

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
REGULAR BOARD MEETING

JULY 26, 2010

Regular Meeting of the Board of Directors of the Bethlehem Area School District was held on Monday, July 26, 2010 at 7:10 p.m. in the Auditorium of East Hills Middle School, 2005 Chester Road, Bethlehem, PA 18017. REGULAR MEETING

President Leeson called the roll:

Members present: Directors Amato, Burkhardt, Cann, Dexter, Faccinetto, Follweiler, McKeon, Ortiz, Leeson

MEMBERS
PRESENT

Members present: 9

Members absent: None.

Others present: Dr. Persing, Interim Superintendent of Schools; Stacy Gober, Board Secretary; administrators, members of the press, and other interested citizens and staff members. OTHERS PRESENT

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

PLEDGE OF ALLEGIANCE

President Leeson requested a moment of silent meditation.

MOMENT OF
SILENCE

President Leeson offered courtesy of the floor to visitors. Speakers are asked to come to the podium, stating their name and address. Public comment in the first session is limited to 30 minutes and is for agenda items only. The second courtesy of the floor will be for any district concerns or business. 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

President Leeson stated that the first courtesy of the floor is for agenda

items only.

No one addressed the Board of School Directors this evening at the first courtesy of the floor

President Leeson called for the approval of the minutes from the following meetings: March 15th – Regular Board Meeting, April 26th – Regular Board Meeting, April 27th – Public Budget Hearing, July 12th – Special Board meeting.

APPROVAL OF MINUTES

Director McKeon made a motion to accept the minutes which was seconded by Director Follweiler.

MOTION TO ACCEPT MINUTES

President Leeson called for a voice vote to approve the minutes. The motion was passed by a unanimous voice vote.

VOICE VOTE TO ACCEPT MINUTES

Motion passes 9-0

President Leeson called for approval of the committee meeting minutes. She called for approval of the June 14th – Board Curriculum Committee Meeting, July 12th - Board Facilities Committee Meeting, July 12th – Board Finance Committee Meeting, July 19th - Board Human Resource Committee Meeting.

APPROVAL OF COMMITTEE MINUTES

Director McKeon made a motion to accept the committee meeting minutes which was seconded by Director Ortiz.

MOTION TO ACCEPT COMMITTEE MINUTES

President Leeson called for a voice vote to approve the committee meeting minutes. The motion was passed by a unanimous voice vote.

VOICE VOTE TO ACCEPT MINUTES

Motion passes 9-0

President Leeson called for approval of the Financial Report/Payment of Bills.

FINANCIAL REPORT/
PAYMENT OF BILLS

Director McKeon made a motion, seconded by Director Follweiler, to accept the Financial Report and Payment of Bills, (Item numbers 27& 28)

MOTION TO ACCEPT
FINANCIAL REPORT/
PAYMENT OF BILLS

President Leeson called for a roll call vote to approve the Financial Report/Payment of Bills. Yea, Director Amato, Burkhardt, Cann, Dexter (except no to the payment to Mont Perfetti), Faccinetto, Follweiler, Leeson, McKeon. Nay, Director Ortiz

ROLL CALL VOTE

Motion passes 8-1

President Leeson stated that there was an executive committee meeting prior to this meeting. At the meeting the committee discussed student discipline and personnel. President Leeson said that the board is going to have an executive meeting following the board meeting at which time they will be discussing potential litigation and personnel issues.

PRESIDENTS COMMUNICATION
AND SPECIAL MEETINGS

Dr. Persing stated that this was his last meeting as the Bethlehem Area School Districts interim superintendent. He stated that he wanted to wish Dr. Joe Roy the best of luck and the best possible results in the near future. He also said that he wanted to thank the people of the school district, his colleagues and wanted send a really special thank you to the board of school directors for all their cooperation.

SUPERINTENDENTS
REPORT AND
FEDERAL PROGRAMS UPDATE

President Leeson stated that they were hoping Dr. Persing would be joining them on the 16th at least for the meeting. She stated that she really did not have any comments prepared, but stated that she would like to say how pleased the board has been throughout these past 14 months to have had Dr. Persing as part of the district. She said that it has been amazing the amount of work that has gotten done in the district in such a short period of time and the board is very grateful for his guidance and his leadership throughout these 14 months. President Leeson stated that it has been a joy and a pleasure working with Dr. Persing and she said she speaks for the entire board in saying this. She also said that Dr. Persing had a very similar vision to the vision that the board had and when they sat down and talked about the needs of this district, they talked about the need for financial stability and about the need to move the academics forward and these were the things that you focused on and worked on along with all of the fun that comes with the every day life of the Bethlehem School District. She stated that the board knew that Dr. Persing went far beyond just those tasks. Dr. Persing also addressed getting into the code of conduct and reestablishing a uniform code of conduct and staff development and working on the really high quality staff development within the district. She said that he has gone far beyond the tasks that they gave to him as the highest priorities and again they are so grateful to him.

Director Dexter stated that she wanted to add a little bit to what President Leeson said to Dr. Persing and that was when the board first brought Dr. Persing onto the district it was a very difficult time and they thought that they knew what the challenges were but the

challenges kept unveiling themselves to the board. She stated that all of the expectations that she had for this year have been exceeded and she joins with President Leeson in thanking Dr. Persing for his superb leadership and also for the inspiration that he has brought to the board as they tackled each one of their unknown challenges and as they continue to work on the things that were very basic to the districts survival and that was to get the financial issues squared away. She stated that Dr. Persing showed some very tough leadership and sometimes they disagreed and sometimes they agreed, but she always knew that he was honest and always knew that he had reasons for what he recommended to the board and said that all of the board would join with President Leeson in saying that they have had a very successful year and she is sorry to see him go, although she does also welcome Dr. Roy and looks forward to working with him. She stated that it really has been an educational year and extended her thanks to Dr. Persing.

President Leeson stated that we do have one piece of unfinished business. She asked Mrs. Gober if she would like to speak to the board about the meeting minutes.

UNFINISHED BUSINESS

Mrs. Gober stated that we had talked at some point in the not too distant past about the format of our board minutes and the fact that they are being recorded and transcribed verbatim.

She stated that this is an issue that has been expressed to her by both the local auditors as well as the state auditors and the concern is with the ability to efficiently and effectively research the minutes in order to find the boards action and business related to the actual items of board approval. She stated that we had discussed that we would look for new recording equipment and that it would be something the board would entertain in modifying the format of the minutes to a more summary fashion if we had a more user friendly ability to retrieve the transcript of the minutes digitally rather than using the cassette tapes in trying to stop and start them. She said that we are piloting the piece of equipment again tonight for the first time at a voting meeting. She also said that it was used last week at the committee meeting and it appeared to be fairly successful and is actually far more efficient than the tape in terms of gathering and hearing the audio. Mrs. Gober stated that it is a much better quality, it is a much clearer audio for board archival if they would so choose to reference discussion on a particular item at some point in the future. She asked that the board would please consider taking the auditors recommendations and going to a summary format that would permit the review of the minutes and the archive of the official transcript of the minutes to be more efficient and then allow the

audio to serve as the administrative tool to research any further discussions that the board may want to go back and revisit.

President Leeson asked Mrs. Gober if it was her recommendation that the board goes to the summary minutes immediately or that we do this as kind of a pilot first for a couple of months and then go to summary minutes.

Mrs. Gober stated that she was comfortable following the committee meetings of last week and that the quality is adequate and that we would be able to have an appropriate backup for reference purposes. She also stated that if the board would like to go one more meeting with the old process in place and begin this with the August meeting, that she would be willing to be flexible and discuss that as an option. She also said that the auditors are quite anxious for the meetings to be available in a more user friendly document for them to have as the official record of the boards' actions. Mrs. Gober said that previously, we had summary minutes of the committee meetings and fully transcribed regular board meetings.

President Leeson asked if Mrs. Gober was recommending that all meetings be summary minutes.

Mrs. Gober said that what she would suggest is that the voting meeting, which are the once monthly official board meetings, should be the summary version and that the committee meetings be an abridged transcription, not word for word, but gather a whole lot more of the detail of the concepts and the discussions that ensued related to topics because that is where the main debate occurs on behalf of the board. Mrs. Gober said that she therefore would suggest that the committee meetings be not transcribed word for word as transcription but that it would have much more detailing involving the discussion and the debate between various topics more so than the voting meeting.

President Leeson asked if there was any discussion from Board Members on this proposal.

Director Dexter stated that she wants to be efficient and wants our meeting minutes to be quickly produced. She also stated that she thinks this is an important goal, but as one of the board members, who has been on the board for 4 ½ years, she couldn't tell you how many times she did effectively and efficiently research the minutes on a topic and was able to find what she needed. She said she found the detail that was in the minutes to be essential and in particular there have been some really dicey topics come through the district and it was very very helpful to her to be able to show what exactly

was said and what exactly was done. The thoroughness of the meetings was important on many, many issues. She also said this was especially true when there were talks about the budget, since sometimes what was seen in budget revisions wasn't exactly what was talked about. Director Dexter also stated that there were other issues like board policies and the interpretations and the instructions that were given by the board, so she is reluctant to go to a more summarized method of keeping tabs of what the board does. Another point she stated was that there are many times when people in the public want to know what the board is doing, in particular when the board is talking about student issues. The public may want to read exactly what was discussed, not only what the end result was but also what the position of various board members were. Those who agreed with a certain way of thinking and those who didn't and why. This is her reason why the thorough and detailed minutes were helpful to many people in the public to find out what the board was saying and how they were thinking. She also said that she knows that some boards have begun to go on line with their meetings and that you can go on the computer and press a button and see a video or you can read a transcript that is digitalized and she thought those are alternative ways that the public could know what the board is doing and alternative ways that the public might be able to know where the board is going on some issues. She also said that what she doesn't want to see happen is that we go from a very detailed meeting minute format to a simple summary that simply says the board talked about an issue. She said she knows that a lot of board meeting minutes are done in other districts, but she feels that this is not going to be helpful and thinks that the summarized version will not recognize the very difficult past four years that the board has just come through.

Director Follweiler stated that she was tossed on this subject, but she did like the idea of utilizing the internet so that things are available. She stated that she doesn't know what goes into that and if there would be any additional costs but felt that this would open up the meetings to a lot more of the community. She also said that she likes the detail that is available to the board because she doesn't feel the need to compile nine sets of all of the individual notes since she thinks the meeting minutes are very good. She did say that she understands the suggestion, that this voting meeting does have less discussion than the committee meeting and the board tends to get a lot of that detail where the committee is lighter on details. She said she likes the idea that was suggested that there might be more detail from the committee meetings and less detail from this monthly board meeting. She asked what the board needs to do to make this change. She wanted to know if there needs to be a formalized vote and also asked if there was a legal obligation to save the actual tape for a

certain period of time.

Mrs. Gober stated that there is no legal requirement to save the tapes for a specified period, provided it is being used for administration purposes in transcribing the minutes. The minutes when they are voted and adopted by the board become the official record and then the audio recording legally is simply there as an administrative tool.

Director Faccinetto stated that his only comment would be that if the board is going to go away from the detailed minutes then the digital copy would need to be accessible easily without having to drive to the Education Center and sitting there and listening to it. He stated that it would be great if you can go online, pull up the minutes and listen to them. He stated that he was away for the past two weeks but when he sat down this afternoon and read the minutes he knew exactly what happened at the past two meetings, but he stated if I had to physically go to the Education Center and sit in a little box and listen to the minutes, it wouldn't happen. He stated that as long as they are readily available on line, that's great.

Director Burkhardt stated that it was his understanding that the new gadget that we have will have every word that was spoken in the minutes and that it would be readily accessible for the community as well as the board.

Mrs. Gober stated that the gadget is a very high quality resolution as was talked about internally, but the only concern that they had was would it be able to be altered. Mrs. Gober stated that she didn't know if there is a format that can be produced that would not allow individuals to grab that digital file and modify it to essentially amend the true discussion and if we can circumvent or come up with a solution to prevent that from happening, then she didn't think that there would be any objection and that they just have to be aware that it is not the transcribed piece that becomes the official record, that this is now becoming a piece of the official record as well.

President Leeson stated that she does understand that as of right now we do not have a means by which the digital record could really leave the Education Center. She stated that we do not have that ability without the fear that it could be adjusted.

Mrs. Gober stated that we can certainly post the digital audio on our website and have it available. The question that we have not necessarily resolved is if it can be altered in any way.

President Leeson asked if the board wants to continue pursuing the

ability to put the minutes on the website without someone being able to alter it. She also said that perhaps Mrs. Gober could get back to us at the next committee meeting with an update as to how that would work.

Mrs. Gober stated that if this is the direction of the board that the summary minutes are contingent upon the live audio being available on the website, then she thinks there needs to be a little bit more homework done in insuring that this is a secure vehicle.

Director McKeon stated this may be a parallel discussion, but he likes the idea of the video streaming too. He stated that we may have some senior citizens that would love to be here tonight, but for whatever reasons, health or mobility or anything else, they can't get here. They theoretically could sit home and either watch it live if we opt to do that or store it in an archive that they could look back and listen to our ranting and ravings and whatever else we do on an official board night. He stated that Director Burkhardt and Mr. Arbusites could look into this and see what we need. He stated that we might be able to utilize our own students to do the videotaping because we have a lab set up in Broughal and we've got the high school kids. This might be a further learning experience for them.

Director Burkhardt stated that being the technological guru that he is, it does not seem efficient that we have some lady sitting there with earphones on typing all of our minutes if there is now a technological way to have the same thing as long as it can't be altered or tampered with in any way.

Director Follweiler stated that it seems that we are having two discussions. One is moving into the digitized recording and how we are going to deal with that and the potential to move into the streaming of the actual meeting. She stated that she is in favor of both, but I think we want to keep the streaming of the actual meeting separate, so that it doesn't hold up the change that we are bringing up tonight.

President Leeson stated that she would like to ask the board if they are interested in Mrs. Gober pursuing the digitized version of the minutes as long as they can be put on line without being altered. She asked the board if they would like her to continue pursuing this and if that is the direction the board would like to go at this time.

President Leeson asked for a voice vote.
Motion was unanimous.

VOICE VOTE TO ACCEPT
DIGITIZED VERSION OF

MINUTES

President Leeson asked why don't we go in that direction for now and asked if Mrs. Gober would not mind looking at the video streaming and give the board in another month or so an update of what that might take or cost to implement video streaming.

DISCUSSION CONTINUED

Director Dexter stated that at this time I am asking for Mrs. Gober to give us an update on the electronic bill payment system. She stated that in October and November this board discussed and passed a resolution that we would begin to utilize an electronic bill payment system that would save 1% on bills with participating vendors. I've asked a number of times about the status of that and I know last week I emailed Mrs. Gober and asked her to find out from Commerce Bank, which is our partner in this endeavor, to give us an update from their point of view on what has been the holdup and I would also like to hear from the administrative point of view, what is the holdup in the implementation.

Mrs. Gober stated that at this point Commerce Bank has been contacting vendors from a list that had been provided by the administration. They currently have 12 vendors that are under agreement and of those, two have been or are essentially no longer active members with us as they were related to the Broughal project. If we use the remaining vendors as a gauge for the 2009-2010 annual spend for those particular remaining vendors, it is a million six hundred thousand dollars and that would have generated an estimated 18,000 in revenue back to the district. They are in the process of contacting them and it is happening one at a time. The list that was included in the proposal was an illustrative list of vendors who had been willing to accept visa payments. They are not necessarily vendors who were agreeing to accept Bethlehem Electronic Payments. They are going through that process and as of now because we are in the summer period, there are not an inordinate number of payments that are going out to these providers as they are mostly supply and material providers that will be coming in more so in the fall. We do have a check run that is prepared to go out with this particular board meeting and I will allow Mrs. Morton to explain exactly how many vendors are in that file and what the process is.

Mrs. Morton stated that none of the checks that were approved earlier are in the Commerce file. She said that we do have a run going out this week in which there will be one vendor associated with that run and there will probably be another vendor next week in next weeks run.

Director Dexter stated that she would like to learn of the status of the electronic payments. She said that in April or May she asked the administration to consider paying the Apple Computer bill that was a 700,000 bill through the electronic payment system. She stated that they had been informed that Apple was a vendor that would accept electronic payments and that there was a large bill that would be eligible for a discount. She said she was told in May that the holdup was software, that Sungard was going to develop some software that would make this run easy to do. She also stated that now we are talking something different and she said she had ask last week to get a written summary from the commerce banker. Director Dexter asked Mrs. Morton if she had that information.

Mrs. Morton stated that she did not have that information.

Mrs. Gober extended her apologies to Director Dexter and said that the request was late Friday after the offices had been closed and that as of today there is still no verbal report to give to her. Mrs. Gober stated that a written report will be issued to the board with information later this week. She also stated that Apple Computer is not one of the vendors that has agreed to accept electronic Bethlehem School District payments. She said that there are a number of issues that are going on here and one is on the banking side and the other is on the technology side. We do not have an automated system to do this in our financial system and in order to implement this, it is a work around solution where our accounts payable department will extract manually the checks that are going to be paid to these particular vendors and process them separately, then we will do all of the remainder of the normal paper process. We are doing the work without having an automated system that would highlight them out on a vendor flag. Also, she stated that the Apple issue that was raised is not one of the vendors although it was on the proposal list. Apple is not one of the 10 vendors that have been identified as actually agreeing to accept the electronic form of payment.

Director Dexter stated that we were told that when we adopted the electronic form of payment that we stood to gain \$10,000 to \$15,000 a month in income. She also stated that she was recalling that the Sungard software that would allow that savings to occur was only \$7,000 dollars. At this point she feels as if we really need to put this in place. She stated that we are a district that is cutting field trips, we are cutting activities, we're just dropped off buses and other necessary purchases and we have had recent discussion about not enough textbooks. These funds that we are missing because of whatever obstacles are in our way, could be available to us. She said she really doesn't feel that the explanations the board has received

are justifying the delay and we need to look at this very deeply. She asked if there was any problem with her contacting the commerce banker that was dealing with us and find out what her perspective was.

Mrs. Gober stated that Mrs. Morton has been in communication not only with the representative that presented the proposal but also with the technical people to implement this particular program. She also stated that we had discussed this and the information was provided and that direction was given on May 11th. Mrs. Gober also said that on May 13th, we provided Sungard with the authorization to proceed in developing the custom application in order to facilitate this automated function. Since then Mrs. Morton has been working with Commerce in order to get the vendor file established. She said we have sent a test file which has been uploaded and it uploaded accurately and correctly. As of now, we just don't have a large volume of payments that are available for the individual vendors that are identified on the list to date and we are working toward it and commerce is adding vendors and we are processing the payments.

Mrs. Dexter asked again if there was a problem with her contacting the banker.

Mrs. Gober stated that she was going to direct that question back to the chair.

Mrs. Dexter stated that the board President is not the person to whom she was directing this question to. She stated that she didn't feel that she was given an adequate explanation for why we are 8 months behind in this project. She stated that it was to have been implemented within 2 weeks when we adopted it. She also said she knew that Mrs. Gober was not here at that time, but stated that at this point, she thinks everyone needs to look into this a little more deeply.

Mrs. Gober stated that Mrs. Dexter was correct in stating that she was not here at the time when it was adopted. She also said she didn't know what the proposal was or what the background of the proposal was. Mrs. Gober said that when she became involved based on Director Dexter's inquiry in April, that the information was provided in May. She also said that two days after the meeting they had discussed the proposal and it was authorized to proceed from a programming standpoint and they are moving forward. Mrs. Gober also said we still do not have the automated fix from our financial provider for our financial software. There are 10 vendors that have agreed to accept our payment from Commerce. She said that Mrs. Morton will be providing the board with a written report later this

week. Mrs. Gober stated again that Director Dexter's request was received after the close of business on Friday and therefore the information will be given to the board as best as they can in written form.

President Leeson stated to Director Dexter that she recognizes that she has brought this issue up before and that it is a potential for significant savings to the district. She asked Director Dexter if she would you be willing to wait for the written report that is going to be coming next week and then asked if Mrs. Morton and Mrs. Gober could have a discussion with Director Dexter prior to taking action.

Director Dexter stated that she thought that she brought this issue up in May and that she feels the time is way past because ten to fifteen thousand dollars a month is significant savings.

Mrs. Gober stated that the only thing that she would want to clarify is that based on the vendors that are approved and the volume of dollars spent with those particular vendors, it would be \$18,000 a year, not per month. Mrs. Gober also stated that she was not quite sure how the initial estimate was calculated other than to say two of the very large vendors that were included in the initial estimate were construction related and that project has been completed. The other vendor was the cafeteria food and service provider and they have not agreed to accept the electronic payment.

Director Dexter stated that part of the problem is that the information differs about the potential savings and about whether or not Apple was a legitimate vendor that was definitely agreeing to participate in this program or just a potential vendor. She also stated that because the information differs this is the reason why she was asking to go directly to the source, the banker, and get a written statement. She said that she doesn't see any point in waiting any longer.

Mrs. Gober asked Mrs. Morton to share the information from her conversation with the representative from Commerce from her meeting this afternoon. She asked Mrs. Morton to share the discussion as to why there was a variance between the proposal and the reality that we have as approved vendors today.

Mrs. Morton stated that within the list of vendors with the original proposal there were some vendors that do accept payment via the Visa network, but not necessarily that these vendors are willing to participate with Bethlehem Area School District to accept payment from us over the visa network. This is the information that was given to me from the woman from Commerce at the Corporate

Headquarters.

Director Burkhardt asked who sold this bill of goods to us begin with – the \$10,000 to \$15,000 per month from these electronic payments.

President Leeson stated that the woman from Commerce Bank was Penny Kospiah.

Director Burkhardt asked if it was possible that she was just being a sales person and trying to sell us a bill of goods.

President Leeson stated that lots of things are possible.

Director Burkhardt asked about what else can be done tonight to expedite this process.

Director Follweiler stated that originally she had her hand up because she was going to say a lot of what Director Dexter said toward the end of her statement. She said that she is extremely concerned about this matter because she does remember getting the e-mail from Commerce Bank that the sales pitch was a lot of what Director Dexter characterized and she is extremely concerned and wants to know how Commerce Bank came up with the list of potential vendors. She also said it sounds to her that as Director Burkhardt stated that we were sold a bill of goods. Director Follweiler said that she doesn't want to tax Mrs. Morton and Mrs. Gober if we're going to proceed with this plan, however she agrees with Director Dexter that it has been a long time and she thinks we need to get to the person who sold us this bill of goods from Commerce Bank and that they need to give us a written statement for the finance meeting next Monday. Director Follweiler said her feelings are that if we don't have a satisfactory report next Monday, then we do have to take it to the next level, whatever that level is. She said that we were given a report, and she recalls the meetings and the discussion for it and that it was going to be a significant savings. She stated that putting Apple Computer bills on the vendor list was the seller, so now she would like to know who came up with the list of the potential vendors that would participate.

Director Amato stated that the electronic billing has been around for a long time, but that doesn't mean that every vendor participates in this type of payment. He stated that this was done in the private sector years ago, and there was a deal that you had to go through before you could get the vendors to accept it. He stated that it is just not that easy. He said he feels that someone made up a list and probably took the largest bills that we've had and said that we can pay these all electronically and we're going to save X amount of

dollars, however, that does not mean that those vendors will participate. He also said he feels that somebody made up a list and told Commerce Bank to get these vendors to agree that we can pay these bills electronically, however, all the vendors did not agree to electronic payments.

Director Amato also said he has one other statement, which was that as school board directors, the school board should not be allowed to call vendors and tell them that this is what they want done. He said that there are particular school board members who have this opinion, but that it is not the opinion of everyone on this board. He also said the President needs to tell Director Dexter that the board can't be calling up the vendors and stating that the board wants to start paying the bills electronically.

Director Ortiz stated that she was listening to Mrs. Gober saying that they are working on this. She also stated that she knows it is very important that we get the information so the board can move forward with this matter.

Director Dexter stated that perhaps the banker would be willing to come to the Finance Committee Meeting next week and be open for questions from any board member at that time.

President Leeson asked if Mrs. Gober could get the woman who gave us the initial proposal.

Director Dexter stated that she will not be able to attend this meeting, but that she would be glad to submit her questions ahead of time and someone else can propose them and provide the answers back to her.

President Leeson asked if the majority of the board members agree that they would like to continue this discussion at the Finance Meeting next Monday and then asked if Mrs. Gober could please ask the woman who spoke with us originally, the banker involved, to come to the Finance Meeting. She also asked that if there is any additional information for the board to please get the information to the board as soon as possible so it can be put in the board's mail out this week.

Director Dexter stated that this would work out well and that she will get her questions to the board. She said she will send them to Director McKeon who chairs the meeting, and he can pose them or assign someone else.

President Leeson stated that there are a couple of changes.

RECOMMENDATIONS OF THE
ADMIMISTRATION

Page 8 - Item #8 - Student Discipline #0955148 will be pulled.

Page 18 - Item #1 will be pulled.

Page 19-1 is an addition. The addition should have been up with the agenda so the public will know that adding M1 electrician was an add on and it should have been available with the agenda.

Page 21 - the wrestling head coach at Freedom will be pulled.

Page 29 - under non-instructional sub – Tyler Richard will be pulled. He has a full time job now.

Director Follweiler told Mr. Washington that the 19-1 that he added on the boards copy says M2 electrician and when he verbally spoke he said M1.

Mr. Washington stated that he meant M2.

Director McKeon has a question for clarification. He asked that on Item 1 on page 21, under the wrestling, if that pertained to the whole category.

Mr. Washington stated that they were talking about the head coach only.

Director McKeon stated that he would prefer that all the names listed there be dropped out of that category. He stated if that is the will of the board.

President Leeson asked if any board member has a problem pulling all of the three wrestling coaches at this time. There was none. She stated that we will pull all three wrestling coaches and then of course we can bring it back at the next meeting.

Director McKeon moved the recommendations as corrected.
The motion was 2nd by Director Follweiler.

President Leeson asked if anyone would like to pull any other items.
Director Cann stated Item #20

Director Dexter stated Item #18

President Leeson stated the the board will now be voting on items #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24, 25, 26

ROLL CALL - ITEMS 1, 2, 3,
4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
15, 16, 17, 19, 21, 22, 23, 24, 25
26

President Leeson asked for a roll call vote.
The question was called with roll call as follows: Yea, Directors

Amato, Burkhardt, Cann, Dexter (except no to Item #21), Faccinetto,
Follweiler (except no to Item #22), Leeson (except no to Item #16),
McKeon (except no to Item #22) Ortiz

All motions pass

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° Information Item Only

1. *Authorization to Expend Bond Funds for Freemansburg Elementary School Moisture Damage Remediation and Restoration – Change Order*

INFORMATION:

The Freemansburg Elementary School Moisture Damage Remediation and Restoration project is proceeding on schedule. During the bidding process, we had identified unit costs for additional remediation that might be required. We have encountered additional areas that require remediation. D'Huy Engineering, Inc. and 1Source Safety and Health, Inc. are currently assessing these areas as they are being exposed to identify the additional scope of work.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to issue a change order to Michael R. Serfass Contracting Company to perform the additional remediation at Freemansburg Elementary School at a cost not to exceed \$5,000.

Bond fund account Code: 30-4600450-125-000-00-0000

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

2. *Authorization to Expend Bond Funds for Old Northeast Middle School Demolition and Site Work – Change Order*

INFORMATION:

The demolition and site improvements at the old Northeast Middle School are on schedule and the asbestos abatement is almost complete. The site erosion and sediment plan is also in place in compliance with the Northampton County Conservation District's requirements. On July 10, 2010, the area was exposed to a significant rainfall that exposed three sinkholes that must be repaired.

RECOMMENDATION:

That the Board of School Directors approves a change order in an amount not to exceed \$30,000 to Vollers Excavating and Construction, Inc. for repair of the sinkholes. The repairs and the cost will be monitored in the field for final payment. These costs will be paid from the project contingency fund.

Bond fund account code: 30-4600450-242-000-00-0000

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

3. *Authorization to Restore Capital Reserve Funds – Railing Repairs – Freedom High School – Change Order Deduct*

INFORMATION:

The Freedom High School Railing Repair Project is substantially complete. The contractor, A. P. Houser, Inc., has agreed to issue credit for unused project material allowance for a total deduct in the amount of \$2,088.

RECOMMENDATION:

That the Board of School Directors approves a change order credit in the amount of \$2,088 to A. P. Houser, Inc., for the unused project material allowance.

Account Code: 23-2600431-300-000-00-0000

Capital Reserve account – monies to be returned

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

4. *Approval of Curriculum Changes to the High School Program of Studies for the 2010-2011 School Year*

INFORMATION:

At the Board Curriculum Committee Meeting on July 19, 2010, the high school principals reviewed courses that appear in the Program of Studies books for the 2010-2011 school year, but were not approved curriculum by the board.

Mr. LaPorta, principal at Freedom High School, reviewed four courses from Freedom High School, which included Reading Skill Development, AP US History, Math GAP 45, and Biology 1. After discussion with the board, the consensus was given that these courses can be placed on the board agenda for July 26, 2010, for board action.

Mrs. Durante, principal at Liberty High School, reviewed three courses from Liberty High School, which included Reinforcement of Instructional Strategies in English (RISE), Reinforcement of Instructional Strategies in Mathematics (RISM), and the Illick's Mill Project. After discussion with the board, the consensus was given that these courses can be placed on the board agenda for July 26, 2010, for board action.

RECOMMENDATION:

That the Board of School Directors approves that the following courses can be offered at the high schools for the 2010-2011 school year:

Freedom High School

- a. Reading Skill Development
- b. AP US History
- c. Math GAP 45
- d. Biology 1

Liberty High School

- e. Reinforcement of Instructional Strategies in English (RISE)
- f. Reinforcement of Instructional Strategies in Math (RISM)
- g. Illick's Mill Project

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

5. *Approval of New and Revised Curriculums*

INFORMATION:

Information was distributed and reviewed with the board at the June 14, 2010, Board Curriculum Committee Meeting that described the proposed curriculums.

RECOMMENDATION:

That the Board of School Directors approves the following curriculums:

- a. Elementary Literacy Curriculum
- b. Elementary Academic Integration Curriculum
- c. Elementary Social Studies Curriculum (Updated curriculum received at the July 19, 2010, Board Curriculum Committee Meeting)
- d. Middle School Technology Curriculum
- e. High School Science Curriculum
- f. High School Psychology Curriculum
- g. High School Sociology Curriculum

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

6. *Renewal of Athletic Trainer Service*

INFORMATION:

At the Board Finance Committee Meeting on March 1, 2010, the board reviewed information regarding two proposals received for renewal of athletic trainer service. At the March 15, 2010, Regular Board Meeting, the board approved a proposal received from Coordinated Health Systems for the 2010-2011, 2011-2012, and 2012-2013 school years. Prior to the contract being signed, a change occurred in the proposal.

At the direction of the solicitor's office, the administration was directed to reopen the two proposals for review. Due to the change in Coordinated Health System's proposal, the administration had determined that the proposal from St. Luke's Hospital/East Stroudsburg University should be awarded as it is the lowest proposal received. The board reviewed this information at the July 12, 2010, Board Finance Committee Meeting. In the meantime, additional updated proposals have been received from both parties. At this time, an updated proposal from Coordinated Health is the lowest proposal received.

The Bethlehem Area School District's athletic trainer service has a renewable contract with an effective date of August 1, 2010. A proposal for a five-year contract (2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015 school years) from Coordinated Health is summarized as follows:

- a. Full-time certified athletic trainer service plus part-time certified athletic trainer service at Liberty and Freedom High Schools to be paid in ten equal installments on the first day of each month starting August 1 of each year.

2010-2011	-	No Charge
2011-2012	-	\$50,000
2012-2013	-	\$50,000
2013-2014	-	\$50,000
2014-2015	-	\$50,000

- b. \$35/hour – Supplemental trainer coverage (on an as needed basis for high school and middle school events).

RECOMMENDATION:

The administration recommends that the Board of School Directors:

- a. Rescind their prior approval that occurred at the March 15, 2010, Regular Board Meeting, for Coordinated Health Systems to provide athletic trainer services for the 2010-2011, 2011-2012, and 2012-2013 school years.
- b. Approve the proposal for athletic trainer service from Coordinated Health for the 2010-2011, 2011-2012, 2012-2013, 2013-2014, and 2014-2015 school years.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

7. *Student Discipline - #0952856 - 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 0952856.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together

8. *Student Discipline – #0952229 and #0955148 – Waivers*

INFORMATION:

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

RECOMMENDATION:

That the Board of School of School Directors adopts the waivers relating to Student Numbers 0952229 and 0955148.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

9. *No Child Left Behind Act (NCLB), Title I*

INFORMATION:

The Bethlehem Area School District is entitled to receive \$3,021,175 for the 2010-2011 school year under the above federal legislation. The Title I program has received the following allocations over the last three years:

2007-2008 School Year - \$3,455,513
2008-2009 School Year - \$3,320,860
2009-2010 School Year - \$3,083,066

The funding for the 2010-2011 school year will be used for providing rigorous and challenging educational instruction, with specific focus on reading and mathematics. Included in the Title I application budget are teacher and counselor salaries and benefits, administrative costs, staff development in reading and mathematics, and supplies. Funding is also designated to support parent involvement programs and serve three eligible non-public diocesan schools and one faith-based school as mandated by Title I Federal guidelines.

RECOMMENDATION:

That the administration be authorized to submit an application under the No Child Left Behind Act, Title I funds in the amount of \$3,021,175 for the 2010-2011 school year.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

10. *No Child Left Behind Act (NCLB), Title II, Part A***INFORMATION:**

The Bethlehem Area School District is entitled to receive \$847,340 for the 2010-2011 school year under the above federal legislation. NCLB Title II, Part A, Eisenhower Professional Development and the Class Size Reduction Initiative have been combined into one program that focuses on preparing, training, and recruiting high-quality teachers.

Title II grant funding is designated for use in hiring highly qualified teachers and reducing class size in order to increase student achievement. District funding for the 2010-2011 school year will be used for staff development, with particular focus on helping elementary teachers enhance their skills for teaching mathematics. Title II funds will also be used for teacher salaries and benefits in order to reduce class size in Kindergarten, Grade 1, and Grade 2.

RECOMMENDATION:

That the administration be authorized to submit an application under the No Child Left Behind Act, Title II, Part A funds in the amount of \$847,340 for the 2010-2011 school year.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

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

That the following conference for staff be approved:

September 24-27, 2010

Association of School Business Officials (ASBO)

Lake Buena Vista, Florida

\$1,499.50

General

October 27-29, 2010

Pennsylvania Association of Colleges and Teacher Educators

Harrisburg, Pennsylvania

507.88

Federal/PA Pact Grant

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

12. *Field Trip Attendance*

RECOMMENDATION:

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

August 9-15, 2010

(4 Liberty High School Students and 4 Liberty High School Graduates)

Liberty High School Grenadier Band, Fanfare Team (Herald Trumpets) to

Perform in Canada for the Canadian Government

Ottawa, Canada

\$0.00

All expenses paid by Canadian Military and/or Grenadier Band Organization.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

13. Resignations**RECOMMENDATION:***Administrative*

1. NAME: **Aulisio, Karen**
ASSIGNMENT: Thomas Jefferson, Principal
REASON: Personal
EFFECTIVE: August 31, 2010
2. NAME: **Metarko, Michael**
ASSIGNMENT: Hanover, Principal
REASON: Change in resignation date
EFFECTIVE: August 7, 2010

Instructional

1. NAME: **Campbell, Patricia**
ASSIGNMENT: Freemansburg, Reading Specialist
REASON: Personal
EFFECTIVE: July 1, 2010
2. NAME: **Clapp, Gail**
ASSIGNMENT: District-wide, School Nurse
REASON: Personal
EFFECTIVE: August 25, 2010
3. NAME: **Howorth, Elaine**
ASSIGNMENT: Nitschmann, (.5)/Northeast, (.5) Family and Consumer Science Teacher
REASON: Retirement
EFFECTIVE: November 2, 2010
4. NAME: **Manzo, Julie**
ASSIGNMENT: District-wide, School Psychologist
REASON: Employee request for reduction from 1.0 to (.5), relinquishing (.5) of contracted position
EFFECTIVE: August 25, 2010
5. NAME: **Wagner, Michael**
ASSIGNMENT: Liberty, Mathematics Teacher
REASON: Personal
EFFECTIVE: August 1, 2010

13. Resignations**RECOMMENDATION:***Instructional (continued)*

- | | | |
|----|-------------|---|
| 6. | NAME: | Werkheiser, Laurie |
| | ASSIGNMENT: | Miller Heights, Academic Integration Specialist |
| | REASON: | Employee request for reduction from 1.0 to (.7),
relinquishing (.3) of contracted position |
| | EFFECTIVE: | August 25, 2010 |

Noninstructional

- | | | |
|----|-------------|---|
| 1. | NAME: | Barnwell, Stephen |
| | ASSIGNMENT: | Liberty, Support Technologist |
| | REASON: | Personal |
| | EFFECTIVE: | August 6, 2010 |
| 2. | NAME: | Diaz, Christina |
| | ASSIGNMENT: | Donegan, ASPIRE Site Coordinator |
| | REASON: | Personal |
| | EFFECTIVE: | July 30, 2010 |
| 3. | NAME: | Pesavento, Eileen |
| | ASSIGNMENT: | James Buchanan, Teacher Assistant, Special
Education, Learning Support |
| | REASON: | Retirement |
| | EFFECTIVE: | June 5, 2010 |
| 4. | NAME: | Sames, Shirley |
| | ASSIGNMENT: | James Buchanan, Teacher Assistant, General
Duty |
| | REASON: | Retirement |
| | EFFECTIVE: | June 5, 2010 |
| 5. | NAME: | Sarkozy, Kalman |
| | ASSIGNMENT: | Liberty, Monitor |
| | REASON: | Retirement |
| | EFFECTIVE: | September 21, 2010 |

13. Resignations**RECOMMENDATION:***Miscellaneous*

- | | | |
|----|-------------|---|
| 6. | NAME: | Schramko, Mary |
| | ASSIGNMENT: | Child Care, Assistant Center Supervisor |
| | REASON: | Personal |
| | EFFECTIVE: | August 26, 2010 |
| 7. | NAME: | Tate, Janet |
| | ASSIGNMENT: | Grants Facilitator Specialist |
| | REASON: | Personal |
| | EFFECTIVE: | July 1, 2010 |

Miscellaneous

- | | | |
|----|-------------|-------------------------|
| 1. | NAME: | Kunsman, William |
| | ASSIGNMENT: | Bus Driver |
| | REASON: | Retirement |
| | EFFECTIVE: | September 25, 2010 |

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

14. *Terminations***RECOMMENDATION:***Noninstructional*

- | | | |
|----|-------------|--------------------|
| 1. | NAME: | XXX-XX-4565 |
| | ASSIGNMENT: | Liberty, Monitor |
| | REASON: | Reduction in force |
| | EFFECTIVE: | July 1, 2010 |
| 2. | NAME: | XXX-XX-2162 |
| | ASSIGNMENT: | Liberty, Monitor |
| | REASON: | Reduction in force |
| | EFFECTIVE: | July 1, 2010 |
| 3. | NAME: | XXX-XX-7942 |
| | ASSIGNMENT: | Freedom, Monitor |
| | REASON: | Reduction in force |
| | EFFECTIVE: | July 1, 2010 |

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

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

1. NAME: **Smith, Michelle**
 ADDRESS: Bethlehem
 ASSIGNMENT: Freedom, Mathematics Teacher
 REASON: Family Medical/Childrearing Leave of Absence
 EFFECTIVE: Family Medical Leave to begin August 25, 2010,
 until the end of the day on November 18, 2010
 Childrearing Leave of Absence to start
 November 19, 2010, until the end of the 2010-2011
 school year

2. NAME: **Statile, Jessica**
 ADDRESS: Bethlehem
 ASSIGNMENT: Governor Wolf, Special Education, Learning
 Support Teacher
 REASON: Childrearing Leave of Absence
 EFFECTIVE: August 25, 2010, until the end of the 2010-2011
 school year

Noninstructional

1. NAME: **Check, Joanne**
 ADDRESS: Hellertown
 ASSIGNMENT: Broughal, Teacher Assistant
 REASON: General Leave of Absence
 EFFECTIVE: October 12, 2010, until the end of the day on
 October 29, 2010

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

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

1. NAME: **Cunic, Alicia**
 ADDRESS: Allentown
 COLLEGE, DEGREE: Saint Joseph's University, B.S.
 Kutztown University, Certification
 ASSIGNMENT: Liberty, Biology Teacher
 EXPERIENCE: 1 year, Bethlehem
 STATUS: Long-term Substitute
 SALARY: \$42,900 (Bachelor's +15, Step 2)
 EFFECTIVE: August 25, 2010, and terminating at the end of
 the 2010-2011 school year, or upon the return of
 J. Schmittel

2. NAME: **Doncsecz, Jennifer**
 ADDRESS: Northampton
 COLLEGE, DEGREE: Kutztown University, B.S.
 ASSIGNMENT: Northeast, Special Education, Learning Support Teacher
 STATUS: Temporary Professional Employee
 SALARY: \$41,400 (Bachelor's, Step 1)
 EFFECTIVE: August 25, 2010

3. NAME: **Garman, Mary**
 ADDRESS: Bethlehem
 COLLEGE, DEGREE: Bloomsburg University, B.S.
 ASSIGNMENT: Liberty, Special Education, Learning Support Teacher
 EXPERIENCE: 11 years, Bethlehem
 STATUS: Professional Employee
 SALARY: \$52,244 (Bachelor's +15, Step 12)
 EFFECTIVE: August 25, 2010

Noninstructional

1. NAME: **Benner, Suzanne**
 ADDRESS: Bethlehem
 ASSIGNMENT: District-wide, Health Assistant
 SALARY: \$14.28 per hour
 EFFECTIVE: August 27, 2010

16. Nominations for Appointment**RECOMMENDATION:***Noninstructional (continued)*

2. NAME: **Cunningham, Michael**
 ADDRESS: Bethlehem
 ASSIGNMENT: Nitschmann, Support Technologist
 SALARY: \$28,568, prorated (Noninstructional Meet and Discuss, Category K, Step 1) to be adjusted upon completion of Noninstructional Meet and Discuss bargaining agreement
 EFFECTIVE: July 27, 2010
3. NAME: **Ford, Daniel**
 ADDRESS: Bethlehem
 ASSIGNMENT: Liberty, Supplemental Custodian
 SALARY: \$9.00 per hour
 EFFECTIVE: July 27, 2010

Miscellaneous

The following salaries are for the 2009-2010 school year and will be adjusted for the 2010-2011 school year, consistent with Article XXVII of the Collective Bargaining Agreement between the Board of School Directors and the Bethlehem Education Association.

1. **Coaches**
Freedom High School
Baseball
 Head Coach **D'Amico, Nicholas** Continuing \$5,962.00
 Assistant Coach (.5) **Burcin, Robert** Continuing 1,938.00
 Assistant Coach **Schmitt, Eric** Continuing 3,876.00
Boys Basketball
 Head Coach **Stellato, Joseph** Continuing 7,338.00
 Assistant Coach **Mosser, Thomas** Continuing 4,770.00
 Assistant Coach **Vajda, Jason** Continuing 4,770.00
Girls Basketball
 Head Coach **Calabrese, Gerald** Continuing 7,338.00
 Assistant Coach **Garza, Ronald** Continuing 4,770.00
 Assistant Coach **Roth, James** Continuing 4,770.00
 Assistant Coach **Saeger, Jessica** Continuing 4,770.00

16. *Nominations for Appointment*

RECOMMENDATION:

*Miscellaneous (continued)*1. **Coaches (continued)*****Freedom High School*****Cheerleading**

Head Coach	Zito, Alicia	Continuing	\$4,220.00
Assistant Coach	Anderson, Nicole	Continuing	2,743.00
Assistant Coach	Herrera, Pamela	Continuing	2,743.00

Cross Country

Head Coach	Jordan, Diane	Continuing	5,045.00
Assistant Coach	Dos Santos, Jose A.	Continuing	3,279.00

Field Hockey

Head Coach	Innarella, Charis	Continuing	5,962.00
Assistant Coach	Halper, Jaime	Continuing	3,876.00
Assistant Coach	Wetmore, Marilyn	Continuing	3,876.00

Football

Head Coach	Roeder, Jason	Continuing	9,173.00
Assistant Coach (.5)	Bednarik, Adam	Continuing	2,981.00
Assistant Coach	Denofa, William	Continuing	5,962.00
Assistant Coach (.5)	Haas, Bryan	Continuing	2,981.00
Assistant Coach (.5)	Haberl, Jeffrey	Continuing	2,981.00
Assistant Coach (.5)	Hornbacker, Timothy	Continuing	2,981.00
Assistant Coach	Reph, Benjamin	Continuing	5,962.00
Assistant Coach (.5)	Ruhf, Thomas	Continuing	2,981.00
Assistant Coach	Shimko, Todd	Continuing	5,962.00

Golf

Head Coach	Evans, Michael	Continuing	4,220.00
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Rifle

Head Coach	Court, Larry	Continuing	4,220.00
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Boys Soccer

Head Coach	Peters, Karl	Continuing	5,962.00
Assistant Coach	Sodl, David	New	3,291.00
Assistant Coach	Wasilick, Raymond	Continuing	3,876.00

Girls Soccer

Head Coach	Halper, Jamie	Continuing	5,962.00
Assistant Coach	Gosling, Sarah	Continuing	3,876.00

Girls Softball

Head Coach	Hollinger, Dennis	Continuing	5,962.00
Assistant Coach	Borger, Nora	Continuing	3,876.00
Assistant Coach	Reinhart, Richard	Continuing	3,876.00

16. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1.	Coaches (continued)			
	<i>Freedom High School</i>			
	Swimming			
	Head Coach	Glaser, Barbara	Continuing	\$7,109.00
	Girls Tennis			
	Head Coach	Sigmon, Mark	Continuing	4,220.00
	Track			
	Head Coach	Owens, Arthur	Continuing	7,109.00
	Assistant Coach	Carter, Yvonne	Continuing	4,621.00
	Assistant Coach	Dos Santos, Jose	Continuing	4,621.00
	Assistant Coach	Quintana, James	Continuing	4,621.00
	Boys Volleyball			
	Head Coach	Yanek, John	Continuing	4,220.00
	Assistant Coach	Cole, Michael	Continuing	2,743.00
	Girls Volleyball			
	Head Coach	Yoo, Joseph	Continuing	4,220.00
	Assistant Coach	Dando, Timothy	Continuing	2,743.00
	Wrestling			
	Head Coach	McIntyre, Richard	Continuing	7,338.00
	Assistant Coach	Ackerman, Colin	Continuing	4,770.00
	Assistant Coach	Steiner, John	Continuing	4,770.00
	<i>Liberty High School</i>			
	Baseball			
	Head Coach	Pitsilos, Andrew	Continuing	5,962.00
	Assistant Coach	Rusnak, Jack	Continuing	3,876.00
	Assistant Coach	Sule, Christopher	Continuing	3,876.00
	Boys Basketball			
	Head Coach	Landis, Chad	Continuing	7,338.00
	Assistant Coach	Bachman, Michael	Continuing	4,770.00
	Assistant Coach (.5)	D'Emilio, Christopher	Continuing	2,385.00
	Assistant Coach	Kashner, Michael	Continuing	4,770.00
	Assistant Coach (.5)	Venanzi, Michael	Continuing	2,385.00
	Assistant Coach	Yasso, George	Continuing	4,770.00

16. *Nominations for Appointment*

RECOMMENDATION:

*Miscellaneous (continued)*1. **Coaches** (continued)**Liberty High School****Cheerleading**

Head Coach	Fiske, Sara	Continuing	\$4,220.00
Assistant Coach	Scala, Francesca	Continuing	2,743.00
Assistant Coach	Wallaesa, Lynann	Continuing	2,743.00

Cross Country

Head Coach	Will-Weber, Mark	New	4,284.00
Assistant Coach (.5)	Stoyko, Alison	Continuing	1,639.50
Assistant Coach (.5)	Wakeman, Angela	Continuing	1,639.50

Field Hockey

Head Coach	Omdahl, Mary Kathryn	Continuing	5,962.00
Assistant Coach	Cygan, Jane	New	3,291.00
Assistant Coach	Flanley, Catherine	Continuing	3,876.00

Football

Head Coach	Brown, David	New	7,789.00
Assistant Coach	Donahue, Timothy	Continuing	5,962.00
Assistant Coach	McClarín, Robert	Continuing	5,962.00
Assistant Coach (.5)	McNulty, Patrick	Continuing	2,981.00
Assistant Coach	Michael, Barry	Continuing	5,962.00
Assistant Coach	Shuler, Jeremy	Continuing	5,962.00
Assistant Coach (.5)	Whitaker, Wayne	Continuing	2,981.00
Assistant Coach	Wied, Kenneth	New	5,063.00
Assistant Coach	Yasso, George	Continuing	5,962.00

Golf

Head Coach	Bradley, Steven	Continuing	4,220.00
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Rifle

Head Coach	Miller, Jody	Continuing	4,220.00
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Boys Soccer

Head Coach	Horvath, Jason	Continuing	5,962.00
Assistant Coach	Sarkozy, Kalman, Sr.	Continuing	3,876.00
Assistant Coach	Sarkozy, Kalman, Jr.	Continuing	3,876.00

16. *Nominations for Appointment*

RECOMMENDATION:

*Miscellaneous (continued)*1. **Coaches (continued)*****Liberty High School*****Girls Soccer**

Head Coach	Horvath, Jason	Continuing	\$5,962.00
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Assistant Coach (.5)	Michael, Erin	Continuing	1,938.00
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Assistant Coach (.5)	Sarkozy, Kalman, Jr.	Continuing	1,938.00
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Assistant Coach	Terry, Daniel	Continuing	3,876.00
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Girls Softball

Head Coach	Giering, Richard	Continuing	5,962.00
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Assistant Coach (.5)	Frederick, Lauren	Continuing	1,938.00
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Assistant Coach	Lewis, Gerald	Continuing	3,876.00
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Assistant Coach (.5)	Pastor, Mark	Continuing	1,938.00
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Swimming

Head Coach	Foust, Reik	Continuing	7,109.00
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Assistant Coach	Montoro, Michelle	Continuing	4,621.00
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Assistant Coach (.5)	Zettlemoyer, Jeffrey	Continuing	2,310.50
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Boys Tennis

Head Coach	Schnalzer, Leo	Continuing	4,220.00
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Girls Tennis

Head Coach	Schnalzer, Leo	Continuing	4,220.00
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Track

Head Coach	Bush, Kevin	Continuing	7,109.00
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Assistant Coach	D'Emilio, Christopher	Continuing	4,621.00
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Assistant Coach	Rice, Fred	Continuing	4,621.00
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Assistant Coach	Will-Weber, Mark	Continuing	4,621.00
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Boys Volleyball

Head Coach	Ammary, Neiad	Continuing	4,220.00
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Assistant Coach	Buffi, Joseph	Continuing	4,621.00
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Girls Volleyball

Head Coach	Rohn, Virginia	Continuing	4,220.00
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Assistant Coach	Maioriello, Melissa	Continuing	2,743.00
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Wrestling

Head Coach	Karam, Joseph	Continuing	7,338.00
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Assistant Coach (.5)	Cabrera, Richard	Continuing	2,385.00
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Assistant Coach (.5)	Henning, Derron	Continuing	2,385.00
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Assistant Coach	Kleckner, Brad	Continuing	4,770.00
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16. Nominations for Appointment**RECOMMENDATION:***Miscellaneous (continued)*

1.	Coaches (continued)			
	<i>Broughal Middle School</i>			
	Boys Basketball			
	Head Coach	Hatch, Eric	Continuing	\$3,669.00
	Assistant Coach	Williams, Jeremy	Continuing	2,386.00
	Girls Basketball			
	Head Coach	Altimare, James	Continuing	3,669.00
	Assistant Coach	McKellin, Janice	Continuing	2,386.00
	Cheerleading			
	Head Coach	Snell, Sarah	Continuing	2,293.00
	Assistant Coach	Ellis, Stacy	New	1,266.00
	Cross Country			
	Head Coach	Chruscial, Brant	Continuing	2,293.00
	Field Hockey			
	Head Coach	Sakelarides, Erin	Continuing	2,293.00
	Assistant Coach	Yoder, Michelle	Continuing	1,491.00
	Football			
	Head Coach	Hatch, Eric	Continuing	3,669.00
	Assistant Coach	Lyons, Matthew	Continuing	2,385.00
	Soccer			
	Head Coach	Lyons, Matthew	New	1,948.00
	Assistant Coach	Kelly, James	New	1,266.00
	Softball			
	Head Coach	Chruscial, Brant	Continuing	2,293.00
	Girls Volleyball			
	Head Coach	Schomaker, Timothy	New	1,948.00
	Assistant Coach	Kutz, Gina	New	1,266.00
	Intramurals			
	Supervisor	Snell, Sarah		3,464.00
	<i>East Hills Middle School</i>			
	Boys Basketball			
	Head Coach	John, George	Continuing	3,669.00
	Assistant Coach	Metz, Timothy	Continuing	2,386.00
	Girls Basketball			
	Assistant Coach	Ferry, Shannon	Continuing	2,386.00

16. *Nominations for Appointment*

RECOMMENDATION:

*Miscellaneous (continued)*1. **Coaches (continued)***East Hills Middle School***Cheerleading**

Head Coach	Stelmak, LeeAnn	Continuing	\$2,293.00
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Assistant Coach	Roman, Carolyn	Continuing	1,491.00
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Cross Country

Head Coach	Ayre, Jonathan	Continuing	2,293.00
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Field Hockey

Head Coach	Knowles, Jessica	Continuing	2,293.00
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Assistant Coach	Zehner, Amber	Continuing	1,491.00
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Football

Head Coach	Nawrocki, Matthew	Continuing	3,669.00
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Assistant Coach	Litsch, Erich	Continuing	2,385.00
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Assistant Coach	Metz, Timothy	Continuing	2,385.00
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Soccer

Head Coach	Pearson, Robert	Continuing	2,293.00
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Assistant Coach	Nawrocki, Matthew	Continuing	1,491.00
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Softball

Head Coach	Ayre, Jonathan	Continuing	2,293.00
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Assistant Coach	Goldberg, Stefanie	Continuing	1,491.00
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Girls Volleyball

Head Coach	Ferry, Shannon	Continuing	2,293.00
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Assistant Coach	Kruk, Christine	Continuing	1,491.00
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Intramurals

Supervisor	John, George		3,464.00
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*Nitschmann Middle School***Boys Basketball**

Head Coach	Wills, Jr., James	Continuing	3,669.00
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Assistant Coach	Terry, Daniel	Continuing	2,385.00
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Girls Basketball

Head Coach	Wertman, Courtney	Continuing	3,669.00
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Assistant Coach	Rodenbach, Scott	Continuing	2,385.00
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Cheerleading

Head Coach	DeStasio, Jennifer	Continuing	2,293.00
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Assistant Coach	Guerrieri, Tori	Continuing	1,491.00
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Cross Country

Head Coach	Werley, Steven	New	1,948.00
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16. *Nominations for Appointment*

RECOMMENDATION:

*Miscellaneous (continued)*1. **Coaches (continued)***Nitschmann Middle School***Field Hockey**

Assistant Coach	Hipp, Kelly	Continuing	\$1,491.00
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Football

Head Coach	Truby, John	New	3,115.00
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Assistant Coach (.5)	Downey, Craig	New	1,012.50
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Assistant Coach (.5)	Villani, Michael	Continuing	1,192.50
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Soccer

Head Coach	Rodenbach, Scott	Continuing	2,293.00
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Assistant Coach	Atkinson, Shannon	Continuing	1,491.00
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Softball

Head Coach	Thear, Tanya	Continuing	2,293.00
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Assistant Coach	Getz, Julie	Continuing	1,491.00
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Girls Volleyball

Head Coach	Frankenfield, Andrea	Continuing	2,293.00
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Assistant Coach	Rodenbach, Scott	Continuing	1,491.00
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Intramurals

Supervisor	Muller, Laurie		3,464.00
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*Northeast Middle School***Girls Basketball**

Head Coach	Soto, Rebecca	Continuing	3,669.00
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Assistant Coach	Seaman, Stephanie	Continuing	2,386.00
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Cheerleading

Head Coach	Beisel, Toni	New	1,948.00
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Cross Country

Head Coach (.5)	Klose, Connie	Continuing	1,146.50
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Head Coach (.5)	Preletz, Jayne	Continuing	1,146.50
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Field Hockey

Head Coach	Buchanan, Karen	Continuing	2,293.00
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Assistant Coach	Brewster, Karen	Continuing	1,491.00
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Football

Head Coach	Sisle, Stuart	Continuing	3,669.00
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Assistant Coach	Gross, Jason	Continuing	2,385.00
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Soccer

Head Coach	Fenner, LeRoy	Continuing	2,293.00
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Assistant Coach	Buskirk, Michael	Continuing	1,491.00
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16. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1.	Coaches (continued)			
	<i>Northeast Middle School</i>			
	Softball			
	Head Coach	Unger, Jamie	Continuing	\$2,293.00
	Assistant Coach (.5)	Bowman, Catherine	Continuing	745.50
	Assistant Coach (.5)	Shive, Linda	Continuing	745.50
	Girls Volleyball			
	Head Coach	Shive, Linda	Continuing	2,293.00
	Assistant Coach	Cieslak, Kathy	Continuing	1,491.00
	Intramurals			
	Supervisor	Shive, Linda		3,464.00
2.	Department Chairpersons			
	<i>Freedom High School</i>			
	Business	Jordan, Diane		3,182.00
	Fine and Practical Arts	Moran, Michael		3,182.00
	Foreign Language	Baylis, Cynthia		3,182.00
	Health/Physical Education	Callahan, Bryan		3,182.00
	Language Arts	Ziegler, George		2,816.00
	Mathematics	Young, Jeffrey		3,182.00
	Science	Baltz, Eric		3,182.00
	Social Studies	Roman, Donna		3,182.00
	Special Education	Calvo, Maureen		3,182.00
	<i>Liberty High School</i>			
	Business	Martucci, Gregory		3,182.00
	English Acquisition	Donnelly, Samuella		3,182.00
	Fine and Practical Arts	Long, Kevin		3,182.00
	Foreign Language	Norwood, Samuel		3,182.00
	Health/Physical Education	Karam, Joseph		3,182.00
	Language Arts	Chickey, Natalie		3,182.00
	Mathematics	Frank, Judson		3,182.00
	Science	Guarriello, Beth		3,182.00
	Social Studies	Markovich, Anthony		3,182.00
	Special Education	Irvine, Joan		3,182.00
	<i>District</i>			
	Health Services	Halkins, Kathleen		3,182.00

16. Nominations for Appointment**RECOMMENDATION:***Miscellaneous (continued)***3. Saturday Detention Proctors***Freedom High School*

Amici, Nancy	Roscher, Alexandra
Baltz, Eric	Roscher, Gerald
Chabot, Sandra	Strockyj, Sonia
Dees, Teresa	Muth, Diane
Erdman, Karla	O'Connor, Amy
George, Crystal	Ott, Jamie
Guerra, Nicolette	Pfizenmayer, Lisa
Halper, Jamie	Pretopapa, Alesha
Laughlin, Paula	Rex, Kristen
Lechner, Cathy	Wallaesa, John
Martinez, Louis	Zehner, Amber
Muller, Michael	Ziegler, George

SALARY: \$32.04 per hour

4. Summer Guidance Counselors*Liberty High School*

Adelsberger, Tammy	Ortiz, Natalie
Buck, Randy	Rodriguez, Elizabeth
Clewell, Sheryl	Vázquez, Elizabeth
Dinsmore, Patricia	Vázquez, Kristin
Kehler, Bruce	Wuchter, Travis
Matthews, Amy	

SALARY: To be paid per diem rate, not to exceed 70.25 days collectively

5. Summer Job Training/Work Experience

That the exceptional students listed on the confidential page be approved for the summer work experience program.

6. Summer School ASPIRE/21st Century Community Learning Center Helper**Michael, Ruby**

SALARY: \$7.25 per hour

16. *Nominations for Appointment***RECOMMENDATION:***Miscellaneous (continued)*

7. **Summer School – Elementary**
Fountain Hill Elementary School
Teacher
Jones, Karen
SALARY: \$32.04 per hour
8. **Summer School – Middle School**
Broughal Middle School
Teacher
Adams, Shayla
SALARY: \$32.04 per hour
9. **Summer School – High School**
Teachers
Achenzie, Jeffrey **Pretopapa, Alesha**
George, Crystal **Sierra, Trinidad**
Leeson, Maureen
SALARY: \$32.04 per hour
10. **Summer Second Language Guide**
Vasquez, Mariangeli
SALARY: \$11.00 per hour

Noninstructional Substitutes

Carvalho, Maria Bethlehem	Hymans, Jerome Bethlehem	Rush, Kate Bethlehem
Diaz, Shelia Bethlehem	McLean, Nicholas Bethlehem	Tyler, Richard Allentown
Dorsey, Maria Bethlehem	Merrill, Cathy Bethlehem	Wasilick, Raymond, Jr. Easton
Ferry, Timothy Bethlehem	Pastir, Timothy Bethlehem	

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

17. Reassignments**RECOMMENDATION:***Administrative*

1. NAME: **Campbell, Patricia**
 FROM: Donegan, Assistant Principal
 TO: Thomas Jefferson, Principal
 SALARY: \$101,332 (Instructional Meet and Discuss, Category 3, Step 6, Includes Base Salary, Responsibility Factor, and 1.2 Factor)
 EFFECTIVE: July 27, 2010
2. NAME: **Guerrero, Anthony**
 FROM: Fountain Hill, Assistant Principal
 TO: Northeast, Assistant Principal
 SALARY: \$88,117 (Instructional Meet and Discuss, Category 4, Step 8, Includes Base Salary and Responsibility Factor)
 EFFECTIVE: July 1, 2010

Instructional

1. NAME: **Andreucci, Robert**
 FROM: Liberty, (.6) Chemistry Teacher
 TO: Liberty, 1.0 Chemistry Teacher
 STATUS: Temporary Professional Employee
 SALARY: \$45,390 (Bachelor's +15, Step 6)
 EFFECTIVE: August 25, 2010
2. NAME: **Hrycyszyn, Marlice**
 ASSSIGNMENT: Lead Teacher, Extended School Year Program:
 Special Education
 FROM: \$22.14 per hour
 TO: \$33.14 per hour
 REASON: Salary adjustment

Noninstructional

1. NAME: **Walters, Robyn**
 FROM: Broughal, (.5)/SPARK, (.5) Supplemental Custodian
 TO: Liberty, C-1 Custodian
 SALARY: \$14.46 per hour
 EFFECTIVE: July 27, 2010

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

18. *Contractor Services Agreement***INFORMATION:**

In order to facilitate a smooth personnel transition following the retirement of Iris Cintrón, it is recommended that the district contract with Mrs. Cintrón to provide transition training to the new Supervisor of Grants on an as needed basis. Since many of the issues related to grants and their administration are cyclical, it is recommended that this agreement be in place until December 2011 to insure that a full reporting cycle is completed to address any concerns that may arise. The costs associated with these transition services will be attributable to the grants budgets as overhead costs. Although the district is sensitive to minimizing the cost for these services and will utilize Mrs. Cintrón only as necessary, it is unknown specifically how much time is required. It is recommended by the administration that this agreement be approved at a cost not to exceed \$10,000 for the term of the contract.

RECOMMENDATION:

That the Board of School Directors approves the Agreement with Mrs. Cintrón to provide contracted services for grant transition at a cost not to exceed \$10,000.

President Leeson pulled Item #18

Mrs. Dexter stated that she would like to hear the administrations rational for arriving at the cap amount of \$10,000.

Mrs. Gober stated that the cap amount was calculated by the people who are in the grants and minority affairs office who went through the schedule and calendar of tasks for that upcoming period and an estimate of approximately how many days or partial days they felt would be necessary in order to gather all of the necessary and appropriate information to complete tasks as outlined during that upcoming period.

Mrs. Dexter asked what would be the rate per hour or per day and how would we go about deciding how much we would be paying this person.

Mrs. Gober stated that her suggestion would be that it would be in ½ days increments, so it would be 1 whole or a ½ of day.

Mrs. Dexter asked how long do you anticipate we would need these services?

Mrs. Gober stated that she would have to defer that question. The agreement is drafted to be through December of 2011 and the idea being that you would need to go through a

full grant cycle in order to actually experience all of the various events that occur during a full grant year.

Mrs. Dexter asked what line would these funds come from?

Mrs. Gober stated that her understanding was that they would be paid for by the various grants as an indirect cost within each of those grants.

Mrs. Dexter asked if that was acceptable within the boundaries of the grants.

Mrs. Gober deferred that question to Mrs. Tate.

Mrs. Tate stated that it is acceptable as consultation and as Mrs. Gober said it is related to the fact of the full grant cycle with all the federal guidelines and requirements that are involved with that.

Mrs. Dexter asked what grant did Mrs. Tate believe would be paying for this particular fund.

Mrs. Tate stated that she believes it was Title 1, but she would have to research further and that title one would be consultation for the actual administrative costs of the grant.

Mrs. Dexter asked if Title 1 is not a permissible source of payment of this fund then what is it that we are giving up in order to get this extra consultation.

Mrs. Gober stated, it was as I understand it, to be paid from grant revenue as an administrative cost.

Mrs. Dexter asked if it was urgent for us to vote on this item tonight or could we consider it at the August 16th voting to allow Mrs. Tate to research this issue of where the funds would be coming from.

President Leeson asked Mrs. Gober if it was urgent at this time to vote on it or can we defer it until the August 16th meeting.

Mrs. Gober stated that there have already been transition services that have been performed.

Mrs. Dexter asked have transition services been performed without board approval?

Mrs. Gober stated that she can tell the board that there has been a transition operation going on but she did not have any additional information beyond that.

Mrs. Dexter asked if there was an estimation of hours or days worked.

Mrs. Gober stated that it was 10 days.

Mrs. Dexter asked why the board was not asked for its opinion or approval before 10 days were performed.

Mrs. Tate stated that she had no knowledge of the exact arrangements for Mrs. Cintrón as far as a transition period in the office. She did remain and was working on the Title 1 grant application, but did not know what the arrangements were made in terms of her staying on.

Director Dexter stated I thank you for that answer, but maybe someone else can provide who authorized Mrs. Cintrón to work for 10 days without board approval.

Dr. Persing asked to answer Director Dexter's question. He stated that in all grants that we have, we are consistently asked to utilize the services of consultants. These consultants do not by pass practice, nor as I understand policy, even get approved by the board. They are administrative in nature. They are allowed to be accomplished through the authorization and of the grant itself and when that is needed then the administrator in charge may utilize those services. We, as I understand it, have utilized services of many consultants without coming to the board for permission because it is part of the grant approval. Dr. Persing asked Mrs. Tate if that was correct?

Mrs. Tate stated that his statement was correct.

Director Ortiz stated that she believes the board was told that Mrs. Iris Cintrón was going to continue as a consultant, so we knew that she was going to be a consultant. Also she said she believes that these grants are very specific and she has the expertise and that is why she believes Dr. Persing turned to her to do this. \$10,000 in comparison to millions is just like peanuts, so I think we really need her to do this work whether we didn't get the information formally or not. The work is being done and the amount that we are discussing in terms of millions of dollars in grant money.

Director Burkhardt stated that the retirement of Mrs. Cintrón didn't occur until June 30th and that was the end of her formal attachment with the district. He said since this is the first meeting of the board since her retirement, he understood that in the best of all worlds, we would have approved this probably last month so that it would have been a smooth transition, but there have not been any meetings since Iris retired, until this one this evening, so he was comfortable voting on it tonight. He saw no reason to hold it for another month.

Director McKeon stated that he would like to correct Director Burkhardt. We had a special board meeting earlier for the appointment of Dr. Roy, we could have included it in that process and for what ever reason it was not included as part of the special board meeting.

Director Follweiler stated that she has two comments or concerns. One being that she is concerned about where the \$10,000 is coming from. She understands that the plan is that it comes from grants, but I think the part of what Director Dexter's point was that if

it doesn't come from the grants, where will it come from. The other concern she had was that Mrs. Cintrón left the district to retire and it wasn't a sudden departure, so while she will approve this in a vote, it was unfortunate that the 10 days or whatever it was that took to do some of this additional training, could have occurred prior to her retirement while she was on the payroll. She stated just for future lessons, when someone is retiring, maybe in a transition plan something like this should be looked at before the actual retirement date.

President Leeson stated that in consulting with our attorney, her understanding that Director Burkhardt moved this to the recommendations of the administration. She asked if the board would be willing to make an amendment to this particular recommendation that states that it is contingent upon monies coming from the grants.

Director Burkhardt made a motion.
Seconded by Director Follweiler

President Leeson asked if there was any discussion on the amendment to the actual contract services as long as the money is coming from the grant money.

Director Ortiz asked if it is not coming from the grant money, then it is her understanding that the board will not pay it.

President Leeson stated that if it is not coming from grant money, then it does not go forward. They would have to come back with a different alternative.

Director Ortiz stated that this was unfair since Mrs. Cintrón worked for this money.

Director Cann stated that given the questions raised, she thinks the board needs to consider this again with more information. The fact that it is paid by grants does not answer the questions. She stated that the grants are in a discreet dollar amounts, to an extent part of it is used pay a salary, it is not used to pay something else that it was paying for previously. She again asked for more information.

Director Ortiz stated that she felt the board needed to vote.

President Leeson asked if Director Ortiz was calling for a vote.

Director Ortiz stated yes.

President Leeson asked for a roll call vote on the amended motion for Item #18.

The recommendation is that the board of school directors approves the agreement with Mrs. Cintrón to provide contractor service for grant transition at a cost not to exceed \$10,000, conditioned upon the money for these services to come from grant money.

The question was called with roll call as follows: Yea, Directors Amato, Burkhardt, Faccinetto, Follweiler, Leeson, Ortiz. Nay, Directors Cann, Dexter, McKeon

Motion passes 6-3

19. *Memorandum of Agreement Between the Board of School Directors of the Bethlehem Area School District and the PA Joint Board Unite Here, Local 391B Representing Food Service Employees Regarding Hall Monitors*

INFORMATION:

The attached Memorandum of Agreement is a contracted settlement reached with the Fair Labor Relations Board between the PA Joint Board Unite Here, Local 391B Representing Food Service Employees and the district. It was reviewed with the Board of School Directors at Executive Session on Monday, July 19, 2010.

RECOMMENDATION:

That the Board of School Directors approves the following Memorandum of Agreement between the Board of School Directors of the Bethlehem Area School District and the PA Joint Board Unite Here, Local 391B Representing Food Service Employees.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Labor Relations Board

IN THE MATTER OF THE EMPLOYES OF :
:
: Case No. PERA-R-10-169-E
: (PERA-R-4888-C)
BETHLEHEM AREA SCHOOL DISTRICT :

MEMORANDUM OF AGREEMENT

The parties hereby stipulate to the following:

1. That the Bethlehem Area School District (District) is a public employer within the meaning of the Public Employee Relations Act (Act) with its principal place of business located at 1516 Sycamore Street, Bethlehem, Pennsylvania 18017-6099.
2. That the Pennsylvania Joint Board, Workers United, SEIU is an employee organization within the meaning of the Act with its principal place of business located at 1017 Hamilton Street, Allentown, Pennsylvania 18101.
3. That the unit deemed appropriate for the purpose of collective bargaining is a subdivision of the employer unit comprised of all full-time and regular part-time food service employees and hall monitors; and excluding management level employees, supervisors, first level supervisors, confidential employees and guards as defined in the Act.
4. That the Association currently represents certain food service employees pursuant to a certification issued by the Board at Case Number PERA-R-4888-C. By its petition, the Association seeks to accrete hall monitors to its existing unit pursuant to the Board's Westmoreland Intermediate Unit procedures.
5. That the employees on the payroll who fall within the aforesaid appropriate unit and are eligible to vote at the election are those employees whose names appear as listed on the attached eligibility list. The School District agrees to submit to the Board and to the employee organization an updated list of employees for the 2010-2011 school year on or before September 1, 2010 who shall be eligible to vote in the election.
6. That in the event that an on-site election is directed, said election be held on Wednesday, September 22, 2010, if possible, in the Dining Room of the Education Center located at 1516 Sycamore Street, Bethlehem, Pennsylvania, between the hours of 3:30 p.m. to 5:30 p.m.
7. That the position on the ballot be vertical as follows: On the top -- Pennsylvania Joint Board, Workers United, SEIU; on the bottom -- No Representative.

8. That three (3) copies of the Order and Notice of Election will be posted by the employer immediately upon receipt.

Bethlehem Area School District

Pennsylvania Joint Board, Workers
United, SEIU

Date: _____

Date: _____

20. *Revisions to Board Policy Number 707 – Use of School Facilities – Fourth Reading*

INFORMATION:

Board Policy 707 – Use of School Facilities was revised and approved by the Board of School Directors at the April 27, 2009, Regular Board Meeting.

Due to some concerns with the board policy, revisions were brought to the board at the August 10, 2009, Board Human Resources Committee Meeting as a first reading. The second reading of the policy was to occur at the August 17, 2009, Regular Board Meeting, but was pulled by the administration in order to address some items.

At the November 9, 2009, Board Human Resources Meeting, the policy was brought back to the board for further discussion, but was pulled off the agenda that evening.

At the January 19, 2010, Board Human Resources Committee Meeting, the policy was brought back to the board as a third reading. There was considerable discussion with the board regarding the policy, and the board made a consensus that the fourth reading should not appear on the January Regular Board Meeting.

At the March 8, 2010, Board Human Resources Committee Meeting, the policy was brought back once again to the board as a discussion item. They were given two versions of the board policy. There was a yellow copy that had all the revisions that have occurred, and a green version that went back to the simple version of the policy. At this committee meeting, the board consensus was for the administration to work off of the green copy of the policy.

Following that meeting in March, the administration followed through on the direction made by the board regarding this policy and had a couple meetings to make sure all information was up to date on this policy. The administration brought it back to the board at the June 14, 2010, Board Human Committee Meeting for discussion. There were concerns whether this policy could be placed on the June agenda for board action, and the consensus was six no's. The board also had a concern that the site manager clause in Class 1A should be changed to read that the site manager should be used at the discretion of the administration, and all seven board members agreed to the change. The final concern from the board was regarding Class 1A and whether the groups should be charged the calculated cost or half the cost. The board consensus was five to charge calculated cost, and two to charge half the cost.

20. *Revisions to Board Policy Number 707 – Use of School Facilities – Fourth Reading*

INFORMATION: (continued)

At the July 19, 2010, Board Human Resources Committee Meeting, the administration presented the changes to the policy from the previous meeting and discussion followed. A consensus was taken that Class 1A should be eliminated because the board agreed last month that the groups would be charged the calculated cost, and in essence there would be no need for a Class 1A distinction. The administration was directed to make this change and place this policy on the July 26, 2010, Regular Board Meeting agenda for action.

RECOMMENDATION:

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

Item #20 pulled

Director Cann stated there are many changes contemplated in 707 and I find all of them acceptable except for the change that deletes class 1A and I would like to see the new 707 passed amended to put class 1A back in.

President Leeson asked if Director Cann was asking for an amendment to this proposal?

Director Cann stated that she was.

Director Dexter stated that she moves to amend policy 707 that we will be considering and proposes that we insert from the agenda the exact language that is on policy #707 page 2, the exact language that is actually crossed off on this page. She also said that she would move that we consider the language as if it is not crossed off.

President Leeson asked Director Dexter if she wanted the language that is currently crossed off, not to be crossed off on page 2 of policy 707.

Director Dexter stated yes and in other words, she would like class 1A policy to be reinstated.

President Leeson asked if everyone followed that and understood what was being proposed.

Director Dexter made a motion to amend Item #20

President Leeson asked for a vote on the motion to amend. She stated that all we are voting on now is whether the board accepts putting class 1A back into policy #707.

Director Amato stated the following: "I spent over six hours on two different days on this policy with the administration. Unfortunately, I took a vacation and I missed another day. During that time, I don't recognize this policy. You have butchered it. All I am saying here is that this doesn't look like what the group put together. To see that our volunteer groups have to pay anything to use our school district facilities to develop the talents of young athletes is beyond my comprehension. I cannot understand that. I agree Class 1A should be put back into this policy and we should take out the one half. They should get those facilities for nothing. I don't see another district, and I work for a district, charge for use of facilities. It is a sad time when our volunteer groups have to beg to stay in business because we are going to put them out of business because they can't afford to pay these things. What would happen to all the fine young athletes that have gone through these programs. These volunteer coaches and volunteer organizations end up sharpening their skills and getting athletic scholarships like an Anthony Gonzalez and Jared West. These guys are going away with full scholarships to college. They had their skills sharpened at a very young age, kept them off the streets and pointed them in the right direction because these volunteers took the time and effort to do what needed to be done. All they want is some facilities, taxpayers facilities, in this district, that they can't get, to let our young kids participate in a sport and that we don't have to charge them. I think this policy and the way it is written, borders on discrimination because it hinders these organizations that deal with the poor in our community, the underprivileged, broken homes, and what have you. The kids that are out on the streets, low income families, should be off the streets and they need to be put into some constructive environment to keep them busy. We at this point are now going to charge them out of business. The swimming team, I have no problem with. Those kids come from very affluent families. You can charge them whatever you want. They will rent those facilities. However, the Hurricane Club, George Yasso would be turning over in his grave to see that we are going to turn away that group that cannot use a facility for basketball or wrestling or football. I am just amazed at what we do here. We have people on this board that fight for those low income people. Lets stand up and be counted tonight. Will you please?

President Leeson stated a point of clarification to Director Amato that this is not intending to charge these youth athletic programs for every time that they use the facilities, it is only when there is a cost to the district of opening the buildings and a janitor needs to be present. These buildings are open almost every evening and these facilities are available to these youth programs.

Director Amato stated "I listened to Judy Dexter ramble on and on I have the floor yet and I am going to finish my peace if I have to stand up on this table. Now, Loretta those buildings are open on a weekend. If that janitor has to come in and it costs us a few bucks, so what".

President Leeson stated \$10,000 to \$14,000 a year.

Director Amato continued and stated, “and that is going to put this district on financial sound ground. We have other things that we should be looking at to cut, not charging those people a few dollar for a janitor to come. How can the other districts be able to do it and we can’t. Just tell me that. Convince me of that and you got my vote. I will never be finished on this issue”.

Director Ortiz stated that she agreed with Director Amato. She stated that the things she was thinking about at the last committee meeting was she was torn between consistency and the other side too, saying yes to keeping this paper as it is. But she had to go into some research and she went and saw what the people really do at the south side. What these people really do in the poor neighborhoods. They don’t have to do this, they do it out of their hearts and she thinks that in order for us to have a district that is fair for these kids they have to give an opportunity to these people that want to help us. This is kind of an extra help. She said it would be unfair to charge them and to put a burden on their finances because they are helping us out with these youngsters and really in my district, the one that I represent, we need this. She also stated that we need this because it is an incentive for these children to come to school. It is an incentive to be something greater. Her vote today is going to be not to keep this and cut whatever we have to cut to keep it. She said to put those extra charges to those people isn’t fair. When she spoke to Craig Golden, she listened to him and he doesn’t have kids in our district and is willing to give of his finances to help these poor kids and other students. She stated that she has totally changed her opinion after she heard him.

President Leeson stated that this is a wonderful group and they do wonderful work and there is not a question about that, but she just wants everyone to understand where this money comes from. She said it comes from the Frank Broad Track Meet, which is our fifth graders going to one track meet a year; it comes from our all city band; it comes from field trips that we had to cut from our elementary schools. She stated that this is where the money does come from and so it is a trade off. One versus another.

Director Follweiler stated that we all have heard her opinion on this policy from day one, however, while she appreciates and respects everyones opinion , there is nowhere in this policy that is discriminatory. She said if we put this amendment back in then what we are saying is that any group that is made up of volunteers and has 75% of students who live in the Bethlehem Area School District can utilize these facilities. Any group, a swim team, a private school, a group that decides to formulate and anyone that wants to have a reading club on a Saturday, any group that is volunteer based with 75% of the participants living in the Bethlehem Area School District qualify. That is what this policy says. This policy was rewritten several times because the groups were being charged in some facilities and not charged in others. She said the board set out along with Mr. Washington and Director Amato and others and had a long painstaking time to go through this policy to make it as fair as possible and to be implemented the same in everyone of our facilities. Her personal feeling is anybody who is paying taxes in the Bethlehem Area School District should have access to our facilities when they are open, but if we are bringing in an employee to open the building for one specific group, and

not the entire community, then yes that group should pay for the services of that janitor who needs to come and open the building. She doesn't see any discrimination and she is offended because that is not her intent in making this policy fair across the board. It says to any youth based athletic program, well now we're discriminating, just what about programs that aren't athletics, why can't they come in on a Saturday. 75% of the people that live in our district, that is any student, that doesn't matter whether they go to our schools or not. If they live in our district and their parents are paying taxes, they are just as available to our property. The gentlemen who spoke with Director Ortiz, who has no students, if he wants to hold a group meeting, book club, he should have access to our facilities, but if that facility has to be opened for this specific reason, the general tax base should be given some relief. Again, we have had three presentations of people looking for relief of taxes. We've cut programs out of every school. We cut buses, but we can't have people come up with donations to cover the cost of opening the building on Saturday. She said she agrees with Director Amato, she is baffled, only she's baffled in the opposite opinion. There can be plenty of philanthropy in the community that will help to cover the cost, but the district has got to curb what they force in donations from the taxpayers.

Director Faccinetto stated that Director Follweiler took a lot of his points, and stated that we have cut programs that directly effect children. We can't afford text books, we cut buses, we cut teachers, we cut administrators, we cut reading specialists. If we have to open a building on a Saturday just for organization to come in, then they should have to pay for it. If the building is open, they can come on in and that is fine, however, if it is a Saturday morning and it costs us money to open that building, then they should have to pay for it. He stated he just can't go somewhere and say it should be free.

President Leeson stated that she does want to clarify that this weekend she heard that the Lehigh Valley aquatics program will be 75% Bethlehem Area School District next year and that means free swimming facilities for the aquatics program if this policy goes through.

Director Cann stated that it sounds very simple to just say if you have to pay for a janitor on Saturday, then the groups have to pay for it, but in reality, what it is is if you make the groups pay these extra costs, the groups won't exist, you'll break the backs of these groups. As Director Ortiz said do something for the district that the district does not do for the kids. She said there is no school sponsored sports team until 7th grade in this district and these groups start these kids at 2nd grade and take all the responsibility off of the district and do it themselves and do it for free for those children that cannot afford it. She also said if we are going to charge these groups for a Saturday or Sunday practice time, then they won't exist. She said that this is our way of saying thank you for doing what we cannot afford to do and it sends a little bit of help for doing what the district itself cannot afford to do.

Director Burkhardt asked to please correct him if he is wrong. He asked if we take this out, we are basically doubling a fee that they are already paying and they were currently paying ½. He asked if that was correct.

President Leeson responded yes.

Director Burkhardt stated if we put it back in the way it is stated, it is a compromise and he thought we heard that that was ok from the youth organizations the other evening when we were at the committee meeting. He stated if we left it alone, kept it the way it was, they were ok. He would prefer doing what Director Amato said and not have any charge, but that they would be ok as long as we don't double the rent by taking this part of the policy out all together and that is why he was in favor of reinstituting the class 1A. He said they are paying $\frac{1}{2}$ and we are paying $\frac{1}{2}$ and that seemed reasonable to him.

President Lesson stated that she would also like to clarify what Director Follweiler was pointing out was that this will not be limited to the Bulldogs and the Hurricanes, this will go far beyond the Hurricanes and the Bulldogs. She stated that the cost to the district is going to be far more than the costs that have been discussed.

Director Ortiz stated that when she was speaking to Mr. Golden he said they don't want a handout, so she believes they are willing to pay the $\frac{1}{2}$. Her motion is to move to the vote and that it is instituted Class 1A.

President Leeson stated that we have a motion to vote on this issue. We need to take the roll call vote please. This is the vote now that will be the amendment to include class 1A, those sections that are crossed out on page 2 of policy 707. The vote right now is to include class 1A in the policy 707.

Director Amato asked what is the charge?

President Leeson stated $\frac{1}{2}$ payment.

Director Amato stated that he wants this to come out so that they know they pay $\frac{1}{2}$ when they open the building on Saturday therefore when the custodian comes in and receives \$40, they pay $\frac{1}{2}$ - \$20.

President Leeson stated that we're voting on the amendment. She asked for a roll call vote on just the amendment.

The question was called with roll call as follows: Yea, Directors Amato, Burkhardt, Cann, Dexter, McKeon, Ortiz. Nay, Directors Faccinetto, Follweiler, Leeson

Motion passes 6-3

President Leeson stated that we will vote on Item #20 as amended with 1A included.

President Leeson asked for a roll call vote on Item #20 as amended with 1A included.

The question was called with roll call as follows: Yea, Directors Amato, Burkhardt, Cann, Dexter, Leeson, McKeon, Ortiz. Nay, Directors Faccinetto, Follweiler

Motion passes 7-2

No. 707

BETHLEHEM AREA SCHOOL DISTRICT

SECTION: PROPERTY

TITLE: USE OF SCHOOL FACILITIES

ADOPTED: November 15, 2004

REVISED: April 21, 2008
April 27, 2009

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

4. Classifications	The classifications ~~scheme~~ established in this policy will be used in determining fees or other requirements. These classifications are provided as guidelines for our lease process. The Bethlehem Area School District will review each lease application individually and assign it to the appropriate classification. <u>Class I – District-Sponsored Activities</u> Class I activities are those that are directly sponsored by the district or those directly supporting district activities. They include activities such as, but not limited to, school programs (open houses, concerts, etc.), college fairs, science fairs, Bethlehem Area School District related union meetings, interscholastic and intramural athletic events, Bethlehem Area School District professional educational and support programs, and approved clubs. This group also includes, but is not limited to; alumni organizations, PTA's, Special Olympics, Boys and Girl Scouts that provide non-primarily athletic programs designed to provide supplemental instructional, character, and developmental activities, block watch groups associated with a police department that lie within the boundaries of the Bethlehem Area School District for activities related to the operation of the political subdivision, district-based youth athletic programs and formally recognized booster groups. As district-sponsored or district supporting activities, building or custodial fees will not be charged and no insurance certificate will be necessary. <u>Class IA – District Approved ~~Based~~ Youth Athletic Programs</u> ~~Class IA activities are those district-based youth athletic programs that are voluntarily run administered organizations. As a district-approved based youth athletic program, the Class I fee schedule will be applied and custodial and site management fees will be charged at one-half the calculated cost.~~ ~~Class IA organizations are those that meet all of the following requirements:~~ ~~a. The organization is a feeder program to Bethlehem Area School District programs.~~ ~~b. The organization is 100% volunteer run a 100% volunteer administered organization.~~ ~~c. The organization is nonprofit.~~ ~~d. The organization does not have plants and physical asset.~~ ~~e. The use of the pool under this classification does not apply.~~ ~~f. Current rosters of team participants, provided to the district, must include no less than 75% of district residents.~~ ~~Any organization that charges admission is automatically considered a Class III group.~~
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	<u>Class II – District Based Youth Athletic Programs/Community Service Groups</u> Class II represents nonprofit organizations that provide services to the communities within the district and include the ~~Boys and Girls Scouts~~, Boys and Girls Club of Bethlehem, community recreation organizations supporting primarily the students of the Bethlehem Area School District, fraternal organizations, and other nonprofit community service groups. Nonprofit status must be verifiable by an IRS 501(c) determination letter which will be maintained in the district's files. 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 Rental fees will be charged per Policy 707 Attachment. They will also be required to provide an insurance certificate in with the specified amounts of coverage naming the district as additionally insured must also be submitted to the district.~~ 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-divisions; 3) A copy of the IRS determination letter must be submitted with the application. ~~Any organization that charges admission to an event is automatically considered a Class IV group.~~ <u>Class III – All Other Organizations and Individuals Other Schools</u> Class III represents exclusively other Pennsylvania elementary or secondary schools, school districts, PLAA or District competitions that are interscholastic in nature. These groups will pay the fees detailed in the approved rental charges, plus custodial fees, utilities, and other personnel fees. Lehigh Valley Conference events shall not be charged a rental fee. An insurance certificate with the specified amounts of coverage naming the district as additionally insured must also be submitted to the district. <u>Class IV – All Other Organizations and Individuals</u> 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 with the specified amounts of coverage naming the district as additionally insured. 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.
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5. Guidelines	<u>Application Process</u> An individual or community group requesting permission to use school buildings, facilities or school property must submit a written request on the prescribed application form two (2) weeks in advance of the proposed date to the building principal. The application must specify the portion of the school facilities requested for use; proposed activities; number of individuals participating; and the beginning and ending date, time and duration of the proposed event. Also, the application will specify which, if any, district athletic or facility equipment will be used. Verbal permission will not be given for use of facilities. Each request must be submitted on an Application for Lease form. Along with the completed application, the individual or group must submit the following: 1. Payment of the specified rental fee, in advance of the activity; with the exception of PIAA regional and state playoffs. 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. 4. A specific Camp Application form must be completed for all sports or activity based camps thirty (30) days prior to first day of operations. 5. A Camp Estimated Financial Report form must be completed with the Application for Lease and/or Camp Application. A Camp Final Financial Report form must also be submitted seven (7) business days after the conclusion of the lease. 6. The Bethlehem Area School District defines a camp as a program that provides access to the district's recreational or educational facilities for a limited period of time for the purpose of conducting preseason programs that provide training for primarily Bethlehem Area School District student athletes. Rosters of camp participants, provided to the district, must include no less than 75% of district residents. If the camp's roster does not include 75% district residents, it shall automatically be considered a Class IV organization. <u>Application Evaluation</u> No application to use school facilities shall be approved if the proposed activity should result in any of the following: 1. Conflict with any school-sponsored activity.
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28 Pa. Code § 18.42	2. Access to school facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action. 3. Access to school facilities containing equipment or furnishings which would be detrimental to the operation of a district program if damaged or operated by an unqualified operator. 4. The proposed use would prevent or encumber district personnel from preparing school facilities for their primary purpose, because of the nature or duration of the activity. The district reserves the right to limit the duration of the lease to promote broad-based community involvement. <u>Record Keeping</u> 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. <u>Site Manager</u> All events that require a site manager will be charged the current hourly rate. The site manager for any lease must be a board-approved site manager. The superintendent or his designee shall develop and maintain a current job description for the site manager position. <u>Pool Manager</u> All events held at the pool will require a minimum of one (1) pool manager. The pool manager(s) must be a certified lifeguard and must also be board-approved. The district reserves the right to hire more than one pool manager depending upon the number of participants involved in an event in accordance with Pennsylvania Public Bathing Law. The superintendent or his designee shall develop and maintain a current job description for the pool manager position. <u>Board of School Directors Report</u> The Board of School Directors will receive a monthly report of all leased facilities by location, organization, and estimated fees, if applicable. <u>Limitations</u> When individuals and community groups receive written permission to use school facilities under this policy, such use shall be conditioned upon strict compliance with the following:
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SC511 10 P.S. 311 et seq. 20 U.S.C. Sec. 7181 et seq. 35 P.S. 1223.5	1. Individuals shall not use, access or enter upon any portions of the school facilities or their contents not specified in the approved written request form. 2. Individuals shall refrain from any conduct or activities not specifically identified in the approved written request form. 3. When advertising or promoting activities held at school facilities, individuals and community groups shall clearly communicate that the activities are not being sponsored by the school district. 4. School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of school equipment must accept liability for any damage to or loss of equipment that occurs while in their use. Where rules so specify, no equipment may be used except by a qualified operator, provided by the school. <u>Prohibited Activities</u> The following activities are strictly prohibited in school facilities when individuals and community groups are granted written permission to use said school facilities: 1. Possession, use or distribution of illegal drugs and/or alcoholic beverages. 2. Possession of weapons. 3. Conduct that would alter damage or be injurious to any district property, equipment or furnishings. 4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations. 5. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the district. 6. Use of tobacco products. <u>Violations</u> The school district reserves the right to remove from the schools district premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures. In the event an individual or community group violates this policy or the terms under which permission was granted to use school facilities, the individual or community group forfeits the right to submit future written requests to use school district property, unless otherwise decided by the Board. <u>Fee Schedule</u> Use of school facilities for activities directly related to the educational program and
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School Code 511, 775 PA Code Title 22 Sec. 403.1 10 P.S. 311 et seq 35 P.S. 1223.5 20 U.S.C. Sec. 7181 et seq 20 U.S.C. Sec. 7905	district operations shall be without cost to the users. Other classifications of users will pay based on the board approved Recommended Rental Charges. Rental fees are subject to change via Board approval. Custodial services will be assigned by the district. No direct payment(s) shall be made to any custodian or site manager for services rendered during rental activities. The use of facilities shall be limited to the specific hours stated on the Application for Lease. If use begins earlier than, or runs later than the stated hours, an additional overtime charge will be made on a pro rata basis, plus additional charge(s) for custodial and/or site management service.
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BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

FEE SCHEDULE FOR USE OF SCHOOL FACILITIES

RECOMMENDED RENTAL CHARGES

Class I - District-Sponsored Activities and District Recognized Groups Acting in Support of District Activities (i.e. PTA, Booster Clubs, etc.). ~~Also included in Class I charges is Class IA (i.e. District Based Youth Athletic Programs, Youth Instructional and Developmental Support Programs, and Political Subdivisions within Bethlehem Area School District).~~

Class II - District Based Youth Athletic Programs/ Community Service Groups (i.e. Community Recognized Boards, Non-Profit Organizations, ~~Youth Athletic Programs~~)

Class III - Other schools, school districts, PIAA or District competitions interscholastic in nature.

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

The daily rate is not to exceed eight (8) hours of use. A prorated hourly charge will be assessed for any use over eight (8) hours.

Facility				Rental Charge
Gymnasium	Class I	High School		N/C
		Middle School		N/C
		Elementary		N/C
	Class II	High School		N/C
		Middle School		N/C
		Elementary		N/C
	Class III	High School	Events/Games	\$ 300
		High School Aux.	Events/Games	\$ 150
		Middle School	Events/Games	\$ 100
		Elementary	Events/Games	\$ 50
	Class IV	High School	Practice-Three Hour Maximum	\$ 500
			Events/Games	\$ 1,000
		High School Aux.	Practice-Three Hour Maximum	\$ 200
			Events/Games	\$ 500
		Middle School	Practice-Three Hour Maximum	\$ 150
			Events/Games	\$ 350
		Elementary	Practice-Three Hour Maximum	\$ 100
			Events/Games	\$ 200
Auditorium: Daily Rate	Class I	High School		N/C
		Middle School		N/C
		Elementary		N/C
	Class II	High School	Activity	\$ 350
			Rehearsal	\$ 150
		Middle School	Activity	\$ 250
			Rehearsal	\$ 100

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Auditorium (continued)	Elementary	Activity	\$ 75
		Rehearsal	\$ 35
	Class III High School	Activity	\$ 350
		Rehearsal	\$ 150
	Middle School	Activity	\$ 250
		Rehearsal	\$ 100
	Elementary	Activity	\$ 75
		Rehearsal	\$ 35
	Class IV High School	Activity	\$ 700
		Rehearsal	\$ 200
	Middle School	Activity	\$ 550
		Rehearsal	\$ 200
	Elementary	Activity	\$ 200
		Rehearsal	\$ 100
	All-Purpose Room: Daily Rate	Class I	N/C
		Class II	N/C
		Class III	\$ 100
		Class IV	\$ 150
Cafeteria: Daily Rate (per four hour use)	Class I		N/C
	Class II		N/C
	Class III		\$ 100
	Class IV		\$ 200
Classroom(s): Daily Rate (per four hour use)	Class I		N/C
	Class II		N/C
	Class III		\$ 50
	Class IV		\$ 100
BASD Stadium: Daily Rate	Class I	Rental Lights	N/C
			\$ 200
	Class II	Rental Lights	\$ 300
			\$ 200
	Class III	Rental Lights	\$ 300
			\$ 200
	Class IV	Rental Lights	\$ 1,500
			\$ 200
Frank Banko Field: Daily Rate	Class I	Rental Lights	N/C
			\$ 200
	Class II	Rental Lights	\$ 150
			\$ 200

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Frank Banko Field (continued)	Class III		Rental	\$ 150
			Lights	\$ 200
	Class IV		Rental	\$ 500
			Lights	\$ 200
Athletic Fields Seasonal rate is for no more than 12 weeks for use	Class I	High School		N/C
		Middle School		N/C
		Elementary		N/C
	Class II	High School	Daily	\$ 50
			Seasonal	\$ 200
		Middle School	Daily	\$ 25
			Seasonal	\$ 100
		Elementary	Daily	\$ 25
			Seasonal	\$ 100
	Class III	High School	Daily	\$ 50
			Seasonal	\$ 200
		Middle School	Daily	\$ 25
			Seasonal	\$ 100
		Elementary	Daily	\$ 25
			Seasonal	\$ 100
	Class IV	High School	Daily	\$ 100
			Seasonal	\$ 400
		Middle School	Daily	\$ 50
			Seasonal	\$ 200
		Elementary	Daily	\$ 50
			Seasonal	\$ 200
Swimming Pool	Class I		Per Hour	N/C
	Class II		Per Hour	\$ 25
	Class III		Per Hour	\$ 50
	Class IV		Per Hour	\$ 100
Planetarium	Class I		Per Hour	N/C
	Class II		Per Hour	\$ 5
	Class III		Per Hour	\$ 10
	Class IV		Per Hour	\$ 20
Folding Chairs	Class I			N/C
	Class II		Per 100 Chairs	\$ 20
	Class III		Per 100 Chairs	\$ 20
	Class IV		Per 100 Chairs	\$ 25

Moveable Stage	Class I	N/C
	Class II	\$ 50
	Class III	\$ 50
	Class IV	\$ 75
Auditorium Sound Equipment	Class I	N/C
	Class II	\$ 25
	Class III	\$ 25
	Class IV	\$ 50

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 billed to the lessee based on hourly rates. ~~and rates and will be the same for all classes of organizations.~~ Permit holder must clear cafeteria kitchen 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 lessee 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.

21. *Authorization for the BASD Lunch Program to Sell Lunches for the 2010-2011 School Year to Lehigh Valley Dual Language Charter School and Lincoln Leadership Academy*

INFORMATION:

Mrs. Hayes has been contacted by two charter schools to provide satellite lunch service to both Lehigh Valley Dual Language Charter School and Lincoln Leadership Academy. Both schools are within close enough proximity to our other production schools that we can provide this service with no disruption to our own lunch program. Both schools will provide their own staffing to serve the lunches and provide the necessary equipment, such as warmers and refrigeration. The costing has been analyzed and pricing is established to account for the product cost as well as production overhead and delivery to insure that the district lunch program will minimally break even on this service. At no time, do we recommend that the satellite program be subsidized in any way by the district.

RECOMMENDATION:

That the Board of School Directors authorizes for the BASD Lunch Program to sell lunches to Lehigh Valley Dual Language Charter School and Lincoln Leadership Academy at \$1.75/breakfast meal and \$2.50/lunch for the 2010-2011 school year.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

**NATIONAL SCHOOL LUNCH, SCHOOL BREAKFAST
AND AFTERSCHOOL SNACK PROGRAMS
INSTRUCTIONS FOR COMPLETING PDE-3086**

When a school or child care institution purchases meals/snacks from another school, the contract that follows, PDE-3086, MUST BE USED. Do Not Retype. If the SFA wants to add more requirements, outline the conditions by continuing the numbering system on Page 3 before submitting to the Pennsylvania Department of Education for review.

****To fill out this form, please start at the top and use the tab button on your keyboard to navigate through the required grey fields. If the question does not pertain to your contract, please enter N/A.***

Upon execution of this contract, both parties must keep one copy with their records.

This contract can only be for a one-year period and cannot contain guaranteed renewal clauses.

A school or child care institution that enters into a contract with a school for the purchase of meals/snacks agrees to abide by the procurement standards outlined in Title 7 of the Code of Federal Regulations (CFR), Part 210.21, 220.16 or 226.22, as applicable, and by the Office of Management and Budget (OMB) Circular A-102. These regulations require that such procurement transactions be conducted in a manner that provides maximum open and free competition. Schools or child care institutions may use any of the four procurement methods outlined in OMB Circular A-102.

On January 13, 1987, the United States Department of Agriculture granted the PDE the authority to approve, on a case-by-case basis, noncompetitive negotiation as a method of procurement when meals are vended from one sponsor to another. ***For the PDE to approve the use of noncompetitive negotiation between sponsors, the following criteria must be met:***

1. The provider must have sufficient facilities and a delivery system adequate to handle the increased production.
2. The proximity of the provider must not be an undue hindrance to the fulfillment of the contract.
3. The provider has not received audit or CRE review findings within the past three years which would indicate that the provider was incapable of preparing proper meals, planning quality menus or maintaining adequate records.

This criteria has been incorporated into Items 12, 13 and 14 of the attached contract (PDE-3086). The PDE will accept the provider's signature on the contract as assurance that the provider has met the criteria specified above, thus resulting in the granting of approval by the PDE for the use of noncompetitive negotiation by the provider.

CONTRACT TO SELL OR PURCHASE MEALS FROM SCHOOLS

The Pennsylvania Department of Education, in providing this contract as a service to schools, does not become a party to this contract. The purchasing sponsor, hereafter referred to as the Purchaser, is the responsible authority, without recourse to the Pennsylvania Department of Education and the United States Department of Agriculture regarding the settlement and satisfaction of all contractual and administrative issues arising under this contract. This includes, but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature.

Made and entered into this date of **July 19, 2010** by and between

Lehigh Valley Dual Language Charter School

Bethlehem Pa

Bethlehem Area School District

120481002

Bethlehem Pa

These meals/snacks will be served at the following locations (*press enter/return to add multiple sites*):

Example: PDE School District, 333 Market Street, Harrisburg, PA 17126

Lehigh Valley Dual Language Charter School

551 Thomas St

Bethlehem Pa 18015

The parties entering into this contract agree to be bound by the United States Department of Agriculture (USDA) regulations Title 7 of the CFR Part 210, Part 220 and/or Part 226, as appropriate.

The Purchaser will order meals/snacks on a weekly basis notifying the Provider **Five (5)** days proceeding the week of delivery. Orders will include totals for each site and each type of meal/snack.

If the Purchaser is another School District, Traditional Food-Based Menu Planning Option will be used.

The Purchaser reserves the right to increase or decrease the number of meals/snacks ordered with a minimum notice of **One (1) Day**.

If the Purchaser's children will eat meals/snacks on the Provider's premises, the children will be at the building and served at **TBD** for Breakfast, **TBD** for Lunch and **NA** for Snack.

The Provider agrees to supply meals/snacks inclusive of milk to the Purchaser for the prices herein listed:

Meal Type	Daily Estimated Servings	x	Estimated No. Serving Days Per Year	x	Unit Price	=	Estimated Total \$\$
BREAKFAST	125		190		1.75		41,562.50
LUNCH	125		190		2.50		59,375.00
SNACK	Na		NA		NA		Na
GRAND TOTAL OF CONTRACT							100,937.50

Conditions:

1. It is further agreed that the Provider, pursuant to the provisions of federal regulations, will assure that said meals/snacks will meet or exceed the minimum meal pattern requirements as necessary for the stated Menu Planning Option, and will maintain full and accurate records that the purchaser requires to meet its record keeping responsibility on a calendar month basis (supported by invoices, receipts or other records), and shall promptly submit invoices and delivery receipts to the Purchaser.
2. Meals/snacks will be delivered on a daily basis or other mutually agreed upon period of time in accordance with the 21-day menu cycle. Menu changes may be made only when agreed upon by both parties. When an emergency situation exists which might prevent the Provider from delivering a specified meal/snack component, the Provider shall notify the Purchaser immediately so substitutions can be agreed upon. The Purchaser reserves the right to periodically suggest menu changes within the Provider's suggested food cost range throughout the contract period.
3. The Provider will bill the Purchaser only for meals/snacks prepared and delivered/picked up at the specified time. Damaged or incomplete meals/snacks shall not be included. Adequate refrigeration or heating will be provided when the Provider delivers meals/snacks or picked up by Purchaser to insure the wholesomeness of food in accordance with state and/or local health codes.
4. The Purchaser will furnish the Provider with the number of meals/snacks, by meal service type, to be delivered to each site when applicable.
5. The Purchaser reserves the right to add or delete sites and provide one week's notice to the Provider.
6. The Provider guarantees that meals/snacks will be delivered within the prescribed time period as mutually agreed upon by both parties.
7. The Provider agrees to retain the records required by the Purchaser for a period of three years after the end of the fiscal year to which they pertain (or longer if an audit is in progress) and, upon request, to make all accounts and records pertaining to the program available to representatives of the Pennsylvania Department of Education, the United States Department of Agriculture and/or the Office of the Inspector General and General Accounting Office for audit or administrative review purposes at a reasonable time and place.

The Provider also agrees to provide the needed information on the amount of food sent to the Purchaser for recording on the Production Records. Recipes and Product Information Sheets will be provided to the Purchaser as required for School Meals Initiative (SMI) reviews. If the Provider is providing meals using the NuMenus Planning Option, a printout of the nutrient analysis of the menus used must be provided to the Purchaser.

8. During the performance of the contract, the Provider agrees as follows: The Provider will not discriminate against any employee or applicant for employment because of race, color, national origin, age, sex or disability. The Provider will take affirmative action to ensure that applicants are employed and that employees are treated while employed without regard to their race, color, national origin, age, sex or disability. Such action shall include, but not be limited to, the following:

employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Provider agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this Equal Opportunity clause.

9. The Provider will comply with all provisions of Executive Order Number 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations and relevant orders of the Secretary of Labor.
10. It is expressly agreed that in the event of any disagreement or controversy arising between the Provider and the Purchaser as to the interpretation of the specifications or proper performance of this contract, the dispute shall be settled between the Provider and Purchaser within a reasonable period of time and shall be final.
11. The Purchaser shall have the option to cancel this contract if the state or federal government withdraws funds to support the Child and Adult Care Food Program, the National School Lunch Program, the School Breakfast Program and/or the Afterschool Snack Program.
12. The Provider guarantees that it has sufficient facilities to handle the increased meal/snack production resulting from the execution and implementation of the requirements of this contract.
13. The Provider guarantees that it has a delivery system sufficient to provide the meals/snacks as specified in this contract.
14. The Provider guarantees that there has not been any audit or CRE findings or sanctions within the past three years which would indicate that the Provider was incapable of preparing proper meals/snacks, planning quality menus or maintaining adequate records.
15. This contract may be terminated by notice, in writing, given by any party hereto to the other party at least 30 days prior to the date of termination.

It is agreed by the parties hereto that there are no other considerations, favors, promises or interests passing between the parties other than what is expressly stated in this contract.

In witness hereof, this contract is signed and executed this date of July 19, 2010 and will end June 30, 2011

Please sign in BLUE ink.

Signature on Behalf of:

Lehigh Valley Dual Language Charter School
Name of Purchaser

Signature on Behalf of:

Bethlehem Area School District
Name of Provider

Signature of Authorized Representative

Mr. Carlos Lopez

Signature of Authorized Representative

Stacy M. Gober

July 19, 2010

**NATIONAL SCHOOL LUNCH, SCHOOL BREAKFAST
AND AFTERSCHOOL SNACK PROGRAMS
INSTRUCTIONS FOR COMPLETING PDE-3086**

When a school or child care institution purchases meals/snacks from another school, the contract that follows, PDE-3086, MUST BE USED. Do Not Retype. If the SFA wants to add more requirements, outline the conditions by continuing the numbering system on Page 3 before submitting to the Pennsylvania Department of Education for review.

****To fill out this form, please start at the top and use the tab button on your keyboard to navigate through the required grey fields. If the question does not pertain to your contract, please enter N/A.***

Upon execution of this contract, both parties must keep one copy with their records.

This contract can only be for a one-year period and cannot contain guaranteed renewal clauses.

A school or child care institution that enters into a contract with a school for the purchase of meals/snacks agrees to abide by the procurement standards outlined in Title 7 of the Code of Federal Regulations (CFR), Part 210.21, 220.16 or 226.22, as applicable, and by the Office of Management and Budget (OMB) Circular A-102. These regulations require that such procurement transactions be conducted in a manner that provides maximum open and free competition. Schools or child care institutions may use any of the four procurement methods outlined in OMB Circular A-102.

On January 13, 1987, the United States Department of Agriculture granted the PDE the authority to approve, on a case-by-case basis, noncompetitive negotiation as a method of procurement when meals are vended from one sponsor to another. ***For the PDE to approve the use of noncompetitive negotiation between sponsors, the following criteria must be met:***

1. The provider must have sufficient facilities and a delivery system adequate to handle the increased production.
2. The proximity of the provider must not be an undue hindrance to the fulfillment of the contract.
3. The provider has not received audit or CRE review findings within the past three years which would indicate that the provider was incapable of preparing proper meals, planning quality menus or maintaining adequate records.

This criteria has been incorporated into Items 12, 13 and 14 of the attached contract (PDE-3086). The PDE will accept the provider's signature on the contract as assurance that the provider has met the criteria specified above, thus resulting in the granting of approval by the PDE for the use of noncompetitive negotiation by the provider.

CONTRACT TO SELL OR PURCHASE MEALS FROM SCHOOLS

The Pennsylvania Department of Education, in providing this contract as a service to schools, does not become a party to this contract. The purchasing sponsor, hereafter referred to as the Purchaser, is the responsible authority, without recourse to the Pennsylvania Department of Education and the United States Department of Agriculture regarding the settlement and satisfaction of all contractual and administrative issues arising under this contract. This includes, but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature.

Made and entered into this date of **July 19, 2010** by and between

Lincoln Leadership Academy
175390169
Allentown Pa

Bethlehem Area School District
120481002
Bethlehem Pa

These meals/snacks will be served at the following locations (*press enter/return to add multiple sites*):

Example: PDE School District, 333 Market Street, Harrisburg, PA 17126

Lincoln Leadership Academy
1414 E. Cedar St.
Allentown Pa 18109-2308

The parties entering into this contract agree to be bound by the United States Department of Agriculture (USDA) regulations Title 7 of the CFR Part 210, Part 220 and/or Part 226, as appropriate.

The Purchaser will order meals/snacks on a weekly basis notifying the Provider **Five (5)** days proceeding the week of delivery. Orders will include totals for each site and each type of meal/snack.

If the Purchaser is another School District, Traditional Food-Based Menu Planning Option will be used.

The Purchaser reserves the right to increase or decrease the number of meals/snacks ordered with a minimum notice of **One (1) Day**.

If the Purchaser's children will eat meals/snacks on the Provider's premises, the children will be at the building and served at **TBD** for Breakfast, **TBD** for Lunch and **NA** for Snack.

The Provider agrees to supply meals/snacks inclusive of milk to the Purchaser for the prices herein listed:

Meal Type	Daily Estimated Servings	x	Estimated No. Serving Days Per Year	x	Unit Price	=	Estimated Total \$\$
BREAKFAST	290		178		1.75		90,335
LUNCH	290		178		2.50		129,050
SNACK	Na		NA		NA		Na
GRAND TOTAL OF CONTRACT							219,385

Conditions:

1. It is further agreed that the Provider, pursuant to the provisions of federal regulations, will assure that said meals/snacks will meet or exceed the minimum meal pattern requirements as necessary for the stated Menu Planning Option, and will maintain full and accurate records that the purchaser requires to meet its record keeping responsibility on a calendar month basis (supported by invoices, receipts or other records), and shall promptly submit invoices and delivery receipts to the Purchaser.
2. Meals/snacks will be delivered on a daily basis or other mutually agreed upon period of time in accordance with the 21-day menu cycle. Menu changes may be made only when agreed upon by both parties. When an emergency situation exists which might prevent the Provider from delivering a specified meal/snack component, the Provider shall notify the Purchaser immediately so substitutions can be agreed upon. The Purchaser reserves the right to periodically suggest menu changes within the Provider's suggested food cost range throughout the contract period.
3. The Provider will bill the Purchaser only for meals/snacks prepared and delivered/picked up at the specified time. Damaged or incomplete meals/snacks shall not be included. Adequate refrigeration or heating will be provided when the Provider delivers meals/snacks or picked up by Purchaser to insure the wholesomeness of food in accordance with state and/or local health codes.
4. The Purchaser will furnish the Provider with the number of meals/snacks, by meal service type, to be delivered to each site when applicable.
5. The Purchaser reserves the right to add or delete sites and provide one week's notice to the Provider.
6. The Provider guarantees that meals/snacks will be delivered within the prescribed time period as mutually agreed upon by both parties.
7. The Provider agrees to retain the records required by the Purchaser for a period of three years after the end of the fiscal year to which they pertain (or longer if an audit is in progress) and, upon request, to make all accounts and records pertaining to the program available to representatives of the Pennsylvania Department of Education, the United States Department of Agriculture and/or the Office of the Inspector General and General Accounting Office for audit or administrative review purposes at a reasonable time and place.

The Provider also agrees to provide the needed information on the amount of food sent to the Purchaser for recording on the Production Records. Recipes and Product Information Sheets will be provided to the Purchaser as required for School Meals Initiative (SMI) reviews. If the Provider is providing meals using the NuMenus Planning Option, a printout of the nutrient analysis of the menus used must be provided to the Purchaser.

8. During the performance of the contract, the Provider agrees as follows: The Provider will not discriminate against any employee or applicant for employment because of race, color, national origin, age, sex or disability. The Provider will take affirmative action to ensure that applicants are employed and that employees are treated while employed without regard to their race, color, national origin, age, sex or disability. Such action shall include, but not be limited to, the following:

employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Provider agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this Equal Opportunity clause.

9. The Provider will comply with all provisions of Executive Order Number 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, and of the rules, regulations and relevant orders of the Secretary of Labor.
10. It is expressly agreed that in the event of any disagreement or controversy arising between the Provider and the Purchaser as to the interpretation of the specifications or proper performance of this contract, the dispute shall be settled between the Provider and Purchaser within a reasonable period of time and shall be final.
11. The Purchaser shall have the option to cancel this contract if the state or federal government withdraws funds to support the Child and Adult Care Food Program, the National School Lunch Program, the School Breakfast Program and/or the Afterschool Snack Program.
12. The Provider guarantees that it has sufficient facilities to handle the increased meal/snack production resulting from the execution and implementation of the requirements of this contract.
13. The Provider guarantees that it has a delivery system sufficient to provide the meals/snacks as specified in this contract.
14. The Provider guarantees that there has not been any audit or CRE findings or sanctions within the past three years which would indicate that the Provider was incapable of preparing proper meals/snacks, planning quality menus or maintaining adequate records.
15. This contract may be terminated by notice, in writing, given by any party hereto to the other party at least 30 days prior to the date of termination.

It is agreed by the parties hereto that there are no other considerations, favors, promises or interests passing between the parties other than what is expressly stated in this contract.

In witness hereof, this contract is signed and executed this date of July 19, 2010 and will end June 30, 2011

Please sign in BLUE ink.

Signature on Behalf of:

Lincoln Leadership Academy

Name of Purchaser

Signature on Behalf of:

Bethlehem Area School District

Name of Provider

Signature of Authorized Representative

Mrs. Sandra Figueroa-Torres

Signature of Authorized Representative

Stacy M. Gober

July 19, 2010

22. *Authorization for Partnering with Bethlehem Township for Audit Services Associated with Act 511 Taxes*

INFORMATION:

Bethlehem Township has entered into an agreement with Robert Susko, CPA, to audit individuals, businesses, and other taxpayers for admission to amusements, franchise taxes/fees, mercantile, business privilege, earned income, and occupational privilege taxes. The Township has entered into an agreement whereby they pay the auditor 20 percent of the amount collected. The Township is now interested in partnering with the district to share the 20 percent fee paid to the auditor 50/50. The payments to the contractor are a one time payment as the individuals and businesses are reported to Berkheimer & Associates for placement on the tax rolls. This was discussed at the July 12, 2010, Board Finance Committee Meeting.

RECOMMENDATION:

That the Board of School Directors authorizes the district to partner with Bethlehem Township on their contract with Robert Susko, CPA, to identify non-reporting businesses for tax purposes at a rate of 20 percent of taxes recovered to be shared equally by the school district and Township for the period beginning December 31, 2009, and ending December 31, 2012.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

23. *Reappointment of District Solicitor***INFORMATION:**

The Bethlehem Area School District Board of School Directors appointed King, Spry, Herman, Freund & Faul, LLC as solicitors for the Bethlehem Area School District at their January 22, 2008, Regular Board Meeting. The firm has provided the district legal services since 2008 and their current agreement expired June 30, 2010. Attached is the scope of services agreement for the 2010-2011 fiscal year ending June 30, 2011, which includes compensation detail. The proposed rates remain the same as last year. The only addition is the inclusion of a \$75 paraprofessional rate for litigation matters. This is the same rate as the paraprofessional fees for non litigation matters.

RECOMMENDATION:

That the Board of School Directors accepts the attached proposal for the scope of legal services of King, Spry, Herman, Freund & Faul, LLC for the period July 1, 2010, through June 30, 2011.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.



KINGSPRY

July 9, 2010

JEROME B. FRANK
DONALD F. SPRY II
DOMENIC P. SBROCCHI
KIRBY G. UPRIGHT, LL.M., CPA
KENT H. HERMAN
TERENCE L. FAUL
JOHN E. FREUND, III
JEFFREY T. TUCKER
GLENN A. HAZELTINE
JAMES F. SWARTZ, III*
KEVIN C. REID
PAUL S. FRANK
MICHAEL A. GAUL
ELIZABETH M. KELLY
ELLEN C. SCHURDAK
KRISTINE RODDICK
REBECCA A. YOUNG
DOROTA GASINICA-KOZAK
JESSICA FRISCH MOYER
LUCAS J. REPKA
ERIN D. GILSBACH
MICHAEL A. SANTANASTO

Ms. Loretta M. Leeson, President of Board of Directors
Bethlehem Area School District
c/o Stacy M. Gober, Assistant to the Superintendent for
Finance and Administration
1516 Sycamore Street
Bethlehem, PA 18017

**RE: Proposal for Scope of Services and Compensation
For Bethlehem Area School District Solicitor**

Dear Ms. Leeson:

This will constitute our proposal for the scope of our legal services to Bethlehem Area School District and as solicitor to Bethlehem Area School District's Board of Directors. If accepted by the Board, this will constitute our agreement to June 30, 2011 or severance, whichever shall first occur.

SERVICES

King, Spry, Herman, Freund & Faul, LLC (KSHFF) will provide comprehensive general counsel, legal consultation services, and representation on all legal matters affecting the Bethlehem Area School District (School District). It is anticipated that, from time to time, after consultation with KSHFF, the School District may engage special counsel as may be recommended by KSHFF, as required by the Attorney's Code of Professional Responsibility, or in the best interests of the School District.

COMPENSATION

1. **Annual Fee:** The School District shall pay to KSHFF the amount of \$16,000 Annual Fee. The services included under the Annual Fee are as follows:
 - All telephone conferences between KSHFF and School District officials involving general legal advice as shall be designated by the Board of Directors;
 - Attendance at one (1) public Board meeting monthly, together with any executive sessions which immediately precede or follow the public meeting.
 - All services not otherwise chargeable.

OF COUNSEL:
E. DRUMMOND KING
JAMES J. RAVELLE, Ph.D., JD.
AFFILIATED WITH:
LAW OFFICES OF IRA WEISS
PITTSBURGH, PA 15219
* Certified Civil Trial
Advocate by National
Board of Trial Advocacy
("A Pa. Supreme Court
Approved Agency")

KING, SPRY, HERMAN, FREUND & FAUL, LLC • ATTORNEYS & COUNSELORS AT LAW
ONE WEST BROAD STREET • SUITE 700 • BETHLEHEM, PA 18018 • TEL: 610-332-0390 • FAX: 610-332-0314

ALLENTOWN BETHLEHEM STROUDSBURG

www.kingspry.com

KING, SPRY, HERMAN, FREUND & FAUL LLC

**Ms. Loretta M. Leeson, President of Board of Directors
Bethlehem Area School District**

July 9, 2010

Page Two

2. **Services outside of Annual Fee – non litigation:** For all other services above the Annual Fee and not involved in litigation, the School District shall be billed at the blended rate of \$120 per hour for professional tasks and \$75 per hour for paraprofessional tasks.

3. **Services outside of Annual Fee - litigation:** For matters where KSHFF represents the School District in litigation, billing will be charged at litigation rates consistent with hourly rates which shall be a blended rate of \$145 per hour for professional tasks and \$75 per hour for paraprofessional tasks. This litigation shall include any circumstances where the School District is contacted by an attorney representing a client; litigation is threatened, actual litigation involving any matter before a court, administrative agency or hearings before the School Board or a hearing officer designated by the Board. This rate shall also apply to employee discipline matters, labor negotiations, and construction matters. Where King Spry is approved defense counsel rates shall be consistent with those rates approved by the carrier, where KSHFF represents the School District before courts, administrative agencies, or in arbitrations. Litigation shall not include student disciplinary cases before the School Board, which will be charged at the non-litigation rate.

KSHFF represents to the School District that it is approved and qualified as defense counsel for the Pennsylvania School Boards Association Insurance Trust endorsed school leaders errors and omissions insurance as well as other writers of educators liability and errors and omissions insurance including AIG. In the event of litigation, an administrative due process request, a claim, or suit within the coverage of the Board of Directors' errors and omissions policy, the School District agrees to submit such claims for coverage and defense, and to request the designation of KSHFF as defense counsel for the School District. In the event of such designation, the School District agrees to accept the hourly rate approved by the insurance carrier.

4. **Non-adversary or Instructional Service:** KSHFF will provide training and instruction in special education and other school law issues as requested to School District faculty and administration at \$125 per hour, which shall be billed separately.

KING, SPRY, HERMAN, FREUND & FAUL LLC

**Ms. Loretta M. Leeson, President of Board of Directors
Bethlehem Area School District**

July 9, 2010

Page Three

5. **Billing:** We will submit itemized invoices on a monthly basis. Litigation matters subject to the approved insurance rate will be invoiced separately from school solicitor services. Bond counsel fees will be paid at closing and will be contingent upon a successful closing.
6. **Reimbursable Expenses:** The School District agrees to reimburse KSHFF payment of out-of-pocket expenses advanced on behalf of the School District including, but not limited to, filing fees for legal documents, advertising, experts, exhibit preparation, extraordinary photocopying, and overnight delivery costs. Long distance telephone charges, ordinary photocopying, and postage will not be charged unless reimbursable by insurance.
7. **Student Discipline**

\$125/hour for preparation and attendance at all student discipline waiver conferences, hearings and preparation of adjudications not to exceed \$60,000.
8. **Special Education Matters**

\$145/hour for consultation, witness prep, representation at resolution sessions and due process hearings.

MUNICIPAL FINANCE AND BOND COUNSEL SERVICES

KSHFF represents and warrants that it is qualified and experienced in the handling of tax-exempt municipal bonds and other municipal finance matters. In the event the School District elects to use the services of KSHFF for purposes of bond counsel in a general obligation financing, KSHFF's fee will be calculated as follows:

	<u>Issue Amount</u>	<u>Fee Amount/ Multiplier</u>
	\$0-\$3.5 million	\$5,000.00
on the first	\$3.5 - 10 million	.0015
on the next	\$10 - 25 million	.0010
	Over \$25 million	.0005

KING, SPRY, HERMAN, FREUND & FAUL LLC

**Ms. Loretta M. Leeson, President of Board of Directors
Bethlehem Area School District**

July 9, 2010

Page Four

Should the financing transaction present unusual issues or complexity, KSHFF&F will advise the School District and arrive at a mutually agreed fee before undertaking the assignment.

All out-of-pocket expenses involving the transaction will be reimbursed to KSHFF.

Where KSHFF acts as bond counsel, School District will have the option to pay KSHFF a total counsel fee equal to 50% of the Bond Counsel fee or to forego such fee. In the event the School District elects to pay KSHFF's total counsel fee, KSHFF will credit such fee against its annual fee spread evenly over six (6) months billing. In the event KSHFF is not Bond Counsel, KSHFF will receive a fee equal to 50% of Bond Counsel's fee for local counsel fees.

PERSONNEL ASSIGNED

KSHFF represents that it has adequate personnel trained in school law and municipal finance to meet the School District's needs. Fees for counsel assigned or who could be assigned to School District's work will be provided in a separate schedule. The primary responsible attorney will be KSHFF partner Donald F. Spry, II, Esquire. Time charges are based upon the professional nature of the task and not personnel assigned. Task assignments shall be at the sole discretion of the primary responsible attorney.

KSHFF represents that it has secured and upon request will provide the District with evidence of Professional Liability Insurance.

KSHFF looks forward to serving the needs of the Bethlehem Area School District.

Very truly yours,

KING, SPRY, HERMAN, FREUND & FAUL, LLC

By: Donald F. Spry II /s/DF
Donald F. Spry, II, Esq.

DFSII/dr

24. *Renewal of Student Accident Insurance 2010-2011***INFORMATION:**

The Bethlehem Area School District's student accident insurance has a renewable annual premium with an effective date of August 1, 2010. A one-year rate-guaranteed proposal from Stocker, Hoffman and Schantz through United States Fire Insurance Company, administrated by A-G Administrators, Inc., P.O. Box 979, Valley Forge Pennsylvania is summarized as follows:

COVERAGE Interscholastic Sports Insurance
Including Band Members, Cheerleaders, Physical Education Class, Intran
Recess, Non-sport Extracurricular Activities and Mandatory Community
Service Activities

Summary of proposals received.

Agent	Carrier	2010-2011 Premium
Myers, Benner Corp.	American Management Advisors, Inc.	\$97,714
Myers, Benner Corp.	Bollinger, Inc.	\$63,840
Myers, Benner Corp.	Bollinger, Inc.	\$62,500
Stocker, Hoffman and Schantz	United States Fire Insurance Company	\$59,700

RECOMMENDATION:

That the Board of School Directors approves the student accident insurance for 2010-2011 as follows:

United States Fire Insurance Company	\$59,700
Stocker, Hoffman and Schantz, Hellertown PA	
Voluntary Student Insurance: (Parent Paid)	
School-Time (Preschool – 12)	\$28.00 per year
24-Hour (Preschool – 12)	\$124.00 per year
Dental Only	\$14.00 per year
Extended Dental	\$7.50 per year

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

25. *Sale of Property by Northampton County***INFORMATION:**

It has been recommended by Northampton County that property in the district that has been held in the County repository be sold. These parcels have been maintained by Bethlehem Township for some time and it is recommended that the parcels be transferred from the repository to the Township. This property had no tax value to the district while held by the County.

RECOMMENDATION:

That the Board of School Directors authorizes Northampton County to sell the following parcels in Bethlehem Area School District to Bethlehem Township as follows:

M8-SW4-3-9	S. Harvey Road	\$1
M7-SE4-39-1	Sherman Boulevard	\$1
M8-SE4-1-7	Freemansburg Avenue	\$1
M8-SE1-23-13	Hodle Avenue	\$1

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

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

1. 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 \$6,541.80

The following vendors also were contacted:

Northampton Engines, Inc.	\$7,255
Penn Power Systems	\$10,550

Cabinet Code: NF
Account Code: 10-2600431-000-607-NF-0000

2. Quotations were solicited for:

Inspection of Sprinklers and Fire Pumps - Annual Maintenance and Inspections

The lowest responsible quotation was Victory Fire Protection, Inc., 320 Circle of Progress, Suite 108, Pottstown, Pennsylvania 19464 at a cost not to exceed \$7,150.

The following vendors also were contacted:

Kistler O'Brien	\$8,941
SimplexGrinnell	\$9,575

Cabinet Code: NF
Account Code: 10-2600431-000-607-NF-0000

26. *Quotations for the \$5,800 - \$15,200 Cost Category***INFORMATION:** *(continued)***3. Quotations were solicited for:**

Replacement Hood and Curb Counter Flashing – Gravity Vent Freemansburg Elementary School

The lowest responsible quotation was Pro Com Roofing Corporation, 374 Easton Road, Warrington, Pennsylvania 18976-2418 at a cost not to exceed \$5,270

The following vendors also were contacted:

Dual Temp	\$8,220
H.T. Lyons	\$6,913

Cabinet Code: NF
Account Code: 10-2600431-000-612-NF-0000

Note: On May 4, 2010, a windstorm damaged the gravity vent located on the roof at Freemansburg Elementary School. The damage was reported to the district's insurance company. It is anticipated that the district will receive reimbursement of all costs after the \$5,000 deductible.

The administration's recommendations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 23, 24 and 25 were considered together.

27. *Treasurer's Report*

RECOMMENDATION:

That the Board of School Directors approves the Treasurer's Report dated June 30, 2010.

Director McKeon made a motion, seconded by Director Follweiler, to accept the Financial Report and Payment of Bills, (Item number 27, 28)

Motion passes – 8-1

REPORT OF THE TREASURER
June 1 through June 30, 2010

BEGINNING CASH AND INVESTMENT BALANCE

Wachovia Bank - Cash Management	11,064,737.04
Bank of America - General Account	1,996,892.47
Pennsylvania School District Liquid Asset Fund	836,050.66
Wachovia - Worker's Comp Trust Fund	637,380.39
Pennsylvania Local Government Investment Trust	77,994.78
Pennsylvania State Treasurer Invest Program	2,046,815.08
Bank of America Money Market	1,637.87
PSDLAF - Term Investments	3,000,000.00
PSDLAF - 2009B Bond Fund	8,363,614.68
Scholarship Fund	46,466.25
KNBT Bank - Scholarship Fund	118,273.04

TOTAL CASH AND INVESTMENT BALANCE

\$ 28,189,862.26

MONTHLY RECEIPTS

Local Sources	1,818,560.10
State Sources	10,823,547.24
Federal Sources	1,443,647.91
Other Financing Sources	10,138.50

\$ 14,095,893.75

MONTHLY DISBURSEMENTS

Monthly Bills Paid	9,414,412.71
Payroll	14,289,689.85
Debt Service	342,949.78

\$ 24,047,052.34

TOTAL FUNDS AVAILABLE

\$ 18,238,703.67

ENDING CASH AND INVESTMENT BALANCE

		Interest Rate
Wachovia Bank - Cash Management	2,507,463.97	0.250%
Bank of America - General Account	1,996,413.14	0.350%
Pennsylvania School District Liquid Asset Fund	2,353,216.27	varies .073 to .112%
Wachovia - Worker's Comp Trust Fund	637,385.47	0.010%
Pennsylvania Local Government Investment Trust	77,997.30	0.040%
Pennsylvania State Treasurer Invest Program	2,053,024.40	0.200%
Bank of America Money Market	1,638.14	0.200%
PSDLAF - Term Investments	0.00	
PSDLAF - 2009B Bond Fund	8,446,825.69	see attachment
Scholarship Fund	46,466.25	0.947%
KNBT Bank - Scholarship Fund	118,273.04	1.300%

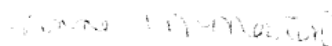
TOTAL CASH AND INVESTMENT BALANCE

\$ 18,238,703.67

Interest Received for June; to be posted in June accounting period

\$ 86,296.68

Respectfully Submitted,



Anne M. Morton
Treasurer

**BETHLEHEM AREA SCHOOL DISTRICT
CD INVESTMENTS**

Date Purchased	Amount Purchased	Interest Rate	Anticipated Interest	Maturity Date	Account	Location
June 14, 2010	\$ 5,000,000.00	0.30%	\$ 4,438.36	September 30, 2010	PSDLAF CD	2009B
June 14, 2010	\$ 1,200,000.00	0.40%	\$ 2,393.42	December 13, 2010	PSDLAF CD	2009B
January 25, 2010	\$ 2,246,825.69	0.12%	\$ 211.85	June 30, 2010	PSDMAX	2009B
April 27, 2010	\$ 117,000.00	1.30%	\$ 1,668.88	May 27, 2011	KNBT Scholarship	
May 7, 2010	\$ 1,273.04	0.60%	\$ 5.20	January 7, 2011	KNBT Scholarship	
May 25, 2010	\$ 46,466.25	0.95%	\$ 331.25	February 19, 2011	BTFCU	

**Bethlehem Area School District
Capital Reserve Fund
For the Period of June 1, 2010 thru June 30, 2010**

Fund Balance at May 31, 2010	\$ 498,956.53
Expenditures	
Financial Management System (software, hardware, support services)	
Roof Repairs-Farmersville	
Roof Repairs-Freemansburg	
Roof Repairs-Asa Packer	
Asa Packer Fire Alarm System	
Freedom Railing	
	\$ -
Fund Balance at June 30, 2010	\$ 498,956.53

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

Financial Management System	\$ 41,900.26
Pro. Svs. Roof Repairs	
Pro. Svs. Alarm System	\$ 2,379.97
Pro. Svs. Railing Repair	
Freedom Railing Repairs	\$ 19,058.10
	\$ 63,338.33
Estimated Unencumbered Fund Balance	\$ 435,618.20

Bethlehem Area School District
2009B Bond Fund
For the Period of June 1, 2010 thru June 30, 2010

Beginning Fund Balance-May 31, 2010		\$	3,903,814.67
Revenues			
Expenses			
NEMS Project	429,870.82		
NEMS Prof. Svs	14,826.60		
BMS Project	379,770.84		
Prof. Svs BMS	56,986.61		
LHS Project	-		
Mold Remediation			
Prof Svs Freemansburg	4,700.00		
Buses			
		\$	886,154.87
Ending Balance-June 30, 2010		\$	3,017,659.80

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

NEMS Project	216,594.31		
BMS Project	2,145,275.06		
LHS Project	70,000.00		
Mold Remediation-Freemansburg	20,000.00		
Buses	-		
Prof. Svs NEMS	43,151.50		
Prof. Svs BMS	13,694.31		
Prof. Svs LHS			
Prof Svs Freemansburg	9,400.00		
			2,518,115.18
Estimated Unencumbered Fund Balance			499,544.62

28. *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 McKeon made a motion, seconded by Director Follweiler, to accept the Financial Report and Payment of Bills, (Item number 27, 28)

Motion passes – 8-1

President Leeson asked Director McKeon if VoTech had a report this month.

COMMITTEE REPORTS

BETHLEHEM AREA VOCATIONAL-TECHNICAL SCHOOL -
Director McKeon stated that they will meet next Tuesday.

Director Ortiz asked if the board could address her questions in another meeting. She stated that she saw an add in the paper for Vo-Tech for a Technology position and stated that we didn't vote on anything regarding the Technology position, so she wanted to go over this issue when the board meets.

President Leeson stated that this would be a question for Vo-Tech.

NORTHAMPTON COMMUNITY COLLEGE - Director Amato stated that Northampton Community College did not meet.

INTERMEDIATE UNIT - Director Dexter stated that there was not a formal IU meeting, but she wanted to mention that the IU came to the board curriculum meeting this past week and presented some information to the board about a possibility of the Bethlehem Area School District joining in a venture to provide cyberschool services to students either on a part time or a full time basis and the board indicated its approval for Dr. Donaher to proceed with discussions with the IU. She stated that they haven't entered into any agreements, but wanted to look into how such a program might be implemented, what the costs/benefits might be and what the academic benefits to students might be.

Director Burkhardt asked President Leeson if someone would be able to keep track of the actual expenses as it relates to the policy that was just adjusted. He stated that it always makes him uncomfortable when people throw out that this is now going to open up the flood gates for 100 other things to happen. He said that he wants to see whether it really does or not. He stated that he doesn't like these kinds of general comments being made when we don't know in fact what the effect is going to be. He stated that the only way we are going to know what is going on is if somebody over this next school year monitors it and then we can see what is actually happening. He also said he would request that the administration assigns someone, whether it's the athletic directors of the high schools or someone else, to see what the actual implications associated with this matter.

NEW/MISCELLANEOUS BUSINESS

President Leeson stated that she thinks Mr. Gilliland is probably going to be the person who will be monitoring this.

Mr. Gilliland stated that we are going to be using an accounting software, the current software that we are using is almost unserviceable, so we are using "School Dude" – it is called Facilities Direct and it does have the capability of tracking any and all of these accounts as well as invoicing them and one of the things that the board had requested was a summary of the use of the buildings on a month by month basis. He said that the new software will enable us to do all of this monitoring.

President Leeson stated that she thought what Director Burkhardt was specifically asking was with that report could we also have on a month by month basis the cost of this policy.

Mr. Gilliland stated that he didn't think that was a problem.

Director Cann stated that she had an addition to what Director Burkhardt was saying was a caution to be careful what is included is coming in under 1A so that there are no mistakes. She stated that it shouldn't be anyone that just raises their hand says I am 1A and that you have to really know the character of the organization.

Mr. Gilliland stated that he was not sure what was being asked, but stated that the people who are in 1A must meet the requirements to be in 1A. He also said that he would like to provide a clarification to Director Follweiler that he was not sure about the comment she had made but to the best of his knowledge and his department that the people have been charged according to the classification that they qualified for and asked if there are specific examples, he would certainly like to know about them. He stated that organizations that are 1A have paid the same within the confines of the policy.

Director Follweiler stated that she just wants to be sure this is done correctly. The way that 707 is setup is that organizations are categorized by their nature -- profit, non-profit, but not by any particular event that anyone has given, but the nature of the organization itself. It is our principles that make the determination.

Mr. Gilliland stated that this was correct.

Mr. Gilliland stated that ultimately when they start the lease process it is verified a number of ways. It is verified by the athletic directors, Dr. Donaher and the principals must sign off on things that are listed. By the time it gets to Mr. Gilliland's desk all the required approvals are listed. The athletic directors, Mr. Gilliland and Mr. Gilliland's secretary have met with regard to this electronic system. They have all had training and also provided a routing sheet that everybody needs to

fill out electronically if they go for various approvals. This year the program is going to be offered at the two high schools, however, all locations will be using paper requisitions. The data will be entered into the system electronically. This will allow for the reports to be processed that Director Burkhardt was requesting.

Director Follweiler stated that she had the same idea that Director Burkhardt did and was very happy that Director Burkhardt brought it up. She stated that hopefully the software is user friendly and it gets utilized. She also said she thinks everyone will learn a lot, not just who or how or what facility is being used, but perhaps it will help guide some groups to more accessible gyms. Director Follweiler used Broughal School as an example. She stated that Broughal has a beautiful gym and a beautiful auxiliary gym, so someone might be using Liberty today, but Broughal could be a better facility choice or more available from a scheduling standpoint. She also stated that it sounds like this software might be helpful in that regard.

Mr. Gilliland stated that once this is implemented, which will not happen overnight, but ultimately, it has the capability where there would be a community portal where people who wished to use the facilities would be able to go on line, fill out the application, and can get the ball rolling to accommodate them.

Director Follweiler stated that she was happy that even though there is not a cost, there still is a lease.

Mr. Gilliland stated that she was correct.

Director Follweiler stated that she had a second comment that she agrees with Director Burkhardt that things may or may not occur as we think they are going to, but just yesterday she was talking to a parent and a taxpayer whose students attend a private school within the district. When they have a program, they pay for the use of the high school that is within their area, however, according to our policy, since it is a volunteer group and 75% of the students are in Bethlehem, if they have to pay for the use of the private high school or if they can use our high school facilities for 1/2 payment, if I am running that youth organization, I am certainly going to look to at our high school facility. What she said she was saying is that a parent came to me yesterday and said when we have a program, we use the high school facilities and pay for the high school in the private school. So, if they meet our criteria, they will use our facility, the public high school facility for 1/2 charge. She said to Mr. Gilliland that what she was referring to is just an example that was given to her. Whether they follow through on the information that was given

to them, she has no way of knowing. She also said, additionally, on the policy, it is interesting that we are going through it again, because as we all know we've learned our lesson in not having the lease paid up front or not having the payment up front. She said just this morning she heard an advertisement on the radio that the school district is going to have a political fund raiser in the area. She asked that perhaps we can ask Mrs. Gober to try to pursue our funds that were fund paid in the past.

President Leeson asked if Director Follweiler was referring to Mrs. Clintons unpaid funds.

Director Follweiler stated that she was referring to Mrs. Clintons unpaid funds. She also stated that she understood that President Clinton is coming to Bethlehem for a fundraiser and while she personally does not approve that campaign, she thinks that perhaps everyone did not realize the full charge to the district for this fundraiser. She also said that the board just had this full discussion and they could have paid for a whole year of facility use. She asked if perhaps we could get that bill paid.

President Leeson asked Mrs. Gober if she would like to meet afterwards to discuss this payment or asked if she was aware of it.

Mrs. Gober stated that she was aware of the invoice, but she was not aware of the fundraiser that is going to be upcoming.

President Leeson told Mrs. Gober that the board would help to inform her about the fundraiser.

Director McKeon asked Mr. Gilliland that while we are talking about School Dude, is there a mechanism within the School Dude program to capture the hours of those leases for particular locations and what was billed.

Mr. Gilliland stated yes and also noted that one of the problems of the existing system is that sometimes if someone, for example, has to cancel, maybe the coach is ill or maybe we have a weather related problem, the current system can't track this information, however, the new system will help us keep track of this sort of situation because the athletic director will be the one who will be directly imputing those changes into the system which ultimately will change the evenings for our people who use the buildings. He stated that everyone feels that this will be better and more useful to us.

He also stated that the other item that was talked about was people

paying upfront, however, some of these leases we pay either weekly or monthly because it is very difficult to know what is to be charged, but, for most of the other leases the money is paid upfront.

Director Dexter stated that she hears the difficulty about the unpaid leases, but would just like to point out that one month of collection on electronic bill payment transfers might be another way of paying for athletic use.

President Leeson asked for other new business

Director Dexter stated that she would like to read a letter that she had drafted to her colleagues on the board and was dated with today's date.

"It has been a pleasure and a challenge to serve this community as a school director and the time commitment has been significant. I don't have to tell you that. At this time, my personal commitments to my family and to my professional practice of law, no longer permit me the flexibility needed to continue in my position as school director, therefore I ask the board to accept my resignation from this board effective the end of the day of August 16, 2010. We have accomplished a great deal of our goals of improving financial stability and moving toward increasing academics. I am confident that Dr. Roy will be a very positive leader and I truly believe that we have made the right choice for our district. I remain committed to our community and to our schools and would be willing to serve on committees from time to time if the need for community participation arises. At this time, I am asking the board to accept my resignation as school director, as I stated in the letter, effective August 16, 2010. I would remain available at the voting meeting should you need me".

Move to accept the resignation of Director Dexter . Motion – Director Burkhardt. Second – Director McKeon

MOTION TO ACCEPT
DIRECTOR DEXTER'S
RESIGNATION

President Leeson stated that "Director Dexter, it is very hard to accept your letter of resignation because you have been a leader on this board and you have certainly changed the way this board has done business. You have raised the level of expectations here in our district. When you talk about the time commitment, I am well aware of the kind of time that you have put into this board and I know that you have put in 40-60 hours a week almost on a regular basis and I know at what expense that has come from both your professional life and your personal life even though there is no one I know who can multitask like you do and no one who gets more done in a day. So, personally, I would just like to say how grateful I have been for all

of your contributions to this board and to this community through your selfless work here on the board”.

Director Dexter extended a thank you to President Leeson.

Director Follweiler stated that while I’ll miss Director Dexter and her participation, I fully understand her personal reasons and appreciate that she has brought them forward to us. She also said she would agree to vote to accept her resignation so moving forward in thoughts of business, just procedurally, when would be appropriate to discuss moving forward after we accept the resignation. She asked if she should call a vote to accept the resignation.

President Leeson stated that there is a call to vote unless there is any other discussion before the vote and then we’ll move to accept the resignation.

Director Ortiz stated that even though we have sometimes been on different side of the aisles regarding issues, she did want to thank Director Dexter for the help that she gave her being a new board member. She also said she will miss her and wanted to personally thank her for her help.

Director Dexter extended her thanks and appreciation to Director Ortiz.

President Leeson asked to have a vote to accept Director Dexter’s resignation.

President Leeson asked for a voice vote. All in favor of accepting the resignation, please say “aye”.

VOICE VOTE TO ACCEPT
DIRECTOR DEXTER’S
RESIGNATION

Motion passes 9-0.

President Leeson stated that at this point, it is her understanding that the board has 30 days in which to appoint another school director. She asked how are we as a board going to proceed in appointing another school director. She stated that the board has thirty days from August 16th to fill the vacancy.

Director Follweiler stated that she would like to recommend that we not see any interruption in a full board of nine and understood Director Dexter’s letter to request that she is resigned as of August 16th. She stated that she personally recommends to try to fill the vacancy versus going to any meeting with a vacancy. She said she would personally like to see the board utilize the HR meeting on August 9th to determine an appointment, so that hopefully by August

16th, either Director Dexter is available for the vote or a new board member would be available for a vote.

President Leeson stated that previously we have put out an advertisement and we have requested information from potential candidates and then we have set up a time in which we have interviewed those individuals and from the interview process the new candidates were selected. She asked the board if that is the process that they would like to use this time.

Director McKeon stated that he didn't think we should divert from the last two or three processes that were done.

President Leeson stated then Director Follweiler it is my understanding that you would like us to advertise immediately.

Director Follweiler stated yes, what she was recommending is to advertise immediately so that the board has applications or letters of intent prior to the August 9th meeting, so that they could hold interviews that night at the HR committee meeting. She stated that would give them two weeks to advertise.

President Leeson stated that sometimes the interviews can be time consuming and she wasn't sure if on the night of a committee meeting it would be a good idea for interviews.

Director Follweiler stated that she didn't have a problem if another night was selected for the Committee meeting, however, she would like it to be that week. She would not like to see a voting meeting pass without having a selection.

Director Faccinetto stated that he recommends that if we interview prior to the August 16th meeting, we would have until the first meeting in September to name someone so that we wouldn't have major business going on outside of a meeting without another person.

He asked if they need to have someone in place August 17th or can they just have someone appointed prior to the next meeting which is the second Monday of September .

President Leeson said that his statement is correct. She also said to take this one step at a time. The board wants to advertise and they want to interview. She asked if anyone is objecting to interviewing either the 9th or sometime during the week of the 9th. She stated that since she didn't see any objections to this, then they will advertise and will seek to interview the week of the 9th. The board will discuss the

rest of the procedures next week at the committee meeting.

Director Ortiz asked if there is going to be more than just one interview.

President Leeson stated that depending on how many people apply. If more than one person applies there will be more interviews.

Director Ortiz asked if August 16th is the deadline for this.

President Leeson stated that actually the clock starts on the 16th and we have until September 16th or whatever 30 days is, it may be the 15th. She stated that they have one month from the 16th.

Director Cann stated that even if they have until September 16th they don't have too wait that long. They want to set a due date for applications for August 4th.

President Leeson stated then interviews will be either the 9th or the week of the 9th.

Director Cann stated then they can decide as quickly, or as non quickly, as long as it is by September 16th.

Director Ortiz stated that she thought this is a bit of a rush since it is already the last week of July.

President Leeson stated that it is a week and a ½.

Director McKeon stated that a couple times he had made a suggestion that they are opening the gymnasium for athletic events in the fall and the spring and also for the athletic field at the stadium for non major sports, if you want to call it that and he asked that the business office and the athletic director come up with the pros and cons as to why we should not start charging admission (we don't currently charge admission) and if possible to get that information for the finance committee for Monday. He stated that the school year is just around the corner. He also stated that if we are going to implement admission at the stadium for soccer and indoor field hockey or for boys and girls volleyball, they want to be able to at least have a discussion and that the public knows about it in advance.

President Leeson stated we are now moving to Courtesy of the Floor. There is one gentleman signed up, Mr. Gerhard Basset. Mr. Basset was not here this evening.

COURTESY OF THE
FLOOR

1. Mrs. Lynne Fowler

Mrs. Fowler stated that she would just like to ask the board why they would punish a school, Donegan Elementary School, that just received such a good rating. They were fourth out of sixteen elementary schools in the Lehigh Valley. They have such a wonderful, wonderful record. Their gains were significant, but it would be better if you could make sure that these improvements in classes, grades, relations between teachers and students could be solidified and continued. She stated that it is a fragile situation to start. She said that she is asking the board to please consider not removing the seven teachers and the vice principal from Donegan School. She stated that this is very upsetting. It is like saying, hey you're wonderful, now we are taking away your people.

President Leeson asked to make a clarification on the Donegan issue. She stated that they did not take seven teachers away, there has been a reduction in the # of students at Donegan. The numbers are still consistent with district policy. She stated that there have not been any changes at Donegan as far as district required class sizes.

2. Brian Fritz, 4012 Maria Lane, Bethlehem, PA

President Leeson stated that Brian Fritz had a question about what the process was for the electrician that was hired by the district. President Leeson suggested that he would speak with Mr. Gilliland and he could tell what process took place when they hired the electrician.

3. Basilia Bonilla, 428 Grandview Blvd., Bethlehem, PA

Basilia stated that he would like to address the situation at Donegan. He stated that he is a product of the Bethlehem Area School District and is currently a student at Moravian College. He stated that he is also an intern for State Senator Lisa Boscola. He said that before he goes any further, he wanted to make it very clear to the board, that he was here on behalf of himself tonight, not the Senator, nor her office.

He proceeded to state to Dr. Persing and members of the school board, that through all his years at Donegan, he could tell you that he has never seen a woman work as hard as Ms. Vazquez has as well as her teaching staff. She truly cares about the students and about the success of her school. He stated that this year for the first time ever, since he could remember, Donegan has not only made AYP for this year, but also for next years targets. He said that if it weren't for the position of the vice-principal, and the work ethic of Sonya Vazquez and her teachers, that this school would not be where it is right now.

In fact, he stated that this year for the first time, he has seen a side of Bethlehem that he has never seen before. He also said that during his time at Donegan he was introduced to a young man in first grade, his name was Jonathan Santiago. He said that Jonathan was a normal young man, he loved to read, he loved to color, he loved to play football and even basketball. He stated that what makes him different is not that he has six brothers and sisters, but the fact that he is homeless. He has no home, his family was living out of their car. Ms. Vazquez and her colleagues worked with State Representative D. Samuelson, the Spanish Council and others to find a home for this family. Finally they found that family a temporary home. One day he told Ms. Vazquez, that he wanted to mentor little Jonathan. On Mondays before Basilia would go to his classes, he would sit with Jonathan and he would read to Basilia. He stated that Jonathan would tell him about his family and his lifestyle and sometimes he would just cry and cry because of the experiences he and his family had to face. Basilia stated that he was talking from experience and just listening to the struggles of this little boy brought tears to his eyes. He stated that because of the vice-principal's position at Donegan, Ms. Vazquez was able to focus a little time on the need of the families at Donegan. This position was the reason why she was able to focus and then bring the school to where it is and where the board wanted her to bring it. He stated that we all know the children in our school district are the future of this great nation. They are the future doctors who will be working to cure the sick and heal the injured. They are the future teachers who are working to shape the next generation. They are the future construction workers who are building our homes, our businesses and our schools. They are the future politicians who will be running this nation and they are the future soldiers who will be defending this nation. He said that he urges Dr. Persing and members of the school board that we need to protect and defend our future and to reconsider their decision and not remove the seven teachers and the vice-principal.

4. Jesus Munez, 1230 E Third St., Bethlehem, Pa

Jesus stated that he was here to talk about the decrease of teachers at Donegan School. He stated that he thinks many students at the elementary school need individual attention and that with less teachers in the Donegan Elementary School each student will not get the attention they need. He stated that he is here to say that if the students don't get the attention they need, PSSA scores will go down and they were high this year and the ability to learn will decrease. He said this is why he believes we have to have more teachers at Donegan Elementary School.

5. James Yasso, 3002 Oakland Road, Bethlehem Township

He stated that he would like to thank all the board that voted in favor of our students in both the Bulldog and Hurricane basketball programs. He also stated, thank you for seeing that we are willing to work with the school district by paying ½ the charge for use of the facilities. He stated that it is greatly appreciated.

He told Mr. Burkhardt that he applauds him for bringing up that we police the facilities use. He stated that we as a group think that this is great idea that you police the facilities usage. He stated that they believe there are some groups that may be taking advantage of situations that we may not be aware of. He said that they are fine with policing the facilities and just wanted to say thank you for what you did tonight.

President Leeson stated the board is now going into an executive session as stated earlier.

President Leeson asked for a motion for adjournment.

ADJOURNMENT

Motion – Director Burkhardt moved to adjourn the meeting.

The meeting was adjourned at 9:07 p.m.

Attest,

Stacy M. Gober
Board Secretary