

SCHOOL DISTRICT OF LANCASTER SCHOOL BOARD
Lancaster, Pennsylvania

Regular Meeting
January 20, 2009

The School District of Lancaster School Board held a regular meeting on Tuesday, January 20, 2009 at 7:00 p.m. at J.P. McCaskey High School, Lancaster, Pennsylvania. Attendance of the Board was as follows:

Mr. Patrick Snyder, President
Mrs. Marta Howell
Mrs. Stacey Marten
Mrs. Jacqueline McCain
Dr. Nenita Faller-Miller
Mrs. Linda Troublefield Owens
Ms. Janelle M. Simms

Mr. Michael Rowen, Vice President – Absent
Mrs. Barbara Boben – Absent

Officers: Mr. Pedro Rivera, Superintendent
Mr. Matt Przywara, Treasurer
Mrs. Rita Balogh, Secretary

Legal Counsel: Mr. Robert Frankhouser, Solicitor

Student Board Representative: Mr. Eric Freeman

1/20/2009: CALL TO ORDER: The meeting was called to order at 7:03 p.m. by President Snyder, who welcomed everyone in attendance. Roll call was answered by: *Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Absent: Directors Boben and Rowen – 2.* President Snyder reported the absences of Directors Boben and Rowen were due to the inauguration activities in Washington, D.C. The Pledge of Allegiance was recited in unison. A moment of silence was observed in memory of retirees Paul Tshudy, Sr., Carol Phelan, Rita Brown, Beatrice Iredale, and Shirley McKinney.

1/20/2009: ADDENDUMS AND CORRECTIONS: None

1/20/2009: APPROVAL OF AGENDA: The agenda was approved by unanimous roll call vote on a motion by Director Howell which was seconded by Director McCain.

1/20/2009: SUPERINTENDENT’S REPORT:
January is School Director Recognition Month. Board members have received a certificate and a token of appreciation for the countless hours they contribute to supporting this District.

Six of our McCaskey seniors who participate in the Dual Enrollment program earned

CALL TO ORDER

**ADDENDUMS AND
CORRECTIONS**

**APPROVAL OF
AGENDA**

**SUPERINTENDENT’S
REPORT**

Dean's List for the fall semester! To make Dean's List, students must meet or exceed a 3.25 GPA. Congratulations to Josh Priest, Patrick Ressler, Matt Althouse, Wes Flear, and CaRee Cherry who attend Stevens Tech and also to Josiah Vivian who attends Harrisburg University. All six students will graduate from McCaskey with a minimum of 26 college credits.

Lexis Ortiz, a senior on our wrestling team, recently beat the McCaskey record for the most career wins. His current standing is 106 and he is on pace to reach 125 wins, which is far more than any previous McCaskey wrestler. Lexis competes at the 112 pound weight group.

On Thursday, January 15, our eight School Resource Officers received commendations from the Chief of Police at a ceremony that took place at the Lancaster police station. The officers spend a significant amount of time with students during and after school, teaching classes, and coaching our sports' teams. As a result of the program, there has been a decrease in the juvenile arrest rate and expulsions within our schools. The SRO program started as a result of the Safe Schools Healthy Students Grant.

Schools will be closed for students on Monday, January 26 for a scheduled teacher work day.

Capital Improvement Plan Update:

Washington Elementary PlanCon D and E have been approved by the Pennsylvania Department of Education.

Washington bids were received and opened on January 7th. The bids came in approximately 3 million dollars below estimated construction cost.

The Lafayette project will be released for bids the beginning of February. Wharton and Ross will follow shortly thereafter.

1/20/2009: STUDENT BOARD REPRESENTATIVE'S REPORT:

Middle School Report

Hand:

No report.

Lincoln:

On Tuesday, January 13th Lincoln Middle School hosted its First Marking Period Honor Roll dinner. 99 students were honored for achieving all A's and B's. Mr. Rivera spoke and offered words of encouragement to the group.

Reynolds:

Reynolds had a modified schedule today in order to show the entire school the Presidential Inauguration on 1/20/09. Grade level Lessons will follow the ceremony.

Reynolds Spelling Bee was held on 1/15/09. Representing Reynolds on 1/22/09 at the District Spelling Bee will be Jack Rathmell and Maddy Thomas.

Author in Residence Brod Baggert will have workshops at Reynolds on 1/27/09 and

**SUPERINTENDENT'S
REPORT (cont.)**

**STUDENT BOARD
REPRESENTATIVE'S
REPORT**

1/28/09.

Wheatland:

Wheatland held its Winter Concert and Art Show on January 7. A variety of instrumental and vocal ensembles gave an excellent performance that was enjoyed by an audience of almost 300.

Staying with the performing arts theme, 60 students auditioned for the student production of the musical, Once on This Island, Jr., which will be held on March 13 and 14.

High School Report:

Today students were able to take part in the Inauguration by watching the events in classes and participating in discussions. What a momentous occasion! A second great celebration was in honor of Martin Luther King. The events commemorating his life were important and taken seriously everywhere. Students that I talked to said they spent the time remembering his life and went to events at different places.

The optional snow delay last Friday created some problems. Some students did not receive the notification. The teachers and students agreed that in the event of similar circumstances in the future this should be made permanent.

The mid-term schedule is not like it was previously and has frustrated the masses. Some students now have three mid-terms each day, which causes too much stress. You should remove half days. This would eliminate teacher development, but you should concentrate on student development.

1/20/2009: PUBLIC COMMENTS:

Anna Smith, 30 Springhouse Rd., noted the Student Representative's report did not include the Gospel Choir's performance at Lancaster General Hospital yesterday. They were awesome!

1/20/2009: CONSENT AGENDA: Director Miller made a motion to approve the Consent Agenda as follows:

- (1) Approval of Minutes: December 16, 2008 Regular Meeting
- (2) Personnel Recommendations
- (3) Approval of Judiciary Report
- (4) Approval of School District of Lancaster Diploma Candidates for Winter, 2009
- (5) Approval of Board Policy Revisions:
 - 113.1 Discipline of Students with Disabilities
 - 140 Charter Schools
 - 216.1 Supplemental Discipline Records
 - 218.1 Weapons
 - 233 Suspension and Expulsion
 - 235 Student Rights/Surveys
 - 252 Bullying and Cyber Bullying
- (6) Deletion of Obsolete Board Policies:
 - 139 Charter Schools
 - 705.1 Weapons

**STUDENT BOARD
REPRESENTATIVE'S
REPORT (cont.)**

PUBLIC COMMENTS

CONSENT AGENDA

- Minutes
- Personnel Recommendations
- Judiciary Report
- SDoL Diploma Candidates
- Board Policy Revisions
- Obsolete Board Policies

Director Simms seconded the motion, which was approved by the following vote:
Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.

CONSENT AGENDA
(cont.)

1/20/2009: EDUCATION COMMITTEE REPORT AND RECOMMENDATIONS: Director Miller reviewed the Education Committee meeting of January 15, 2009 and made a motion to approve the minutes. The motion was seconded by Director Howell and approved as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

EDUCATION COMMITTEE REPORT AND RECOMMENDATIONS
Minutes

Director Miller made a motion to approve the following Education Contracts/Agreements #1 through #5 listed below:

Contracts/Agreements

1. Harrisburg Area Community College – not to exceed \$12,757.00
2. Millersville University – not to exceed \$3,379.00
3. Brod Bagert – not to exceed \$13,209.42
4. Philhaven – not to exceed \$100,590.00
5. Lead to Learn, LLC – not to exceed \$252,150.00

The motion was seconded by Director Marten and approved as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

1/20/2009: FINANCE COMMITTEE REPORT AND RECOMMENDATIONS: President Snyder's motion to approve the minutes from the January 14, 2009 Finance Committee meeting was seconded by Director Howell and approved as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

FINANCE COMMITTEE REPORT AND RECOMMENDATIONS
Minutes

President Snyder made a motion to approve agenda items B, C, D, F, G, and H from the Finance Committee Report and Recommendations as detailed below:

Contracts/Agreements

- B. Contracts/Agreements: (Roll Call)
1. Triad Strategies – not to exceed \$48,000.00
 2. Lancaster Host Resort & Conference Center – not to exceed \$24,200.00
 3. Lancaster Host Resort & Conference Center – not to exceed \$26,620.00
 4. Lancaster Host Resort & Conference Center – not to exceed \$29,282.00
 5. Koser Consulting – not to exceed \$6,000.00
 6. Aurora Films LLC – not to exceed \$16,918.00
 7. American Inspection Agency, Inc. – master agreement
 8. G. R. Sponaugle Company – master agreement

C. Change Orders:

Change Orders

1. Tri-M Group for Phoenix Academy and King Elementary School for \$6,622.00
2. First Capital Insulation, Inc. for Wharton Elementary School Asbestos Abatement for \$3,756.00
3. First Capital Insulation, Inc. for Wharton Elementary School Asbestos Abatement for (\$3,838.00)
4. First Capital Insulation, Inc. for Wharton Elementary School Asbestos Abatement for \$289.00
5. First Capital Insulation, Inc. for Wharton Elementary School Asbestos Abatement for (\$877.00)

D. Approval of Bids for Washington Elementary School Capital Improvements (Contingent on Submittal of All Necessary Bonds and Insurance):

General Contractor	Poole Anderson Construction, LLC	\$7,180,800
Plumbing	Jay R. Reynolds	\$977,000
HVAC	Worth & Co.	\$2,805,000
Electrical	Shannon A. Smith, Inc.	\$1,345,000
Electrical Specialty	Gettle, Inc.	\$654,431
Asbestos	First Capital Insulation	\$163,200
Automation/Integration System	Tri-M Group	\$625,450

F. Approval to Submit PlanCon F for Lafayette Elementary School to Pennsylvania Department of Education (PDE)

G. Approval to Submit PlanCon D and E for Wharton Elementary School to PDE

H. Approval of Monthly Financial Reports

President Snyder's motion was seconded by Director Owens and approved by the following vote: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

Matt Przywara, Chief Financial Officer, presented information on the budget, detailing historical Act 1 indexes, the budget timeline, contributing factors affecting the preliminary 2009-10 budget, and cost cutting strategies for next year. Mr. Przywara offered two options at this time to proceed in the planning for next year's budget:

- 1) Following the Act 1 timeline and regulations, create a preliminary budget at the 5.8% adjusted District index set by the Pennsylvania Department of Education. This would require a preliminary budget available for public inspection by January 29, 2009 and would allow the District to apply for exemptions, possibly allowing an increase beyond the 5.8% index.
- 2) Pass a resolution to limit any increase in next year's budget to the 5.8% adjusted factor set by under Act 1. This option would allow the District to proceed in creating a preliminary budget under the traditional timeline.

The recommendation was for the Board to approve Option 2. The District will continue to analyze forecasted expenditures and revenues and look for additional cost cutting measures. Monthly updates will be provided to the Board.

In clarifying the options, President Snyder reiterated this does not mean the District will have a 5.8% increase next year; that is the maximum increase.

Director Miller also noted the potential savings from lower than anticipated bids for the Capital Projects cannot be used to offset taxes. This money must stay within the Capital Reserves.

Director Howell requested that future budget presentations include a slide showing a historical comparison of past large increases versus where the District would stand if smaller, steady annual increases had been instituted.

President Snyder made a motion to approve the following resolution, which coincides

**FINANCE COMMITTEE
 REPORT (cont.)**

Approval of Bids

Approval to submit
 PLANCON documents

Monthly Financial
 Reports

2009-2010 Preliminary
 Budget

with Option 2 from Mr. Przywara's presentation:

RESOLUTION

WHEREAS, on June 27, 2006, the Pennsylvania legislature passed Act 1 of Special Session 2006, entitled the "Taxpayer Relief Act" (hereinafter "Act 1");

WHEREAS, Act 1 requires school districts to limit tax increases to the level set by an inflation index unless the tax increase is approved by voters in a referendum or the school district obtains from the Department of Education or a court of common pleas certain referendum exceptions;

WHEREAS, Act 1 does, however, allow a board of school directors to elect to adopt a resolution indicating that it will not raise the rate of any tax for the support of the public schools for the following fiscal year by more than its index, provided this resolution must be adopted no later than 110 days prior to the date of the election immediately preceding the upcoming fiscal year;

WHEREAS, the School District of Lancaster index for the 2009-2010 fiscal year is 5.8%;

WHEREAS, the School District of Lancaster Board of Directors has made the decision that it shall not raise the rate of any tax for the support of the School District of Lancaster for the 2009-2010 fiscal year by more than its index.

AND NOW, on this 20th day of January, 2009, it is hereby RESOLVED by the School District of Lancaster (hereinafter "District") Board of Directors (hereinafter "Board") the following:

1. The Board certifies that it will not increase any school district tax for the 2009-2010 school year at a rate that exceeds the index as calculated by the Pennsylvania Department of Education.
2. The Board certifies that it will comply with the procedures set forth in Section 687, of the Pennsylvania Public School Code (hereinafter "School Code"), 24 P.S. §6-687, for the adoption of its proposed and final budget.
3. The Board certifies that increasing any tax at a rate less than or equal to the index will be sufficient to balance its final budget of the 2009-2010 fiscal year.
4. The Administration of the District will submit the District's information on a proposed increase in the rate of a tax levied for the support of the District to the Pennsylvania Department of Education on the uniform form prepared by the Pennsylvania Department of Education no later than five days after the Board's adoption of this Resolution.
5. The Administration of the District will send a copy of this Resolution to the Pennsylvania Department of Education no later than five days after the Board's adoption of this Resolution.
6. The Board understands and agrees that by passing this Resolution it is not eligible to seek referendum exceptions under Section 333(f) of Act 1 and is not eligible to request approval from the voters through a referendum to increase a tax rate by more than the index as established for the 2009-2010 fiscal year.
7. Once this Resolution is passed, the Administration of the District is not required to comply with the preliminary budget requirements set forth in paragraphs (a) and (c) of Section 311 of Act 1. Provided, however:
 - (a) The Board understands and agrees that, upon receipt of the information submitted by the District as set forth in paragraphs 4

**FINANCE COMMITTEE
REPORT (cont.)**

2009-2010 Preliminary
Budget (cont.)

and 5 above, the Pennsylvania Department of Education shall compare the District's proposed percentage increase in the rate of the tax with the index.

- (b) Within ten days of the receipt of this information, the Pennsylvania Department of Education shall inform the District whether its proposed tax rate increase is less than or equal to the index.
- (c) If the Pennsylvania Department of Education determines that the District's proposed increase in the rate of the District's tax exceeds the index, the District is subject to the preliminary budget requirements as set forth in paragraph (a) and (c) of Section 311 of Act 1.

Following a second by Director Simms, the resolution concerning the 2009-2010 Preliminary Budget not to exceed the Act 1 Tax Rate of 5.8% was approved by the following vote: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

1/20/2009: EXTRA-CURRICULAR COMMITTEE REPORT AND RECOMMEN-DATIONS: Director Owens noted corrections to the minutes of the January 12 Extra-Curricular Committee meeting for additional attendees of Director McCain, Director Marten and Jennifer Miller. Her motion to approve the corrected minutes was seconded by Director Miller and approved unanimously in a roll call vote.

Director Owens recognized Roxanne McRoberts and Anna Smith for their efforts in providing concession stand services during the Martin Luther King Volleyball Tournament held at the high school.

1/20/2009: FACILITIES COMMITTEE REPORT AND RECOMMEN-DATIONS: In the absence of Committee Chairman Director Rowen, President Snyder noted bids for the Washington Elementary Capital Project came in \$3 million under budget. We are hoping for the same good news when the Lafayette Elementary Project goes to bid in February and Ross and Wharton Elementary Schools go out for bid in March.

President Snyder made a motion, which was seconded by Director McCain, to approve the January 7 Committee meeting minutes. The motion was approved in a unanimous roll call vote.

Director McCain expressed concerns about the mention of the Boys and Girls Club in the meeting minutes. We have already expended a considerable amount of money for the Phoenix Academy, and she does not feel the District should move forward with the purchase of additional space without further information and discussions.

Superintendent Rivera assured the Board that for the sake of transparency, the District is only exploring the possibility of opening dialog with the Boys and Girls Club. We are nowhere near time for serious discussions.

In response to Director Miller's question if there have been any conversations about relocation of students at Wharton and Ross, Superintendent River stated there have

**FINANCE COMMITTEE
REPORT (cont.)**

2009-2010 Preliminary
Budget (cont.)

**EXTRA-CURRICULAR
COMMITTEE
REPORT AND
RECOMMENDATIONS**

Minutes

**FACILITIES
COMMITTEE
REPORT AND
RECOMMENDATIONS**

Minutes

been no discussions yet, but this committee will address those concerns.

1/20/2009: DISCUSSION: Presented for first readings were the following draft Board Policy revisions and deletions of obsolete Policies:

- A. Draft Board Policy Revisions – First Readings:
 - 005 Organization
 - 006 Meetings
 - 247 Hazing
 - 815 Acceptable Use of Computer Resources
- B. Deletion of Obsolete Board Policies – First Readings:
 - 140 Code of Ethics
 - 141 Public Records
 - 141 Harassment

DISCUSSION

Draft Board Policy Revisions

Deletion of Obsolete Board Policies

Superintendent Rivera answered questions from the Board and assured them that all deleted policies covered topics which are addressed in other policies.

1/20/2009: DISCUSSION/ACTION: President Snyder made a motion to remove the following payments from the invoice listings for separate votes: 00309814 for Franklin & Marshall College; 00309900, 00309901, and 0000WJAN for IU 13; 0WST1220 and 0WST1222 for Substitute Teacher Service; and 00310028 for T.W. Ponessa & Associates. Following Director Howell’s second of the motion, it was approved as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

DISCUSSION/ACTION

Payments (Invoice Listings)

On a motion by Director Miller, seconded by Director McCain payment of all other invoice listings was approved as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, Simms, and Snyder – 7; Nay – 0.*

A motion to approve Check #00309814 for Franklin & Marshall College was made by President Snyder and seconded by Director Howell. Approval was as follows: *Aye: Directors Howell, Marten, McCain, Miller, Simms, and Snyder – 6; Nay – 0; Recuse: Director Owens – 1.*

President Snyder’s motion to approve payments of #00309900, 00309901, and 0000WJAN for IU 13 and 0WST1220 and 0ST1222 for Substitute Teacher Service was seconded by Director Howell. The motion carried as follows: *Aye: Directors Howell, Marten, McCain, Miller, Owens, and Snyder – 6; Nay – 0; Recuse: Director Simms – 1.*

Following a second by Director Marten, President Snyder’s motion to approve Check #00310028 for T.W. Ponessa & Associates was approved as follows: *Aye: Directors Marten, McCain, Miller, Owens, Simms, and Snyder – 6; Nay – 0; Recuse: Director Howell – 1.*

1/20/2009: REPRESENTATIVE REPORTS:

Director Howell distributed IU 13’s “Chart of Service, Support...Solutions,” which compares each school district’s use of IU service offerings and the December newsletter. She was unable to attend the meeting last Wednesday.

REPRESENTATIVE REPORTS

IU 13

There was no report for LCCTC due to Director Rowen's absence.
Because of Director Boben's absence, there was no report for Lancaster Recreation Commission.

LCCTC
Lancaster Recreation
Commission

1/20/2009: OLD BUSINESS: None

OLD BUSINESS

1/20/2009: NEW BUSINESS: None

NEW BUSINESS

1/20/2009: INFORMATION:

INFORMATION

1/20/2009: ADJOURNMENT: Prior to adjournment, Anna Smith questioned if an Athletic Director has been hired and the starting date. Superintendent Rivera noted the hiring in the Personnel Recommendation of Jon Mitchell with a starting date the first week of February. Mr. Mitchell is currently the Dean of Lafayette Elementary School and the Head Wrestling Coach.

ADJOURNMENT

Director Howell commented on the Board's recognition gift of the tape measure and complimented the District on the frugality of the hand-made gift boxes.

Director Marten's motion to adjourn was seconded by Director Miller and approved by a unanimous voice vote. President Snyder adjourned the meeting at 7:57 p.m.

Attest:

Rita Balogh
Board Secretary