

**Northwestern Lehigh School District
6493 RT 309, New Tripoli PA 18066
Workshop MEETING
District Boardroom
Wednesday, September 1, 2021 7:00PM**

1. Opening Procedures

1.01 Call to Order

The September 1, 2021 Board Meeting of the Northwestern Lehigh School District Board of Directors was called to order at 7:00PM by President Willard Dellicker.

1.02 Opening exercises included the Pledge of Allegiance and a moment of silence

1.03 Roll Call

PR/AB

PR	John Casciano	PR	Todd Hernandez	PR	Alan Rex
PR	Willard Dellicker	PR	Todd Leiser	PR	Rachael Scheffler
PR	Joseph Fatzinger	PR	Rosemarie Lister	PR	James Warfel

Also Present: Jonathan Wozniak, Jesse Maurer, Kevin Vernarr, Karen Hogan, Scott Shearer, Jason Zimmerman, Arthur Oakes, Jessica Moyer, Jennifer Holman, Troy Sosnovik, Stacy Eisenhard

1.04 Approval of Agenda

Moved: J. Fatzinger

Seconded: J. Casciano

Vote: 9 Aye, 0 Nay

1.05 President welcomed guests

1.06 Courtesy of the Floor

None at this time.

2. Curriculum/Building Issues

2.01 Optional COVID-19 Testing

T. Sosnovik said we are asking the Board to authorize the administration to establish an optional COVID testing for our students and staff. He said he believes there is some strong value for us instituting this program at Northwestern Lehigh. He said the Department of Health and PDE announced a partnership with Concentric to provide free COVID testing to all K-12 schools across Pennsylvania. He said the focus of the program is to use pool testing to identify asymptomatic individuals in our buildings so we can prevent the spread of COVID-19 to others, which would ultimately shut down our schools. He said the concept is that we would conduct full testing for any staff or student who consented into the program every week or 2 weeks depending on the number of participants. He said the test is a Molecular PCR test which is the most reliable test that looks for DNA itself. He said there will be no disruption to instruction or day and we will get the results within 24 hours via a portal. He said if someone tests positive they will come back to test all 25 individuals to see which one is positive. He said there is no quarantine needed for the pool itself and this is completely turnkey through Concentric with no cost to the District. He said we believe there are three main benefits to doing this at Northwestern; (1) it will allow us to identify asymptomatic people and reduce the potential of them spreading COVID to others, (2) earlier care can be provided to our students and staff who are positive, and (3) give us building level data. He said this is 100% optional and participants must consent into the program. If someone does not want to participate, they can also remove themselves from the program at any time. He said if approved, the plan would be to hold an information session to present this more in-depth and allow parents to ask questions.

K. Hogan from Concentric said they are here to answer questions and provide a robust customer service program to make sure that the community is being served throughout the entirety of the program. She said there are resources available on their website for the community that allows them to get more information on the program and provides unbiased transparent data that is easy to understand. She said they are here to help kids stay in the classrooms and keep COVID out.

R. Lister asked if this program can be used at the ease of the school district and instead of using the pooling, bring it in for a couple days to allow staff members to be tested for COVID. K. Hogan said there is flexibility and schools also use the supplies for the occasional testing of a symptomatic individual. She said a nurse or someone else trained at the school can also be trained on how to use the portal and run the test so that they could carry out and offer the testing as an option.

J. Casciano asked who administers the test. T. Sosnovik said the students will swab themselves and a clinician will come in when there is a positive result that comes back. T. Sosnovik said it is entirely hands off for Northwestern other than possibly escorting the individual around to identify who consented in.

W. Dellicker asked if it would be every day. T. Sosnovik said it is at a frequency which we determine. K. Hogan said most of the Districts are following CDC guidance which is suggesting once a week testing. She said most can self-swab but they do provide staffing for supervised collection of the pool samples if anyone needs assistance. She said the programs they've seen in the beginning, consent was around 10% and then as the data comes back to show how low the prevalence was, people become more comfortable and the consent grows over time. She said this is available throughout the entire school year and you can turn it off or on at any point.

J. Warfel said it seems like a fairly public process and asked about confidentiality. K. Hogan said they have come across that concern and said that is why it's important that everyone understands that it is an opt-in process and only those that are comfortable participating would consent. She said they host parent webinars when schools decide to enroll in the program and a school can enroll in and delay testing until they feel the community is comfortable with it.

W. Dellicker said he assumes this is available for K-12 students and all staff. T. Sosnovik said everyone qualifies.

W. Dellicker asked if there are any early warning benefits that may prevent the spread of COVID in any of the places being tested. K. Hogan said one District had thousands of students returning back in-person, had no idea of what the prevalence of COVID was going to be in their classroom and the surrounding community positivity was high. She said parents and teachers were nervous about working in those environments and when they consented and participated they found a high prevalence of asymptomatic individuals in their schools using this pool approach.

T. Sosnovik said last year coming back after the holiday break we had a tremendous surge. He said had this program been in place, we would have had a much greater data point to make decisions because it's given us the insight of what's happening within our schools. W. Dellicker said he thinks there is a real advantage to having the data in the schools.

W. Dellicker asked if there is any comparative data to show if mitigation helps, specifically ionizers in buildings, versus buildings that do not have that type of ventilation. K. Hogan said they do not have that data collected, but in terms of looking at last year, in most cases masking was in place and there were differences in ventilation that would sometimes explain the difference in prevalence in a given community. She said they do have schools that participate exactly for that reason to demonstrate what needs to stay in place and what might no longer be needed as the dynamics of the pandemic changes.

T. Sosnovik said there is no contract, but a Statement of Assurance. He said it is acknowledging that we will move forward with testing, but does not require us to do anything. W. Dellicker asked about the next step. T. Sosnovik said we would work with K. Hogan to have an information session for parents.

W. Dellicker asked how the information session would be conducted. T. Sosnovik said he would prefer it to be in-person, possibly at the middle school location to provide social distancing. W. Dellicker asked if that would require a change to the Health and Safety Plan about the visitors. T. Sosnovik said no, we do allow visitors to come here; they would just need to be masked per the Order that is coming out.

T. Sosnovik said they have been promoting this since the 16th of August and said this is not only available to public schools, but is also available to private schools. T. Sosnovik said he is excited to move forward with this.

W. Dellicker asked if any other Lehigh Valley schools were participating. T. Sosnovik said there's expressed interest in a number of schools, specifically Southern Lehigh and he believes Parkland is also looking into this.

W. Dellicker said it concerns him if this is somewhat successful will it become mandatory. T. Sosnovik said he doesn't know if there is any discussion about that, but at this time this program is not mandatory.

T. Leiser said it is important to understand that nothing is free and we are paying for this as taxpayers. He said in choosing to use these services at a local level, state level or national level we are choosing to pay for this.

J. Fatzinger asked if this is something we want in our Health and Safety Plan. J. Holman said there is a section called Diagnostic and Screening Testing in our Health and Safety Plan and if we opt into this, that would be the appropriate place to add this. She said we can't do anything without the Statement of Assurance and would probably not be up and running with an active change to the plan before the beginning of October.

W. Dellicker said it doesn't seem like there is any critical timing for this to get approved. T. Sosnovik said there is not and he can have Dr. Hogan available at the next meeting if the Board has additional questions with regard to timing. He said we would not be up and running with this program until mid-October and said we can table this if the Board is not comfortable with it.

W. Dellicker said he keeps looking at these programs and all the time we put into all of this and thinks when are we going to get back to just educating our kids.

2.02 Health & Safety Plan

J. Holman said we were all surprised yesterday when the governor held a virtual press conference ordering a mask mandate from the Department of Health. She said it is an order by the Secretary of Health and for some it will be a welcome Order and others will despise the Order. She said our current plan does indicate that we will follow and comply with all Federal or State Orders or requirements regarding face coverings. She said the administration has spent a lot of time deciphering the Order and interpreting what it means, as well as the authority under which it was provided. She said we believe it is a legal Order that is issued by the Acting Secretary of Health and believes she has the authority to issue this Order. She said it goes into effect September 7th, and said we will enforce as written unless directed otherwise from the Board. She said we would make the change by the end of the week if that is the will of the Board. She said both her and Dr. Sosnovik are commissioned officers who have some responsibility to enforce an Order unless directed by the Board to not do so.

W. Dellicker asked how this Order fits into the whole legal requirement for compliance. J. Holman said prior to this Order, the only Order that is cited in the plan is the one for transportation. She said the enacting of the mask requirement for the nurse's office and trainer suite was her action based on recommendations from our health network, in addition to being responsive to the data in a responsible way.

J. Moyer said transportation was a Federal Order and we were required to follow this. She said this is a State Order that was enacted by the Department of Health but is no different than what was in place before. She said they are inundated with different interpretations of every Order and there are lawyers on both sides interpreting it in different ways but said as of where we stand today it is a valid Order until someone says differently. She said under the Disease Prevention and Control Act, it does allow for monetary and criminal penalties, but said the bigger concern is that Dr. Sosnovik and Mrs. Holman are commissioned officers that are required to enforce this Order. She said she is not sure if the risk is worth going against the Order and their recommendation would be to abide by the order.

J. Casciano asked about a law versus an order. He said there is a process to pass a law and this is an Order that was drawn up by the Department of Health and asked how that can be enforceable and there could be legal ramifications if we would go against it. J. Moyer said there are certain agencies

that are allowed to issue orders and directives and can permit a mandate or an order which can have teeth to it. J. Moyer said the criminal penalties are minor, but the real issue is the injunctions that could be filed for potential civil liabilities. J. Holman said every decision we made for the last 18 months has two sides and you could get sued by either. She said not everyone loved what we had in place, but for orientation and the first few days of school everyone was in compliance even if they didn't love it. She said everything we have done this year has two sides and has potential for both sides to disagree and file something.

J. Fatzinger said if there is an Order in place and we go against it, we are opening ourselves up for some potential liabilities.

J. Holman said she agrees and said we brought every possible mitigation strategy as an attempt to a layered approach to keeping everyone safe and in school five-days a week. She said if we believed at some point we would be in danger of shutting down we would institute universal masking because keeping kids in school is more important. She said it is an Order and there is a liability which is why unless the Board directs otherwise, we are going to have to enforce it.

T. Leiser said in May the Commonwealth decided to strip the powers of the Governor to create a structure to allow those elected officials to make those decisions or to evaluate what needs to be put in place. He said what bothers him is there is no end date and said he thinks there should be some provision to have an opportunity to potentially have another look at this. He said he believes as a Board we have an obligation to follow laws and the orders.

W. Dellicker said our Health and Safety Plan was put in place with provisions to change and adapt as changes occur and has the ability for the administration to make corrections. He said this plan has worked and has gotten us through last year and all of the other things that were done to lead us through this unknown COVID environment. He said everyone has taken a political side and it riles up the emotions and people lose track of the facts. He said there is also the potential to lose ESSER funding and other things that have just come out as part of the COVID reaction of the government which would be a huge loss. He said if we don't comply we could lose funds.

R. Lister said we often talk about how proud we are of this community and even though we have people on both sides, ultimately we know what's best for our children and that is to stay in school and be educated and receive the best education possible. She said she thinks our parents are able to put aside those differences and focus on what is right now and do our best to be positive instead of putting so much energy into who is right and who is wrong. She said we are in the papers for being that professional and respectful school district, so let's keep that up.

J. Warfel said he supports the administration and the legal recommendation. He said they were presented with a decision-making model that they had not seen before and it was a model database that made him a lot more comfortable moving forward on the decision to mask or not mask because it was data-driven. He said he thinks it is a very useful tool and allows us to move forward or backward at our choosing when we feel comfortable with whether or not we're violating the laws at stake.

J. Holman said the face covering decision matrix came from a collaboration of minds, but we tried to put something together that was science-based and allowed us to make decisions without emotion. She said the Board had always allowed us to make those changes so we can be nimble and adapt if needed. She said at some point the Order will end or change and we will continue to leave that in our plan to be implemented or adjusted should we need to.

J. Warfel said there is a two week rolling average and another one is due this Friday. J. Holman said that is correct based on the update on the data as long as there's not an outbreak. J. Warfel said he appreciates the metric.

W. Dellicker said the plan was well thought out and put together a structure to handle these cases as they occur and was very successful last year because we had to trust in the administration. He said if we move forward with this plan he thinks we will stay ahead of this thing and be able to react to any of the unknowns in the future.

J. Holman said there is nothing to do to proceed. She said we have an obligation to enforce the Order unless directed otherwise. She said we intend to make revisions to our Health and Safety Plan and will roll it out to the community before the end of the week.

J. Warfel asked if they will have an update to the matrix on Friday. J. Holman said we can, but it is no longer within her authority to drop down a level or drop away from universal masking. J. Warfel said he understands and thinks the data information is still useful. J. Holman said they can continue to send the charts and data to the Board members.

T. Leiser said we are here to support the education of kids and students and what he doesn't hear is how we are using this as teaching moments to educate the children on the legal system and how this process is supposed to work. He said he wishes there was a way to have that sort of civics related conversation in our community to teach the kids.

R. Lister said there is information on certain zip codes as to why or why not people are vaccinated and said the data is available online. She said she is concerned about people misinterpreting this new Order and is glad more information was provided. She asked where people can go to get more clarification, if they were not able to listen tonight.

J. Moyer said PDE has a good FAQ in regard to the Order, implications and cites the law. She said the best thing to do is contact their legislators because those are the ones that have the power to make the change. She said she does think stuff will happen in Harrisburg as a result of this.

3. Policy

3.01 First Reading of the Following Policies

T. Sosnovik said this is an annual recurring policy and in order for us to receive Title Funds we are required to review this each year.

918 Title I Parent and Family Engagement

3.02 Second Reading and Final Approval of the Following Policies:

218.1 Weapons

218.2 Terroristic Threats

247 Hazing

249 Bullying/Cyberbullying

3.03 Recommendation to rescind the following policies:

None at this time.

4. Operations

4.01 Annual Maintenance Contract

A. Oakes said this is with the McClure Company and we use them for taking care of our chillers and recently our boilers. He said it is under our Co-Stars agreement and we continue to partner with him. W. Dellicker asked who the old contractor was and if he was in Co-Stars too. A. Oakes said he was an independent person that decided to retire.

4.02 Operational Informational Updates Not Requiring Board Action

Transportation Software Update

A. Oakes updated the Board and public about everything that is going on with transportation. He said essentially what happened is we started a new software and when we attempted to do an upload, we realized there was some version of a data corruption and it would not export properly. He said we decided the best course of action was to start again. He said he believes we are on the right track and are looking to re-upload to get the data corrected.

W. Dellicker said this new software program was to replace the existing one which we felt was not giving us all of the flexibility we needed and with any new program, there's glitches. He said we also came off of a year with a totally different transportation structure and said every first week of school has transportation issues in the history of this District.

J. Holman said we came off a transportation year in which we had a number of different schedules for hybrid and online students that were all added back into the system. She said it is not an excuse, we

are doing our best and worked all weekend to try to rectify everything. She said it does take time to make sure stops are safe and we can transport kids back and forth safely to school.

A. Oakes said the best software is our drivers and said you can't appreciate it until you are in that world. He said the drivers know best and we will certainly get everything rectified and get it resolved as soon as we possibly can.

T. Sosnovik said we are all committed to getting this right and have been working to resolve and make the best adjustments in the time that we can. He said we will get it right, but it will take a little bit of time and asked that people have patience and understanding as we go through this process. He said our drivers are giving us the right information we need and are driving our most precious things we have, so we don't need them to be stressed out any more than they already are. He asked parents for their patience and understanding so the drivers can focus and get students to and from school safely.

W. Dellicker said if a parent wants to complain please do not lash out at a bus driver. He said the bus driver has your child's safety at heart and doesn't need the stress of having a parent lash out at them.

T. Sosnovik said he or Mrs. Holman will gladly sit down with any parents that have bussing concerns and let the drivers focus on what they need to do.

5. District Finances

5.01 Refunding/Refinancing Opportunity

S. Shearer said we are focused on a potential refinancing of the District's 2017 bonds. He said there is about \$5.6 million dollars outstanding, the rates range from 2.5-4% and the final maturity is February 15, 2033. He said the point of this transaction would be to keep the same maturity date but go to a lower interest rate. He said they are assuming that the cost of issuance would be paid with District cash at closing similar to what has been done over the years. He said he did a comparison of what the savings would be and since the last meeting the rates have come down. He said he would make the recommendation to move forward with New Tripoli Bank because the savings were slightly better than a bond issue and the rate would be locked in. He said depending on how things go this evening, he could be ready to put a resolution in front of the Board at the September 15th Board Meeting and then close on the transaction in November. He said total savings would be about \$1.2 million dollars over the life of the bond with the bank loan and the bond issue would be a little under \$1.2 million dollars. He said from an efficiency standpoint, if a net savings exceeds 2% of what's being refunded it is a good transaction and with this transaction it is over 20%. He said New Tripoli Bank offered a rate of 1.65% and the bond market was at about 1.75% and thinks overall the New Tripoli Bank proposal looks great.

W. Dellicker said what he told us last month looked favorable and now keeping it local with New Tripoli Bank and having the rates locked in, makes this really practical. He thanked Scott for presenting and putting this together.

S. Shearer said to move this forward, the bond council would need to put an advertisement in the paper by the end of this week to meet all the deadline requirements by September 15th. He said they are ready to move forward if they are ok. W. Dellicker said we do not need to take formal action this evening and will just give a head nod to continue pursuing this.

T. Leiser asked what the advertisement will read. S. Shearer said the advertisement will say that the School Board is entertaining a resolution to refinance the 2017 bonds and the estimated principal amount.

W. Dellicker asked if we have a couple more coming up in the next few years. S. Shearer said there are a few coming up in 2018 and 2019.

T. Leiser said he talked to Scott briefly after the last meeting regarding the TIF money and where that starts to come into this schedule. He asked if there was an opportunity to restructure some of the debt so it coincides with when the additional TIF dollars become available. J. Holman said she talked to Scott and that is something he wouldn't recommend right now but as we move forward he would consider that as an option. She said we have about 12 years left on the TIF.

W. Dellicker said the TIF is the deal we had for the warehouses that were built over by Weisenberg. He said in order to relinquish it we needed to reach 50% of our tax revenue for a total of 20 years to pay for the infrastructure needs on the bridge and roadways.

5.02 Jostens Yearbook Agreement

J. Holman said this is an annual item that gets paid out of the student activities fund.

5.03 Reports

J. Holman recommended the Board receive the following Reports for July:

1. Budget Report
2. Revenues Report
3. Treasurer's Report

Fund 10 General Fund with a beginning balance of \$18,304,580.32, receipts of \$5,965,931.30, disbursements of \$(3,620,268.79), leaving a balance of \$20,650,242.83.

Fund 32 Capital Reserve Fund with a beginning balance of \$3,123,678.35, receipts of \$1,025.07, disbursements of \$0, leaving a balance of \$3,124,703.42.

Fund 37 Capital Projects with a beginning balance of \$109,597.08, receipts of \$22.49, disbursements of \$0, leaving a balance of \$109,619.57.

Fund 51 Food Service Fund with a beginning balance of \$(5,518.86), receipts of \$9,551.07, disbursements of \$(8,892.43), leaving a balance of \$(4,860.22).

4. EIT Report
5. Activity Fund Report
6. Comparison of Prior Year to Current Year Budget to Actual Expenditures by Object Report

6. Old Business

7. New Business

7.01 PSBA Officer Elections

J. Holman said the Board does have to make 2 decisions. She said it does not need to be done tonight but the decision will need to be made by September 15th.

7.02 School Supplies Donation

J. Holman said we received about 90 backpacks led by a former student Kourtney Keim as well as the community at large. She said we did deliver them to our schools and distribute them to students.

7.03 Tissues Donation

J. Holman said we received 3 cartons of tissues for our teachers from Lowhill Food Pantry.

8. Communications

10.01 Courtesy of the Floor

Jonathan Wozniak, 2659 Old Post Road, said he appreciates the headwinds, but as a parent it is disappointing to him because it still sounds like the implementation went up to the last minute with transportation. He asked if more indication can be made on when we will be back to normal and said a little more communication would have been nice. He also asked about those that don't comply regarding the new Order from the Department of Health and asked what action does or does not happen.

J. Holman said her hope is that the community will come together and support what we need to do in order to stay in school five-days a week and keep our buildings safe. She said we have reasonable accommodations with staff and will work through pieces of the Order that allow exemption components for medical reasons. She said we have had face covering consequences built into the Health and Safety Plan and hopes it does not come to that. She said on our COVID-19 webpage on the District website, there is a section in our Health and Safety Plan that details the consequences and are built into our handbook.

Jesse Maurer, 8536 Mohr Lane, said he hopes for an evaluation of the situation if the Order does not get an expiration date, especially if there is a substantial level of aggressive voices stating that they are not happy continuing to submit to the Order. W. Dellicker said we still stay on top of it and do what's best for the kids.

11. Adjournment

Upon motion by T. Leiser, seconded by J. Fatzinger, the meeting was adjourned at 9:04PM.

Respectfully submitted,

John Casciano, Secretary
By S. Eisenhard, Assistant Secretary