

Lehigh Area School District

Lehigh, Pennsylvania

Board Meeting Agenda
Monday, March 22, 2021 at 7:00 PM

****Executive Session @ 6:30 PM for Contract Negotiations, Personnel and Legal.**



I. Pledge of Allegiance

II. Call to Order

The March 22, 2021 Board Meeting was called to order at 7:06 PM by Board President Larry Stern.

III. Roll Call

	Present	Absent
Ms. Joy Beers, Member	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Nathan Foeller, Vice President	X	☐
Mr. Stephen Holland, Member	X	☐
Mrs. Gail Maholick, Member	☐	X*
Mrs. Rita Spinelli, Treasurer	X	☐
Mr. Wayne Wentz, Member	☐	X*
Mr. Larry Stern, President	X	☐
Mr. Edward Rarick, Business Administrator	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney Eric Filer, Solicitor	X	☐
Ms. Janine Partenio, Recording Secretary	X	☐

Also Present:

Barb Bowes, Dave Krause, Bob Geiger, Kerry Sitler, Suzanne Howland, Dache Zelrick

**G. Maholick arrived to the Meeting at 7:08 PM*

**W. Wentz arrived to the Meeting at 7:42 PM.*

*** Notice of Executive Session*

IV. Presentations/Recognition

None at this time.

V. Public Comment on Agenda

B. Bowes questioned the payment of bills and a missing transportation bill for January. E. Rarick said it was not received and reissued due to a computer issue. He said it would be on the next Finance Committee Meeting.

B. Bowes questioned if the Meadows Contract on the Agenda was a new provider. J. Cleaver stated it was not a new provider but a center to which students may be placed from hospitalization or a doctor recommendation. He said the District is still responsible for meeting the student's educational needs. He explained that the District also works with KidsPeace and other organizations that offer psychiatric services. He mentioned that students are being placed further outside the scope due to a lack of available beds at closer locations.

B. Bowes questioned the GASB75 Valuation Services Agreement. She mentioned that she had not seen this agreement before and wondered what services were provided with this agreement. E. Rarick said they provide valuation services, which is required by public entities. He said it is reported to the state and provides valuation services for post employment benefits for retirees. He mentioned that the District has been paying for these services but it was placed on the Board Agenda for approval, since it was good information to put out for the public. B. Bowes asked if it was a contract that was not brought to the Board previously. E. Rarick said he did not know what had been done prior. J. Cleaver stated that he did not believe it was brought to the Board before and was handled through the Business Office. He said it is part of the audit and the information is included in there, but this is a service that they wanted to get Board approval for.

B. Bowes questioned D under Personnel asking if we would be replacing the two people resigning. J. Cleaver said yes, both will be posted as anticipated vacancies at numerous hiring outlets.

D. Bradley stated the Executive Session had a lot of information about contract negotiations. He said the District assigned a negotiating committee without a professional negotiating the \$6 million contract. He mentioned that R. Spinelli and N. Foeller are on that committee and when N. Foeller could not make the last meeting; no one replaced him as a representative of the Board. He asked the Board to shift the negotiation practices and hire a professional negotiator.

VI. Communications

A. Superintendent's Report – *Mr. Cleaver*

J. Cleaver explained that all staff who signed up for the COVID Vaccine Clinic were able to get vaccinated through the CLIU. He thanked Dr. Eib and Kim Talipan, as well as the entire CLIU, for all of their efforts in spearheading the Johnson & Johnson vaccine initiative. He said it went very smoothly and they are now ready to expand the clinic to other employees such as substitutes, coaches and contracted services.

J. Cleaver mentioned that Kindergarten Registration is in the beginning stages. He said information will be available online with Infosnap for registration and testing will be available in early May. He said the testing will be an in-person event and asked that everyone keep a look out for additional information on Kindergarten registration.

J. Cleaver discussed Keystone Testing information. He said the testing went very well and commended the students.

VII. Approval of Minutes

- A. MOTION by R. Spinelli, SECONDED by N. Foeller, to approve [the Minutes of the February 22, 2021, Board Meeting](#). (Enc. 1)

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	0	0	X	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 0 ABSENT - 1 ABSTENTIONS - 0

Motion Passed.

VIII. Financial Matters

A. MOTION by S. Holland, SECONDED by R. Spinelli, to approve [the Lehigh Area High School](#) and [Lehigh Area Middle School Activities Fund](#) for February 2021.

(Enc. 2)

D. Bradley was not able to review documents requested so he wished to postpone the vote on this item. N. Foeller asked what D. Bradley did not receive, since both reports were included in the Board packet. D. Bradley stated he was looking for the supporting documentation showing the actual transactions. R. Spinelli mentioned that D. Bradley reviewed many records that afternoon at the Administration Office. She asked if he requested the documentation. D. Bradley said he did request them and was told they were not available.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	0	0	X	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	0	0	X
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 7 NO - 0 ABSENT - 1 ABSTENTIONS - 1

D. Bradley abstained due to lack of information.

Motion Passed.

- B. MOTION by N. Foeller, SECONDED by S. Holland, to approve the Payment of Bills for February 2021: (Enc. 3)

General Fund:

--Manual Checks \$ 14,439.79

--Regular Checks \$1,509,172.72

--Credit Card \$ 1,254.50

Debit Card: \$ 71.90

Payroll (February): \$1,112,866.63

Food Service Fund: \$ 84,016.67

Total \$2,721,822.21

Note: Members with questions or requesting a copy of any payment, please contact the Business Office prior to the scheduled meeting.

D. Bradley stated that E. Rarick had done a fantastic job scanning information for review; however, upon review of documents at the administration office, he found many discrepancies and wished to postpone the vote of this item. He said there were illegible timesheets and documentation. He also stated that information failed the fidelity standard of two random spot checks. He said E. Rarick followed up with additional information after the meeting but did not have all of the information requested at the moment.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	0	0	X	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 4 NO - 4 ABSENT - 1 ABSTENTIONS - 0

Motion Failed.

Atty. Filer stated that the Board would need five votes to pay the bills and the Board voted to not pay the bills this month. D. Bradley made a motion that the Board postpone the payment of the bills until they see the bills before they are paid. G. Maholick seconded the motion. J. Cleaver asked if D. Bradley requested the documentation that was illegible. D. Bradley said yes, but the copies were completely black. L. Stern asked if D. Bradley and G. Maholick requested copies of the documents. E. Rarick said yes, he was planning on pulling the copies and resending them. L. Stern stated in order to keep the District solvent a Special Meeting would be needed in order to satisfy the request of the other Board Members and to pay the bills. He asked how long they would need to advertise for a Special Board Meeting for compliance. J. Cleaver said 24 hours. Atty. Filer agreed. L. Stern stated that the motion failed and would not need an additional vote since the bills could not be paid. He requested a Special Board Meeting to pay the bills be proposed for Wednesday, March 24, 2021 at 7:00 PM, after reviewing all information since the District bills would need to be paid. R. Spinelli asked if the timesheets that had an issue was for a payroll that was already released. E. Rarick said they were timesheets for the February payroll, which had already been paid.

R. Spinelli asked if the only recourse of the vote would be to amend the next payroll with an adjustment, if there was an issue. E. Rarick said yes. R. Spinelli asked what the Board was going to do, practically. D. Bradley wanted all of the documentation to be reviewed prior to paying the bills and continue with the Special Board Meeting.

W. Wentz arrived at this time.

- C. MOTION by R. Spinelli, SECONDED by N. Foeller, to approve the following reports:

- [1. Expenditure Report](#)
- [2. Expenditure by Object Report](#)
- [3. Revenue Summary](#)
- [4. Expenditure Comparison Report](#)
- [5. Revenue Comparison Report](#)
- [6. Treasurer's Report](#)

(Enc. 4)

D. Bradley asked what had been done to rectify the Expenditure by Object Report to make sure the District is not going over budget.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 5 NO - 4 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- D. MOTION by N. Foeller, SECONDED by S. Holland, to make the following transfer from the General Fund to the Food Service Fund as per the Reimbursements from the Commonwealth: \$54,969.68 for January 2021.

D. Bradley asked why the budget was short and needed a transfer. E. Rarick said this was just discussed in the previous commentary. He said they are trying not to overspend where there is no budget code entered. He explained that the budget codes were entered incorrectly and they are trying to relocate it into the proper function code. D. Bradley thanked E. Rarick for his answer.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- E. MOTION by N. Foeller, SECONDED by W. Wentz, to make the following transfer From the Lehigh Carbon Community College Tuition budget code (1693) in the amount of \$50,412.00 to the Lehigh Carbon Community College debt service budget code (1700).

L. Stern mentioned an addendum to the motion since the original motion stated Lehigh Carbon Community College instead of Lehigh Carbon Community College. D. Bradley asked why this budget bucket was short and needed a transfer. E. Rarick said it was not short, it was just being transferred to the correct location. The floor was opened for public comment. B. Bowes thanked E. Rarick for trying to correct the issues that were made in the past.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- F. MOTION by R. Spinelli, SECONDED by S. Holland, to refund the following:
 1. Occupational & Per Capita Taxes for year 2019 in the amount of \$135.00 to Terry Whiteman.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- G. MOTION by R. Spinelli , SECONDED by S. Holland, to approve [exemptions from Per Capita and/or Occupational Tax](#), as per the enclosure. (Enc. 5)

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- H. MOTION by N. Foeller, SECONDED by S. Holland, to approve [the Intergovernmental Agreement for Special Education Services with the CLIU for the 2021-2022 School Year](#), as per the enclosure. (Enc. 6)

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- I. [REDACTED] MOTION by R. Spinelli, SECONDED by W. Wentz, to approve [the Carbon Lehigh Intermediate Unit #21 Facilities Plan Committee Report for the 2021-2022 School Year](#), as per the enclosure. (Enc. 7)

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- J. [REDACTED] MOTION by R. Spinelli, SECONDED by N. Foeller, to approve [the agreement with The Meadows Psychiatric Center](#) for the 2021-2022 and 2022-2023 School year, on an as-needed basis for students in the District, as per the enclosure. (Enc. 8)

J. Beers asked for the background on this agreement. J. Cleaver explained that this is another organization that the District may do business with. He said the District did not have the choice in where to place the students, he said the choice would come from a doctor or hospital facility that does the evaluation. He explained that no matter where the student is placed, the District is responsible to give the student an education. He explained that the majority of students that need this service are usually assigned to KidsPeace; however, they have been overwhelmed with placements and this organization would be an option for a student placement if there were no beds available for an immediate placement.

J. Beers asked where the Meadows was based out of. J. Cleaver said there are many locations throughout the area. He did not know which one a student would be placed at. J. Beers asked how the District made a connection with this organization. J. Cleaver said they had reached out to us, in order to be proactive for any students which may be placed there in the future.

D. Bradley asked if this was bid out or if there were other opportunities available. He asked if this is located in Center Hall, PA. J. Cleaver said their office is located there but their facilities may be located elsewhere. He explained that this would be utilized in the event a doctor signs a student to that facility. He explained that there is no payment to this company, unless a student is placed there. G. Maholick asked if this allows the students to be placed there, making the process simpler. J. Cleaver said yes, and it is mandated that we provide the students with their education. D. Bradley asked how that need was met. J. Cleaver said educators were sent to locations in the past, but in this instance, the facility would provide the education component, and in turn, would bill the District. D. Bradley felt that there could be a facility that could provide these services, locally. J. Cleaver explained that it is not an option of the District to choose, the decision is made by a doctor during an emergency situation, to send a student to a facility that has availability. D. Bradley did not understand why this was being brought to the Board, if they did not have a choice. J. Cleaver said it is giving the students an option of additional placements, when it is needed.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 7 NO - 2 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- K. MOTION by N. Foeller, SECONDED by W. Wentz, to approve [Conrad Siegel for the Lehigh Area School District GASB75 Valuation Services](#) in the amount of \$7,225.00, performed annually, as per the enclosure. (Enc. 9)

S. Holland asked if the contract effective date of July 1, 2020 was correct. E. Rarick said the valuation is for the prior year, but he could clarify that. R. Spinelli stated that the Business office had been using this company for a while, she asked how many years the District had been using them. E. Rarick said he was not sure. R. Spinelli asked if this had been handled through the Business Office previously and was not sent to the Board. E. Rarick said that was correct.

D. Bradley asked if this was coming to the Board because of the Auditor General's report. J. Cleaver said it is a contract that is now being brought to the Board. D. Bradley believed they should probably have the contract corrected (or clarified) first, before voting on it. He asked E. Rarick if he could get the information by Wednesday to bring this to the Special Board Meeting, as well.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Larry Stern, President	0	0	0	X

VOTE: YES - 3 NO - 5 ABSENT - 0 ABSTENTIONS - 1

Motion Failed.

D. Bradley asked to move this item to Wednesday evening's Special Board Meeting, as well.

- L. MOTION by R. Spinelli, SECONDED by N. Foeller, to approve [the agreement with VBA](#) to extend the District's managed vision care contract for an additional twenty-four (24) month period from July 1, 2021 through June 30, 2023, at no rate increase, as per the enclosure. (Enc. 10)

D. Bradley commended the administration for bringing agreements in front of the Board prior to their approval.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

IX. Personnel

- A. MOTION by W. Wentz, SECONDED by D. Bradley, to approve the attached list of requested candidates for the [2020-2021 Substitute List](#), pending any necessary paperwork, as per the enclosure. (Enc. 11)

D. Bradley asked if SEL training was part of their resume. J. Cleaver said it was not. D. Bradley asked if it was going to be a mandatory part of the onboarding process. J. Cleaver said it is not a recommendation to make that a mandatory requirement. D. Bradley felt we should require Social Emotional Learning credits, or certificates, as part of the hiring process.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 7 NO - 2 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- B. MOTION by S. Holland, SECONDED by R. Spinelli, to approve the following requests for [Athletic Coaching/Manager Candidates](#), as per contracted rates, pending any necessary paperwork, as per the enclosure. (Enc. 12)

D. Bradley asked if these candidates would be receiving SEL Certifications. J. Cleaver said no.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 6 NO - 3 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- C. MOTION by S. Holland, SECONDED by N. Foeller, to approve the following requests for pre-approval of courses/Programs of Study for continuing education:
1. **Employee #1393** – April 3 - May 1, 2021/ ADHD: An Educator's Guide (\$270.00)
 2. **Employee #1393** – April 1 - May 15, 2021/Middle School Teacher's Role in Developing College and Career Ready Graduates (\$270.00)

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

D. MOTION by R. Spinelli, SECONDED by S. Holland, to accept the resignation of the following employees:

1. **Ryan Gallagher** - School Psychologist - effective April 30, 2021
2. **Jessica Schafer** - High School/Middle School Music Teacher - effective April 23, 2021

G. Maholick asked if we would be replacing the music teacher. J. Cleaver said yes, we would be posting for both of those positions. D. Bradley asked where they would be posted. J. Cleaver said they are posted through PSBA, other educational websites, educator accessed resources and advertised in the local newspaper, if needed. He said specific positions would be posted at colleges/universities that offer those specific courses of study, like Marywood for the School Psychologist. D. Bradley asked if SEL Certifications will be required for the Music Teacher. J. Cleaver said not at this time, but they are looking to develop a course in-house. He said it had been discussed at the Academic Affairs Committee Meeting which D. Bradley is a member of. The Board continued to discuss the SEL conversation from the Academic Affairs Committee Meeting.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- E. MOTION by R. Spinelli, SECONDED by N. Foeller, to approve the following as George's Transportation Company, Inc. additional school bus drivers for the 2020-2021 school year, pending any necessary paperwork:

1. **Armitta Faye Thomas**
2. **Rodney Charles Cameron**

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- X. **Miscellaneous**
None at the time.

XI. Programs

- A. MOTION by W. Wentz , SECONDED by R. Spinelli, to approve Use of School Property for the following requests:

1. **Lehighton Football (Thomas McCarroll)** - June 19, 2021 - 9:00 AM-1:00 PM - Multipurpose Stadium/Outside Fields - Passing Day.
2. **Lehighton Football (Thomas McCarroll)** - May 24-28, 2021 & June 1-4, 2021 - 3:15 PM-5:00 PM - Multipurpose Stadium - Spring Practice.
3. **Lehighton Area High School Band (Bryan Buffington)** - May 27, 2021 - 6:30 PM-9:00 PM - Multipurpose Stadium/Outside Fields - Spring Concert.
4. **Lehighton Area High School Chorus & Drama Club (Jessica Schafer)** -
 April 1, 2021 - 3:30 PM-4:30 PM - High School Auditorium - Rehearsals.
 April 6, 2021 - 3:30 PM-4:30 PM - High School Auditorium - Rehearsals.
 April 15, 2021 - 3:30 PM-4:30 PM - High School Auditorium - Rehearsals.
 April 20, 2021 - 3:30 PM-5:30 PM - High School Auditorium - Rehearsals.
 April 22, 2021 - 3:30 PM-5:30 PM - High School Auditorium - Rehearsals.
 April 23, 2021 - 7:00 PM-9:00 PM - High School Auditorium - Performance.
 (socially distanced for students and live streamed for parents - No audience).
5. **CLIU #21 Outpatient Services (Mark McGalla)** - March 8, 2021 through March 8, 2022 - 3:00 PM - 8:00 PM - Lehighton Area Middle School Classroom and Guidance office (only during school hours) - CLIU Counseling Services for Lehighton Students.

6. Lehigh Area High School Guidance (Kathy Martin) -

May 8, 2021 - 7:00 AM - 1:00 PM - HS Classrooms - SAT's.

June 5, 2021 - 7:00 AM - 1:00 PM - HS Classrooms - SAT's.

7. PSP Photography (Melissa Molyneux/Karen Shaffer) - March 30-31, 2021 - 7:30 AM - 2:30 PM (Snow date TBD in April, if needed) - Elementary Center Lobbies - Spring Pictures.

8. Pre-K Count (Susan Maloney) - April 15, 2021 - 4:00 PM - 6:00 PM - Elementary Center Classroom - Pre-K Open House/Sign Ups.

9. Lehigh Area Elementary Center (Aaron Sebelin) -

May 3-14, 2021 - 8:00 AM - 4:00 PM - Elementary Center Offices/Lobbies - Kindergarten Registration/Testing

May 11, 2021 - 4:00 PM - 8:00 PM - Elementary Center Offices/Lobbies - Kindergarten Registration/Testing

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- B. MOTION by R. Spinelli, SECONDED by N. Foeller, to move the following proposed Lehigh Area School District Policies and/or revisions for First Reading of Public Review and Comment:

1. [Policy 251 - Homeless Students](#)
2. [Policy 808 - Food Services](#)

R. Spinelli commented that the Policies had required changes. J. Beers asked for a summary.

J. Cleaver said the Auditors recommended some changes to the Food Service Policy to acknowledge the District's debt. He also mentioned that the Homeless Students Policy changes were requested by the District's homeless liaison, to make adjustments to update the practices according to law. He said the District just went through a homeless audit last week. J. Beers asked who the District's homeless liaison was. J. Cleaver said it comes through the Curriculum Office, with Mr. Tkach, and Mr. Zimmerman, from PDE, is our state contact.

D. Bradley commented about the Policy Committee Meeting, public comment and deliberating motions. He was not happy with the way the Policy Meeting was organized. L. Stern, D. Bradley, J. Cleaver and R. Spinelli continued to discuss the Policy Committee Meeting and the disruptive nature of the meetings.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- C. MOTION by R. Spinelli, SECONDED by N. Foeller, to approve the following Lehigh Area School District Policies for Second Reading and Final Approval:

1. [Policy 146.1 - Trauma Informed Approach](#)
2. [Policy 334 - Sick Leave](#)
3. [Policy 334.1 - Sick Leave Bank](#)
4. [Policy 335 - Family and Medical Leaves](#)

D. Bradley repeated that he believed the Policy Committee Meeting ended early and did not feel that the public had an opportunity to speak. He did not believe the policies were being reviewed properly and did not believe that L. Stern should be on any committees, since he is the Board President. R. Spinelli asked at what point would D. Bradley respect other people's opinions. D. Bradley continued about decision making processes.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

L. Stern explained that these policies have been at the Policy Committee Meetings, and on the District website for review and comment by the public, for at least two months and there had been no comments made by the public.

- D. MOTION by R. Spinelli, SECONDED by S. Holland, to approve graduation to be held on Friday, June 11, 2021 at 7:00 PM, with a rain date of Saturday, June 12, 2021 at 1:00 PM in the Lehigh Area School District Multipurpose Stadium.

Roll Call Vote:

	Yes	No	Absent	Abstention
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

- E. MOTION by S. Holland, SECONDED by R. Spinelli, to approve [the Lehigh Area High School 2021-2022 Program of Studies](#). (Enc. 13)

R. Spinelli stated that this was reviewed at the Academic Affairs Committee Meeting.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 8 NO - 1 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

XIII. Old Business for Discussion

A. Payment of Bills

L. Stern brought back the motion to pay the bills under Financial Matters item B.

MOTION by N. Foeller, SECONDED by R. Spinelli, to approve the Payment of Bills for February 2021: (Enc. 3)

<u>General Fund:</u>	
--Manual Checks	\$ 14,439.79
--Regular Checks	\$1,509,172.72
--Credit Card	\$ 1,254.50
<u>Debit Card:</u>	\$ 71.90
<u>Payroll (February):</u>	\$1,112,866.63
<u>Food Service Fund:</u>	<u>\$ 84,016.67</u>
Total	\$2,721,822.21

D. Bradley did not agree with L. Stern bringing back this motion. He wanted time to review the proper documentation. R. Beltz said they pulled two invoices that day and there were errors on both. He also felt they needed time to review those documents and did not agree with bringing back this motion. R. Spinelli asked R. Beltz what errors he found on the invoices. R. Beltz claimed he could not speak about it outside of an executive session. R. Spinelli said R. Beltz did not mention it in the executive session before the Board Meeting. R. Beltz stated that it did not come up in conversation. R. Spinelli was looking for clarification of those errors, but R. Beltz could not give an answer. N. Foeller also asked R. Beltz what errors were found on the invoices. N. Foeller said he could not see holding up the payment of bills for payroll that was already paid; however, if there were issues on invoice payments, he wanted to know what that was about. J. Cleaver said he believes the questions on the two invoices were athletic equipment quoted at the beginning of the year and the other one was for KidsPeace for a placement of a student. He explained that there would not be documentation of student information added with the invoice of the placement. D. Bradley said no information that was requested was private. R. Spinelli said she understands that those were the two in question, but what were the mistakes on the invoices. D. Bradley reiterated that they randomly selected two invoices. R. Spinelli asked again what was the problem with the bills. D. Bradley said they did not meet the requirements of a Board Member to approve the bills with fidelity. R. Spinelli asked what was missing. She stated that missing student information is not an error with the invoice. She asked what the error was. D. Bradley said the process was an error. R. Beltz repeated that they pulled two invoices and there were errors. He wanted time to review more invoices. R. Spinelli stated that R. Beltz would not say what the errors were that they found. She felt that this story was not believable.

B. Bowes felt this was an underhanded tactic since the motion did not pass. She said they should wait two days for the Special Board Meeting.

W. Wentz stated the other Board members had the option to vote at other times when they arrived late and he wished to vote on the bills as well.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	0	X	0	0
Mrs. Gail Maholick, Member	0	X	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	0	X	0	0
Mr. Richard R. Beltz, Member	0	X	0	0
Mr. David F. Bradley, Sr., Member	0	X	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 4 NO - 5 ABSENT - 0 ABSTENTIONS - 0

Motion Failed.

B. Policies

D. Bradley commented about the Policy making process. He said L. Stern stated that there was zero public input provided because no one showed up. L. Stern clarified that he stated that there was no public input for the policies at the meetings, nor has there been any public comment submitted since they have been posted for review. D. Bradley asked for confirmation that zero public comments had been received. L. Stern said the only comments that were made were discussed at the meeting between D. Bradley, R. Spinelli and himself. D. Bradley continued to say that the policies need to be followed and L. Stern should not be a committee member. L. Stern felt he was quoting something incorrectly. D. Bradley said they should seek the public's information but they must feel silenced to not give their input and that is a failure on the Board's part.

D. Bradley continued to ask for clarification of the District's cyberbullying policy and mitigating risks of cyberbullying regardless of the time or place it was sent on the internet. Atty. Filer asked D. Bradley where it states that it did not matter the time or place for cyberbullying. J. Cleaver stated that the individual involved with the incident was happy with the administration's efforts and with addressing the policy as they did and the administration at the High School was forthcoming and addressed it in a manner that was timely and conclusive. He believed that the policy directed the administration to do as it was supposed to, even though D. Bradley may not agree. R. Spinelli asked Atty. Filer if there were several lawsuits by students for school districts who were trying to access them outside of school business and school property. She felt if the policy stated anywhere and anytime, that the wording would be in contradiction. Atty. Filer explained the legal suit of Mahanoy Area School District in the Supreme Court, where the Board was trying to act like the "thought police" and tried to punish students for things said outside of the school district. He asked D. Bradley to look under the authority section where it says the District would prevent bullying on school grounds, at school sanctioned activities or during a time when a student would be traveling to or from school. He said we are not the "thought police" and do not have 24 hours surveillance of the children. He explained that the District would not want that responsibility. D. Bradley read the policy guidelines. He said he was concerned for the students since there was a hazing incident at the District. He felt the administration should get involved with all cyberbullying. Atty. Filer mentioned how that would be imposing speech limitations. D. Bradley continued to review the policy and did not believe the District was applying it properly. He wanted students to be educated to not make poor choices like cyberbullying. R. Spinelli stated that she feels bullied by D. Bradley whenever he goes on a rant. She asked him to stop the bullying.

XIV. New Business for Discussion

A. Grades 9-12 Return 5 Days Per Week

J. Cleaver stated that many Districts in the area are starting to return their students to in-person learning. He said there are 666 students at the High School with 431 hybrid students, 48 LAV/Canvas students and 138 full virtual students. He recommended that the Board consider returning the High School students to full-time in-person instruction on Tuesday, following the spring break. He explained that students that are virtual and hybrid, would return to full-time in-person instruction. He explained some of the current statuses, like attendance issues, parental request to return and the CDC amended guidelines of reducing social distancing to three feet instead of six. L. Stern asked about students wearing masks. J. Cleaver said the mask policy would still remain in place, as it is required by law. L. Stern asked about the attestation form of PDE requirements of the number of positive COVID cases at the buildings. J. Cleaver said that would remain as well.

D. Bradley said he believes that everyone was in support of the students returning to school full time. N. Foeller felt that it would be a great step forward with getting the High School students back. He mentioned that he had seen first hand the challenges that the High School students were having.

K. Sittler questioned if the District would have enough faculty for the return of students. J. Cleaver said yes. He stated that it would be an additional 100 students and the faculty are prepared for this return. K. Sittler asked if all the students return to the High School for the next school year, including those that switched to cyber school, if there was enough staff. J. Cleaver said yes, we have enough staff. He explained that there are some teachers that are only doing cyber learning right now and they would be brought back to in-person learning.

D. Zelrick asked about the school reopening plan that was submitted to the state saying if the school year began as hybrid, how can they return to in-person learning at the end of the year. J. Cleaver explained that even if the High School is in-person full-time, they would still have to adhere to the PDE plan of school closure during an increase of reports of positive COVID cases. During that temporary closure, students would be learning virtually. S. Howland explained that the High School originally went hybrid because of the CDC guidelines of 6 feet of social distancing. She stated that with the reduction of the social distancing, students would be able to return to school. She explained the logistics of seating in different areas and maximizing space with creative solutions. She said the nurses, administration and herself would update the health and safety plan, based on the outcome of this evening. J. Cleaver said it had been updated throughout the year based on changing CDC recommendations. D. Zelrick asked if the plan needed to be resubmitted to the state. J. Cleaver said no.

MOTION by R. Beltz, SECONDED by N. Foeller, to approve the Lehigh Area High School to resume five days per week with in-school instruction beginning on April 6, 2021.

S. Holland felt the students want to return and be with their peers and would do well with the return. S. Howland said the students have been excellent following all of the guidelines. It would just be important to get the students back into structure with a routine and hopes to provide the best educational platform possible by returning to in-person instruction.

B. Bowes commented that they should get the students back in school and learning the right way.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. Nathan Foeller, Vice President	X	0	0	0
Mr. Stephen Holland, Member	X	0	0	0
Mrs. Gail Maholick, Member	X	0	0	0
Mrs. Rita Spinelli, Treasurer	X	0	0	0
Mr. Wayne Wentz, Member	X	0	0	0
Ms. Joy Beers, Member	X	0	0	0
Mr. Richard R. Beltz, Member	X	0	0	0
Mr. David F. Bradley, Sr., Member	X	0	0	0
Mr. Larry Stern, President	X	0	0	0

VOTE: YES - 9 NO - 0 ABSENT - 0 ABSTENTIONS - 0

Motion Passed.

XV. Directors' Concerns

A. Cyberbullying

D. Bradley said the policy is in contradiction with Atty. Filer's recommendation. He read the policy. He believed the bullying happened because of a club that was initiated and was therefore a school sponsored activity. Atty. Filer disagreed because it was not a school sponsored event or activity. He did not know why D. Bradley would want to take responsibility for student's actions outside of the school.

B. Parking for Graduation

D. Bradley did not want the graduates to be responsible for the parking of cars during their graduation and wished to have an organization handle the parking.

C. Miscellaneous

D. Bradley asked for the Board Members that fail to meet the policy requirements to apologize to the public and resign. He also asked for the information that is required for the bus drivers that were hired this evening, be submitted to the Board.

XVI. Courtesy of the Floor / Public Comment

B. Bowes asked if the downsizing of staff at the administration office had an impact on the funds used for Middle School sports due to Act 93 employees taking a pay freeze for the 2020-2021 school year. J. Cleaver said the removal of positions was not affected by the pay freeze since they were removed for the 2020-2021 school year. B. Bowes asked if it did not affect Middle School sports. J. Cleaver said it did help with the line item for Middle School sports. He reminded the public that Business Managers and Superintendents were not part of Act 93.

B. Bowes asked about COVID relief funds and if the \$2.49 million was received. J. Cleaver explained that just because you see it in writing does not mean that a deposit had been made. He said he would have to check with E. Rarick. E. Rarick said the ESSER II funding application process closes December of this year, so the application has not been finalized yet and funds will not be sent until it is approved by PDE.

B. Bowes asked about the \$5+ million in the relief plan and when that process will be started. E. Rarick said that the application process has not opened yet. He stated that he has heard that the State of Pennsylvania will probably hold 10% to put toward basic education funding and 20% would go toward learning loss. B. Barb asked if they knew what restrictions will be placed on those funds. He said there has not been much discussion about what applicable expenditures could be applied. He mentioned that the deadline for use would be September 2023 but there is a stipulation that could extend it for another year. B. Bowes asked if E. Rarick could inform the community when information is received.

D. Krause asked about the achievement of the students during the pandemic. He wondered how they are doing and how they have adapted. He asked for an overview on how it has been managed. J. Cleaver said an update would be brought to the next Academic Affairs Committee Meeting.

B. Geiger thanked everyone on the Board for all of their hard work through the pandemic and making sure all of the students were safe and that the transition to cyber learning was taken care of. He felt everyone should be commended for all of the hard work put in. He commented that he found it incomprehensible that the Board was subject to a lecture by someone who is claiming that bullying and cyberbullying was wrong but yet posts items on youtube and social media, month after month, and are nothing but bullying tactics.

K. Sittler asked about buses being provided for the District for the 2021-2022 school year. J. Cleaver said that would be part of the discussions during the budget meetings which would move to the preliminary budget and then the final budget. K. Sittler asked if they would need additional buses if more students will be returning to brick and mortar school. J. Cleaver said all students are currently full time in K-8. He said the capacity is limited and upon speaking with Mr. George, he was not concerned with the limited increase. K. Sittler asked about the 2021-2022 school year. J. Cleaver said they did not get to that discussion yet. She wanted to know when the public would be informed. J. Cleaver said that would all be part of the budget planning as well. He explained that there has not been a discussion about transportation for next year, yet. K. Sittler felt the District lost a lot of students because of the bussing issue and would hate to see that happen to the District again.

XVII. Adjournment

Next Board Meeting is on Monday, April 26, 2021, at 7:00 p.m.

A. MOTION by L. Stern, SECONDED by W. Wentz, to adjourn the meeting at 9:35 PM.