

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
REGULAR MEETING

AUGUST 17, 2009

The Regular Meeting of the Board of School Directors of the Bethlehem Area School District was held on Monday, August 17, 2009, at 7:02 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 Amato, Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, and Leeson – 8

Members Absent: Koch – 1

Student member representatives: Megan Kelleher and Lindsey Anderson – 2

Others present: Dr. Joseph A. Lewis, Superintendent of Schools; Donald F. Spry II, 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 moment of silent meditation.

SILENT
MEDITATION

President Leeson commented that she was not present for the discussion last week regarding budget cuts. She stated she called Dr. Lewis this morning with a recommendation for a new program which would replace the Regional Academic Standards Academy but would have some of the same elements. She asked Dr. Lewis to comment on the proposed program.

PRESIDENT
LEESON/
DR. LEWIS –
INTRODUCTION
OF PROPOSED
PROGRAM

Dr. Lewis explained there were many people present to address the program cuts on the agenda. He noted that he was recommending that some of the items not be enforced until the winter or spring such as the case of a program that would be on a 9-week rotation. He explained that if the board would find state funding levels to be unrealistic, they would then be able to curtail the program. He reviewed that he was recommending the board not act on letters “d” and “e” because it was not imperative to do so. He also thought many individuals had heard his position regarding letter “l” and pointed out that it pained him to even list them on paper. Dr. Lewis stated that he discussed the options with President Leeson and other board members over the past five days and arrived at the proposal of the Middle Prep Literacy Academy introduced as Item 1a.

Dr. Lewis noted the program would focus on many of the current activities in the alternative education programs; however, they would reduce it to the original intent of the intervention, which assisted Grade 5 students who did not have success in the Grade 5 elementary classes. He reviewed that Mrs. Moran worked on the proposal along with Mr. Majewski with regard to cost finalization. He added that Mr. Himmelberger and Mr. Washington also provided assistance. Dr. Lewis emphasized that the outline was an estimate of how the program would be implemented. He addressed the location of the program and commented that the new Broughal Middle School was scheduled to hold approximately 900 students and would be occupied with 615 students. He said that Mr. Santoro, the principal of the school, agreed to assist with a solution in order to accommodate the Grade 5 students who struggled with transition. He reviewed the current cost of intervention exceeded \$1,000,000 but the new program would come in under \$500,000 and roughly serve one-half the current population with a bit of room to add students. Dr. Lewis pointed out that Dr. Zahorchak agreed to allow the district to reopen the stimulus application in the attempt to obtain funding to serve the students but it was dependent upon staff and space allocation and how much stimulus funding could be applied in the twelve outlined categories by the federal government. He explained they would be reducing the intervention monies from approximately \$1,020,000 to approximately \$490,000 and they would be offsetting some of the \$490,000 with Title I supplemental funds because they would be dealing with students primarily from Title I situations in a full school-wide Title I building. He said the minimum amount of savings would be over \$500,000 with interventions still offered to the most needy.

President Leeson proceeded with Courtesy of the Floor. 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.

COURTESY OF
THE FLOOR TO
VISITORS

The following persons addressed the Board of School Directors:

1. Jolene Vitalos – President of the Bethlehem Education Association –
Ms. Vitalos stated that the threat of the board to eliminate proven successful programs, interventions, and teaching positions was wrong and misguided. The students and families of the school district could be assured that the Bethlehem Education Association was committed to continue providing a quality education for all students. The BEA disapproved of the board's proposed threats of academic program eliminations and teacher furloughs that would ultimately harm students. It was appalling that the board would seek to make up for any anticipated loss in state funding by rushing to eliminate vital academic programs, services, along with the highly qualified staff who delivered them. The BEA recognized the financial uncertainty that all districts in the commonwealth were facing as a result of the state legislature's failure to pass a budget on time and at sufficient funding levels. After decades of the state underfunding basic education, the legislature finally saw the benefits of passing an improved funding formula in 2008. Now the legislature wanted to pull the carpet from under the feet of the state's children. While the failure by elected officials was unfortunate; the burden should not be placed on the backs of Bethlehem's children. To point to the lack of a state budget as the reason to eliminate the quality programming in the district was intellectually dishonest. It was hiding the fact that the real problem rested with not only the current board's failure to properly manage the financial affairs of the school district over the past decade, but the lack of fiscal responsibility of administration, past and present. It was ultimately the board who approved the highly risky swap investments to finance various school district projects. It was ultimately the board who chose to spend the fund balance, taking it from the \$8,400,000 level in June 2005 to a level of negative \$8,000,000 in June 2009. With the board threatening to eliminate successful, educational programs, they were sending a powerful message to all students and parents that no academic program was safe. The message the board sent clearly told the community that they had chosen to put a price tag on the heads of the children in the community. They were choosing to eliminate the continued access to the most appropriate education for their needs, access to specialized reading, math, and counseling interventions. To say that one segment of the community's children did not deserve access to effective and quality education, as another segment of children just because they learned differently, was morally unacceptable.

President Leeson interrupted Ms. Vitalos and noted that her commentary was exceeding three minutes.

Director McKeon made a motion to go to an executive session. Director Dexter seconded the motion. The motion was carried by unanimous voice vote.

DIRECTOR MCKEON –
MOTION FOR
EXECUTIVE SESSION

The board went into executive session at 7:15 p.m. The meeting resumed at 7:19 p.m.

Director Follweiler made the motion to extend the speaking time limit for Ms. Vitalos during Courtesy of the Floor. Director Cann seconded the motion. The motion was carried by voice vote.

MOTION TO EXTEND
SPEAKING TIME
LIMIT FOR BEA
PRESIDENT

President Leeson reviewed that speakers observe proper decorum, without personal attacks towards a specific individual or individuals. She also noted they would adhere to the three-minute time limit because of the number of speakers. She instructed the speakers to request a motion to extend if they felt they needed additional time and not to disregard the rules of the meeting.

Ms. Vitalos continued to state that the BEA was willing to meet with district officials to explore their suggestions for financial alternatives, which did not include the elimination of programs. In response to the administration's repeated requests during the month of July to cut coaching and advisor positions, the association had formally acknowledged to the administration that the extracurricular salaries for coaches and advisors would be frozen for the 2009-2010 school year. The must consider the restructuring of responsibilities of its elementary level principals such as assigning one principal to two buildings, having enrollments of less than 300 students. It was an administrative structure, once followed in Bethlehem's past. A lead teacher position in each building could be utilized at a very significant cost savings per building. At the middle school level, curriculum and instruction responsibilities could be assigned to one administrator, giving them dual building assignments. Those changes alone could potentially free \$600,000 to run essential programs. Beyond the adverse academic impact the proposed cuts would cause, it was also unlikely that the cost savings would outweigh the immeasurable costs of such things as an increase in the high school dropout rate and special education referrals. Ms. Vitalos questioned if after a year of Bethlehem Schools meeting AYP would the schools be deemed failures by the state. She noted that daily attendance percentages would decline and no one had yet acknowledged the fact that furloughed employees would be collecting unemployment compensation paid for by the district because the district was self-insured. Beyond the impact the cuts would have on the students, there were serious questions as to whether the cuts were even permissible under the state school code. If the cuts were made and it was later determined that they were illegal under the school code; the district could incur significant costs. The BEA was prepared to take every possible step to protect the children and the educational programs that the students needed. The BEA believed that the board needed to look at trimming top heavy administrative costs to make the financial cuts and should not be looking to reduce the professional teaching staff who tirelessly worked with the community's children.

Ms. Vitalos concluded that the district used the phrase, “One Child At A Time” and asked how they could possibly put a one price fits all tag on a child.

2. Tanya Francis – Freemansburg Elementary School – Guidance Counselor
Ms. Francis stated she was speaking on behalf of the students who she served daily. She noted that guidance counselors strived to support students through fundamental tasks at school by helping them achieve their academic goals and to obtain a healthier psychological and social development. She explained they provided student support by coaching the development of necessary skills in the classroom such as focus and organization. They identified at-risk and struggling students in order to give adequate interventions. Ms. Francis provided an example of a typical day in the schools: 8:20 a.m. – Parent meeting with principal regarding a child’s ongoing inappropriate behavior in the classroom and school bus
8:50 a.m. – I quickly leave the meeting still in progress to begin door duty at the front of the school which was an important place to greet students daily – 8:55 a.m. – The bell rings with students arriving and as she says good morning to all of the students, she was immediately bombarded by groups of students eager to tell her their latest problem or concern such as a fight that happened on the bus; cursing on the bus; bullying in the classroom or on the playground; peer conflicts and verbal altercations; domestic violence occurring in the home and no food in the house. In addition, physical assistance was needed when parents were unable to get their children into the school building. – 9:10 a.m. – Concerned teachers are calling and requesting assistance and simultaneously the students begin to show up at the guidance office unannounced for uncontrolled crying in class, a death in the family, abuse in the home, or missing a parent recently incarcerated. – 10:20 a.m. – The first opportunity to have the ability to review attendance throughout the school for the day with calls being made to the home of truant students and home visits are attempted to reach parents who did not return calls to update her on the truant student’s status. 11:00 a.m. – Parent phone calls regarding divorce issues, health concerns, and other issues – 11:10 a.m. – Teacher calls – student is crying in class and interfering with student concentration – I remove the student from the class and after some time, I am able to calm her and discuss the issue which discloses sexual abuse and states that her little sister is also being abused. I offer support and explain what would occur next and get the child to the point where she could return to class to work. I get her sister and begin to have discussion where the child also discloses abuse. After sending the student back to class I immediately notify ChildLine and make a report of suspected abuse – 12:15 p.m. – Call taken from the emotional support class where the teacher needs assistance with an out of control student. Crisis intervention is needed.
1:00 p.m. – Calls made to service providers to follow-up on referrals –

1:30 p.m. – Children and Youth worker arrives to investigate suspected abuse of girls and the girls refuse to sit with the stranger because they are afraid so she sits in on the investigation – 2:30 p.m. – Meeting with a parent to assist them with obtaining medical insurance for a diabetic child in need of coverage – 3:00 p.m. – Review of medical and student records
3:30 p.m. – Coordination of suspensions, meetings with parents, coordinating with the police, hospital, emergency room, and Child and Youth and other assigned duties

Ms. Francis concluded that the aforementioned list was typical of a day at any of the 16 elementary schools. It was the job of the counselor to handle the situations so that students would be most ready to learn every day. She added that elementary school was the foundation of life's success. She believed that their dedication was at the heart of helping their students succeed. She concluded that she could not imagine how the schools would be for the students without the presence of an elementary counselor.

3. Trinity Spradley – 1228 Marvine Street, Bethlehem –
Ms. Spradley stated she was a parent and had a son who entered the SPARK Program and fell in love with it last year. She was told last week that the program was on the chopping block and she lived too far from the SPARK Program located on Linden Street. She wanted her son to learn and be ready for school and requested they find an alternate solution. She compared his anticipation in attending pre-kindergarten to counting the days until Christmas. Ms. Spradley noted that Head Start had a waiting list.
4. Jean Yasso – 1413 West Market Street, Bethlehem –
Ms. Yasso stated she was a teacher assistant at the Career Academy and commented that the community needed the school along with the district, Liberty and Freedom High Schools but most importantly the students needed it. When the school board voted on the budget cuts she asked them to consider the ultimate focus and goal of what was important to the district. Ms. Yasso commented that they needed to keep programs and staff that were necessary to achieve the positive education and graduation of students in the Bethlehem Area School District. She noted that the Career Academy was a program that has successfully contributed to the goal. She explained that the Career Academy was established and adopted because there was a need of a program for students who had difficulty functioning and who could not find success and exhibited a pattern of poor grades in the traditional middle and high school classrooms. It has proven to be a solution to help the students gain confidence, find an alternative way of gaining knowledge and work towards their goal of graduating. She pointed out that there was a group of students currently in the academy enrolled from the beginning and were presently in grades 10 and 11 and have never experienced a traditional high school classroom.

Ms. Yasso asked about a safety net for the students because they would fall if the school board shut down the Career Academy. She asked who would help them with the transition and commented that they would get lost. They would most likely “act out” or “drop out.” She said the staff of the academy knew when a student needed help and they knew when a student was in trouble and trusted in the staff. She added that the staff knew all of the students’ names and they did not get lost with them. The Career Academy was successful and many on the board had witnessed the success when they saw the students’ faces of the seniors at their graduation celebration and shook their hands as they crossed the stage at Stabler Arena. She acknowledged the families and students attending the meeting in support of the academy. She asked the board to remember their faces because if they shut the door to the Career Academy they probably would not see their faces again. She requested they not put another brick into the already tall wall that the students had to climb in order to reach the goal of graduation.

5. Tracey Johnson – 934 Cambridge Avenue, Bethlehem –

Ms. Johnson stated that her son, Xavier, attended the Regional Academic Standards Academy. She thanked Director Dexter for speaking with the parents and taking the time to become involved with the school and seeing what it really meant to the children. She commented that her son had gone through his share of tough times just like any child, but what always troubled her the most was his defeatist attitude. She noted during his entire school career, he always felt he wasn’t good enough, smart enough, or talented enough. She said as a parent she constantly encouraged him, but he suffered every day because he was not like the other children in his class and learned differently, so there needed to be a program for children like him. His accomplishments in the traditional classroom seemed so few and far between and his praise for such accomplishments was minimal. From first through third grade, his attitude got worse; he cared less, and became angry more frequently, so his grades suffered. Ms. Johnson pointed out that she was a very involved parent and would sit at home with him pouring over his homework for hours. She was literally brought to tears on several occasions. Not only was he having a tough time with the assignments but she was also having a tough time helping him because everything was taught so differently from when she was a student. She asked how it would be for a child whose parents were not educated or not available to help. She thought it would be so troubling for a student to go into school daily knowing that they could not keep up with the other students. She said it was completely out of her hands and although she never wanted her son to give up, she could not say that she blamed him for being discouraged. He was pretty sure that he wouldn’t amount to much when he grew up and she was bracing herself for years of struggle and disappointment. She stated to reverse the entire story in their minds because it was exactly what a few months at RASA did for her son.

If she was not so grateful, she might be embarrassed to state that the staff accomplished an amazing feat that she as his mother could not accomplish. Eliminating RASA would be like her telling her family that they would be buying less nutritious food such as fruits and vegetables, so they could sit at home and watch more cable television. Ms. Johnson expressed that it just did not make sense. There was a lot more to the students than the fact that they were struggling or underprivileged, and nobody seemed to see past it, aside from RASA.

6. Aurea Ortiz – 1628 East Sixth Street, Bethlehem –

Mrs. Ortiz stated she was a resident of the Southside and that her community would be most affected by the cuts. She explained that she worked directly with parents who had lost their jobs and with others who had their hours cut. Some of them had a high school diploma and others have not finished high school, but they got up every morning full of hope and had high expectations and trust with the school system so their children would be able to achieve what they were not able to, which was a good education. They believed that the members of the school board were listening and doing all they could to close the achievement gap between the students. She asked why they had to choose to close programs that were working and put a band-aid on or create other programs which they did not know would work. She said the reality was that without many of the nonmandated programs that were established for a reason, the achievement gap among the students would grow. Even if they got the programs back to fix the big mistake they were about to make; it would then take more money and time. With the existing achievement gap among the district's students, it seemed as if the cycle of poverty would continue unless they made decisions that would benefit their children. She was not looking for sympathy from people who could care less about the students but she was having a conversation with the people who she thought believed in doing justice for the children and the teachers that tried to do what was best for them. She asked that the students not be punished just because they came from struggling families. Mrs. Ortiz commented that their poverty should not make them less of a person. They were taking away the opportunity for the students to better their situation only focusing on cuts that affected the neediest students. She asked about other alternatives. She stated that she was not present to tell them what they should or should not do and knew they would go back to the other recommendations and try to correct the mistakes that allowed the deficit to grow. She knew they would be creative and look again through the budget lines before they made a determination to eliminate programs that benefited the children who needed them the most. She knew that they would not target underprivileged students to get what they threw out on swap deals and commented that the deals did not represent the students' best interests. It was mistake and hopefully they would learn from it.

Mrs. Ortiz urged the board not to make a greater mistake by eliminating programs that benefited students who fought for an equal education. She understood their position as board members was tough and also understood that based upon their beliefs and values, they would do what was right. She hoped they would be able to look at themselves in the mirror in the morning and say that they did the right thing for the students.

7. Mathew Vrabel – 4129 Wilson Avenue, Bethlehem –
Mr. Vrabel said the price they paid for children who were put at a greater risk for failure was too high. He voted to have school directors to oversee the school budget and have programs with integrity but he thought they had broken the public's trust. He reviewed the statements made about the importance of school counselors and the need to hire more as noted in their strategic plan, yet when there was a decision to make cuts, it was the very program that was affected. He thought that rather than taking the responsibility and appropriate actions for cuts in the programs critical to their elementary schools, they were deferring responsibility to the staff and students who would feel the daily effects of the reduction in service.
8. Elizabeth Jones – 2237 Huntington Street, Bethlehem –
Mrs. Jones thanked everyone for their presence at the meeting. She thought the school board often did not receive recognition for their efforts. She commented that the children were suffering the consequences of the district's mistakes. She recalled that Marilee Ostman, who recently retired from the Early Childhood Department, would become upset when people would say, "their children" or "my children," and she would make the correction that they were "all of our children." Mrs. Jones said that she was present to speak for all of the children; especially the most neediest at-risk children. She believed that if they cut transportation for the SPARK Program, they were in essence giving it a death sentence. She noted that it was not childcare but it was a program that prepared children for kindergarten. She reviewed that the district recently made AYP and thought a lot of the reasons why they made it were because of the programs. She added that they were taking away the tools need to make AYP when they made cuts to elementary guidance, reading support, and IST Staff. Mrs. Jones said that it would not matter if they had an award winning football team or celebrated band if they could not get children to read, write, and do math before they left elementary school. She requested they reconsider the cuts and suggested that there had to be money elsewhere to save the programs for their children.
9. Joseph RaHS – Northeast Middle School Principal –
President of the Association of Bethlehem School Administrators –
Mr. RaHS stated that on behalf of his association, he was speaking in response to the proposed budget cuts and their sincere belief that they would inevitably see systemic complications from them.

They viewed the proposed cuts with great frustration and anxiety, as they waited to experience how the cuts would impact the education and success of their students today and in the future. They recognized the complexity of the district's budget issues and also noted that the intentions of the board, as with previous boards alike, have always been to produce the best educational setting in schools available to our community at the lowest cost to taxpayers.

Mr. RaHS continued to state that it was with great disappointment that they once again saw the state's failure to provide any substantive contribution to their efforts; and yet they continue to require more compliance with their mandates than they cared to support. Worse was their inability to compromise on a budget and thus forcing them to arrive at their current position. This, along with the country's current financial atmosphere, has placed them all in what felt like the perfect storm, with the victims ultimately being their children, and with tonight's proposal, primarily their youngest and neediest children. Many of them, along with the board, worked long and hard to bring about what was viewed as the essential components of a successful educational system, and now they all stood in the view of seeing so much of it washed away. Mr. RaHS commented that none of them envied the position they had as a board and especially at such a critical time in their district's history. They would continue, as an association, to work with the decisions they must make, regardless of their agreement, and they would do so to the best of their ability. They realized now, probably more than ever, that they must unite as a community and district in their effort to weather the storm and put aside their individual agendas. They knew that it was much more than revenues and expenditures; it was about their children's future. It was their sincere hope that as decisions were being made, they would base the decisions on what had the greatest impact on the largest number of students and they considered how devastating it could be if they lost focus of their children and their needs. He noted that they continued to be proud of the education they afforded the students and community and hoped that as they moved forward from the budget crisis, they could maintain their focus on their highest priority – the students.

10. Teresa Donate – 472 Greenwood Avenue, Bethlehem –

Ms. Donate stated she was present to speak on behalf of the Bethlehem Coalition for Quality Education. She said they were appalled with the fact that they considered cutting back on the support system of the school children. She reviewed the facts associated with guidance counselors such as they were the consultants and crisis managers. Every time there was a school crisis they called the counselors. She commented that they took on the role of a loving parent by showing concern and empathy. They were able to listen and win the trust of the students. The counselors facilitated the communication among teachers, parents, and administrators.

Ms. Donate asked who would perform that task when they were not around. She stated that guidance counselors were overwhelmed by spending too much time performing administrative functions, such as scheduling, disciplinary actions, and clerical duties; then add a bigger caseload, which would be a formula for disaster. She commented that times were changing and the children were facing issues they never expected or we had to face ourself. The children were making decisions about joining a gang or about using drugs and they were the ones most at risk who needed the counseling services. She stated that preventative services were key and the proactive action really took place at the elementary level because it could be too late at the high school level. Mrs. Donate noted that in the long run the problems would multiply and become more costly to society. She concluded that the Bethlehem Coalition for Quality Education was saddened by the board's trend, which was to cut services and programs which benefited the disenfranchised, the poor, and the minorities. If they approved all of the cuts, they would go down in history as the most self-serving, discriminatory, arrogant, and elitist board in the history of the United States of America.

11. Hector Anaya – 720 East Fifth Street, Bethlehem –

Mr. Anaya stated that he received the extremely disconcerting news that his son's school, RASA, may end up closing. He was upset about the news because there was no other facility in the school district that catered to the needs of students like his son, Josiah. He explained that his son was a student at Donegan Elementary School where he had a difficult time adjusting to the school. Mr. Anaya pointed out that Donegan Elementary was a good school, he felt that the staff and teachers did not have the specialized training to properly educate his son. He said that while his son was at Donegan Elementary School, he was ridiculed and insulted by other students who thought it was okay to do it to someone different. On some occasions Josiah was angrily rebuked by teachers who had their hands full teaching children who did not have special needs. To put his son back into school with teachers who did not have the proper training would be a great injustice but RASA was different. He noted that his son had learned so much and was coming happy and in a good frame of mind. His grades improved at RASA and his interaction with his own family at home had improved. Mr. Anaya stated that his son presently entered into conversation at home and spoke to his family about things that go on in the world at large; be it a conversation about a different country or the things that make other people unique. He believed that he was happy and if RASA was closed, it would erase the good that was done and place his son back into a shell where he would again become a victim. He asked why the people in power would close a school that taught so well. He asked if it was to show how good they were at administration and how much money they could save the district. He asked if it was the business of educators to educate.

Mr. Anaya asked those who had children to put themselves in the shoes of a parent who had a child in need of help. Mr. Anaya stated he had serious thoughts about home schooling his son if he was placed elsewhere and was again assaulted. For the first time since he began attending school, his son had told him that he was excited about returning to classes. He concluded that it was a sign that RASA worked and it should stay.

12. Caroleen Rivera – 1334 Fairmont Street, Bethlehem –

13. Erica Hernandez – 748 Laufer Street, Bethlehem –

The students expressed that they were present in an attempt to save their home, which was their school, Career Academy. They explained that the faculty was inspirational and they looked up to them. They said that some of the students who attended Career Academy did not have it in their home but received it when they attended the academy.

Caroleen said she could not attend Liberty High School because she would not make it. She asked how they were expected to return to their home school and adjust. She commented that many of them had to be taught one-on-one to fully understand the concept. They also could not focus in large classrooms. She said that Liberty and Freedom High Schools could not offer that to them but Career Academy could and did. She said it was her last year and would be graduating because of Career Academy. She stated that the students were loved and cared for at the academy and felt as if they mattered and were important. They would be just another face at Liberty and Freedom High Schools. It was her opportunity to make her parents, family, and friends happy. She asked the board not to ruin her future and allow her to finish her last year at the academy.

President Leeson told Caroleen that she did an excellent job of representing her school.

14. Marie Brown – 4110 Juniper Lane, Bethlehem –

Mrs. Brown stated she represented many parents from Miller Heights Elementary School. She said they were concerned about the proposed \$3,500,000 in cuts; largely at the elementary school level, which included reading, guidance, and classroom teachers. She asked why the majority of cuts were aimed at the elementary level, specifically guidance and reading. She asked why they considered cutting reading support at a time when reading was tested for PSSA Testing and when the reading standards were about to increase to make it more difficult to reach the “No Child Left Behind Standards. She reviewed that next year nearly three-fourths of all students must be proficient in order for a school to stay off the warning list. The Bethlehem Area School District had finally made AYP this year and needed to make it again next year in order to avoid corrective action.

Mrs. Brown stated they made AYP because they were able to provide reading assistance to those children in need. She asked how they could achieve high standards with less support. She noted that taking away reading support would certainly not help them. She stated that elementary school was a critical time to identify children with reading problems and get them the extra needed help. She said there were several parents who had told her that the Reading Recovery[®] Program helped their child to get back on track to reading at grade level and enabled them to keep up with the rest of their classmates, thus improving their confidence. Mrs. Brown added that it also allowed teachers to better manage their classroom if most children were near the same level. She pointed out that if children in elementary school could not read at grade level, it would not improve without reading intervention and would cause them to struggle at the middle and high school levels and would have a negative impact on the PSSA scores. She asked what Miller Heights do with over 500 students when there was not a guidance counselor in the building. She asked who would be there when an emergency situation occurs. She inquired how they would adequately staff guidance at the elementary level. Mrs. Brown noted that having a full-time guidance counselor at the school positively impacted students. She said she personally knew that guidance counselors had helped students in her children's classrooms, gave lessons on being good citizens, dealt with bullying, and the list goes on. She stated that the parents wanted the full-time guidance counselor at Miller Heights and at all elementary schools so there would always be someone there for those who might need their services. As a school volunteer, she rarely saw the guidance counselor not interacting with a student. She noted that the school had over 500 students this past year and the parents did not think it was asking too much to have a full-time counselor at the school. She concluded by asking if the school board considered cutting staff from other levels before possibly cutting the sole reading or guidance counselor from an elementary school. She asked if the board considered offering a small retirement incentive for higher paid teachers that would save more money rather than to cut teachers. She added that many parents had offered to volunteer their time in the schools as aides, if that would help to save the teaching positions. She shared that many parents questioned if they should keep their children enrolled in the school district in consideration of the budget crisis and current cuts. They were concerned that the downward spiral would continue and the children would not be afforded the opportunities of children in other districts. Although it was their real wish that nothing be cut, they realized the reality that some cuts must be taken. Their request was that the cuts be made in a more equitable manner and with the majority not being taken from the elementary schools.

15. Maggie Roth – 50 West North Street, Bethlehem –
Ms. Roth stated that she was present to speak as a business owner and taxpayer in Bethlehem. She was concerned about the quality of education in Bethlehem, if the proposed programs were eliminated. She commented that the students and teachers did not make the financial decisions which were at the forefront of the board and should not be held responsible or be penalized. The reduction of teachers and solid education programs would have a great impact on the students this year and throughout the lifetime of students to come. As board members, they were skilled and talented with educational professionals, community leaders, local business owners, parents, and students looked to them for guidance. The decisions they made had an impact on everyone, especially the students. She asked the board to take the decision to heart and to consider how they would feel as a parent if their child struggled educationally or emotionally and were denied the support that the district had responsibly provided in the past.

16. Sis-Obed Torres Cordero – 520 East Fourth Street, Bethlehem –
Director of the Council for Spanish Speaking Organizations of the Lehigh Valley –
Mr. Torres Cordero stated that it was extremely difficult to approach the podium time after time, knowing that their decisions would have a district impact on low-income children and minorities and knowing that justice would not be served. He noted that in 1964, during a similar financial crisis, the New York City Board of Education cut all of the after-school programs including evening programs. He pointed out that 45 years later, the communities still felt the effect of those cuts. Mr. Torres Cordero stated he graduated from high school and college before the cuts were made with some cuts never being restored. He pointed out that when educational services were cut, the gap created in generations was so great that sometimes the damage could not be remedied. The decision making of the district led to the present crisis and now the children and families had to pay for their broken dishes, which amounted to broken dreams; and to borrow from Langston Hughes – “dreams deferred.” He stated that if the middle class taxpayer could not wait for the resolution to the national and local madness they found themselves in, he asked where it left low-income taxpayers and the poor. He was not present today to seek justice and stated that to do that it would be lunacy. They approved decisions as elected officials and it was their fiduciary duty to oversee the budget all along and while it was admittedly difficult to understand the fullness of how Wall Street operates and it was certainly was difficult to predict the economy, the reality today is that the chickens were now coming home to roost with no more golden eggs to be found anywhere. Regardless of good intentions or past statements of serving everyone equally and regardless of professing to be color blind, national origin or differences in language; the community knew the cuts would fall on the programs that the low- income children needed most.

Mr. Torres Cordero noted that there was a failure to provide an equal and balanced education for the children and the least of whom could afford it would now be forced to swallow the consequences of their folly. He concluded that it was not the best example of a democratic society.

17. Stephen Antalics – 737 Ridge Street, Bethlehem –
Mr. Antalics stated that the local newspapers quoted the superintendent of the district as having commented that he was “sick to his stomach.” He agreed that he was also “sick to his stomach.” He commented that he felt sick after watching slide show after slide show at many past board meetings, which glowingly displayed \$300,000,000 worth of Taj Mahal type construction, while the district’s academic status was one step above state takeover. He said he felt sick to his stomach because of the fiscal irresponsibility from the \$57,000,000 cost of swap dealings thus possibly driving much needed special programs and all the currently cut programs. He said he was sick because of the \$10,000,000 cost override for Broughal Middle School construction. He commented about his observations at a recent committee meeting where dedicated teachers were in tears being shocked and devastated by the news of the termination of their special programs. He was especially upset for the students who stated how the Career Academy saved them and were now facing the possibility of dropping out and ending up in jail because they would be deprived of the school. He concluded that it would be on the conscience of those who, through fiscal mismanagement and disservices to the children, had violated the very mission of the BASD – “Shaping the Future One Child At A Time.”

President Leeson announced at 8:07 p.m. that the fire marshall directed that the aisles must be kept clear or the meeting would have to be disbanded.

18. Joshua Erdman – Liberty High School Class of 2011 –
Joshua was present in support of Liberty and Freedom High School’s Rifle Teams. He asked why the rifle team was the only sport selected out of all of the varsity letter sports to be terminated. He stated he was inquiring because both teams had enough equipment such as rifles and jackets to support the teams and it would go to waste if the sport was cut. He also commented that Coach Miller filled out many grant applications each fall so they would not have to request more money than necessary from the board. He did not understand why the rifle team was now on the agenda again, when in May it was promised to keep it as a sport. Joshua recalled that the board had put out word about a new “pay to play” program. He asked why the option was not given to the rifle team before it was terminated. He introduced the varsity letter athletes from the rifle team who came out during their summer vacation to ensure that the rifle teams kept going through the winter. He claimed they were not just a bunch of students shooting targets but rather student athletes who wanted the same respect as the football, basketball, volleyball, and field hockey teams.

Joshua requested there be no further delay on the vote for the sport.

President Leeson commented that it was the recommendation of the administration to pull the item as a cut this evening. She further explained that because of the interest in Item 1 on the Recommendations of the Administration, the board would address the item immediately. A motion was made by Director McKeon to approve the program cuts from the 2009-2010 Budget. Director Cann seconded the motion.

DIRECTOR MCKEON
MOTION TO
APPROVE ITEM 1

Dr. Lewis summarized the articles contained in the recommendation in consideration of the meeting attendees who did not have a copy of the agenda. He reviewed that articles d and e were pulled because the board had ample time to react once they had a firmer handle on the state subsidy.

President Leeson asked Dr. Lewis if he had an alternative proposal, which would be referred to as 1-a, if they eliminated article 1 – Regional Academic Standards Academy (RASA).

Dr. Lewis agreed.

Director Dexter requested clarification and asked if administration was pulling article 1.

Dr. Lewis responded that the board would need to vote for the cessation of the program and then he would introduce 1-a.

Director Dexter made the motion to divide the question so that each of the cuts would be voted upon individually. Director Tenaglia seconded the motion.

DIRECTOR DEXTER –
MOTION TO SEVER &
VOTE ON EACH CUT
INDIVIDUALLY

Director Follweiler reviewed that they had discussion in a committee meeting with regard to the amount of the cuts and it was obvious they all knew that the lack of funding and present economy was the reasoning for the cuts. She noted that it was unfortunate that the majority of the present board was not involved in many of the previous decisions but were now working very hard to correct it and move forward. She thought it to be a very serious matter and pointed out that she had asked the administration at the last committee meeting if there were other areas which could be cut. She was aware that 70 percent of the budget was driven by contracts which could not be touched. She stated that she was aware that Dr. Lewis and his staff had worked very hard in an attempt to find items to cut. She asked if there was something they missed which would generate the same amount of money by making other cuts.

Dr. Lewis replied there was no easy answer, noting that he had been repeatedly through the process with the board's direction at the onset to provide all non-mandated programs as far reaching as all district transportation. He noted that there were areas not listed such as the athletic program or night school, which they had all but made self-sustaining.

Dr. Lewis said there was not a requirement to have one principal per building although he would not support the premise. He commented that various options were listed over the last year during budget development with some being too far to reach such as transportation, noting the district was not exclusively urban. He pointed out other things that could be done, however, they would create consternation in other circles, applications, and in other interests of stakeholders. He reviewed that he was indeed “sickened” by the situation and was at a loss because he could not influence the senators and the house to arrive at some type of compromise. He said there were areas to examine but they did not have the luxury of time because they needed to open the schools. He concluded that some items would never be reinstated while some may more easily than others.

President Leeson recalled they cut \$6,800,000 from the budget last year during multiple budget workshops. She added they had been cutting throughout the past year, which amounted to approximately \$1,900,000, and they were able to move approximately \$18,000,000 from the general operating budget by cuts or moving to other funding sources. She noted that current proposed cuts were held onto as long as possible and now there was a need to look at them. She asked Dr. Lewis if he felt the present cuts were the ones that he felt had to be put on the table.

Dr. Lewis replied that it was the recommendation of the administration to not go as deep. He reviewed they had one, two, and three priority levels with possible exceptions within each category. There was also level four with no exception from the administration. Their recommendation was to go to approximately \$2,000,000 to \$2,200,000, which was felt to be the worst-case scenario on the shortfall. He added that administration did not feel they needed to go to \$3,500,000; however, if none of the governor’s plan were accepted, then they would need to go deeper. He also mentioned there was \$2,000,000 in contingency. He pointed out they were in deficit mode and there was a need to rebuild it. They could not just simply use the contingency because much of that use brought districts to the current situation because they could not continue to go to their savings account.

President Leeson inquired if they pulled articles d and e and adopted the Middle Prep Literacy Academy instead of the RASA Program, they would be in the ballpark of \$2,800,000 in cuts.

Mr. Majewski noted that President Leeson was close with her estimation.

Dr. Lewis recommended the consideration of reducing the number of reduced positions in reading and in elementary guidance. He noted they did not have to go as deep in both of those categories. He believed the principals thought they could maintain full coverage if they only lost three guidance counselor positions. It was repairable if their financial condition changed.

Dr. Lewis reviewed that administration would like to see articles j and g modified. He said he also shared concern on SPARK transportation and added that he did not have the answer.

President Leeson asked Dr. Lewis about his recommendation for the reading positions.

Dr. Lewis replied that his recommendation was for a reduction of three.

President Leeson estimated the amount to be approximately \$2,450,000 if they considered the SPARK transportation, the three reading, and three elementary guidance positions.

President Leeson addressed the motion to consider each individual item.

Director Amato reviewed there were two motions presently on the floor. He stated that he thought they were going back in to look at putting back programs.

President Leeson said they had to consider the motion to vote on each individual item first.

Director Amato commented that the original motion was to approve the \$3,500,000 in cuts which had a second. He said they should vote on it and if it passed, they should then go back into it with Dr. Lewis' suggestion.

Attorney Spry interjected there was a superceding motion to sever. He advised that if one did not want to sever, they should vote against the motion to sever.

President Leeson requested a roll call vote to sever which would allow them to vote on each individual article. The question was called with roll call as follows: Yea, Directors Dexter, Haytmanek, and Tenaglia – 3. Nay, Directors Cann, Follweiler, McKeon, Amato, and Leeson – 5.

ROLL CALL –
MOTION TO SEVER &
VOTE ON EACH CUT
INDIVIDUALLY

The motion failed 3 – 5.

President Leeson stated that Dr. Lewis had some proposed changes to Item 1. She asked if a board member would make an amendment to the item.

Director Tenaglia reviewed that the vote was to not sever the question. He commented that administration was coming forward to amend the recommendation.

President Leeson replied that a board member had to amend the recommendation.

Director Amato commented that Dr. Lewis had a recommendation for RASA, but it was a completely different program so they had to vote on the motion to eliminate the \$3,500,000. If it passed, they would go back and Dr. Lewis could state his suggestion to replace article "1." They would continue to add until they arrived at a point where the district could afford to go forward.

President Leeson told Director Amato he was correct. She brought attention her suggestion for a possible amendment for the reading specialists or the elementary counselors.

Director Amato debated that they were adding another motion to an existing motion.

Director Tenaglia made the motion to call the question which was seconded by Director Haytmanek.

Director Dexter called attention to point of order. She stated that they must vote first on the motion to call the question before they reached the underlying issue.

President Leeson called for a vote to call the question. The question was called with roll call as follows: Yea, Directors Cann, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 7. Nay, Director Dexter – 1.

ROLL CALL –
TO CALL THE
QUESTION

The motion to call the question passed 7 – 1.

President Leeson requested a roll call on Recommendation 1. The question was called with roll call as follows: Yea, Directors Cann, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 7. Nay, Director Dexter – 1.

ROLL CALL –
RECOMMENDATION 1

The motion passed 7 – 1.

Dr. Lewis introduced article 1-a, which was a hand-carry item for the Middle Prep Literacy Academy which would be housed at the Broughal Middle School. It would incorporate the interventional educational program for fifth graders comprised of four classroom instructors and a .5 guidance counselor, a .5 ten month secretary, and an administrator. Transportation would approximately involve one driver and one bus with the consideration of consolidation with Holy Infancy and Broughal Middle School students. He reviewed that supplies and technology costs above the allocated \$5,000 would hopefully be sought through grants. The approximate budget would be \$489,000. He asked for board support of the motion to institute the program to serve the neediest students at the middle school level.

PRESIDENT'S
COMMUNICATIONS/
SPECIAL MEETINGS

The motion was made by Director Tenaglia to accept the aforementioned recommendation by the administration. Director McKeon seconded the motion.

DIRECTOR TENAGLIA
MOTION TO ACCEPT
1-a

Director Dexter moved to amend the recommendation of the administration. She moved to amend the creation of the new academy to include the funding increase from the proposed \$489,000 to \$1,053,739. She noted it represented the amount projected to be the cost savings for the entire RASA program and not only one grade.

President Leeson questioned if it would be part of the new program.

Director Dexter reviewed that she was voting to amend the proposal for the new program so that it was fully funded with the net effect was that she was asking that RASA be fully funded. She noted that she was precluded from that during the last round of voting and was now asking to amend the present motion so they could fully fund the entire RASA program as it existed for this year.

DIRECTOR
DEXTER –
MOTION TO AMEND
ITEM 1-a

President Leeson asked Director Tenaglia if he accepted the proposed amendment to 1-a in consideration that he made the motion to accept 1-a.

Director Tenaglia replied that they should separately vote on Director Dexter's motion.

Dr. Lewis reviewed the administration recommended on last Monday to not remove the RASA Program. He wanted to clarify that the administration still held to that recommendation and worked toward a compromise position with the full understanding of the need to be fiscally prudent throughout the process. He commented that the board should be allowed to have dialogue because the information was relatively new after multiple discussions held throughout the day.

Director Amato commented that nobody wanted to cut any programs and understood why Dr. Lewis did not want to cut the RASA Program, but it was done. He said the program for the fifth graders made sense because if the state provided more money in the future, they could possibly resurrect the other part of the RASA Program. He thought they should at least get something in place. He did not favor voting for the entire program because he wanted to see movement on the reading and counselor positions. He asked Dr. Lewis if there was a curriculum ready for the program within a few weeks.

Dr. Lewis replied they would be using the literacy programming developed by Ms. Moran and her staff with refinement and it would also be addressing math but the predominant issue was literacy.

President Leeson inquired if there was a second to Director Dexter's proposed amendment. A second was not offered for the proposed amendment.

Director McKeon brought attention to the \$3,500,000 and acknowledged the calculations used were the average teacher's salary. He thought they would only be receiving approximately 70 percent with the higher salaried teacher being retained. He commented that the figure would be closer to \$2,200,000.

Dr. Lewis replied that he and Mr. Majewski reviewed the salaries and to be consistent, they used the average utilized for budgeting purposes. He said it would total the approximate same amount.

Director Cann asked for clarification regarding the replacement program with regard to the grade level involved.

Dr. Lewis explained the program was for students who completed Grade 5 but were unsuccessful in that grade.

President Leeson requested a roll call on Item 1-a. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 8.

ROLL CALL –
ITEM 1-a

The motion passed 8 – 0.

Director Amato addressed Items g and j. He commented that they should work hard at saving the reading program because if the students could not read or comprehend, they become lost after first or second grade. He also stated that he would rather see all six of the reading teachers replaced over the guidance counselors but thought three counselors and three reading teachers would be agreeable. He hoped to receive additional state funding to add back positions similar to the middle school soccer and rifle programs. Director Amato made a motion to add three reading and three elementary guidance counselor positions. He inquired with Mr. Majewski about the total impact on the budget.

DIRECTOR AMATO
MOTION TO ADD
THREE READING AND
THREE ELEMENTARY
GUIDANCE POSITIONS

Mr. Majewski computed the total to be \$217,501 for the three positions.

Dr. Lewis corrected the total amount for three counselors and three reading teachers would be approximately \$435,000.

Director Amato estimated the total amount to be added would be approximately \$1,000,000 with the consideration of the addition of middle school soccer, the rifle team, and driver education.

Mr. Majewski reviewed that when they removed articles d and e, it totaled \$3,459,527. If they factored in \$489,000, which was approved and add \$435,000 for the proposed three counselors and reading positions; the total reductions would then be \$2,535,143.

Director Amato said it was based upon the state coming through with sixty percent.

Dr. Lewis added that they were hopeful to obtain approval to use the Title I supplemental monies. He stated they could use some of it but they were not certain about the entire amount.

Director Amato requested to split his motion into two separate motions. He motioned to reinstate three reading teachers. Director Haytmanek seconded the motion.

DIRECTOR AMATO –
MOTION TO
REINSTATE THREE
READING TEACHERS

Director Follweiler recalled the issue was often discussed during Curriculum Board Meetings. She stated that Mrs. Katona reported success with another reading program in the last year involving a different ratio of children and it covered further grade levels.

Dr. Lewis replied that the motion was restated correctly which was to restore three reading teachers. He further explained that the curriculum department, elementary principals, and the reading staff needed an opportunity to look at the restructuring process.

Director Follweiler noted that the item they eliminated specified Reading Recovery[®]. She said when they discussed elimination during the committee meetings, it was discussed under the guidelines that they had alternative reading programs which would work with the children that needed reading assistance.

Dr. Lewis said if they took six Reading Recovery[®] teachers, it was their estimation there would be no Reading Recovery[®]. They would need the opportunity to reallocate the resources to the students in need of reading intervention.

Director Follweiler reviewed the previous discussion with the original recommendation which noted other resources to deal with the children, albeit more resources were always better.

President Leeson requested a roll call on the motion to reinstate three reading teachers. The question was called with roll call as follows: Yea, Directors Dexter, Haytmanek, Amato, and Leeson – 4. Nay, Directors Cann, Follweiler, McKeon, and Tenaglia – 4.

ROLL CALL –
REINSTATE THREE
READING TEACHERS

The motion failed 4 – 4.

President Leeson reviewed Director Amato's second motion to request reinstatement of three elementary level guidance counselors. Director Dexter seconded the motion.

DIRECTOR AMATO –
MOTION TO
REINSTATE THREE
GUIDANCE
COUNSELORS

Director Amato commented that he could not believe the results of the last vote. He stated the children needed to have the ability to read more than anything in the educational process.

The question was called with roll call as follows: Yea, Directors Dexter, Haytmanek, Amato, and Leeson – 4. Nay, Directors Cann, Follweiler, McKeon, and Tenaglia – 4.

ROLL CALL –
REINSTATE THREE
GUIDANCE
COUNSELORS

The motion failed 4 – 4.

Director Dexter made a motion to add one home school visitor in the Special Education Department to the budget. She reviewed that Dr. Lewis expressed a special need for a bilingual home school visitor. She added that the cut would inhibit the process of identifying special education students. She reviewed that if the motion passed it would effectively cut the savings in half, which would otherwise be realized by the previous vote. It would be one-half of \$145,000, which was approximately \$72,500. Director McKeon seconded the motion.

DIRECTOR DEXTER –
MOTION TO
REINSTATE HOME
SCHOOL VISITOR

The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia – 6. Nay, Directors Amato and Leeson – 2.

ROLL CALL –
REINSTATE HOME
SCHOOL VISITOR

The motion passed 6 – 2.

President Leeson requested a voice vote inquiring if the board wished to resume the agenda schedule beginning with the Instructional Report. The board unanimously agreed to return to the agenda schedule.

VOICE VOTE –
RETURN TO AGENDA
SCHEDULE

Mr. Adam Carpenter and Ms. Stephanie Goldberg introduced the Sententia Program at East Hills Middle School. Mr. Carpenter noted some points related to the program involving a seventh grade thematic and integrated team. He explained that Sententia would not cost the district any more money per student than any other seventh grade academic team. He said they were not requesting any additional resources and were not requesting additional funds. He also stated they were integrating the seventh grade core subject areas by finding connections and making connections with the science, math, social studies, and language arts curriculum. As team teachers, they would be developing and creating projects that would bring in all of the skills and aspects of the core curriculum.

INSTRUCTIONAL
REPORT – EAST HILLS
MIDDLE SCHOOL

Mr. Carpenter provided the example of the students developing a public service announcement campaign involving research as part of the science curriculum on a communicable disease and develop a 15 to 30 second commercial to inform the community. It would also involved graphing and statistic skills developed in math and draw on their understanding of population and demographics in social studies. He added that it would draw on the students' understanding of population and demographics in social studies and it was a persuasive piece which was a part of the language arts program. Mr. Carpenter pointed out that it was part of the seventh grade curriculum but they were just finding ways to make connections. He added that the teachers were very excited along with the students who had shown interest. The parents and community volunteers were excited about how they were not only integrating the curriculum but the discovery would then become a launching point for student expression, articulation of their opinions and broadcasting their views. He further stated that the goal was to make integrated learning with a voice and to give the students the opportunity to bring their learning out into the world through ideas such as podcasts, public service announcements, narratives, and the spoken word.

Ms. Goldberg shared some letters the students wrote regarding their interests for the program –

“I want to join Sententia because I will use it and I need it. I want to express my feelings to the world. I am also one of the people whose opinions are always different. Sententia seems like a perfect way for me to learn how to express my opinions. Sententia can help me to learn how to use my opinions. It can help me to learn how to express my opinions.”

“I want to be in Sententia because I like to learn about what problems are going on in the United States. I am very interested in the learning and how my service can help with these problems. It is important to me to find a place in the world.”

“I feel that I am a good candidate for Sententia for these reasons: I love doing projects and I think I would have a lot of fun doing a narrative, public service campaign, video podcast, and many other types of projects. Another reason I think Sententia would be good for me is that I would get farther in Sententia and work harder. Although I try my hardest to work hard and do my best, mostly everyone works better when they are interested in the topic. The topics presented interest me. I think I would be a good first Sententia candidate. It is the best type of educational program offered at my school for me.

Mr. Carpenter noted the samples chosen represented the different levels of students who showed an interest in the program.

Director Follweiler stated that she understood that their proposal for the program was not a budgetary cost to the district, but thought there might be a cost involved with equipment. She asked if the district already owned the equipment.

Mr. Carpenter replied that it was equipment already owned by the district and pointed out that although it appeared the projects were sophisticated, the current laptops used did everything they needed. He added that after a year of working with the program, they would write grants for different technology.

Director Follweiler reviewed that the board was made aware of the program approximately two weeks ago. She inquired if it was enough time for them to fully formulate the program. She also referred to the student input and asked if the students were available during the summer.

Mr. Carpenter explained they were approached during the spring of the last academic year to consider the development of a new thematic program for the seventh grade. He stated they were involved in the program planning since spring.

Director Cann said it was her understanding that the commonality among the other thematic programs was that the students learned better engaging with the environment rather than the classroom setting. She asked about the specific need primarily addressed by the Sententia Program.

Mr. Carpenter replied that East Hills Middle School would still have the Nature Quest Program, which involved the outdoor experiential learning. They felt that although the model was getting out into the world, they realized that they could get the students' voice and their learning out into the world through the available technology. They had many community volunteers as well who were prepared to come in who would specifically speak to the urge to voice an opinion, tell a story, to explore their own world, and to make comment. He noted that individuals such as the editor of Runner's World, the artistic director of HBO Sports, and the campaign manager for Taco Bell, were on board to discuss having a story, to get an image out, and to decide on their thoughts in order to express it to the world.

Director Cann inquired about the student criteria to identify the students who would benefit from the program.

Mr. Carpenter responded that it was determined by parent and student choice for previous programs. He explained there were different entry criteria for every program. With the current program they recruited students from all academic levels and backgrounds.

Director Haytmanek asked if Sententia's genesis was at East Hills or was the program instituted elsewhere in the nation.

Ms. Goldberg replied that she and Mr. Carpenter generated the program.

Director Haytmanek congratulated them on the project.

Mr. Carpenter added that they received much support from Mr. Crawford. He thought that Mr. Crawford wanted to take a thematic team in a new direction at East Hills Middle School geared toward expression and opinion.

A motion was made by Directors Follweiler and Tenaglia to approve the minutes from the March 16, 2009 Regular Board Meeting. The motion passed by unanimous voice vote.

APPROVAL OF
MINUTES

A motion was made by Directors McKeon and Follweiler to approve the minutes from the May 4, 2009 Board Finance Committee Meeting and the August 10, 2009 Board Curriculum Committee Meeting. The motion was passed by unanimous voice vote.

APPROVAL OF
COMMITTEE
MINUTES

Director Follweiler made a motion to accept the Financial Report and Payment of the Bills (Items 15 and 16). Director Cann seconded the motion.

FINANCIAL
REPORT/PAYMENT OF
BILLS

Director Tenaglia inquired about the year-end financial report for the district.

Mr. Majewski replied that the report would be completed upon the fieldwork of the audit and the preparation of the financial statements. He stated they were coming in October and he would hopefully see some preliminary work in early November.

Director Tenaglia stated that Mr. Majewski gave the board a monthly report.

Mr. Majewski agreed but noted it revealed his projections, however, the actual end of year financial report would come with the audited statements.

Director Tenaglia asked if they could receive his projections through the end of June.

Mr. Majewski agreed but noted it was different than the end of year report.

Director Tenaglia reviewed that he gave them a report every month and the last time they saw one was at the end of May.

Mr. Majewski said they saw monthly activity and projections, however, the end of year report contained audited statements.

Director Tenaglia inquired about Mr. Majewski's forecast for the deficit as of the end of June.

Mr. Majewski replied that he could provide a calculation. He noted they had adjusted their revenue and were in the process of providing the year end adjustments for the expenditures with a lot of the activity coming through the summer months which had to be accrued. At the end of the year, a lot of activity occurred, which was why they did not provide it. Based on the current information, he would provide updated projections at the September Finance Committee Meeting.

President Leeson asked Dr. Lewis if there was a five-year projection to date.

Dr. Lewis replied affirmatively and pointed out that they were based upon Mr. Majewski's estimated work. He emphasized that it was only a projection.

President Leeson requested a brief overview from Mr. Majewski with more details during the Finance Committee Meeting.

Mr. Majewski responded that he would provide an overview but it was far earlier than when they typically provided the projections. He pointed out that some of the information would not project out with the consideration there was no state budget. He would provide an updated five-year projection when they received firmer information.

Mr. Majewski explained the projected assessments were not going to be nearly as high as previously seen. He expected to see a slowing in activity and expected on average, over the next five years, they would see average annual increases of approximately 1.05 percent in assessments, which was not enough to keep up with CPI (Consumer Price Index). He considered the factoring in of a 95 percent collection rate; the value of a mill would not likely grow very rapidly over the next few years. Mr. Majewski stated he was hopeful that when they looked at other activity and explained he would factor in a very slow economic environment in the first two years with regard to housing and real estate transfer. He was hopeful they would see more modest growth in the year three, four and five, which was considered in the projections. He also anticipated that interest rates would be fairly low during that period of time and possibly in the years two, three, four, and five they would start to see some modest growth. Depending on the source, there was some concern about inflation, however there were very few economic factors that pointed to inflation and in fact, there were some discussion about deflation. Mr. Majewski commented about the projected millage increases for the next five years, noting an expected 7.26 percent increase for the 2010-2011 budget; a 3.72 percent increase for 2011-2012; a 5.83 percent increase for 2012-2013; a 2.41 percent increase for 2013-2014; and a 2.61 percent increase for 2014-2015. He pointed out the bump in the 2012-2013 years was a result of an increase in the retirement rate.

Mr. Majewski looked at salaries and wages as a percentage of the budget. He commented that it had been a declining percentage of the overall budget. He referred back to the 2002-2003 year costs and noted that it was approximately 54 percent of the budget and by the end of 2014-2015, he projected it to be just under 44 percent of the overall budget. During the 2010-2011 budget, he was ignoring what PSERS said about the projected contribution rate over the next couple of years knowing there was an issue regarding the issue they had to properly fund their own fund balance. He said he was using 10 percent in 2010-2011, 12 percent in 2011-2012, 20.16 percent in 2012-2013, 20.06 percent in 2013-2014, and 18.8 percent in 2014-2015. Their debt service was anticipated to remain fairly level over the next couple of years but they did not know what they would have with some of the refinancing but based upon their current budget for debt service; it was not anticipated that it would need to be increased or decreased significantly over the next several years. He said that he incorporated \$1,000,000 each year for the replacement of school buses beginning in the 2010-2011. He added that he had also taken charter schools into consideration as a fairly significant part of the budget. In the 2003-2004 year, it was 1.9 percent of the overall budget but by 2014-2015, it was almost 4 percent of the entire budget, which has doubled since the inception of charter schools in the region. Mr. Majewski stated that other costs should remain fairly stable, with the exception of electricity, which would be factored in as a larger than normal increase; not only next year but moving forward it would be at least a 10 percent increase based upon predictions. He was considering 15 percent for next year's budget because half of the year would probably be somewhat higher. He addressed the next five years and noted the budget would potentially increase at 6.32 percent, 4.85 percent, 7.72 percent, decrease to 3.4 percent, and 3.26 percent. He pointed out there would be some very challenging times, however, based upon some of the actions taken, with the attempt to build in a contingency, and potentially moderating the deficit projected for last year's budget. He anticipated by the end of the 2009-2010 year, the budget deficit might be down to a negative \$2,200,000, "even" around the 2010-2011 year, and increasing about \$2,000,000 per year for the next four years. Their potential fund balance would be approximately \$8,000,000 by 2014-2015 year.

Director Tenaglia referred to page one and asked if the following numbers in the 2004-2005 year of \$2,000,000, \$1,000,000, \$5,000,000, and \$4,900,000 should be negative figures.

Mr. Majewski replied that they were negative numbers as they impacted the fund balance, however, they were included in order to show the revenues and expenditures would have been equal and it required the fund balance to be viewed as a receipt in order to be able to balance the budget. He agreed they used \$2,000,000 of the fund balance in 2004-2005, \$1,000,000 in 2005-2006, \$5,600,000 in 2006-2007, and almost \$5,000,000 in 2007-2008.

President Leeson requested a roll call on Items 15 and 16. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 8.

ROLL CALL-
FINANCIAL
REPORT/PAYMENT OF
THE BILLS

The motion passed 8 – 0.

President Leeson announced there was an executive session held earlier which covered personnel issues, special education litigation, student and employee discipline.

PRESIDENT'S
COMMUNICATION

President Leeson also announced a Superintendent Search Meeting to be held at the Education Center on next Monday, August 24 at 6:30 p.m.

She brought attention to last week's meeting of which she was not in attendance. She stated that it was with great disappointment that they received a three-page note as to why the athletic directors should not go back into the classroom for only one class. She pointed out that they did not hear any feedback when they were considering classroom assignments for the department heads. She reviewed the position and program cuts that were upsetting to all of them, but they still were not ready to ask the athletic department to share in some of burden. She believed it spoke to the priorities of the district and noted the priorities of the board focused on strong academics, yet at times actions were not seen.

Dr. Lewis stated he was notified by the Pennsylvania Association of Elementary and Secondary School Principals, recognizing three Nitschmann Middle School employees who were selected speakers at the summer institute. During the training they highlighted the outstanding programs developed in all of the district's schools. The staff, who received recognition, were Jacqueline Santanasto, Courtney Whitehouse, and Samantha Sommer. In addition, the organization noted they received numerous verbal and written compliments regarding their presentation.

SUPERINTENDENT'S
REPORT

Dr. Lewis requested to pull Policy 707, which was Item 10 on page 22, as requested by Dr. Donaher, Mr. Gilliland, and the athletic directors in order to address some items.

Dr. Lewis noted transposition on the webmaster assignments on page 16 for Donegan and Freemansburg Elementary Schools. He noted the schools needed to be reversed.

Director Cann thanked Dr. Lewis and Mr. Majewski for the update on the information requested by the public at the last general board meeting, in that the minutes from the June 1 Town Meeting for the superintendent search had been posted on the district website.

UNFINISHED
BUSINESS

Director Dexter recalled her earlier action to move to divide Item 1 in order to allow separate discussion of the cuts. She noted that she stood with the board in making some of the cuts. She added that she realized the need to reduce expenses but thought some of the programs could have been spared. She wanted to clarify that although she voted no on the motion, she agreed that cuts needed to be made. She was sure that if they proposed to cut athletics or any other service or program provided by the district, the room would be filled with people to voice their opinion. Director Dexter explained that the board was composed of nine strong individuals with different backgrounds and views, backgrounds, perspectives, and life experiences. She pointed out that they had a huge job and not one person came to the table with a light heart. She said that every vote was made without collusion. She reviewed that some people who had approached the podium had blamed the board and pointed out that it was difficult to serve in the position. She asked the public to show their support in the schools, and in the classrooms if they were teachers, in homes if they were parents, and if they were students; to try to do the best with what they had. She stated that they all served as board members because they thought they could bring reasoned decision making to the table. She noted that although she cast the only nay vote, she actually agreed with her colleagues about some of the cuts. She did not feel any animosity, anger, or angst about it because she was aware of the thought process involved. She said they were her colleagues and she felt blessed to work with them because of the dedication they had made in their lives to serve the district. She reviewed that if the cuts were not made, the educational programs they had come to rely upon in the classrooms would take on a different face including increased class sizes, buildings in disrepair, and air conditioning and water faucets not working properly. Director Dexter said she had never experienced a situation as serious as what they faced this evening. She commented that the crowd appeared to have had somewhat of a mob mentality and she did not appreciate it because of her knowledge of the dedicated board members and their work of which she was grateful. She concluded that she was thankful to the board for their votes in addition to their integrity.

President Leeson stated there was an update on class sizes with one school in particular that had quite a number of lower enrollments in certain classes. She asked what was being done to ensure adequate enrollment in the classes.

Dr. Lewis replied that Mr. Washington made weekly reviews and believed there was communication with the administration from the particular school. He explained they would not be running courses below approximately 15 students, with the exception of special education. They could not justify 32 to 35 students in one class and less than 10 in another class.

AUGUST 17, 2009

Dr. Lewis addressed a hand carry item for nominations and reassignments as follows:

RECOMMENDATIONS
OF THE
ADMINISTRATION

9-a – Dr. Lewis proposed that Tracy Hirner, the acting assistant principal at East Hills Middle School, be moved to assistant principal at the school at the pro-rated salary as listed on the reassignment.

9-b – The position for Jennifer Hilton, previously approved as an acting assistant principal at Northeast Middle School, be moved to assistant principal as a reassignment at the agreed upon Act 93 prorated salary.

9-c – The position listed under Nominations for Appointment was a recommendation for the movement of Vivian Robledo-Shorey to assistant principal at Liberty High School at an unchanged salary with the proviso that she be given due consideration for a principal's position if one would become available within her certification.

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° Information Item Only

1. *Approval of Program Cuts from the 2009-2010 Budget*

INFORMATION:

Due to the state of the economy and the uncertainty of the school funding from the State, the board reviewed program cuts at several board meetings culminating with direction to the administration on August 10, 2009.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to reduce or eliminate the following programs from the 2009-2010 Budget with an approximate savings of \$3,564,027:

- a. To eliminate the position of Human Resources Director with responsibilities to be reorganized and consolidated for a savings of \$105,207.
- b. To close the Career Academy for an estimated savings of \$534,115.
- c. To eliminate a .5 secretarial position in the Special Education Department for a savings of \$18,963.
- d. To discontinue the Driver Education Theory Program for a savings of \$72,500.
- e. To discontinue the Rifle Team and Middle School Soccer Program for a savings of \$32,000.
- f. To eliminate SPARK transportation at an estimated reduction of \$80,000.
- g. To reduce the reading positions by six (6) positions in the Reading Recovery Program, and reorganize reading support from one to one, to three to one, five to one, or greater ratio for an estimated savings of \$435,001.
- h. To discontinue the Instructional Support Team (IST) program for a savings of approximately \$507,501.
- i. To discontinue the Home School Visitors in the Special Education Department for a savings of \$145,000.
- j. To reduce the elementary guidance position ratios by eliminating six (6) positions for a savings of \$217,501.
- k. To eliminate the district-wide math support for an approximate savings of \$145,000.
- l. To close the Regional Academic Standards Academy for an estimate savings of \$1,053,739.

See the discussion and vote located on pages 16 through 23 within the board minutes.

2. *Approval of the Mandate Waiver Program Application for the Old Northeast Middle School Demolition Project*

INFORMATION:

In reviewing and preparing the design for the demolition of the old Northeast Middle School, there is very limited mechanical and electrical work associated with the project. The majority of the work is general construction and environmental remediation. It would be more efficient to have the general contractor perform the excavation and coordinate the work directly with his subcontractor. The costs and scope of the mechanical and electrical work is incidental to the overall project and is less than six percent of the project costs which makes it very inefficient and not cost effective to have separate primes for this work.

This information was reviewed with the board at the Board Curriculum Committee Meeting on August 10, 2009.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to submit the attached Mandate Waiver Program Application to the Pennsylvania Department of Education for a single prime contract approach.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

MANDATE WAIVER PROGRAM APPLICATION

School District/IU/AVTS: Bethlehem Area School District

Board Adoption Date:

Superintendent/Executive Director: Dr. Joseph Lewis

Contact Person: Scott Gilliland

President, Board of Directors: Loretta Leeson

Telephone Number and Fax:

Ph (610) 867-8635

OR

Fax (610) 807-5574

Chairperson, Board of Control:

E-mail address: sgilliland@beth.k12.pa.us

SECTION 1 - Law/Regulation/Standard to be waived. Please provide the appropriate legal citation and specify the provision(s) from which relief is sought.

The Bethlehem Area School District (BASD) requests a waiver of Section 751 of the Pennsylvania School Code of 1949, to the extent that this section requires BASD to enter into multiple prime contracts for demolition of the old Northeast Middle School and construction of new athletic fields and toilet room/utility building. The BASD plans to have one prime contract for environmental remediation and a second prime contract for demolition, general construction, sitework, mechanical construction and electrical construction.

SECTION 2 - Specify need for waiver.

The Board of the BASD approved \$5 million for the demolition of Northeast Middle School and has begun the process of preparing the design and bidding requirements and intends to advertise for bids in January 2010. As it prepares those bid documents, the BASD seeks a waiver of the requirement that it enter into multiple prime contracts in order to (1) reduce costs and liability (2) increase efficiency, improve schedule and reduce disruption.

The single source approach provides the most cost effective and efficient method for the completion of this construction project. Many contractors have developed relationships with groups of loyal and capable sub contractors with whom they work cooperatively and synergistically. As such, the single prime approach enables contractors to provide exceptional coordination, value and quality to their customers, while completing their projects within budget and schedule requirements. When those contractors have to engage in multiple prime projects, they often assign additional costs in their bids because they do not know what other contractors they will be working with, nor do they know how efficient the coordination process will be. See August 10, 2009 letter from M. Arif Fazil to Scott Gilliland, attached hereto as Exhibit "A".

It is more difficult to demand performance from separate prime contractors than it is to demand performance from a single contractor with a direct contractual relationship with specialty trade contractors. For this project the majority of work involves demolition and sitework with construction of a small utility/toilet building. Most of the work on this project is General Construction and there is only limited electrical work related to the utility/toilet building and site lighting and mechanical work related to the utility/toilet building. Therefore, since the mechanical and electrical work is incidental, less than 6% in total, it is not effective or efficient to bid separate prime contractors for this limited work. The costs of additional bonding, insurance, supervision and general conditions will result in unnecessary additional costs. See August 10, 2009 Fazil letter (Ex. "A").

Lack of coordination among prime contractors and claims of interference or delay by one prime contractor against another prime contractor can cause increase in costs, substantial delays, time consuming and costly litigation and even lead to the failure of a project. See August 2009 Fazil letter (Ex. "A"). The single prime approach substantially reduces the possibility of coordination issues, safety lapses or of duplication of efforts by separate prime contractors and therefore results in overall cost savings.

SECTION 3 - Explain how the waiver will enable the school district, IU or AVTS to 1) improve its instructional program and/or 2) operate in a more effective, efficient or economical manner.

The single prime approach to construction utilizing a single contractor which holds all subcontracts is the most effective approach with regard to quality, budget, schedule and safety for this project with limited electrical and mechanical work. This approach fosters responsibility, which ultimately increases cost-effectiveness and prevents unnecessary delay. Since the subcontractors actually work for the single prime contractor, they are accountable to this contractor, who consequently has influence over the quality of their work. This facilitates coordination among trades, minimizes "finger pointing" and avoids delay since the contractor is able to intercede on behalf of the owner with regard to all aspects of the project, including scheduling, phasing, safety, quality concerns and changes.

The expeditious and smooth construction of the demolition and sitework project will result in less disruption to BASD's staff and programs therefore allowing them to focus on their important work. In addition, by making the coordination responsibilities directly the contractor's concern it will result in fewer of the BASD's resources being diverted from their workload and also, by avoiding any delays or finger pointing, the BASD staff will be able to continue to perform and provide the critical resources and programs they provide to the students of the district and specifically the Northeast Middle School.

SECTION 4 - Explain benefits to be obtained by the waiver, and supply supporting data and information.

The waiver would benefit the BASD by (1) reducing project costs, (2) improving the efficiency of the project and reducing disruption to the BASD's staff and programs, (3) increasing occupant safety and (4) eliminating the BASD's involvement in any disputes between contractors. Without a waiver, cost of completion of this project, the time for completion of the project, the safety risks and the potential for claims and litigation would likely be significantly and unnecessarily increased.

The single prime approach would eliminate the need for contractors to include contingencies in their bid prices because they do not know the other contractors with which they will need to substantially coordinate their efforts. In the single prime context there is less risk of delay and the associated disruption that such delay can cause. Overall safety of the project is increased by reducing the possibility of gaps in responsibility between unassociated prime contractors.

SECTION 5 – If the purpose of the waiver is to improve the instructional program, please explain how the program will operate under the waiver.

The waiver will allow the BASD to control the liability and costs of the project and complete the project in a more expeditious manner with less disruption to the BASD personnel. This will allow the BASD personnel to remain efficient and effective in delivering the services and programs they provide.

SECTION 6 – Describe the evaluation procedure that will be used to determine: 1) the effectiveness of an innovative program; 2) the effectiveness of a revised instructional program, which shall include measures of student performance; and 3) the effectiveness of changes in the operations of the school district, IU or AVTS.

The BASD will record the impact of the waiver by comparing the estimated costs and time schedules of the project to the actual costs after completion. It will also compare the project's conformity to time schedules and projected costs as compared to other projects involving multi-prime contractors where this information is available and relevant.

AFFIRMATION

We affirm that this application was adopted by the attached resolution of the Board of School Directors/Board of Control at a regularly scheduled meeting of the board. The school board's solicitor has reviewed the application and has determined that in waiving _____, the school district, IU or AVTS will not violate any court order, state law or federal law. (Insert law/regulation/standard to be waived)

We acknowledge that it is the board's responsibility to ensure that implementation of the waiver will be consistent with the terms of any court order, collective bargaining agreement or contract by which the board is bound.

Affirmed this _____ day of _____

Superintendent/Executive Director

President, Board of Directors OR
Chairperson, Board of Control

SEAL

Taken, sworn and subscribed before me,

this _____ day of _____ A.D. _____

3. *Student Discipline - #0953608 - Petition*

INFORMATION:

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

RECOMMENDATION:

That the Board of School Directors adopts the petition relating to Student Number 0953608.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

4. *Approval of the Implementation of the Thematic Program, Sententia, at East Hills Middle School*

INFORMATION:

In the fall of 2009, East Hills Middle School seeks to launch a new seventh grade thematic program, Sententia (sen-TEN-cha). *Sententia* is Latin for opinion, thought, way of thinking and meaning. The thematic team, Sententia, is all about the students' opinions, thoughts, their ways of thinking, and the ways they can make meaning of their world. It is an integrated approach that develops the child's voice and opinion through a variety of media and technology.

The teachers who have come forward to design this program as a thematic offering to students will have children in the program work in cooperative groups as they tackle personal, cultural, community, and world issues. Topics in geography and science will be completely integrated with their instruction in math, reading, and writing. A major part of this program will be developing the child's voice through a multitude of mixed media. From narratives to podcasts, public service videos to poetry, the children will explore what they have to say, and how they want to say it.

In order to assist the students with finding their voice and their stories, the Sententia teachers will work to recruit people within the community to visit with and share their experience with bringing their voice into the world. They will share how they find a message, and how they choose to tell it. Students will then work throughout the year to determine the means by which they will express their voice, their opinion, their understandings, and their accomplishments.

RECOMMENDATION:

That the Board of School Directors approves the implementation of the thematic program, Sententia, to begin in the fall of 2009 at East Hills Middle School with no additional funding from the General Operating Budget.

Director Tenaglia reviewed that additional information was requested last week which they received this evening, but he noted he was very uncomfortable adding programs when they just spent a great deal of time cutting programs, which was extremely difficult. He pointed that although it was stated that there was not a cost; there was a cost to the district in the assignment of students to the teachers, so he would be voting "no" on the recommendation.

RECOMMENDATIONS OF THE ADMINISTRATION – August 17, 2009

4. *Approval of the Implementation of the Thematic Program, Sententia, at East Hills Middle School (continued)*

Dr. Lewis stated that Mr. Carpenter noted that he and Ms. Goldberg would be teaching 50 to 59 students regardless. He wanted it to be understood that he thought it was more of a philosophic shift. He believed they had agreed to underwrite their field trips and to using current equipment with no additional cost. He added that if they chose not to pass the program, nothing would stop them from using voice as a centerpiece, even though he believed they would not defy the board. He clarified that the caliber of the program did not require outside experiential learning such as overnight travel.

Director Tenaglia replied that he also heard the program was formulated during the spring and the board were not informed until the August curriculum.

Dr. Lewis responded that he addressed it with the current principal who did not have the knowledge that Mr. Crawford was not communicating with Mrs. Katona. He emphasized that the information was not sheltered by any stretch of the imagination. When they learned about the program, they communicated with Mr. Horvath who immediately went to Mr. Carpenter and Ms. Goldberg with the advisement to get the information to the board for approval.

Director Follweiler inquired about tracking the programs in order to verify them mid-year.

Dr. Lewis replied they could use some in house testing and state testing measures. He reviewed that in studies of the Monagacci Program, when using comparative analysis, the student did better on standardized tests.

Director Follweiler commented that she was focusing on the financial metric in order to prove that it would not cost the district.

President Leeson pointed out that Item 5 was not effective until the 2010-2011 school year.

The administration's recommendations 4, 9a, 9b, and 9c were considered together.

5. *Approval of the Implementation of an Engineering Program through Project Lead the Way at Liberty High School*

INFORMATION:

The Liberty High School science department has been investigating various programs in order to incorporate hands-on engineering courses into their science department as a small learning community. Following six months of research, they have determined Project Lead the Way offers the best engineering program for their students, and they are asking the board to consider adopting Project Lead the Way for implementation during the 2010-2011 school year.

Liberty High School's principal, science department chairperson, and the administration agree that Project Lead the Way presents an exciting and timely opportunity for our students, as it would be a very good fit within the ongoing development of small learning communities and with our efforts as we work toward adopting a Career Pathways model. The many benefits of this program for students, as well as for schools and educators, are outlined in an information packet that board members received at the end of July 2009. Any students who have the minimum math requirements will be eligible to opt into this program. Furthermore, those students who go through the program in its entirety will be eligible to receive college credit through Penn State University.

The high end of the costs associated with implementing Project Lead the Way amount to approximately \$300,000. Members of the Liberty High School science department and administration are actively seeking financial support through benefactors and grants.

In order to implement Project Lead the Way in the 2010-2011 school year, it is necessary for the district to identify its intent no later than October 2009.

RECOMMENDATION:

That the Board of School Directors approves the implementation of an engineering program through Project Lead the Way to be offered at Liberty High School beginning in the fall of 2010 provided it is 100 percent funded outside the General Operating Budget.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

6. *Resignations*

RECOMMENDATION:

Administrative

- | | | |
|----|-------------|--------------------------|
| 1. | NAME: | Thomasik, Thomas |
| | ASSIGNMENT: | Manager, Human Resources |
| | REASON: | Retirement |
| | EFFECTIVE: | August 1, 2009 |

6. *Resignations*

RECOMMENDATION:

Instructional

1. NAME: **Klenk, Matthew**
ASSIGNMENT: Liberty, Vocal Music Teacher
REASON: Personal
EFFECTIVE: June 10, 2009
2. NAME: **Neitz, Joanne**
ASSIGNMENT: Miller Heights, Grade 1 Teacher
REASON: Retirement
EFFECTIVE: June 10, 2009
3. NAME: **Pum, Brian**
ASSIGNMENT: Freedom, Social Studies Teacher
REASON: Personal
EFFECTIVE: June 13, 2009

6. *Resignations***RECOMMENDATION:*****Noninstructional***

1. NAME: **Barbosa, Carmen**
 ASSIGNMENT: Donegan, Teacher Assistant/General Duty
 Aide
 REASON: Personal
 EFFECTIVE: June 5, 2009
2. NAME: **Cruz, Juan A.**
 ASSIGNMENT: Marvine, Supplemental Custodian
 REASON: Personal
 EFFECTIVE: August 4, 2009
3. NAME: **Karwacki, Gail**
 ASSIGNMENT: Liberty, General Kitchen Help
 REASON: Retirement
 EFFECTIVE: June 5, 2009
4. NAME: **Keim, Leslie**
 ASSIGNMENT: Freedom, Teacher Assistant
 REASON: Personal
 EFFECTIVE: June 5, 2009
5. NAME: **Lockhart, Nicole**
 ASSIGNMENT: Governor Wolf, Teacher Assistant
 REASON: Personal
 EFFECTIVE: June 5, 2009
6. NAME: **Shupe, Teresa**
 ASSIGNMENT: Spring Garden, Teacher Assistant
 REASON: Personal
 EFFECTIVE: June 13, 2009
7. NAME: **Soldo, Sheila**
 ASSIGNMENT: Calypso, General Kitchen Help
 REASON: Retirement
 EFFECTIVE: June 5, 2009

6. *Resignations*

RECOMMENDATION:

Noninstructional (continued)

- | | | |
|----|---|--|
| 8. | NAME:
ASSIGNMENT:
REASON:
EFFECTIVE: | Spevak, Theresa
Liberty, Assistant Cook
Retirement
June 5, 2009 |
| 9. | NAME:
ASSIGNMENT:
REASON:
EFFECTIVE: | Tocci, Patricia
James Buchanan, General Kitchen Help
Retirement
May 30, 2009 |

6. *Resignations*

RECOMMENDATION:

Miscellaneous

- | | | |
|----|-------------|------------------------|
| 1. | NAME: | Burwell, Laurie |
| | ASSIGNMENT: | Bus Driver |
| | REASON: | Personal |
| | EFFECTIVE: | June 2, 2009 |
| 2. | NAME: | Propsner, Janet |
| | ASSIGNMENT: | Bus Driver |
| | REASON: | Personal |
| | EFFECTIVE: | February 10, 2010 |

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

7. *Leaves of Absence*

RECOMMENDATION:

Instructional

1. NAME: **Freeh, Anne**
 ADDRESS: Bethlehem
 ASSIGNMENT: Liberty, Spanish Teacher
 REASON: Family Medical Leave of Absence
 EFFECTIVE: August 24, 2009, intermittently until the end of the
 day on August 24, 2010

2. NAME: **Pammer, Jennifer**
 ADDRESS: Macungie
 ASSIGNMENT: Hanover, Special Education Teacher
 REASON: Family Medical/Childrearing Leave of Absence
 EFFECTIVE: Family Medical Leave to begin August 24, 2009,
 until the end of the day on November 17, 2009
 Childrearing Leave of Absence to begin on
 November 18, 2009, until the end of the day on
 December 23, 2009

3. NAME: **Tice, Millicent**
 ADDRESS: Easton
 ASSIGNMENT: Asa Packer, Grade 1 Teacher
 REASON: Sabbatical Leave of Absence
 EFFECTIVE: August 24, 2009, until the end of the day on
 January 21, 2010

7. *Leaves of Absence*

RECOMMENDATION:

Noninstructional

- | | | |
|----|-------------|---|
| 1. | NAME: | Lovett, Victoria |
| | ADDRESS: | Bethlehem |
| | ASSIGNMENT: | Hanover, Health Assistant |
| | REASON: | General Leave of Absence |
| | EFFECTIVE: | October 25, 2009, until the end of the day on
November 4, 2009 |

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

8. *Nominations for Appointment*

RECOMMENDATION:

Instructional

- | | | |
|----|------------------|--|
| 1. | NAME: | Lynn, Andrew |
| | ADDRESS: | Phoenixville |
| | COLLEGE, DEGREE: | Moravian College, B.A. |
| | ASSIGNMENT: | Freedom, (.5) Instrumental Music Teacher |
| | STATUS: | Temporary Professional Employee |
| | SALARY: | \$20,400 (Bachelor's, Step 1) |
| | EFFECTIVE: | August 24, 2009 |

8. *Nominations for Appointment*

RECOMMENDATION:

Noninstructional

- | | | |
|----|-------------|---|
| 1. | NAME: | Hart, Sarah |
| | ADDRESS: | Bethlehem |
| | ASSIGNMENT: | Child Care, Assistant Center Supervisor, 5.5 hours daily,
split shift, 12 months |
| | SALARY: | \$11.21 per hour |
| | EFFECTIVE: | August 18, 2009 |

8. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous

The following salaries are for the 2008-2009 school year and will be adjusted for the 2009-2010 school year, consistent with Article XXVII of the Collective Bargaining Agreement between the Board of School Directors and the Bethlehem Education Association.

1. **Coaches**

Liberty High School

Boys Soccer

Assistant Coach	Sarkozy, Kalman, Jr.	Continuing	\$3,876.00
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Broughal Middle School

Football

Assistant Coach	Muller, Ryan	New	2,025.00
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Girls Volleyball

Head Coach	Check, Joanne	Continuing	2,293.00
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East Hills Middle School

Field Hockey

Assistant Coach	Vresk, Nikki	New	1,266.00
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Nitschmann Middle School

Girls Volleyball

Assistant Coach	Rodenbach, Scott	New	1,266.00
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2. **Lifeskills/Academic Maintenance Program (L/AMP)**

Supervisor

Snyder, Tracy

SALARY: \$32.04 per hour

Teachers

Gori, Michael

Hadigan, Erin

Hujsa, Bridget

Landis, Barbara

Majewski, Jennifer

McDonald, Sherri

Ortiz, Natalie

SALARY: \$32.04 per hour

Perry, Jonathan

Pitsilos, Andrew

Pretopappa, Alesha

Radler, Chad

Service, Dionne

Vazquez, Kristin

8. *Nominations for Appointment***RECOMMENDATION:*****Miscellaneous (continued)*****2. Lifeskills/Academic Maintenance Program (L/AMP) (continued)*****Monitors*****Morgan, Pierre****Williams, LaTanya**

SALARY: \$12.78 per hour

3. Summer School – Elementary***Marvine Elementary School******Teacher*****Williams, Diane**

SALARY: \$32.04 per hour

4. Summer School – Middle***Northeast Middle School******Teachers*****Bloss, Jaime****Klose, Connie****Sisle, Stewart**

SALARY: \$32.04 per hour

Monitor**Snyder, Susan**

SALARY: \$11.35 per hour

5. Webmasters***Elementary Schools***

Asa Packer

Calypso

Clearview

Donegan

Farmersville

Fountain Hill

Freemansburg

Governor Wolf

Hanover

James Buchanan

Lyons, Tammy**DiCicco, Anthony****Sosa, Lynn****Henninger, Jennifer****Braun, Regina****Braun, Thomas (.5)****Ginsberg, Jeremy (.5)****Tracy, Jamie****Hawke, Elizabeth****Bethel, Earl (.5)****Ronyack, Jane (.5)****Bellucci, Eric**

8. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

5. **Webmasters (continued)**

Lincoln
Marvine
Miller Heights
SPARK
Spring Garden

Thomas Jefferson
William Penn
SALARY: \$604.00

Middle Schools

Broughal

East Hills
Nitschmann
Northeast
SALARY: \$717.00

High Schools

Freedom
Liberty
SALARY: \$2,917.00

Sylva Diadra
Hoke, Judith
Sassaman, Melissa
Gilboy, Taryn
Bethmann, Ruth (.5)
Cassidy, Jane (.5)
Grube, Kimberly
Beller, Rebecca

Bothwell, Dawn (.5)
Cruz, Randy (.5)
Dutton, Tammy
Ellis, Lara
Beck, David

Dolak, Chad
Gori, Michael

8. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Instructional

Billowich, Crista
Whitehall

Correll, Chad
Bethlehem

Fazakas, Anita
Bethlehem

Randall, Lynn
Bethlehem

Steven, Donna
Bethlehem

8. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Noninstructional

Holder, Catherine
Bethlehem

Kimmerly, Cathaleen
Bethlehem

Morrow, Constance
Bethlehem

Schumann, Frances
Easton

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

9. *Reassignments*

RECOMMENDATION:

Instructional

1. NAME: **Dunstan, Michael**
 FROM: Freedom, (.3) English Teacher
 TO: Freedom, 1.0 English Teacher
 SALARY: \$48,785 (Master's, Step 8)
 REASON: Successful Candidate
 EFFECTIVE: August 24, 2009

2. NAME: **Schutt, Tina**
 FROM: Freedom, (.5) Mathematics Teacher
 TO: Freedom, (.3) Mathematics Teacher
 SALARY: \$15,294 (Master's, Step 10)
 REASON: Employee Request
 EFFECTIVE: August 24, 2009

9. *Reassignments*

RECOMMENDATION:

Noninstructional

1. NAME: **Houser, Morgan**
 FROM: Freedom, C-1 Custodian, Long-term Substitute
 TO: Freedom, C-1 Custodian
 SALARY: \$16.46 per hour
 REASON: Successful Candidate
 EFFECTIVE: August 18, 2009

2. NAME: **Maldonado, Israel**
 FROM: Donegan, Supplemental Custodian
 TO: Freedom, C-1 Custodian
 SALARY: \$14.46 per hour
 REASON: Successful Candidate
 EFFECTIVE: August 18, 2009

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9a. *Reassignment*

RECOMMENDATION:

Administrative

1. NAME: **Hirner, Tracy**
FROM: Acting Assistant Principal, East Hills Middle School
TO: Assistant Principal, East Hills Middle School
SALARY: \$80,354, prorated (Category 4, Step 1)
EFFECTIVE: August 8, 2009

Director Follweiler asked for clarification in that all three positions were vacant at the present time and the reassignments would be moving into an available slot with no creation of new positions.

Dr. Lewis replied that he would not use the word “vacant,” but rather they were existing positions. He stated they were not creating any new positions.

Director Tenaglia stated that it was the second time the administration had publicly approached them and avoiding the past practice of discussion during executive session prior to being placed on the agenda. He reviewed that the superintendent did not share the appointments with them during executive session. He commented that he would be voting no on 9a, 9b, and 9c due to the lack of procedure followed by administration.

Dr. Lewis responded that he took offense to Director Tenaglia’s comment. He said he was attempting to abide by the Act 93 agreement and noted that it could have been grieved. He stated the association withheld their grievance until it was resolved, as did Mr. Ras, who expressed his dissatisfaction. He said it was not his intention to undermine and noted the people involved were working in good faith to attempt to open the schools.

Director Tenaglia reviewed that they sat together for an hour and he did not share one word about it and it was the second occurrence.

Dr. Lewis apologized and explained it was not intentionally done.

Director Dexter commented that when they made the other appointments, they also appointed Leigh Rusnak to a position. She inquired if that position was also “acting.”

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9a. *Reassignment (continued)*

Dr. Lewis replied that both principal positions were appointed as Act 93 permanent positions.

Items 9a, 9b, and 9c passed 5 – 3.

ROLL CALL –
ITEMS 4, 9a, 9b,
and 9c

The administration's recommendations 4, 9a, 9b, and 9c were considered together.

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9b. *Reassignment*

RECOMMENDATION:

Administrative

- | | | |
|----|------------|---|
| 1. | NAME: | Hilton, Jennifer |
| | FROM: | Acting Assistant Principal, Northeast Middle School |
| | TO: | Assistant Principal, Northeast Middle School |
| | SALARY: | \$81,632, prorated (Category 4, Step 2) |
| | EFFECTIVE: | July 1, 2009 |

Director Follweiler asked for clarification in that all three positions were vacant at the present time and the reassignments would be moving into an available slot with no creation of new positions.

Dr. Lewis replied that he would not use the word “vacant,” but rather they were existing positions. He stated they were not creating any new positions.

Director Tenaglia stated that it was the second time the administration had publicly approached them and avoiding the past practice of discussion during executive session prior to being placed on the agenda. He reviewed that the superintendent did not share the appointments with them during executive session. He commented that he would be voting no on 9a, 9b, and 9c due to the lack of procedure followed by administration.

Dr. Lewis responded that he took offense to Director Tenaglia’s comment. He said he was attempting to abide by the Act 93 agreement and noted that it could have been grieved. He stated the association withheld their grievance until it was resolved, as did Mr. Ras, who expressed his dissatisfaction. He said it was not his intention to undermine and noted the people involved were working in good faith to attempt to open the schools.

Director Tenaglia reviewed that they sat together for an hour and he did not share one word about it and it was the second occurrence.

Dr. Lewis apologized and explained it was not intentionally done.

Director Dexter commented that when they made the other appointments, they also appointed Leigh Rusnak to a position. She inquired if that position was also “acting.”

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9b. *Reassignment (continued)*

Dr. Lewis replied that both principal positions were appointed as Act 93 permanent positions.

Items 9a, 9b, and 9c passed 5 – 3.

ROLL CALL –
ITEMS 9a, 9b,
and 9c

The administration's recommendations 4, 9a, 9b, and 9c were considered together.

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9c. *Nominations for Appointment*

RECOMMENDATION:

Administrative

- | | | |
|----|------------|--|
| 1. | NAME: | Robledo-Shorey, Vivian |
| | FROM: | Principal, Career Academy |
| | TO: | Assistant Principal, Liberty High School |
| | SALARY: | \$93,258, prorated (Category 2, Step 6) |
| | EFFECTIVE: | August 18, 2009 |

Director Follweiler asked for clarification in that all three positions were vacant at the present time and the reassignments would be moving into an available slot with no creation of new positions.

Dr. Lewis replied that he would not use the word “vacant,” but rather they were existing positions. He stated they were not creating any new positions.

Director Tenaglia stated that it was the second time the administration had publicly approached them and avoiding the past practice of discussion during executive session prior to being placed on the agenda. He reviewed that the superintendent did not share the appointments with them during executive session. He commented that he would be voting no on 9a, 9b, and 9c due to the lack of procedure followed by administration.

Dr. Lewis responded that he took offense to Director Tenaglia’s comment. He said he was attempting to abide by the Act 93 agreement and noted that it could have been grieved. He stated the association withheld their grievance until it was resolved, as did Mr. Ras, who expressed his dissatisfaction. He said it was not his intention to undermine and noted the people involved were working in good faith to attempt to open the schools.

Director Tenaglia reviewed that they sat together for an hour and he did not share one word about it and it was the second occurrence.

Dr. Lewis apologized and explained it was not intentionally done.

Director Dexter commented that when they made the other appointments, they also appointed Leigh Rusnak to a position. She inquired if that position was also “acting.”

RECOMMENDATION OF THE ADMINISTRATION – August 17, 2009

9c. *Reassignment (continued)*

Dr. Lewis replied that both principal positions were appointed as Act 93 permanent positions.

President Leeson requested a vote on the administration's recommendations 4, 9a, 9b, and 9c. The question was called with roll call as follows: Yea, Directors Cann, Follweiler, Haytmanek, Amato, Leeson (with the exception of Item 4 – no). ROLL CALL – ITEMS 4, 9a, 9b, and 9c

Item 4 failed 4 – 4.

Items 9a, 9b, and 9c passed 5 – 3.

The administration's recommendations 4, 9a, 9b, and 9c were considered together.

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

INFORMATION:

Board Policy 707 – Use of School Facilities was revised and approved by the Board of School Directors at the April 27, 2009, Regular Board Meeting. Adjustments to the policy need to be made.

The board reviewed these changes at the August 10, 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.

Dr. Lewis requested to pull Policy 707, which was Item 10 on page 22, as requested by Dr. Donaher, Mr. Gilliland, and the athletic directors in order to address some items.

BETHLEHEM AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: November 15, 2004

REVISED: April 21, 2008
April 27, 2009

1st Reading: August 10, 2009

Board Human Resources Committee Meeting

2nd Reading: August 17, 2009

Regular Board Meeting

	707. USE OF SCHOOL FACILITIES
1. Purpose	<p>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.</p>
2. Authority	<p>The Board directs that use of school facilities may be granted to individuals and community groups for the following types of activities:</p> <ol style="list-style-type: none"> 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	<p>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.</p>
3. Delegation of Responsibility	<p>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.</p> <p>An application for use of school facilities may be disapproved because of noncompliance with established policy and procedures by the Superintendent or designee.</p>

4. Classifications	<p>The classification scheme established in this policy will be used in determining fees or other requirements.</p> <p><u>Class I – District-Sponsored Activities</u></p> <p>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.</p> <p><u>Class IA – District Approved Youth Athletic Programs</u></p> <p>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.</p> <p>Class IA organizations are those that meet all of the following requirements:</p> <ol style="list-style-type: none"> The organization is a feeder program to Bethlehem Area School District programs. The organization is 100% volunteer run. The organization is nonprofit. The organization does not have plants and physical asset. The use of the pool under this classification does not apply. <p>Any organization that charges admission is automatically considered a Class III group.</p> <p><u>Class II – Community Service Groups</u></p> <p>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.</p>
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5. Guidelines	<p>Non-profit status must be verified by meeting one of three categories: 1) A 501(c)3 organization; 2) Verifiable religious organization and political sub-division. A copy of the IRS determination letter must be submitted with the application.</p> <p>Any organization that charges admission to an event is automatically considered a Class IV group.</p> <p><u>Class III – Other Schools</u></p> <p>Class III represents exclusively other Pennsylvania elementary or secondary schools, school districts, PIAA, District or State competitions that are interscholastic in nature. These groups will pay the flat fees detailed in the leases fees, plus custodial fees, utilities, and other personnel fees. An insurance certificate must also be submitted to the district.</p> <p><u>Class IV – All Other Organizations and Individuals</u></p> <p>Class IV 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.</p> <p>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.</p> <p><u>Application Process</u></p> <p>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.</p> <p>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. Also the application will specify which, if any, district athletic or facility equipment will be used.</p> <p>Along with the completed application, the individual or group must submit the following:</p> <ol style="list-style-type: none"> 1. Payment of the specified rental fee, in advance; no exceptions. 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.
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4. A specific “Camp Application” must be completed for all sports or activity based camps.

Application Evaluation

No application to use school facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any school-sponsored activity.
2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator.
4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity.

The district reserves the right to limit the duration of the lease to promote broad-based community involvement.

Record Keeping

The Director of Facilities and Operations shall maintain a data base of all lease activities and issue a report monthly to the superintendent and board.

Site Manager

All events that require a site manager will be charged the fee listed under Rental Charges. The site manager for any lease may not be a participant in the lease activity. The superintendent or his designee shall develop and maintain a current job description for the site manager position.

Board of School Directors Report

The Board of School Directors will receive a monthly report of all leased facilities by location, organization, and estimated fees, if applicable.

Limitations

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:

<p>SC511</p> <p>10 P.S. 311 et seq.</p> <p>20 U.S.C. Sec. 7181 et seq. 35 P.S. 1223.5</p>	<ol style="list-style-type: none"> 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. <p><u>Prohibited Activities</u></p> <p>The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities:</p> <ol style="list-style-type: none"> 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. <p><u>Violations</u></p> <p>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.</p> <p>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.</p>
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<p>School Code 511, 775</p> <p>PA Code Title 22 Sec. 403.1</p> <p>10 P.S. 311 et seq</p> <p>35 P.S. 1223.5</p> <p>20 U.S.C. Sec. 7181 et seq</p> <p>20 U.S.C. Sec. 7905</p>	<p><u>Fee Schedule</u></p> <p>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.</p>
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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, Booster Clubs, etc.).

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

Class 3 - Other schools interscholastic activities; PIAA, District, or State competitions.

Class 4 - All Other Groups (i.e. Private Individuals, for Profit Organizations)) 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 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.

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	Events/Games	\$300
	<u>Class 4</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 4</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 4</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 4</u>			\$200
<u>Classrooms</u> (per classroom per four hours)	<u>Class 1</u>			N/C
	<u>Class 2</u>			N/C
	<u>Class 4</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>	\$300 (Plus Expenses)
	<u>Class 4</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 4</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 4</u>	100 (Per Hour)
<u>Planetarium</u>	<u>Class 2</u>	\$5 (Per Hour)
	<u>Class 4</u>	\$20 (Per Hour)
<u>Folding Chairs</u>	<u>Class 2</u>	\$20/100
	<u>Class 4</u>	\$25/100
<u>Moveable Stage</u>	<u>Class 2</u>	\$50
	<u>Class 4</u>	\$75
<u>Sound Equipment</u>	<u>Class 2</u>	\$25
	<u>Class 4</u>	\$50
<u>Movie Projector</u>	<u>Class 2</u>	\$30
	<u>Class 4</u>	\$30
<u>Slide Projector</u>	<u>Class 2</u>	\$30
	<u>Class 4</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.

11. *Revisions to Board Policy Number 815 – Computer, Network, and Internet Usage Policy*

INFORMATION:

The Bethlehem Area School District supports the use of the Internet and other technologies in the district's instructional program in order to facilitate learning and teaching through interpersonal communications, access to information, research, and collaboration. The use of the Bethlehem Area School District technologies shall be consistent with and enhance the curriculum adopted by the school district and consider the varied instructional needs, learning styles, abilities, and developmental levels of students.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 815 – Computer Usage Policy on Page 6, Number 11.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

TITLE: COMPUTER, NETWORK, AND
INTERNET USE

REVISED: June 27, 2005
June 22, 2009

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	<p>the property of the BASD. The BASD reserves the right to access and disclose the contents of all messages created, sent or received using the e-mail system.</p> <p>Subject to local laws and regulations, the BASD may monitor any aspects of its computerized resources, including, but not limited to, monitoring sites visited by users on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded to the Internet by a BASD user, reviewing e-mail sent and received by BASD users and monitoring file server space utilization by district users.</p>
3. Delegation of Responsibility	<p>Personnel Responsibilities</p> <p>BASD personnel are expected to be familiar with the school district's policies and rules concerning student computer and Internet use and to enforce them. It is the responsibility of BASD personnel to directly supervise students and monitor computers in the use of the Internet and other BASD technologies. All BASD personnel who utilize school technology for instructional purposes with students have a professional responsibility to help students develop the skills necessary to identify information sources appropriate to their age and developmental levels and to evaluate the information needed to meet their educational goals. Students are not permitted to utilize computers for non-academic purposes and students are not permitted to use the Internet without direct adult supervision. When, in the course of their duties, personnel become aware of student violations, they are expected to stop the activity immediately and inform their building principal or immediate supervisor.</p>
4. Guidelines	<p style="text-align: center;">ACCEPTABLE USE</p> <p>Network</p> <p>System security is protected through the use of district-provided passwords, which shall not be changed by users. Failure to adequately protect passwords could result in unauthorized access to personal or district files. To protect the integrity of the system, the following guidelines shall be followed:</p> <ol style="list-style-type: none"> 1. Staff and students shall not reveal their passwords to another individual. 2. Users are not to use a computer that has been logged in under another user's name. 3. Users are required to log off of the network when finished. 4. Users must not attempt to obtain or modify files, passwords and data belonging to other users. 5. Users may not use the network in a way that disrupts the work of other

	<p>users.</p> <ol style="list-style-type: none"> 6. Users must comply with BASD network storage limitations. 7. Users are not permitted to store inappropriate materials on the network. 8. Users are required to protect and secure electronic information and data from inadvertent disclosure to unauthorized parties. If any user becomes aware a release of school district information, data, or records, the release must be reported to the Superintendent of Schools or designee immediately. 9. Students may not install or use unauthorized games, applications, files or other electronic media. 10. Vendors who require access to systems for maintenance and updates are required to abide by this policy. Vendors are required to obtain authorization from the BASD Director of Information Technologies before access is granted to systems. <p>Internet Access</p> <p>In making decisions regarding student access to the Internet, BASD considers its own educational mission, goals and objectives. Electronic information research skills are now fundamental to the preparation of future citizens and employees. BASD expects that faculty will blend educationally purposeful use of the Internet throughout the curriculum and provide guidance and instruction to students in its proper usage. Students and staff are expected to act in a responsible, ethical and legal manner in accordance with district policy and federal and state law. In addition, all users are required to abide by the terms of our Internet Service Provider's (ISP) Acceptable Use Policy. The contract with our ISP requires compliance with their policy.</p> <p>Specifically, the following uses of BASD technology resources are prohibited:</p> <ol style="list-style-type: none"> 1. Using the network for commercial or for profit purposes. 2. Using the network for product advertisement or political lobbying. 3. Unauthorized or illegal downloading, installation, distribution, reproduction or use of copyrighted materials from the Internet. 4. Accessing, uploading, downloading or distributing pornographic, obscene, or sexually explicit material. 5. Participating in online discussions, blogs and chat room discussions that are not related to the educational mission of the district.
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	<ol style="list-style-type: none">6. Using the network to conduct illegal activities, including but not limited to gambling, cyberbullying, promoting illegal drug use, making terroristic threats or harassment.7. Using the network in violation of any local, state or federal statute.8. Loading, downloading or using unauthorized games, programs, files or other electronic media, such as music files.9. Violating the privacy and security of electronic information.10. Bypassing or attempting to bypass internet filtering software using anonymizers or proxy servers that mask the content the user is accessing or attempting to access.11. Disabling or circumventing system security (e.g., virus protection, anti-spam software).12. Students may not use their own personal computers or other devices to connect to the district's network or internet services.13. Unauthorized disclosure of students' personal information in e-mail, blogs, instant messages, chat rooms or other Internet communication devices. This includes, but is not limited to full names, addresses, phone numbers, school and activities. <p>E-Mail</p> <p>BASD expects all users of the district's electronic mail system to follow these policies:</p> <ol style="list-style-type: none">1. Correspond with the understanding that district e-mail is not guaranteed to be private.2. Do not use district e-mail to send chain letters, jokes, advertisements, items to buy or sell, and other items not related to school business.3. Users are expected to be polite and professional in the e-mail messages they create and send. E-mail messages should never be abusive to others.4. Users are expected to use appropriate language. Inappropriate language, swearing and vulgar comments are prohibited.5. E-mail should be used primarily for academic, job-related correspondences, but incidental personal use is permitted.
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	<p>6. Group e-mail lists are to be used only for communications directly relating to district professional responsibilities.</p> <p>7. Never impersonate another user, send mail anonymously, or use a pseudonym.</p> <p>8. Do not open e-mail messages or attachments of unknown origin.</p> <p>9. All users should check e-mail frequently and remove messages from the server as soon as possible.</p> <p>10. E-mail messages sent to the district-wide mailing lists must be district-related in content and approved by the Superintendent.</p> <p>11. When e-mail is used to discuss student issues that fall in the domain of HIPAA, FERPA, or other legal privacy rights, the student's name is not to be used. Instead, the first and last initials of the student are to be used. Caution should be used when sending attachments that contain student names. (See attached.)</p> <p>Hardware and Software</p> <p>In order to maintain adherence to copyright law and to increase security and reliability of systems, users are expected to utilize hardware and software in a manner that enables its ongoing usage. To this end, BASD staff and students are responsible for informing the technical support staff immediately if, at any time, the hardware and/or software does not work properly. All BASD staff and students must respect all computer equipment peripherals. No attempt should be made to store any inappropriate materials on any BASD technology equipment. Users are, under no circumstances, to attempt to repair or reconfigure district-owned technology equipment in any way.</p> <p>Printing</p> <p>All the items in this policy apply to printers and the jobs that users send to the printers, including but not limited to, copyright, excessive use, personal use, inappropriate material and monitoring. Users can also refer to the Guidelines in Policy 814 for specifics on copyright and photocopying.</p> <p>Home Use</p> <p>The policy applies to both in school and at-home use for staff and students.</p> <p>To ensure that students and staff use these educational resources responsibly while at home, it is imperative that the following provisions are understood:</p>
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<p>P.L. 94-553 Sec. 107 Pol. 814</p>	<ol style="list-style-type: none"> 1. No one other than the district employee or student uses his/her district laptop or equipment. 2. District policy for behavior and communication apply when using the Internet, according to the stipulations of this policy. 3. Users should have no expectation of privacy while utilizing their district-assigned computer at home. 4. In-home technology support should not be expected from BASD Technology Staff; it is the user's responsibility to report any problems with equipment immediately to the building Support Technologist. 5. Any and all costs incurred by the BASD for repairs caused by negligent use may be the financial responsibility of the user who caused the problem. Under no circumstances should the user attempt to take district-owned technology to a service provider nor should the user attempt to repair technology equipment himself/herself. <p>Additionally, families should be aware that some material accessible via the Internet might contain items that are illegal, defamatory, inaccurate, or potentially offensive to some people. Also, it is possible to purchase certain goods and services via the Internet, which could result in unwanted financial obligations for which a student's parent/guardian would be liable.</p> <p>Copyright</p> <p>The illegal use of copyrighted software by students and staff is prohibited. Any data uploaded to or downloaded from the network shall be subject to the guidelines put forth in the Digital Millennium Copyright Act (HR2281) and the Technology, Education and Copyright Harmonization (TEACH) Act. (See <i>Technology and Learning Guidelines for Administrators</i> chart for more information about what is permissible under Copyright law. See 815 Attachment.)</p> <p style="text-align: center;">WEB SITE GUIDELINES</p> <p>Unless otherwise approved, all BASD-sponsored and maintained web sites (which includes all school, teacher or classroom web pages for educational purposes) must be hosted from district-owned and operated computer server(s) on school property and must adhere to procedures and guidelines outlined in this policy.</p> <p>Rationale</p> <p>School web sites are public documents welcoming the outside world to the</p>
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	<p>school and linking students and staff to outside sources of information. Guidelines are required in the construction of school web pages to ensure that information on the pages is appropriate for any Internet user to access and free from advertising or information items which may not be appropriate for students. The content of school web sites must be consistent with the educational mission, goals, strategic plan and objectives of the BASD and School Board policies. All district-sponsored and maintained web sites are property of BASD.</p> <p>Disclaimer of Liability</p> <p>The BASD Technology Department does not warrant or guarantee access or data integrity of student-or teacher- developed web content. Any and all web content created for class projects or course work should be backed up frequently using local resources.</p> <p>The BASD Technology Department reserves the right to immediately stop access to or from any site which may be in violation of this policy or otherwise poses a risk to the district’s network, personnel or other technology resources.</p> <p style="text-align: center;">CONSEQUENCES FOR INAPPROPRIATE USE</p> <p>Violations of this policy may result in the loss of access, additional disciplinary action consistent with existing practice and policy, and/or appropriate referral to the authorities. The BASD will cooperate to the extent required with authorities in all investigations. Anyone witnessing a violation of this policy must report the violation to their immediate supervisor.</p> <p>Any user who violates provisions of this policy that cause damage to the network, computer equipment, electronic communications systems, or software will be held responsible for those damages. The user will also be responsible for incidental or unintended damage resulting from willful or deliberate violations of this policy.</p> <p>The school district will cooperate with the school district’s ISP rules, local, state and federal officials to the extent legally required in investigations concerning illegal activities conducted through the school district’s technology systems.</p>
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Policy 815 Clarification

BASD Policy 815, Page 6, Item #11 states that “When e-mail is used to discuss student issues that fall in the domain of HIPAA, FERPA, or other legal privacy rights, the student’s name is not to be used. Instead, the first and last initials of the student are to be used.”

The following is meant to clarify the kinds of issues that fall in the domain of HIPAA, FERPA, and other legal privacy rights.

Information that is considered confidential and should **not** be shared in an e-mail message might include the following:

- A student disciplinary incident or a student’s discipline history
- A student’s special education services or disability (including 504 plans)
- A student’s health and medical records, including physical or mental illness

“Directory Information,” as defined by FERPA, allows school districts to share and release certain pieces of student information that are not considered confidential. Therefore, e-mail messages **may** contain the following student information:

- Name, address, telephone number, grade level, and photograph
- Major field of study
- Participation in sports and activities
- Weights and heights of members of athletic teams
- Dates of attendance
- Degrees and awards
- The most recent previous educational agency attended by the student

Routine office correspondence, such as the following, may include student names:

- A list of students who are on a field trip
- A list of students who are being called to the office or to guidance

The essence of this item in the policy is that confidential student information in an e-mail message should not refer to a student by name.

12. *Quotations for the \$5,800 - \$15,200 Cost Category***INFORMATION:**

Quotations were solicited for:

Emergency Generators – Annual Maintenance and Inspections

The lowest responsible quotation was Crowder Jr. Company, 2184 Industrial Drive, Bethlehem, Pennsylvania 18017 at a cost not to exceed \$5,846.80

The following vendors also were contacted:

Penn Power Systems	\$7,100.00
Northampton Engines, Inc.	\$6,845.00

Cabinet Code:	NF
Account Code:	10-2600431-000-607-NF-0000
Budgeted:	\$517,400.00
Expended:	\$314,374.34
Available:	\$203,025.66 (As of August 4, 2009)

13. *Rejection of Bid – Bid Opened August 4, 2009 – Fuel Oil - Number 2*

INFORMATION:

A bid was received and publicly opened at noon, Tuesday, August 4, 2009, for:

Fuel Oil - Number 2

Specifications were mailed to fourteen vendors, one bid was received. Specifications will be readvertised.

RECOMMENDATION:

That the bid submitted for the above item be rejected.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

14. *Sale of Monocacy Building*

INFORMATION:

The Monocacy Building is currently unused and it is not necessary for the operation of the School District. The administration is recommending that it be authorized to accept sealed bids for the sale and transfer of the Monocacy Building, located at 1815 Main Street, Bethlehem, Pennsylvania.

RECOMMENDATION:

The Board of School Directors finds that property owned by the Bethlehem Area School District located at 1815 Main Street, Bethlehem, Pennsylvania, known as the Monocacy Building, is currently unused and is not necessary for the operations of the School District.

NOW THEREFORE, be it resolved that the property located at 1815 Main Street, Bethlehem, Pennsylvania, known as the Monocacy Building, shall be offered for sale by sealed bids in accord with, and pursuant to notice to be provided as set forth in, Section 7-707 of the Public School Code of 1949. The sale shall be made pursuant to the terms and conditions attached to and made a part of this resolution. The sealed bids shall be opened on Tuesday, September 25, 2009, at the Education Center, 1516 Sycamore Street, Bethlehem, Pa. 18017, at 2:00 p.m., EDST.

Director Follweiler moved the administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14. Director McKeon seconded the motion. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, Amato (with the exception of Item 3 – no), and Leeson (with the exception of 2 and 8 – no).

ROLL CALL –
RECOMMENDATIONS
2, 3, 5, 6, 7, 8, 9, 11, 13,
and 14

Items 5, 6, 7, 9, 11, 13, and 14 passed 8 – 0.
Items 2, 3, and 8 passed 7 – 1.

The administration's recommendations 2, 3, 5, 6, 7, 8, 9, 11, 13, and 14 were considered together.

REAL ESTATE AGREEMENT OF SALE

THIS AGREEMENT is made, by and between the BETHLEHEM AREA SCHOOL DISTRICT, with offices situate at 1516 Sycamore Street, Bethlehem, Pennsylvania 18017 (hereinafter referred to as "Seller") and _____, with an address of _____, (hereinafter referred to as "Buyer").

1. Property. Seller is the owner of certain real property situate at 1815 Main Street, Bethlehem, Pennsylvania 18018, which Property is identified on the records of the Northampton County Tax Assessment Office as N6SE1A-2-9-0204E. A copy of the legal description for the Property is attached as Exhibit A.

2. Conditional Offer to Buy. Buyer hereby offers to purchase the Property, subject to acceptance by the Seller, upon the terms and conditions set forth herein and those terms set forth in the Invitation for Sealed Bids dated _____. Buyer acknowledges and agrees that its offer to purchase is conditioned solely upon acceptance by the Seller as set forth below. In the event that this offer is withdrawn prior to its presentation for acceptance or rejection by the Board of School Directors of the Seller, the Deposit shall be forfeited to Seller.

3. Acceptance by Seller. This Agreement may only be accepted by majority vote of the Board of School Directors of Seller at a scheduled meeting of the Board of School Directors to be held on or before October 26, 2009. The Seller reserves the right to withdraw the Property from the market at any time prior to acceptance of this Agreement by Seller, and/or to delay the date for the opening of the sealed bids. The Seller further reserves the right to reject any and all bids as received. Upon withdrawal of the Property from the market or upon rejection of this Agreement, any Deposit received by Seller shall be refunded to Buyer.

4. Purchase Price. The Buyer offers to pay a purchase price of _____ Dollars (\$ _____), which price shall be paid as follows:

- (a) A deposit (Deposit) in the form of cash or immediately available funds in an amount equal to twenty percent (20%) of the purchase price, which Deposit is being tendered concurrently with the execution and delivery of this Agreement. Buyer acknowledges that the Deposit will be deposited into a non-interest bearing escrow account to be held by the solicitors for the Seller prior to acceptance of this Offer to purchase by the Seller. If this Offer to purchase is accepted by Seller, the Deposit shall be applied against the purchase price. If the Offer is not accepted, the Deposit shall be refunded to Buyer within five business days thereafter.
- (b) The balance thereof in cash, or immediately available funds at the date and time of Closing.

5. Closing. Closing shall be held at the offices of the School District Solicitor, _____ days after acceptance of the offer by the Bethlehem Area School District. Closing shall be held at 10:00 A.M. on the date set for Closing. At the time of Closing Seller shall convey the property to the Buyer by a Specially Warranty Deed.

6. Possession. Seller shall give Buyer possession at time of Closing. Possession is to be delivered by deed, keys and physical possession to a vacant building at time of Closing.

7. Title. At Closing, Seller shall transfer good and marketable title to the Property or such as will be insured by a reputable title insurance company doing business in the Commonwealth of Pennsylvania, at regular rates. The Property shall be conveyed free and clear of all liens, claims, and encumbrances, EXCEPTING HOWEVER, existing building restrictions, ordinances, easements of roads, easements visible upon the ground, privileges or rights of public service companies, and all conditions restrictions, covenants and reservations of record, if any. If Seller is unable to deliver such Title, Buyer shall have the option of taking such Title as Seller can give without abatement of price or of being repaid all monies paid on deposit by Buyer to Seller. The deed to be delivered shall be based upon existing records and surveys. No new survey work will be done or paid for by Seller.

8. Tender Waived. Formal tender of Deed and purchase price is hereby waived.

9. Transfer Taxes. Pennsylvania Realty Transfer Taxes shall be divided equally between Buyer and Seller.

10. Prorations. All applicable real estate taxes, including city, county and school taxes, shall be prorated as of the date of Closing. All municipal services subject to lien shall be prorated as of the date of Closing.

11. Reimbursement. Buyer shall reimburse seller for any heating fuel remaining on the premises at Closing.

12. Risk of Loss. Seller shall bear risk of loss from fire or other casualties until time of Closing. In the event of damage to the Property by fire or other casualties, is not repaired or replaced prior to settlement, Buyer, shall have the option of rescinding this Agreement and receiving all monies paid on account, or of accepting the Property in its then condition, together with the proceeds of any insurance recovery obtainable by Seller. Buyer is hereby notified that Buyer may insure Buyer's equitable interest in this Property as of the time of the acceptance of this Agreement.

13. Buyer's Default. Should Buyer violate or fail to fulfill and perform any terms or conditions of this agreement, any Deposit paid by the Buyer may be retained by the Seller either (a) on account of the purchase, or (b) as monies to be applied to the Seller's damages, or (c) as liquidated damages for such breach, as the Seller may

elect, and in the event that the Seller elects to retain the monies as liquidated damages the Seller shall be released from all liability or obligations and this agreement shall be null and void.

14. Inspection. It is understood that Buyer has had the opportunity to inspect the Property prior to closing. Buyer has agreed to purchase this Property as a result of this inspection and not because of, or in reliance upon, any representation made by the Seller or any officer or employee of Seller, or by any agent of the Seller. Buyer has agreed to purchase the property in its present condition, **AS IS**, unless otherwise specified. Buyer agrees to purchase the property with any and all defects, if any, including but not limited to lead paint, radon, mold, hazardous waste or any other problems. This paragraph shall survive settlement. **NO GUARANTEES, WARRANTIES, OR PROMISES OF ANY NATURE WERE OR ARE MADE, GIVEN OR IMPLIED.**

15. Inspection Reports. Buyer acknowledges that the Monocacy Building was constructed prior to 1978 and may contain lead paint. Buyer further acknowledges that floor tile and pipe installation in the building contain asbestos. Buyer shall be solely responsible for removal of asbestos, in the event that Buyer desires to remove the asbestos, at Buyer's sole cost and expense. Any records provided by Seller for inspection are for convenience purposes only. Seller does not represent or certify that the materials as provided with respect to the condition of the Property are accurate, and while the Seller believes that the information is reliable, it has not made an independent investigation to verify its reliability. This disclaimer shall apply to all materials provided to Buyer or Buyer's representatives by Seller or on behalf of the Seller by its representatives.

16. Time. Time is of the essence of this Agreement.

17. Modification. The parties may modify this Agreement only in a written document bearing their signatures.

18. Property Restrictions. No representation is made as to Zoning, municipal regulations or Property restrictions.

19. No Recording. This Agreement shall not be recorded on any public record.

20. Entire Agreement. This Agreement contains the whole agreement between the Seller and the Buyer. There are no other terms, obligations, covenants, representations, statements or conditions, oral or otherwise, of any kind whatsoever concerning this sale.

21. Parties Bound. This Agreement shall be binding upon the parties, their respective heirs, executors, administrators, successors and, to the extent assignable, on their assigns. It is expressly understood, however, that the Buyer shall not transfer or assign this Agreement without obtaining the written consent of the Seller.

22. Multiple Originals. This Agreement may be executed in multiple originals.

IN WITNESS WHEREOF, the Buyer, intending to be legally bound hereby, has executed this conditional offer this _____ day of _____, 2009.

WITNESS:

BUYER:

_____(SEAL)

AND NOW, this _____ day of September, 2009, receipt of this conditional offer is acknowledged by the BETHLEHEM AREA SCHOOL DISTRICT, Seller.

WITNESS:

SELLER:

BETHLEHEM AREA SCHOOL DISTRICT

By: _____(SEAL)
Authorized Representative

AND NOW, this ____ day of _____, 2009, the conditional offer of the Buyer is hereby accepted. Closing with respect to the sale and purchase of the property shall be held on _____, 2009 in accord with the terms and conditions set forth in this conditional offer as accepted.

WITNESS:

SELLER:

BETHLEHEM AREA SCHOOL DISTRICT

By: _____ (SEAL)
Authorized Representative

AND NOW, this ____ day of _____, 2009, the conditional offer of the Buyer is rejected. The funds deposited pursuant to this offer shall be refunded to Buyer.

WITNESS:

SELLER:

BETHLEHEM AREA SCHOOL DISTRICT

By: _____ (SEAL)
Authorized Representative

15. *Treasurer's Report*

RECOMMENDATION:

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

Director Follweiler made a motion to accept the Financial Report and Payment of the Bills (Items 15 and 16). Director Cann seconded the motion.

Director Tenaglia inquired about the year-end financial report for the district.

Mr. Majewski replied that the report would be completed upon the fieldwork of the audit and the preparation of the financial statements. He stated they were coming in October and he would hopefully see some preliminary work in early November.

Director Tenaglia stated that Mr. Majewski gave the board a monthly report.

Mr. Majewski agreed but noted it revealed his projections, however, the actual end of year financial report would come with the audited statements.

Director Tenaglia asked if they could receive his projections through the end of June.

Mr. Majewski agreed but noted it was different than the end of year report.

Director Tenaglia reviewed that he gave them a report every month and the last time they saw one was at the end of May.

Mr. Majewski said they saw monthly activity and projections, however, the end of year report contained audited statements.

Director Tenaglia inquired about Mr. Majewski's forecast for the deficit as of the end of June.

Mr. Majewski replied that he could provide a calculation. He noted they had adjusted their revenue and were in the process of providing the year-end adjustments for the expenditures with a lot of the activity coming through the summer months which had to be accrued. At the end of the year, a lot of activity occurred, which was why they did not provide it. Based on the current information, he would provide updated projections at the September Finance Committee Meeting.

President Leeson asked Dr. Lewis if there was a five-year projection to date.

RECOMMENDATIONS OF THE ADMINISTRATION – August 17, 2009

15. *Treasurer's Report (continued)*

Dr. Lewis replied affirmatively and pointed out that they were based upon Mr. Majewski's estimated work. He emphasized that it was only a projection.

President Leeson requested a brief overview from Mr. Majewski with more details during the Finance Committee Meeting.

Mr. Majewski responded that he would provide an overview but it was far earlier than when they typically provided the projections. He pointed out that some of the information would not project out with the consideration there was no state budget. He would provide an updated five-year projection when they received firmer information.

Mr. Majewski explained the projected assessments were not going to be nearly as high as previously seen. He expected to see a slowing in activity and expected on average, over the next five years, they would see average annual increases of approximately 1.05 percent in assessments, which was not enough to keep up with CPI (Consumer Price Index). He considered the factoring in of a 95 percent collection rate; the value of a mill would not likely grow very rapidly over the next few years. Mr. Majewski stated he was hopeful that when they looked at other activity and explained he would factor in a very slow economic environment in the first two years with regard to housing and real estate transfer. He was hopeful they would see more modest growth in the year three, four and five, which was considered in the projections. He also anticipated that interest rates would be fairly low during that period of time and possibly in the years two, three, four, and five they would start to see some modest growth. Depending on the source, there was some concern about inflation, however there were very few economic factors that pointed to inflation and in fact, there were some discussion about deflation. Mr. Majewski commented about the projected millage increases for the next five years, noting an expected 7.26 percent increase for the 2010-2011 budget; a 3.72 percent increase for 2011-2012; a 5.83 percent increase for 2012-2013; a 2.41 percent increase for 2013-2014; and a 2.61 percent increase for 2014-2015. He pointed out the bump in the 2012-2013 years was a result of an increase in the retirement rate.

Mr. Majewski looked at salaries and wages as a percentage of the budget. He commented that it had been a declining percentage of the overall budget. He referred back to the 2002-2003 year costs and noted that it was approximately 54 percent of the budget and by the end of 2014-2015, he projected it to be just under 44 percent of the overall budget. During the 2010-2011 budget, he was ignoring what PSERS said about the projected contribution rate over the next couple of years knowing there was an issue regarding the issue they had to properly fund their own fund balance. He said he was using 10 percent in 2010-2011, 12 percent in 2011-2012, 20.16 percent in 2012-2013, 20.06 percent in 2013-2014, and 18.8 percent in 2014-2015.

RECOMMENDATIONS OF THE ADMINISTRATION – August 17, 2009

15. *Treasurer's Report (continued)*

Their debt service was anticipated to remain fairly level over the next couple of years but they did not know what they would have with some of the refinancing but based upon their current budget for debt service; it was not anticipated that it would need to be increased or decreased significantly over the next several years. He said that he incorporated \$1,000,000 each year for the replacement of school buses beginning in the 2010-2011. He added that he had also taken charter schools into consideration as a fairly significant part of the budget. In the 2003-2004 year, it was 1.9 percent of the overall budget but by 2014-2015, it was almost 4 percent of the entire budget, which has doubled since the inception of charter schools in the region.

Mr. Majewski stated that other costs should remain fairly stable, with the exception of electricity, which would be factored in as a larger than normal increase; not only next year but moving forward it would be at least a 10 percent increase based upon predictions. He was considering 15 percent for next year's budget because half of the year would probably be somewhat higher. He addressed the next five years and noted the budget would potentially increase at 6.32 percent, 4.85 percent, 7.72 percent, decrease to 3.4 percent, and 3.26 percent. He pointed out there would be some very challenging times, however, based upon some of the actions taken, with the attempt to build in a contingency, and potentially moderating the deficit projected for last year's budget. He anticipated by the end of the 2009-2010 year, the budget deficit might be down to a negative \$2,200,000, "even" around the 2010-2011 year, and increasing about \$2,000,000 per year for the next four years. Their potential fund balance would be approximately \$8,000,000 by 2014-2015 year.

Director Tenaglia referred to page one and asked if the following numbers in the 2004-2005 year of \$2,000,000, \$1,000,000, \$5,000,000, and \$4,900,000 should be negative figures.

Mr. Majewski replied that they were negative numbers as they impacted the fund balance, however, they were included in order to show the revenues and expenditures would have been equal and it required the fund balance to be viewed as a receipt in order to be able to balance the budget. He agreed they used \$2,000,000 of the fund balance in 2004-2005, \$1,000,000 in 2005-2006, \$5,600,000 in 2006-2007, and almost \$5,000,000 in 2007-2008.

President Leeson requested a roll call on Items 15 and 16. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 8.

The motion passed 8 – 0.

REPORT OF THE TREASURER

July 1 through July 31, 2009

BEGINNING CASH AND INVESTMENT BALANCE

Wachovia Bank - Cash Management	2,079,345.24
Bank of America - General Account	550,672.35
Pennsylvania School District Liquid Asset Fund	2,539,931.75
Wachovia - Worker's Comp Trust Fund	641,257.09
Pennsylvania Local Government Investment Trust	77,854.97
Pennsylvania State Treasurer Invest Program	219,412.49
Bank of America Money Market	1,636.29
PSDLAF - Term Investments	2,000,000.00
PSDLAF - 2009B Bond Fund	10,822,758.30
Scholarship Fund	45,971.98
KNBT Bank - Scholarship Fund	112,000.00
M&T Investment Group - 2007A Bond Fund	5,375,888.35

<u>TOTAL CASH AND INVESTMENT BALANCE</u>	\$	24,466,728.81
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MONTHLY RECEIPTS

Local Sources	24,409,291.74
State Sources	34,787.28
Federal Sources	17,200.20
Other Financing Sources	0.00

\$	<u>24,461,279.22</u>
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MONTHLY DISBURSEMENTS

Monthly Bills Paid	9,627,795.54
Payroll	6,056,945.20
Debt Service	1,312,995.42

\$	<u>16,997,736.16</u>
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TOTAL FUNDS AVAILABLE

\$	<u>31,930,271.87</u>
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ENDING CASH AND INVESTMENT BALANCE

Wachovia Bank - Cash Management	4,828,090.17
Bank of America - General Account	550,018.21
Pennsylvania School District Liquid Asset Fund	2,643,431.53
Wachovia - Worker's Comp Trust Fund	641,267.64
Pennsylvania Local Government Investment Trust	77,881.20
Pennsylvania State Treasurer Invest Program	11,779.40
Bank of America Money Market	1,636.49
PSDLAF - Term Investments	8,500,000.00
PSDLAF - 2009B Bond Fund	10,822,758.30
Scholarship Fund	46,068.15
KNBT Bank - Scholarship Fund	116,801.99
M&T Investment Group - 2007A Bond Fund	3,690,538.79

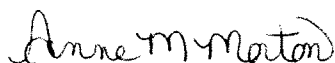
Interest Rate

0.750%
0.350%
varies .283 to .652%
0.020%
0.400%
0.418%
0.140%
see attachment
see attachment
0.750%
1.489%
4.680%

<u>TOTAL CASH AND INVESTMENT BALANCE</u>	\$	<u>31,930,271.87</u>
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Interest Received for July; to be posted in August accounting period	\$	13,647.88
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Respectfully Submitted,



Anne M. Morton
Treasurer

**BETHLEHEM AREA SCHOOL DISTRICT
CD INVESTMENTS**

Date Purchased	Amount Purchased	Interest Rate	Anticipated Interest	Maturity Date	Account	Location
May 27, 2009	\$ 496,000.00	0.91%	\$ 1,879.64	October 26, 2009	PSDLAF CD	2009B
May 27, 2009	\$ 248,000.00	1.15%	\$ 1,679.95	December 28, 2009	PSDLAF CD	2009B
May 27, 2009	\$ 594,000.00	1.19%	\$ 4,705.94	January 25, 2010	PSDLAF CD	2009B
May 27, 2009	\$ 792,000.00	1.22%	\$ 7,174.00	February 22, 2010	PSDLAF CD	2009B
May 27, 2009	\$ 1,092,000.00	1.28%	\$ 11,526.73	March 24, 2010	PSDLAF CD	2009B
May 21, 2009	\$ 1,400,000.00	1.40%	\$ 17,881.64	April 19, 2010	PSDLAF CD	2009B
May 21, 2009	\$ 6,200,000.00	1.25%	\$ 82,595.90	June 14, 2010	PSDLAF CD	2009B
May 21, 2009	\$ 758.30	0.62%	\$ 1.17	September 30, 2009	PSDMAX	2009B
June 17, 2009	\$ 500,000.00	0.85%	\$ 2,293.84	December 31, 2009	PSDLAF CD	PSDMAX
July 1, 2009	\$ 7,000,000.00	0.85%	\$ 29,831.51	December 31, 2009	PSDLAF CD	PSDMAX
July 30, 2009	\$ 1,000,000.00	1.37%	\$ 10,246.85	April 29, 2009	PSDLAF CD	PSDMAX
July 2, 2009	\$ 116,801.99	1.49%	\$ 1,444.49	April 27, 2010	KNBT Scholarship	
*	\$ 46,068.15	0.75%			Cash Management	Wachovia

* CD has been redeemed and investment details will be reflected on the August report as investment occurred in August

**Bethlehem Area School District
Capital Reserve Fund
For the Period of July 1, 2009 thru July 29, 2009**

Fund Balance at June 30, 2009		\$	1,178,034.44
2008-2009 Revenue Received-Interest Income		\$	-
Expenditures			
Financial Management System	\$	11,564.28	
(software, hardware, support services)			
Roof Repairs			
Freedom Emergency Power	\$	15,165.00	
Asa Packer Fire Alarm System	\$	27,045.00	
Professional Services	\$	2,918.49	
		\$	<u>56,692.77</u>
Fund Balance at July 29, 2009		\$	1,121,341.67

The following projects have been approved by the board but have not been completed:

Financial Management System	\$	144,772.72	
Pro. Svs. Roof Repairs	\$	7,087.78	
Pro. Svs. Alarm System	\$	2,964.00	
Asa Packer Roof Repair	\$	262,300.00	
Farmersville Roof Repair	\$	340,130.00	
Freemansburg Roof Repair	\$	92,450.00	
Asa Packer Fire Alarm System	\$	31,340.00	
		\$	881,044.50
Estimated Unencumbered Fund Balance		\$	240,297.17

Bethlehem Area School District
2007A Bond Fund
For the Period of July 1, 2009 thru July 31, 2009

Beginning Balance-June 30, 2009	\$ 5,375,888.35
Change in Market Value	\$ (19,349.56)
Reimbursement to the General Fund	\$ 1,666,000.00
Ending Balance-July 31, 2009	<u>\$ 3,690,538.79</u>

Note: There has been \$180,797.26 in expenses that have not been reimbursed to the general fund. This leaves the fund balance at approximately \$3,509,741.53.



Bethlehem Area School District
2009B Bond Fund
For the Period of July 1, 2009 thru July 31, 2009

Beginning Balance-June 30, 2009	\$ 10,822,758.30
Change in Market Value (recorded quarterly)	
Reimbursement to the General Fund	
Ending Balance-July 31, 2009	<u>\$ 10,822,758.30</u>

16. *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.

Director Follweiler made a motion to accept the Financial Report and Payment of the Bills (Items 15 and 16). Director Cann seconded the motion.

Director Tenaglia inquired about the year-end financial report for the district.

Mr. Majewski replied that the report would be completed upon the fieldwork of the audit and the preparation of the financial statements. He stated they were coming in October and he would hopefully see some preliminary work in early November.

Director Tenaglia stated that Mr. Majewski gave the board a monthly report.

Mr. Majewski agreed but noted it revealed his projections, however, the actual end of year financial report would come with the audited statements.

Director Tenaglia asked if they could receive his projections through the end of June.

Mr. Majewski agreed but noted it was different than the end of year report.

Director Tenaglia reviewed that he gave them a report every month and the last time they saw one was at the end of May.

Mr. Majewski said they saw monthly activity and projections, however, the end of year report contained audited statements.

Director Tenaglia inquired about Mr. Majewski's forecast for the deficit as of the end of June.

Mr. Majewski replied that he could provide a calculation. He noted they had adjusted their revenue and were in the process of providing the year-end adjustments for the expenditures with a lot of the activity coming through the summer months which had to be accrued. At the end of the year, a lot of activity occurred, which was why they did not provide it. Based on the current information, he would provide updated projections at the September Finance Committee Meeting.

President Leeson asked Dr. Lewis if there was a five-year projection to date.

RECOMMENDATIONS OF THE ADMINISTRATION – August 17, 2009

16. *Monthly Bills (continued)*

Dr. Lewis replied affirmatively and pointed out that they were based upon Mr. Majewski's estimated work. He emphasized that it was only a projection.

President Leeson requested a brief overview from Mr. Majewski with more details during the Finance Committee Meeting.

Mr. Majewski responded that he would provide an overview but it was far earlier than when they typically provided the projections. He pointed out that some of the information would not project out with the consideration there was no state budget. He would provide an updated five-year projection when they received firmer information.

Mr. Majewski explained the projected assessments were not going to be nearly as high as previously seen. He expected to see a slowing in activity and expected on average, over the next five years, they would see average annual increases of approximately 1.05 percent in assessments, which was not enough to keep up with CPI (Consumer Price Index). He considered the factoring in of a 95 percent collection rate; the value of a mill would not likely grow very rapidly over the next few years. Mr. Majewski stated he was hopeful that when they looked at other activity and explained he would factor in a very slow economic environment in the first two years with regard to housing and real estate transfer. He was hopeful they would see more modest growth in the year three, four and five, which was considered in the projections. He also anticipated that interest rates would be fairly low during that period of time and possibly in the years two, three, four, and five they would start to see some modest growth. Depending on the source, there was some concern about inflation, however there were very few economic factors that pointed to inflation and in fact, there were some discussion about deflation. Mr. Majewski commented about the projected millage increases for the next five years, noting an expected 7.26 percent increase for the 2010-2011 budget; a 3.72 percent increase for 2011-2012; a 5.83 percent increase for 2012-2013; a 2.41 percent increase for 2013-2014; and a 2.61 percent increase for 2014-2015. He pointed out the bump in the 2012-2013 years was a result of an increase in the retirement rate.

Mr. Majewski looked at salaries and wages as a percentage of the budget. He commented that it had been a declining percentage of the overall budget. He referred back to the 2002-2003 year costs and noted that it was approximately 54 percent of the budget and by the end of 2014-2015, he projected it to be just under 44 percent of the overall budget. During the 2010-2011 budget, he was ignoring what PSERS said about the projected contribution rate over the next couple of years knowing there was an issue regarding the issue they had to properly fund their own fund balance. He said he was using 10 percent in 2010-2011, 12 percent in 2011-2012, 20.16 percent in 2012-2013, 20.06 percent in 2013-2014, and 18.8 percent in 2014-2015.

RECOMMENDATIONS OF THE ADMINISTRATION – August 17, 2009

16. *Monthly Bills (continued)*

Their debt service was anticipated to remain fairly level over the next couple of years but they did not know what they would have with some of the refinancing but based upon their current budget for debt service; it was not anticipated that it would need to be increased or decreased significantly over the next several years. He said that he incorporated \$1,000,000 each year for the replacement of school buses beginning in the 2010-2011. He added that he had also taken charter schools into consideration as a fairly significant part of the budget. In the 2003-2004 year, it was 1.9 percent of the overall budget but by 2014-2015, it was almost 4 percent of the entire budget, which has doubled since the inception of charter schools in the region.

Mr. Majewski stated that other costs should remain fairly stable, with the exception of electricity, which would be factored in as a larger than normal increase; not only next year but moving forward it would be at least a 10 percent increase based upon predictions. He was considering 15 percent for next year's budget because half of the year would probably be somewhat higher. He addressed the next five years and noted the budget would potentially increase at 6.32 percent, 4.85 percent, 7.72 percent, decrease to 3.4 percent, and 3.26 percent. He pointed out there would be some very challenging times, however, based upon some of the actions taken, with the attempt to build in a contingency, and potentially moderating the deficit projected for last year's budget. He anticipated by the end of the 2009-2010 year, the budget deficit might be down to a negative \$2,200,000, "even" around the 2010-2011 year, and increasing about \$2,000,000 per year for the next four years. Their potential fund balance would be approximately \$8,000,000 by 2014-2015 year.

Director Tenaglia referred to page one and asked if the following numbers in the 2004-2005 year of \$2,000,000, \$1,000,000, \$5,000,000, and \$4,900,000 should be negative figures.

Mr. Majewski replied that they were negative numbers as they impacted the fund balance, however, they were included in order to show the revenues and expenditures would have been equal and it required the fund balance to be viewed as a receipt in order to be able to balance the budget. He agreed they used \$2,000,000 of the fund balance in 2004-2005, \$1,000,000 in 2005-2006, \$5,600,000 in 2006-2007, and almost \$5,000,000 in 2007-2008.

President Leeson requested a roll call on Items 15 and 16. The question was called with roll call as follows: Yea, Directors Cann, Dexter, Follweiler, Haytmanek, McKeon, Tenaglia, Amato, and Leeson – 8.

The motion passed 8 – 0.

NORTHAMPTON COMMUNITY COLLEGE BOARD OF TRUSTEES – Director Amato stated that the majority of their discussion was related to the current programs under consideration for renewal. There was also budget discussion including what was anticipated in support from the state, which was delaying decisions at the college.

COMMITTEE
REPORTS

BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL – Director Tenaglia reported that he attended the August meeting and noted that the executive director provided a brief tour revealing the work accomplished by the students on the vacant lot during the summer. He noted that the business manager reported there was an anticipated surplus of approximately \$600,000 of which approximately 69 percent would be returned to the Bethlehem Area School District.

President Leeson addressed the procedure for the evaluation of cabinet members. She noted there were at least two people who viewed all evaluations except for the cabinet members who were evaluated by only one individual. She said the evaluations as seen by the board, did not generally coincide with what she believed were the views of the board. She requested discussion on the evaluation procedures of the cabinet evaluation, which could be accomplished during the Human Resources Committee Meeting in September, if the were board interest.

NEW AND
MISCELLANEOUS
BUSINESS

Director Dexter stated that she requested to see the evaluations of the cabinet members and not just the final scores. She requested that Dr. Lewis bring the evaluations to the meeting for the board members and asked Dr. Lewis if he had brought them.

Dr. Lewis replied that he had a copy but would not circulate multiple copies of his cabinet evaluation. He agreed to share them during executive session. He reviewed that by contract and school code, he was in charge of the evaluations. He noted that he mentioned to the solicitor that he would like him to review it. He commented that he had no trouble standing behind the evaluations of his cabinet, noting that he worked with them 261 days. He concluded that he was never in a system where the superintendent did not evaluate the cabinet. Although his watch was coming to an end in six weeks, he stated that he would not relinquish his right to evaluate his cabinet and would not take direction as to how to evaluate his cabinet. He agreed that he would share his assessments and would stand behind them in executive session as indicated by the solicitor.

Director Dexter inquired if Dr. Lewis would want executive session to take place after the meeting so they could view the evaluations.

Dr. Lewis responded that it was the decision of the board.

Director McKeon asked if they were acting within policy to review the evaluations.

Attorney Spry replied that he thought they were permitted to view them.

Director McKeon commented that he “did not want to get caught up in that other one.”

Director Amato asked Attorney Spry if he stated they could or “thought” they could [view the evaluations].

Attorney Spry responded that he thought they could go into executive session and were entitled to look, but the superintendent’s contract permitted him to perform the evaluations.

The following individuals addressed the Board of School Directors:

COURTESY OF THE
FLOOR TO VISITORS

1. Dr. Karen Becker-Olsen – Lehigh University, Bethlehem –
Dr. Becker-Olsen stated she had a student at East Hills and questioned the board on how they could approve a 9-week literacy program without asking anything about the efficacy of the program which would replace a 20-week program. She pointed out that when someone discussed a thematic based program that was purely a shift in theme, they turned it down again without discussing the efficacy of the program.

Dr. Lewis pointed out that it was not a 9-week literacy program but rather a full year. He clarified that the 9-week program referred to the driver education course. He noted that he understood her other statement.

Director Dexter made the motion to proceed to executive session, which was seconded by Director Follweiler.

EXECUTIVE SESSION

Directors Amato and Follweiler moved to adjourn the meeting, which carried by voice vote. The meeting adjourned at 10:05 p.m.

ADJOURNMENT

Attest,

Stanley J. Majewski, Jr.
Board Secretary