennsylvania (the “Property”).

This School District, acting in concert with the other School Districts and the Joint Committee previous determined to undertake a capital plan to make improvements and renovations to the Vo-Tech School facilities by requesting the Authority to undertake the plan by issuing its Guaranteed Lease Revenue Bonds, Series of 1999 and subsequently its 2001 Improvement Bonds.

The School Districts did previously determine to incur lease rental debt through the issuance of the Authority’s Guarantee Lease Revenue Bonds Improvement Series of 2001, dated as of September 15, 2001, in the aggregate principal amount of \$500,000, (the “2001 Bonds”) and to incur lease rental debt through the issuance of the Authority’s Guaranteed Lease Revenue Bonds, Refunding Series of 2001 (“2001 Bonds Refunding”) dated as of September 15, 2001 in the aggregate principal amount of \$12,175,000.

The 2001 Improvement Bonds maturing on or after September 1, 2010, are subject to redemption prior to maturity, at the option of the School District, on or after September 1, 2009, upon payment of the principal amount, together with accrued interest to the date fixed for redemption.

The 2001 Refunding Bonds maturing on or after September 1, 2011 through and including September 1, 2020 are subject to redemption prior to maturity, at the option of the School District, on or after September 1, 2009.

By resolutions presented for adoption, the Joint Committee and the Boards of School Directors of the School Districts have (a) determined that in order to effect a savings resulting from currently available interest rates to refund the 2001 Bonds (“Refunding Program”) at such time as the present value of debt service savings resulting from the refunding, net of costs and expenses of issuing the Bonds equals at least 3% in the aggregate (“Required Savings”) (b) authorized and directed the Joint Committee, the committee established by the Articles of Agreement for the

management of the Vo-Tech School to proceed with the Refunding Program; (c) deemed the Refunding Program to be in the best interest of the Authority, the School Districts and the Vo-Tech School; (d) requested the Authority to undertake the Refunding Program, and to approve the same as a project of the Authority, to be funded by lease revenue bonds to be issued by the Authority in the maximum aggregate principal amount of \$_____, to be designated "Bethlehem Area Vocational-Technical School Authority, Guaranteed Lease Revenue Bonds (Bethlehem Area Vocational-Technical School Refunding), Series of 2009" (the "2009 Improvement Bonds").

The Bonds will be issued under, and secured by, the terms of a Second Supplemental Trust Indenture (the "Second Supplemental Indenture") between the Authority and U.S. Bank National Association, Philadelphia, Pennsylvania, as trustee ("Trustee"). Subject to approval by the School Districts of the incurrence of lease rental debt in connection with issuance of the Bonds, the Authority will, as provided in this resolution, award the Bonds to RBC Capital Markets (the "Underwriters"), by private sale, upon terms set forth in the purchase proposal of the Underwriters (the "Bond Purchase Proposal").

The Authority, as Lessor, will lease the School Facilities to the Vo-Tech School and the School Districts (collectively, the "Lessees"), as lessees, under a Second Supplemental Lease Agreement (the "Second Supplemental Lease") under which (a) the Joint Committee will operate and maintain the School Facilities and (b) each of the School Districts will be obligated to pay an allocated portion of the lease rentals to the Authority under the Second Supplemental Lease, such allocated portions to be determined in accordance with the terms of the Articles of Agreement pertaining to capital expenditures and such total lease rentals to be in fixed amounts sufficient to pay the principal of and interest on the Bonds.

The principal of and interest on the Bonds will be secured under the Second Supplemental Indenture by the assignment and pledge of the Second Supplemental Lease and all rentals and other sums payable under the Second Supplemental Lease to the Trustee. Each of the School Districts will covenant the budgeting of, and will pledge its full faith, credit and taxing power in connection with, each School District's respective amount of lease rental obligations under the Second Supplemental Lease.

To implement the foregoing financing decision, this School District acting in concert with the other School Districts Joint Operating Committee has requested the Authority to authorize and issue a new series of obligations, the Authority's Guaranteed Lease Revenue Bonds (Bethlehem Area Vocational-Technical School) Refunding Series of 2009 (the "Bonds") and to do so by means of a private negotiated sale, which is believed to be in the best interests of this School District, the other School Districts and the Joint Operating Committee.

The proceeds of the Bonds, after payment of costs of issuance, together with any other monies available or to be available for the purpose, will provide the necessary monies for the funding of the Refunding Program.

NOW, THEREFORE, BE IT RESOLVED, by the Board of School Directors of this School District, as follows:

Section 1. This School District, acting in concert with the other School Districts and the Joint Committee, hereby determines to undertake the Refunding Program.

Section 2. This School District, acting in concert with the other School Districts and the Joint Committee, represents that a brief description of the Refunding Program, for which the debt to be incurred, of which the Bonds shall be evidence, is contained in the preamble hereof.

The realistic estimated useful life of the projects financed by the 1999 Bonds and the 2001 Improvement Bonds, respectively, which were "Projects", as defined in Section 8002 of the Act, were previously determined to be 30 years from the date of approval respectively, and the amortization of the 1999 Bonds and the 2001 Improvement Bonds were structured to fully amortize on a level or earlier basis each component of such Projects before the expiration of their useful lives. The useful life of such Projects is not less than previously determined, and the Bonds as structured will fully amortize on a level or earlier basis each component of the Projects before the expiration of their useful lives.

Section 3. This School District, acting in concert with the other School Districts, determines to incur debt, as such term is defined in the Act, as lease rental debt, as such phrase is defined in the Act, in connection with the Refunding Program and related costs and expenses of financing the Refunding Program.

Section 4. Such debt, which shall be incurred as such lease rental debt, shall be in the maximum aggregate principal amount of \$_____ for all the School Districts. The Debt shall be evidenced by obligations to be issued by the Authority under the Authorities Act, and shall consist of a series of revenue bonds, to be known generally as "Bethlehem Area Vocational-Technical School Authority, Guaranteed Lease Revenue Bonds" (Bethlehem Area Vocational-Technical School), Refunding Series of 2009 (the "Bonds"), which shall be secured by lease rentals to be payable under the Second Supplemental Lease (hereinafter mentioned and approved), and by a covenant of guaranty of the School Districts contained in such Second Supplemental Lease.

This School District specifies that the maximum initial share of this School District of such debt, which shall be incurred as such lease rental debt, shall be \$_____ for the Bonds, which is determined in the manner provided in the Second Supplemental Lease.

Section 5. The Second Supplemental Lease, including the Assignment thereof to the Trustee, shall be substantially in the form presented to this meeting, which form is approved; and a copy of the Second Supplemental Lease, including the Assignment thereof to the Trustee, in the form so presented to this meeting and so approved, shall be filed with the Secretary of the Board of School Directors of this School District and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

Section 6. This School District, acting in concert with the other School Districts and the Joint Operating Committee, and in order to effect a savings from currently available interest rates has requested the Authority to issue a series of bonds to refund all of the remaining outstanding 2001 Bonds, at such time as the present value of debt service savings resulting from the refunding, net of costs and expenses of issuance of the Bonds equals at least 3% in the aggregate ("Required Savings"). The Authority has authorized the issuance of its Guaranteed Lease Revenue Bonds (Bethlehem Area Vocational-Technical School) Refunding Series of 2009 (the "Bonds") which shall be secured by lease rentals to be payable, in the amount sufficient to refund the Bonds, under the Second Supplemental Lease, and by a covenant of guaranty of the School District contained in such Second Supplemental Lease provided that the Required Savings level is achieved.

Section 7. The President or Vice-President and the Secretary or Assistant Secretary, respectively, of the Board of School Directors of this School District, which shall include their duly qualified successors in office if applicable, are authorized and directed, as required, necessary and/or appropriate: (a) to prepare, to certify and to file with the Department of Community and Economic Development of the Commonwealth (the "Department") the debt statement required by Section 8110 of the Act; (b) to prepare and to file with the Department any statements required by Sections 8024 or 8025 of the Act that are necessary to qualify all or any portion of the debt of this School District that is subject to exclusion as self-liquidating or subsidized debt for exclusion from the appropriate debt limit of this School District as self-liquidating or subsidized debt; (c) to prepare and to file the application with the Department, together with a complete and accurate transcript of the proceedings for the required approval relating to the debt to be incurred, as required by Section 8111 of the Act; (d) to pay or to cause to be paid to the Department all proper filing fees required in connection with the foregoing; and (e) to take other required, necessary and/or appropriate action.

The Board of School Directors of this School District authorizes and directs that an appropriate borrowing base certificate be prepared for filing with the Department as required by Section 8110 of the Act. The President or Vice-President and the Secretary or Assistant Secretary of the Board of School Directors are hereby authorized to prepare and to execute, or to authorize the officers or officials of this School District to prepare and to execute, such borrowing base certificate.

Section 8. The President or Vice-President of the Board of School Directors and the Secretary or Assistant Secretary of the Board of School Directors of this School District, as applicable, acting in concert with the other School Districts, are authorized and directed to execute, to attest, to acknowledge and to deliver the Second Supplemental Lease on behalf of this School District, substantially in the form approved above; Subject, however, to applicable provisions of the Act.

Section 9. The President or Vice-President of the Board of School Directors and the Secretary or Assistant Secretary of the Board of School Directors of this School District, as applicable, acting in concert with the other School Districts, are authorized and directed to the Department of Community and Economic Development of the Commonwealth (the "Department") for approval with respect to the Second Supplemental Lease, as required by Section 8111(b) of the Act; and, in connection with such application, this School District shall pay to the Department the filing fee as required by the act, the payment of which filing fee is authorized and approved.

Section 10. The lease rental payments under the Second Supplemental Lease, as set forth in the Second Supplemental Lease in the form referred to above, a proportionate share of which, as determined in accordance with the Supplemental Lease, is to be payable by or on behalf of this School District both for debt service purposes and for administration expense purposes, shall not exceed the amounts as set forth in the schedule attached hereto as Exhibit "A" which is hereby made a part hereof.

Section 11. The lease rental payments, as set forth in the preceding Section and Exhibit A, a proportionate share of which is to be payable by or on behalf of this School District, shall be payable to the extent applicable and appropriate, from current revenues of this School District.

Section 12. This School District hereby unconditionally guarantees the full payment of its proportionate share, determined in accordance with the Second Supplemental Lease, of the principal of and interest on the Bonds of the Authority issued and "outstanding", under and as defined in the Second Supplemental Indenture, from time to time, and in furtherance thereof covenants and agrees with the Authority, the Trustee and the holders and/or registered owners, as appropriate, of such Bonds issued and "Outstanding", as that term is defined in the Second Supplemental Indenture, from time to time, that if the Authority or the Trustee, as paying agent of the Authority, shall fail to pay the full amount of the principal of and interest on such Bonds when the same become due and payable, at the times and place, under the conditions, and in the manner prescribed in such Bonds and in the Second Supplemental Indenture, this School District will pay its proportionate share, determined in accordance with the Second Supplemental Lease, of the full amount of such principal and interest to the holders and/or registered owners, as appropriate, of such Bonds.

This School District covenants with holders and/or registered owners, as appropriate, of such Bonds issued and, from time to time, so "Outstanding" under the

Second Supplemental Indenture that this School District: (1) shall include the amount of its proportionate share, determined in accordance with the Second Supplemental Lease, of the debt service on such Bonds payable in respect of such guaranty, for each fiscal year in which such sums are payable, in its budget for that year; (2) shall appropriate from its tax or other general revenues such amounts to the payment of such proportionate share of such debt service; and (3), in respect of such guaranty, shall duly and punctually pay or cause the Authority, or the Trustee, or a paying agent of this School District with respect to such guaranty, to pay from the sinking fund hereinafter referred to or any other of its revenues or funds, its proportionate share, determined as aforesaid, of the principal of each of the Bonds and the interest thereon at the dates and place and in the manner stated therein according to the true intent and meaning thereof; and for such budgeting, appropriation and payment in respect of its guaranty, this School District does pledge, irrevocably, its full faith, credit and taxing power. The foregoing covenants of this School District shall be specifically enforceable. The phrase "debt service" as used in this Section shall mean an amount equal to the maximum annual debt service on the Bonds, as set forth in the Second Supplemental Lease, or such lesser amount that will be sufficient for the payment of the principal of and interest on such Bonds when due and payable.

This School District hereby establishes a "sinking fund", as such phrase is defined or applied in the Act, as amended and supplemented from time to time, with respect to its obligations under such guaranty, to be known as the "Sinking Fund - Guaranteed Lease Revenue Bonds, Series of 2009", or the "2009 Bonds Sinking Fund. U.S. Bank National Association, which has a corporate trust office in Philadelphia, Pennsylvania, is hereby appointed "sinking fund depository" and "paying agent", as such phrases are defined or applied in the Act, as amended and supplemented from time to time, to the extent necessary with respect to obligations of this School District under such guaranty.

With respect to the Bonds hereunder, the School District may from time to time and at any time, adopt a supplemental resolution in order to cure any ambiguity or formal defect or omission in this Resolution or in any supplemental resolution.

Section 13. It is declared that the debt to be incurred hereby, together with any other indebtedness of this School District, is not in excess of any limitation imposed by the Act upon the incurring of debt by this School District.

Section 14. Proper officers of this School District, acting in concert with the other School Districts, are authorized and directed to execute all documents and to do all other acts as may be necessary and proper to carry out the intent and purpose of this Resolution and the undertakings of this School District under the Second Supplemental Lease.

Section 15. This School Board, acting in its capacity as members of the Vo-Tech Board, does hereby vote its approval and adoption of the terms of the Second

Supplemental Lease on behalf of the Vo-Tech Board, and does hereby nominate, elect and approve the president and secretary of the Joint Committee as president and secretary respectfully of the Vo-Tech Board and authorize such officers on behalf of the Vo-Tech Board to execute the Second Supplemental Lease and all other documents and to do all other acts necessary and proper to carry out the intent of this resolution.

Section 16. The Secretary of the Board of School Directors of this School District is hereby authorized and directed to submit to the Pennsylvania Department of Education, promptly following the adoption hereof, a copy of the proposed Second Supplemental Lease along with such other documents and information as may be necessary to obtain written approval from such department, in accordance with Section 790 of the Public School Code of 1949, as amended, 24 P.S. §7-790, to enter into the Second Supplemental Lease.

Section 17. Reference in this Resolution to specified officers of this School District shall include and shall be construed to include, if and as their respective successors in office.

Section 18. This Resolution shall become effective in accordance with provisions of the Act.

Section 19. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not effect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this School District that such remainder shall be and shall remain in full force and effect.

Section 20. All other resolutions or parts of resolutions which are inconsistent herewith shall be and the same expressly are repealed.

DULY ADOPTED, this 27th day of April, 2009, by the Board of School Directors of this School District, in lawful session duly assembled.

BETHLEHEM AREA SCHOOL DISTRICT
Northampton County, Pennsylvania

By: _____
(Vice) President

ATTEST:

(Assistant) Secretary

(SEAL)

IN RE: 2009 FINANCING PROJECT : BORROWING RESOLUTION
: CERTIFICATE OF ENACTMENT

11

BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL FINANCING SUMMARY

Vo-Tech Financing

Bethlehem Area School District, Northampton Area School District and Saucon Valley School District are parties to the Articles of Agreement of the Bethlehem Area Vocational-Technical School ("Vo-Tech"). Over the course of years, improvements and renovations to the Vo-Tech's facilities have been financed through capital borrowings. Vo-techs cannot issue debt directly and as such, the financing has been done through an Authority, specifically the Bethlehem Area Vocational-Technical School Authority ("BAVTSA"). BAVTSA is an Authority empowered to acquire, hold, construct, improve, maintain, operate and lease public school buildings and other school projects for public school purposes. The financing structure for these capital borrowings has been that the Authority issues bonds and the school districts pursuant to a lease agreement pay lease rentals to the Authority which equate to the debt service payments required for the bonds. The school district pays its proportionate share of the lease rental debt as provided for under the Articles of Agreement and files the necessary documents for approval of the lease rental debt with the Department of Community and Economic Development ("DCED").

The most recent financing was BAVTSA's 2001 Bonds consisting of BAVTSA's Guaranteed Lease Revenue Bonds Improvement Series of 2001 ("2001 Improvement Bonds") and BAVTSA's Guaranteed Lease Revenue Bonds Refunding Series of 2001 (the "2001 Refunding Bonds"). The 2001 Refunding Bonds were issued to refinance BAVTSA's Revenue Bonds Series of 1999 for the purposes of debt service savings.

Refunding Parameters

In order to realize a savings resulting from currently available interest rates it has been proposed that the 2001 Bonds be refunded, but per the BAVTSA, only at such time as the present value of the debt service savings resulting from the refunding net of costs and expenses of issuing the Bonds equals at least 3% ("Required Savings"). As a result of the proposed refunding each school district is being asked to adopt a parameters based Resolution and to file with DCED the appropriate documents to move forward with this refunding provided that a 3% savings level is achieved in aggregate. Should the required savings level be achieved the remaining lease rental debt obligation of each member district would be reduced according to its proportionate share.

Scott Shearer of Public Financial Management, the Authority's Financial Advisor, and Kevin Reid of King Spry, the Authority's bond counsel, will be present to answer any questions regarding this proposed refunding.

34. *Warren R. and Sadie Roberts Student Aid Fund Modification***INFORMATION**

An attorney representing Bank of America contacted the school district solicitors concerning a charitable trust established under the Last Will and Testament of Warren R. Roberts. The Will established the Warren R. and Sadie Roberts Student Aid Fund. Net income from the Fund is used to provide two college scholarships for students attending Bethlehem High School. The scholarship is awarded annually to a male and female student as selected by the majority of teachers, for four years. Bank of America is proposing to modify the terms of the scholarship. It is suggested that scholarships be awarded annually to two deserving students, one from Liberty High School and the other from Freedom High School. The award would be gender neutral and would be only for the freshman year in college. Bank of America estimates that each scholarship awarded would be worth approximately \$3,000 to \$3,500. Presently the value of a scholarship is approximately \$400. If the board agrees with the Bank of America proposal, their representative will draft a Petition seeking modification of the scholarship and present the Petition to the Court of Common Pleas of Northumberland County, Orphans Court Division. They will further seek the consent of the Pennsylvania Attorney General's Office.

RECOMMENDATION:

The Board of School Directors supports the Bank of America proposal to modify the terms of the Warren R. and Sadie Roberts Student Aid Fund. The modification would provide an award that would be gender neutral and only for the freshman year in college.

Director Follweiler moved the administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34. Director Tenaglia seconded the motion. The question was called with roll call as follows: Yea, Directors Cann, Dexter (with the exception of Item 10 – No to Student 0953743), Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson (with the exception of Item 5 – No, Item 28 – No, Item 10 – No to Students 0951284, 0953743, and 0957638).

All items with the exception of Items 5, 10, and 28 passed 8 – 0.

Item 5 passed 7 – 1.

RECOMMENDATIONS OF THE ADMINISTRATION – April 27, 2009

34. *Warren R. and Sadie Roberts Student Aid Fund Modification (continued)*

Item 10 – Student 0945551 passed 8 – 0
Student 0951284 passed 7 – 1
Student 0953743 passed 6 – 2
Student 0957638 passed 7 – 1
Student 0971555 passed 8 – 0

Item 28 passed 7 – 1.

The administration's recommendations 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 were considered together.

35. *Treasurer's Report*

RECOMMENDATION:

That the Board of School Directors approves the Treasurer's Report dated March 31, 2009.

Directors Follweiler and Tenaglia made the motion to approve the Financial Report and Payment of the Bills.

President Leeson inquired if there were any questions on the items.

Director Tenaglia referred to the entry under the 2005-2007 Bond Issue on page 16 on Payment of the Bills. The description read "a letter of credit extension." He requested an explanation as to why they had a letter of credit in the bond fund and why the extension of the letter of credit did not require board approval.

Mr. Majewski replied that the only letter of credits being charged to the bond fund were those that were required by development agreement either at the Liberty High School site or Broughal Middle School project. They had signed a development agreement stating they would provide the letter of credit until the completion of the project. He pointed out that when one expired, it was renewed. It would be renewed for another term until they completed the project, the city was able to sign off on it and release them from obligation.

Director Tenaglia stated that he could defer the conversation to the Finance Committee Meeting. In the interim, he requested either bond counsel or the solicitor to provide an opinion as to whether the extension of a letter of credit was an action that required board approval.

Director Tenaglia addressed the Treasurer's Report and noted that it showed an ending balance in the M & T 2007-2008 Bond Fund of \$8,600,000 with an interest rate of 0.346. In the prior month they had \$11,900,000 and it was approximately the \$3,300,000 previously discussed as being paid out of the general fund and then reimbursed from the bond fund. He pointed out that on the federal report there was an interest rate of 3.97 and in November they had an interest rate of 4.38. He asked why the interest rate dropped so precipitously.

Mr. Majewski deferred to Mrs. Morton, the treasurer who created the report.

Mrs. Morton responded that she did not look into it and added that she knew they were down to the last amount of available funds. They were cashing in securities to be able to cover expenses at this point.

RECOMMENDATIONS OF THE ADMINISTRATION – April 27, 2009

35. *Treasurer's Report (continued)*

Director Tenaglia commented that he thought there were a number of securities with laddered maturities, which had significantly higher coupon rates.

Mr. Majewski replied that it was correct and they all did.

Director Tenaglia inquired if they were all liquidated and moved into a money market.

Mr. Majewski replied, "They were not." He added that the only securities liquidated were the ones required to make the general fund whole. Everything else was still in place.

Director Tenaglia asked how they could go from a 3.97 to a 0.36 in one month.

Mr. Majewski replied that he did not have an answer for that at the present time. He stated that he would have to look at the activity.

Director Tenaglia agreed to have further discussion at the next Finance Committee Meeting.

President Leeson called for a vote on the items. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson – 8.

The motion passed 8 – 0.

The administration's recommendations 35 and 36 were considered together.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

REPORT OF THE TREASURER
March 1 through March 31, 2009

BEGINNING CASH AND INVESTMENT BALANCE

Wachovia Bank - Cash Management	6,145,290.86
Bank of America - General Account	1,001,467.18
Pennsylvania School District Liquid Asset Fund	1,668,159.15
Wachovia - Worker's Comp Trust Fund	642,147.85
Pennsylvania Local Government Investment Trust	77,696.66
Pennsylvania State Treasurer Invest Program	6,266,262.74
Wachovia Money Market	54,758.21
Bank of America Money Market	44,605.78
Commerce Bank Money Market	1,129.04
Sovereign Bank Money Market	28,984.96
PSDLAF - Term Investments	20,000,000.00
KNBT Bank - Scholarship Fund	45,971.98
KNBT Bank - Scholarship Fund	112,000.00
M&T Investment Group - 2007A Bond Fund	11,929,076.53

TOTAL CASH AND INVESTMENT BALANCE \$ 48,017,550.94

MONTHLY RECEIPTS

Local Sources	3,288,142.57
State Sources	1,645,525.37
Federal Sources	580,914.22
Other Financing Sources	0.00

\$ 5,514,582.16

MONTHLY DISBURSEMENTS

Monthly Bills Paid	6,956,297.27
Payroll	7,663,328.22
Debt Service	2,721,369.75

\$ 17,340,995.24

TOTAL FUNDS AVAILABLE

\$ 36,191,137.86

ENDING CASH AND INVESTMENT BALANCE

		<u>Interest Rate</u>
Wachovia Bank - Cash Management	2,818,729.26	0.750%
Bank of America - General Account	1,001,175.51	0.350%
Pennsylvania School District Liquid Asset Fund	2,745,882.39	varies .564 to .934%
Wachovia - Worker's Comp Trust Fund	642,167.55	0.040%
Pennsylvania Local Government Investment Trust	77,755.55	0.890%
Pennsylvania State Treasurer Invest Program	934,211.09	0.749%
Wachovia Money Market	54,763.01	0.100%
Bank of America Money Market	44,620.30	0.380%
TD Bank Money Market	1,129.57	0.400%
Sovereign Bank Money Market	29,002.34	0.710%
PSDLAF - Term Investments	19,000,000.00	see attachment
KNBT Bank - Scholarship Fund	45,971.98	3.750%
KNBT Bank - Scholarship Fund	112,000.00	4.300%
M&T Investment Group - 2007A Bond Fund	8,683,729.31	0.346%

TOTAL CASH AND INVESTMENT BALANCE \$ 36,191,137.86

Interest Received for March; to be posted in April \$ 70,899.14

Respectfully Submitted,

Anne M. Morton
Treasurer

**BETHLEHEM AREA SCHOOL DISTRICT
CD INVESTMENTS**

Date Purchased	Amount Purchased	Interest Rate	Anticipated Interest	Maturity Date	Account
September 18, 2008	\$ 10,000,000.00	3.10%	\$218,273.97	June 1, 2009	PSDLAF TERM
December 8, 2008	\$ 1,000,000.00	2.28%	\$ 12,430.68	June 25, 2009	PSDLAF CD
December 8, 2008	\$ 1,000,000.00	2.28%	\$ 12,493.15	June 26, 2009	PSDLAF CD
December 8, 2008	\$ 1,000,000.00	2.28%	\$ 12,680.55	June 29, 2009	PSDLAF CD
December 8, 2008	\$ 1,000,000.00	2.28%	\$ 12,743.01	June 30, 2009	PSDLAF CD
January 5, 2009	\$ 1,000,000.00	1.46%	\$ 7,280.00	July 6, 2009	PSDLAF CD
January 5, 2009	\$ 1,000,000.00	1.46%	\$ 7,320.00	July 7, 2009	PSDLAF CD
January 5, 2009	\$ 1,000,000.00	1.46%	\$ 7,360.00	July 8, 2009	PSDLAF CD
January 5, 2009	\$ 1,000,000.00	1.46%	\$ 7,400.00	July 9, 2009	PSDLAF CD
February 3, 2009	\$ 1,000,000.00	1.46%	\$ 7,280.00	August 3, 2009	PSDLAF CD
June 27, 2008	\$ 112,000.00	4.30%		June 27, 2009	KNBT Scholarship
August 28, 2008	\$ 45,971.98	3.75%		May 28, 2009	KNBT Scholarship

Bethlehem Area School District
2007A Bond Fund
For the Period of January 31, 2009 thru March 31, 2009

Beginning Balance-January 31, 2009	\$ 11,969,034.51
Change in Market Value	\$ 14,694.80
Reimbursement to the General Fund	\$ 3,300,000.00
Ending Balance-March 31, 2009	\$ 8,683,729.31

Note: There has been \$2,375,445.75 in expenses paid during the month of April. This will be reimbursed to the General Fund and be reflected on the report next month. The available balance is \$6,308,283.56.

**Bethlehem Area School District
Capital Reserve Fund
For the Period of February 28, 2009 thru March 31, 2009**

Fund Balance at February 28, 2008		\$	1,369,268.22
2008-2009 Revenue Received-Interest Income		\$	-
2008-2009 Expenditures			
Financial Management System	\$	36,438.96	
(software, hardware, support services)			
Advertising	\$	406.77	
Roof Repairs			
		\$	<u>36,845.73</u>
Fund Balance at March 31, 2009		\$	1,332,422.49

36. *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.

Directors Follweiler and Tenaglia made the motion to approve the Financial Report and Payment of the Bills.

President Leeson inquired if there were any questions on the items.

Director Tenaglia referred to the entry under the 2005-2007 Bond Issue on page 16 on Payment of the Bills. The description read "a letter of credit extension." He requested an explanation as to why they had a letter of credit in the bond fund and why the extension of the letter of credit did not require board approval.

Mr. Majewski replied that the only letter of credits being charged to the bond fund were those that were required by development agreement either at the Liberty High School site or Broughal Middle School project. They had signed a development agreement stating they would provide the letter of credit until the completion of the project. He pointed out that when one expired, it was renewed. It would be renewed for another term until they completed the project, the city was able to sign off on it and release them from obligation.

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RECOMMENDATIONS OF THE ADMINISTRATION - April 27, 2009

36. *Monthly Bills (continued)*

Mrs. Morton responded that she did not look into it and added that she knew they were down to the last amount of available funds. They were cashing in securities to be able to cover expenses at this point.

Director Tenaglia commented that he thought there were a number of securities with laddered maturities, which had significantly higher coupon rates.

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Director Tenaglia agreed to have further discussion at the next Finance Committee Meeting.

President Leeson called for a vote on the items. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson – 8.

The motion passed 8 – 0.

The administration's recommendations 35 and 36 were considered together.

37. *Budget Information*

INFORMATION:

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

BETHLEHEM AREA SCHOOL DISTRICT

2008-2009 REVENUES

	A	B	C	D	E	F	G
	2008-2009					2007-2008	
Description	Budget	Realized 30-Mar-09	Unrealized \$ (B-A = C)	Unrealized % (C/ A = D)	Projected June 30, 2009	Realized June, 2008	Realized March, 2008
CURRENT REAL ESTATE	101,612,861	98,985,599	(2,627,262)	-2.59%	98,985,599	97,165,864	98,169,013
INTERIM REAL ESTATE	1,300,000	944,457	(355,543)	-27.35%	1,250,000	1,566,283	531,109
PUBLIC UTILITY REALTY	172,000	153,055	(18,945)	-11.01%	153,055	162,642	162,642
PAYMENTS IN LIEU OF TAX	121,000	145,266	24,266	20.05%	145,266	120,798	120,798
UNDISTRIBUTED TAXES		(60,456)	(60,456)	-	0	0	586,360
PER CAPITA TAX SECT 679	240,000	232,865	(7,135)	-2.97%	250,000	242,396	(94)
PER CAPITA TAX ACT 511	240,000	232,865	(7,135)	-2.97%	250,000	242,396	(94)
LOCAL SERVICES TAX	485,000	218,573	(266,427)	-54.93%	250,000	136,722	94,631
EARNED INCOME TAX	11,200,000	7,570,703	(3,629,297)	-32.40%	11,200,000	10,400,810	7,032,936
REAL ESTATE TRANSFER TAX	2,800,000	1,572,030	(1,227,970)	-43.86%	2,200,000	2,508,341	1,775,218
MERCANTILE TAX	2,200,000	1,117,016	(1,082,984)	-49.23%	1,880,000	2,414,521	1,434,693
DEL. REAL ESTATE	2,800,000	2,990,834	190,834	6.82%	3,300,000	3,393,910	2,428,684
DEL. PER CAPITA SECT 679	70,000	33,699	(36,301)	-51.86%	40,000	58,890	49,807
DEL. LOCAL SERVICES TAX		0	-	-			
DEL. MERCANTILE TAX	380,000	622,921	242,921	63.93%	625,000	323,786	313,006
TOTAL LOCAL TAX SOURCES	\$ 123,620,861	\$ 114,759,427	\$ (8,861,434)	-7.17%	\$ 120,528,920	\$ 118,737,357	\$ 112,698,709
INTEREST ON INVESTMENTS	2,400,000	581,064	(1,818,936)	-75.79%	750,000	1,685,398	1,303,623
DRIVER ED LAB FEES	13,250	12,350	(900)	-6.79%	14,500	12,500	10,350
RENTALS	10,000	21,073	11,073	110.73%	25,000	10,148	7,698
CONTRIBUTIONS		1,854	1,854		1,854		
TUITION FROM PATRONS	320,000	286,423	(33,577)	-10.49%	380,000	377,893	283,620
SRVCS. / OTH LOC GOV UNITS	15,000	2,000	(13,000)	-86.67%	2,000	22,020	21,610
MISCELLANEOUS REVENUE	100,000	26,754	(73,246)	-73.25%	100,000	185,312	44,183
REFUNDS FROM PRIOR YEAR EXP		3,956			3,956	12,913	12,913
TOTAL OTHER LOCAL SOURCES	\$ 2,858,250	\$ 935,474	\$ (1,926,732)	-67.41%	\$ 1,277,310	\$ 2,306,185	\$ 1,683,996
TOTAL LOCAL SOURCES	\$ 126,479,111	\$ 115,694,901	\$ (10,788,166)	-8.53%	\$ 121,806,230	\$ 121,043,542	\$ 114,382,706
BASIC INSTRUCTIONAL SUBSIDY	22,955,949	13,853,468	(9,102,481)	-39.65%	22,955,949	21,980,025	12,355,323
CHARTER SCHOOLS	1,268,300	893,264	(375,036)	-29.57%	1,472,000	1,286,786	780,880
TUITION : ORPHANS/CHILDREN	315,000		(315,000)	-100.00%	350,000	349,693	164

BETHLEHEM AREA SCHOOL DISTRICT

HOMEBOUND INSTRUCTION			-				
VOCATIONAL EDUCATION	200,000	85,224	(114,776)	-57.39%	141,037	182,650	110,369
DRIVER EDUCATION	10,745	9,765	(980)	-9.12%	9,765	10,605	10,605
MIGRATORY CHILDREN	2,200		(2,200)	-100.00%	3,500	3,520	
SPECIAL EDUCATION	6,570,240	4,903,828	(1,666,412)	-25.36%	6,555,283	6,453,560	4,827,732
TRANSPORTATION	2,088,000	1,228,568	(859,432)	-41.16%	1,869,280	2,180,482	1,433,103
RENTALS AND SINKING FUND	1,550,000	179,546	(1,370,454)	-88.42%	1,300,000	1,307,669	566,554
HEALTH SERVICES	394,420	372,677	(21,743)	-5.51%	372,677	390,767	390,767
PROPERTY TAX RED. ALLOCATION	4,720,061	4,720,061	(0)	0.00%	4,720,061		
SOCIAL SECURITY	3,237,479	2,535,267	(702,212)	-21.69%	3,400,000	3,744,087	2,384,058
PSERS - PENSION CONTRIBUTION	2,107,793	1,981,707	(126,086)	-5.98%	3,187,000	3,172,473	2,424,401
IMPACT AID	50,000	17,372	(32,628)	-65.26%	50,000	62,930	36,615
TOTAL STATE & FEDERAL SOURCES	\$ 45,470,187	\$ 30,780,746	\$ (14,689,441)	-32.31%	\$ 46,386,552	\$ 41,125,247	\$ 25,320,570
PROCEEDS FROM EXTENDED TERM FINANCING						1,707,344	
INTERFUND TRANSFERS	250,000	125,000	(125,000)	-50.00%	250,000	2,800,000	2,850,000
SALE OF FIXED ASSETS	7,000	10,470	3,470	49.57%	15,000	13,642	13,642
INDIRECT COSTS			-		0	66,750	
TOTAL OTHER SOURCES	\$ 257,000	\$ 135,470	\$ (121,530)	-47.29%	\$ 265,000	\$ 4,587,736	\$ 2,863,642
TOTAL REVENUE	\$ 172,206,298	\$ 146,611,117	\$ (25,599,137)	-14.87%	\$ 168,457,782	\$ 166,756,525	\$ 142,566,918
UNRESERVED FUND BALANCE			-		(\$5,614,876)		
TOTAL FUND APPROPRIATED BALANCE	\$ -	\$ -	\$ -		\$ (5,614,876)	\$ -	\$ -
TOTAL DISTRICT REVENUE	\$ 172,206,298	\$ 146,611,117	\$ (25,599,137)	-14.87%	\$ 174,072,658	\$ 166,756,525	\$ 142,566,918

June 30, 2008 Fund Balance

(\$3,169,965)

Projected June 30, 2009 Fund Balance

(\$8,784,841)

2008-2009 EXPENDITURES BY PROGRAM

Includes Year-To-Date March 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 March 30, 2009	2007-2008 EXPENDED BUDGET INCLUDING ENCUMBRANCES as of March, 2008	2007-2008 EXPENDED BUDGET FINAL ACTUAL EXPENDITURES as of June, 2008
BUILDING ALLOCATION	100	PRIN	1,428,603	1,428,603	1,173,000	255,603	17.89%	1,006,181	1,215,606	1,417,189
BOARD	AA	SUPT	347,150	347,150	500,000	(152,850)	-44.03%	388,250	162,695	274,834
CABINET	AB	SUPT	1,174,552	1,025,282	1,095,601	(70,319)	-6.86%	802,966	907,922	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	53	2,256
SUPERINTENDENT'S OFFICE	AE	SUPT	178,300	178,300	45,100	133,200	74.71%	34,333	117,865	154,803
BUILDING STAFF	AF	SUPT	6,201,461	6,238,461	6,309,068	(70,607)	-1.13%	4,565,001	4,457,573	6,240,994
PUBLIC RELATIONS	AN	SUPT	21,143	21,143	21,433	(290)	-1.37%	21,433	84,475	124,907
STAFFING-TEACHERS	CA	HR	58,379,392	58,351,041	57,841,686	509,355	0.87%	33,511,556	33,365,039	57,420,979
CHILD ACCOUNTING DEPARTMENT	CD	HR	242,013	242,013	234,500	7,513	3.10%	157,410	151,314	227,557
STAFFING-TEACHER ASSISTANTS	CE	HR	2,481,187	2,481,187	2,468,000	13,187	0.53%	1,774,193	1,661,560	2,532,971
STAFFING-SUBSTITUTES	CG	HR	1,273,000	1,273,000	1,332,250	(59,250)	-4.65%	850,369	829,561	1,299,660
HUMAN RESOURCES DEPARTMENT	CK	HR	399,575	399,575	327,065	72,510	18.15%	264,985	268,482	331,381
STUDENT ACTIVITIES	D1	C&I	244,236	244,236	275,000	(30,764)	-12.60%	155,528	122,947	283,999
CREDIT ACQUISITION PROGRAM	D2	C&I	27,785	27,785	78,500	(50,715)	-182.53%	35,234	24,638	54,940
CURRICULUM ENRICHMENT ACTIVITIES	D3	C&I	130,000	130,000	60,000	70,000	53.85%	51,365	110,829	191,261
CAREER ACADEMY/RASA/ALTERNATIVE EDUCATION	D4	C&I	512,761	541,112	656,112	(115,000)	-21.25%	421,113	577,227	953,738
TESTING - K-12	D5	C&I	30,000	30,000	5,000	25,000	83.33%	0	13,209	14,196
ACADEMIC INTERVENTIONS	DA	C&I	100,000	100,000	140,000	(40,000)	-40.00%	101,846	85,949	137,457
MUSICAL INSTRUMENT REPAIR	DD	C&I	37,000	37,000	35,000	2,000	5.41%	26,676	24,447	34,016
DEPARTMENT OF INSTRUCTION	DE	C&I	286,600	286,600	194,600	92,000	32.10%	115,451	144,241	303,431
READING RECOVERY/PROJECT READ	DF	C&I	28,212	28,212	15,000	13,212	46.83%	8,626	25,128	26,526
INSTRUCTIONAL MTLS RESERVE	DG	C&I	500,000	500,000	409,474	90,526	18.11%	409,474	732,455	683,771
EQUIPMENT REPAIR	DM	C&I	13,000	13,000	13,000	0	0.00%	12,514	19,210	11,116
PLANETARIUM	DO	C&I	2,444	2,444	-	2,444	100.00%	0	2,575	2,578
SUMMER SCHOOL - SECONDARY	DQ	C&I	50,000	50,000	56,584	(6,584)	-13.17%	56,584	143,051	143,062
DRIVER EDUCATION	DS	C&I	90,125	90,125	79,500	10,625	11.79%	40,920	62,018	98,483
ASST SUPERINTENDENT FOR CURR & INSTRUCT	DT	C&I	630,006	593,006	396,000	197,006	33.22%	305,254	460,947	598,443
INTERSCHOLASTIC ATHLETICS	DU	C&I	1,532,629	1,532,629	1,450,000	82,629	5.39%	1,212,630	993,074	1,418,521
INTRAMURALS	DV	C&I	74,000	74,000	53,500	20,500	27.70%	28,724	47,200	87,824
ATTENDANCE SERVICES	E4	STD SVCS	86,160	86,160	80,935	5,225	6.06%	59,252	71,643	99,655

MINORITY AFFAIRS/GOV. PROGRAMS/GRANTS	EB	STD SVCS	29,939	29,939	25,000	4,939	16.50%	17,862	19,835	26,131
SPARK - EARLY CHILDHOOD/SUMMER	EC	STD SVCS	629,992	629,992	594,750	35,242	5.59%	396,939	432,640	648,246
SCHOOL RESOURCE OFFICERS	EF	STD SVCS	281,000	281,000	281,000	0	0.00%	218,624	328,053	311,097
HOMEBOUND INSTRUCT/REGULAR ED.	EG	STD SVCS	155,000	155,000	180,000	(25,000)	-16.13%	99,190	117,677	211,633
HEALTH SERVICES - MEDICAL	EH	STD SVCS	51,822	51,822	42,000	9,822	18.95%	21,638	19,156	39,261
HEALTH SERVICES - DENTAL	EJ	STD SVCS	10,364	10,364	3,500	6,864	66.23%	1,848	4,909	8,781
STUDENT SERVICES	EK	STD SVCS	2,500	151,770	48,500	103,270	68.04%	35,817	4,591	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	240,000	20,963	8.03%	167,096	186,218	257,651
BUSINESS DEPT-ACCOUNTS PAYABLE	GA	F&A	1,006,527	1,006,527	1,000,300	6,227	0.62%	886,421	828,428	934,866
BUSINESS DEPT-ACCOUNTS RECEIVABLE	GB	F&A	1,024,077	1,024,077	802,000	222,077	21.69%	450,612	511,948	1,658,911
DEBT SERVICE	GC	F&A	19,298,602	19,298,602	23,250,000	(3,951,398)	-20.48%	18,790,007	14,713,752	17,755,157
EMPLOYEE BENEFITS	GD	F&A	29,826,642	29,826,642	30,000,000	(173,358)	-0.58%	19,155,723	20,142,738	31,450,643
INSURANCE	GE	F&A	643,658	643,658	615,000	28,658	4.45%	468,727	566,044	613,658
INTERSYSTEM PAYMENTS	GF	F&A	20,746,441	20,746,441	21,100,000	(353,559)	-1.70%	16,991,233	14,505,981	18,775,592
PHOTOCOPIERS	GP	F&A	607,692	607,692	575,000	32,692	5.38%	440,270	454,644	618,810
SPECIAL EDUCATION	LF	SPEC ED	545,959	545,959	541,000	4,959	0.91%	463,457	543,006	737,837
HOMEBOUND INSTRUCTION / SPECIAL ED.	LG	SPEC ED	30,000	30,000	40,000	(10,000)	-33.33%	27,969	15,907	36,862
MAINTENANCE / CUSTODIAL DEPARTMENT	NA	B&G	11,002,051	11,002,051	9,700,000	1,302,051	11.83%	6,802,437	6,720,640	9,677,581
MAINTENANCE DEPT - SUPPLIES	NE	B&G	459,600	459,600	473,500	(13,900)	-3.02%	376,834	383,375	481,757
MAINTENANCE DEPT - CONTRACTED SERVICES	NF	B&G	966,500	966,500	961,000	5,500	0.57%	774,056	902,744	1,120,546
TRANSPORTATION DEPARTMENT	NT	B&G	4,521,504	4,521,504	4,500,000	21,504	0.48%	3,225,800	3,148,626	4,482,223
TECHNICAL SERVICES	TK	TECH	650,186	650,186	925,000	(274,814)	-42.27%	778,091	649,416	772,720
INFO & COMMUNICATIONS TECHNOLOGY DEPT.	TL	TECH	2,078,389	2,078,389	1,940,000	138,389	6.66%	1,726,894	1,651,515	3,577,237
DATA PROCESSING DEPARTMENT	TN	TECH	733,556	733,556	849,200	(115,644)	-15.76%	637,371	622,563	840,709
TOTALS			\$172,206,298	\$172,206,298	174,072,658	(\$1,866,360)	-1.08%	\$119,406,013	\$114,385,113	\$171,482,567

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Recommendation of the Board

April 27, 2009
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Item

-
1. Quarterly Remediation Plan: Audit Remediation

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1. *Quarterly Remediation Plan: Audit Remediation*

RECOMMENDATION:

The 2008 audit revealed significant concerns. Therefore, the board is directing the administration to submit a written plan of remediation. The implementation of this plan will be reviewed at the Board Finance Committee Meetings quarterly.

Director Dexter moved the recommendation of the board. Director Follweiler seconded the motion. President Leeson requested a roll call vote. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, Koch, McKeon, Tenaglia, and Leeson – 8.

ROLL CALL
VOTE – BOARD
RECOMMENDATION

The motion passed 8 – 0.

NORTHAMPTON COMMUNITY COLLEGE BOARD OF TRUSTEES – Director Koch stated that there was a meeting but there was nothing of major interest to report.

COMMITTEE
REPORTS

PSBA – Director Koch stated that the meeting involved heated discussion with regard to the proposal of the state legislature for the method of testing high school students prior to graduation. An individual from the department of education met with Mr. Gensel, who was the executive director of PSBA and they managed to compromise. She pointed out that Mr. Gensel did not expect the reaction he received with school districts across the state threatening to pull out of PSBA. There were legislators who demanded he resign from PSBA. The board members who usually supported everything he did were extremely angered; not so much with the compromise, but with the way it was handled. She explained that there had been a series of realignment efforts with one being the change in meetings with a reduction to four per year and if anything important came up then the executive board should have taken care of it. She noted that they did not take care of it too well and apologized for it, but they still had fences to mend at the present time. The discussion for the one item took three hours so they completed the remainder of the agenda the following morning. Director Koch believed they needed to make some serious changes in governance and how decisions were made. She did not believe there was much discussion in the district regarding the test. She suggested discussing it during some part of the curriculum committee. She noted that she would share the documents from PSBA, which explained the differences in the tests. She expressed that she would like a feeling from the board regarding how they felt about the subject. She also shared a booklet regarding the idea of mergers and consolidation of school districts and would leave it with the superintendent's office if anyone had interest in reading it.

COLONIAL INTERMEDIATE UNIT 20 – Director Dexter stated that a meeting was held with fairly extensive discussion with the executive director regarding how the budget was done and what the proposed costs meant for the districts. They also had discussion regarding the planning of summer programming for professional development for both teachers and administrators. It was emphasized that the Intermediate Unit could provide professional development at a very efficient cost to districts because the multiple districts could share in the speaker fees and facility costs. She announced that she also learned that Frank Arbushites, Acting Director of Information Technologies, was recognized as administrator of the year in providing technical support to the district.

DUAL ENROLLMENT – Director Cann stated that next scheduled meeting was in early June with the main purpose being to review the results of a survey given to high school students assessing their familiarity with dual enrollment and their interest.

DIVERSITY COMMITTEE – Director Koch stated that a meeting was held but she was unable to attend.

APRIL 27, 2009

BETHLEHEM PARKS AND RECREATION COMMISSION – President Leeson stated she would forward a copy of the meeting minutes to the members of the board.

BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL – President Leeson stated that a synopsis of the meeting would be included in the packets for board members.

Dr. Lewis announced the acceptance of the retirement of Mr. James Bertoni, Principal of Spring Garden Elementary School. He noted that Mr. Bertoni had served the district for many years and was an exemplary principal.

NEW AND
MISCELLANEOUS
BUSINESS

Dr. Lewis also recognized Mr. Craig Zieger upon his retirement. He stated that while they did not typically recognize individual teachers, as a rule, he thought he needed to recognize Mr. Zieger. Dr. Lewis commented that although they had been on opposite sides of the table many times, there was also mutual respect and wanted to acknowledge his contributions. He pointed out that Mr. Zieger brought a check forward from the state association, which bailed out the senior citizens initiative held at Liberty and Freedom High Schools. When he saw there was a problem, he went for a little extra and pulled it through which was the type of thing he did. Dr. Lewis acknowledged Mr. Zieger's 35-year career with the district.

Director Tenaglia asked the administration to place the auditor general's report on the next Finance Committee Meeting.

Dr. Lewis replied that it was already on the agenda.

No one wished to address the Board of School Directors.

COURTESY OF
THE FLOOR
TO VISITORS

President Leeson announced an executive session to immediately follow concerning personnel.

SPECIAL MEETING

Directors Tenaglia and Follweiler moved to adjourn the meeting, which was carried by voice vote. The meeting was adjourned at 9:09 p.m.

ADJOURNMENT

Attest,

Stanley J. Majewski, Jr.
Board Secretary

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