

**SCHOOL DISTRICT OF LANCASTER SCHOOL BOARD
Lancaster, Pennsylvania**

**Regular Meeting
July 20, 2010**

The School District of Lancaster School Board held a regular meeting on Tuesday, July 20, 2010 at 7:00 p.m. at J.P. McCaskey High School, 445 North Reservoir Street, Lancaster, Pennsylvania. Attendance of the Board was as follows:

Mrs. Linda Troublefield Owens, President
Mr. Richard Caplan, Vice President
Mrs. Barbara Boben
Mr. Charlie Crystle, Jr.
Mr. Todd Heath
Mrs. Stacey Marten
Mr. Harvey Miller
Mr. Michael Rowen
Ms. Janelle M. Simms

Officers: Mr. Pedro Rivera, Superintendent
Mr. Matt Przywara, Treasurer
Mrs. Colleen Marshall, Secretary

Legal Counsel: Mr. Robert Frankhouser, Solicitor

7/20/2010: CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Owens. Roll call was answered by: *Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen, and Simms – 9; Absent: 0.*

President Owens announced the Board of School Directors met in Executive Sessions on June 30, 2010 and July 20, 2010 for the purpose of discussing matters involving employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion, or disciplining of specific or prospective officers or employees.

A moment of silence was observed in memory of retirees Patricia A. Leber and Laura Elizabeth “Betty” Wintersteen and Thomas F. Walsh, who was a current teacher at Reynolds Middle School.

7/20/2010: ADDENDUMS AND CORRECTIONS: None

7/20/2010: APPROVAL OF AGENDA: The agenda was approved by unanimous roll call vote on a motion by Director Rowen, which was seconded by Director Boben.

7/20/2010: SUPERINTENDENT’S REPORT:

A total of 367 students participated in the first session of summer school which ended on July 15th. Students from various districts took advantage of the credit recovery and advanced credit programs. The second session started yesterday, July 19th.

CALL TO ORDER

**ADDENDUMS AND
CORRECTIONS**

**APPROVAL OF
AGENDA**

**SUPERINTENDENT’S
REPORT**

Prior to the August 17th Board Meeting, we will recognize summer graduates at J.P. McCaskey High School. The ceremony will begin at 6:00 p.m. in the Auditorium. Please join us in celebrating their success by attending this event.

Both the Superintendent's Office and the Office of Community Relations moved from Scheffey to Carter & MacRae, 3rd floor, the beginning of July. Phone numbers have not changed.

Capital Improvement Plan Update:

Because of ongoing construction, the offices of Wharton, Ross and Lafayette have been relocated for the summer. They can be reached using their current telephone numbers.

- Wharton's office staff is in the Athletic Department at J. P. McCaskey.
- Lafayette's office staff is at McCaskey East.
- Ross' office staff is at Lincoln Middle School.

Green roofs have been installed at Ross, Wharton, and Lafayette.

The addition at Washington was partially occupied on July 12th, and will be ready to welcome students the start of school.

For the remainder of his report, the Superintendent deferred to Director Heath. Director Heath stated that as part of the budgeting process, the Board asked Mr. Rivera to present cost saving options to the Board for producing a balanced budget for the School District. Part of the presentation that was made at the last Work Session involved the outsourcing of AFSCME Custodial Staff. Director Heath wanted to make clear that this is something that is not being considered this evening or in this year's budget.

7/20/2010: PUBLIC COMMENTS:

Luz D. Tiru, President of Local #1758 spoke regarding the outsourcing of the custodial staff and that the Union feels betrayed by the District. She stated that according to the Contract, Article 1, Page 1, the proposal and all information should have been presented to the Union first before it was made public. Ms. Tiru thanked the principals and the teachers who have called to support them and for allowing them to feel like they are a family.

Steven Mullen, Staff Representative for AFSCME, stated one of his concerns is the lack of communication. He feels things would have been a lot better had the Union been informed so they could talk to their members about what was happening. He invited the Board members, including the Superintendent to sit down with them and talk about ways to save money and prevent a worst case scenario.

Director Crystle stated he supports the idea of asking all employees in the District to provide their input for cost saving measures. There is a website – www.lancasterschoolboard.com where individuals can enter ideas for cost savings.

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

PUBLIC COMMENTS

Director Rowen stated he appreciates what Mr. Mullen said and it is not just our District, it is all of the schools because of the current economy. We need to work on this together so we all have the same outcome - great schools for the kids to attend and good jobs.

Anna Smith, Springhouse Road, stated the Concession Policy was not in the board packet so how is the Board going to vote on it? She received a letter on Monday saying the policy is in place and it was cc'd to Mr. Miles dated July 15th. She understood from her last board packet that he retired June 30th so she would like to know if he is still employed, what we are paying him and why we are still paying him? She stated shame on everyone because the room only gets full when there is a concern about themselves. She feels the Board didn't try hard at all to cut items on the budget. She has staggering numbers that show 224 9th graders failed, 195 10th graders failed and 151 11th graders failed. That should be our focus – where do we go with all of these failures?

Director Boben responded that the Concessions Policy is in the Board Packet, and it is a Discussion/Action Item on the Agenda.

President Owens asked where the statistics came from that she mentioned and Mrs. Smith indicated she gets the information from anonymous phone calls and receives things in the mail. Mr. Rivera asked that she verify her data with School District data. President Owens asked that she provide the data to Mr. Rivera so he can review it.

Tracy Dettrey, Walnut Street, had questions pertaining to emergency certification for our teachers and coaches. When the Dept. of Education denies the certification, what is the District's policy concerning that individual? Are they released from the contract, are they told that we were going to hire them but since they can't get the certification, we cannot hire them, what is our policy? Mr. Rivera indicated that depending on the reason for the denial of the emergency certification, we would give the employee an opportunity to rectify the situation or in other cases, it could be a situation by which they could never rectify the issue at hand. Mrs. Dettrey asked that if an individual commits a crime in another state and the record is expunged but the individual does not realize that this information is entered into a clearinghouse and the individual moves to Pennsylvania are they still eligible for employment? Mr. Rivera indicated he would have to follow up on this item.

Kirk Longenecker, Lititz, requested clarification from the Board on how they can justify Phoenix being taken over by another organization based on their results and the limited resources they have? Mr. Longenecker stated the focus is on our children and the results have been pretty spectacular. He asked that the Board think twice about making a change strictly from a financial standpoint.

Mr. Rivera indicated many of these decisions are strictly cost saving decisions but a final decision has not been made regarding Phoenix.

PUBLIC COMMENTS
(cont.)

PUBLIC COMMENTS
(cont.)

Beverly Richardson, Waterford Court, stated she is pleased about the football booster concessions pavilion this year. They will be getting 100% and that someone made the right decision but if the Concessions Policy is not being approved tonight then what did Mr. Mitchell use? Also, Mr. Mitchell was handling concessions and the Cheer Booster Club is a part of that. There is a conflict with him and with two of the members of the Cheer Booster Club – do you think he was the best person to make the decision? She feels Mr. Rivera and Mr. Mitchell complicated the program by not having the last tryout on August 20th. President Owens stated that she has brought this to the Board's attention several times and indicated there is a procedure to go through – she must go to the Athletic Director, then to the Principal, then to Mr. Stem and then to Mr. Rivera. It must go through the proper process and then if she is not satisfied, we will work to get something resolved for all children.

Director Crystle stated he accepts phone calls from anybody except those that indicate a threat and the previous call from Mrs. Richardson indicated some intent and he doesn't think it is prudent for the Board or District employees to engage when it is possible that anything that is said will be brought up in court.

Maria Coronado, North Reservoir Street. She is concerned about the custodians because they work hard especially over the summer when they are responsible for getting the buildings ready for the new school year. They pay taxes too. The custodians need to have clearances because they work with the kids. Supposedly we are a family and we have to talk about decisions together.

President Owens stated they recently toured Hand Middle School and was very impressed about how great the school looked and how hard the custodians were working.

Mr. Rivera clarified when AFSCME and the Phoenix Academy were presented to the Board, they were presented as line items for discussion. Sunshine Law requires that any budgetary issues have to be discussed in the open. There were many line items on the powerpoint and many of which will probably never come to fruition. We never got to the point of where it was triggered to be a next step. We had to come up with a list of millions of dollars of savings and we cannot do this behind closed doors because it is a violation of the Sunshine Act. One of the reasons we did not engage with AFSCME was because we had not been given the ok by the Board so there was never anything to speak of at that time.

Ms. Tiru indicated she understood that but there were numbers attached to Mr. Przywara's presentation so there had to be some thought to it and feels they failed to follow the contract.

Mr. Rivera indicated everything on the slide had numbers attached to it, there were art programs, librarians, counseling services, music programs, etc. so it was not just AFSCME. Every position that was not mandated by PDE was on that form associated with a dollar amount and was presented to the Board.

Mr. Mullen stated that if there were numbers on there, the thought of doing this was there for a lot longer than the Board is letting on. Their point is to start talking to them now, not a month before the Board is ready to execute a plan. The employees

are taxpayers too who pay taxes to support the District and do a great job in cleaning the District, in serving the food and helping to educate the children and that is supposed to be the number one concern.

Director Heath stated the Board agrees but because there were numbers on the slide does not mean there was a certain level of planning and thought that went into it prior. The Board would have a meeting and the next day expect to have numbers from Mr. Rivera and his team. They would work all day to put the numbers together and a well run School District will have that financial information at hand and will not have to go through a tremendous amount of digging. These were things that were asked by the Board that were acted on very quickly. This was not a proposal that was out there, it was a point of discussion. The Board was uncomfortable with it and no action is being taken and it is not on the agenda for this evening.

Wilhelmina Wilhelm, East Walnut Street stated her concerns regarding cutting the custodial staff.

Megan Kirkpatrick, Riverside Avenue, school counselor at Phoenix Academy asked for specifics on the Phoenix Academy and AFSCME staff. She knows that they run our schools and have relationships with our students. The possibility of Camelot taking over for next year has many parents concerned about what that would mean and she would like direction to provide to the parents.

Mr. Rivera indicated there will be no changes to Phoenix Academy at this time.

7/20/2010: CONSENT AGENDA: Director Marten made a motion, which was seconded by Director Rowen, to approve the Consent Agenda as follows:

- (1) Approval of Minutes:
 - June 15, 2010 Regular Meeting
 - June 30, 2010 Special Meeting for Adoption of 2010-2011 Final Budget
- (2) Personnel Recommendations
- (3) New and Revised Board Policies (Second Readings):
 - 117 Homebound Instruction
 - 216.2 Requests/Release of Student Data
 - 252 Bullying and Cyber Bullying
 - 435 Leaves Under Family Medical Act
 - 915 Booster Organizations
- (4) Educational Excellence Contracts/Agreements:
 1. The Lancaster Partnership (Millersville University) – Not to Exceed \$18,520.00
 2. Rose M. Thomas - Not to Exceed \$2,750.00
 3. Urban League - Not to Exceed \$8,334.00
 4. Black Rock Retreat - Not to Exceed \$6,882.50
 5. Pennsylvania State University – Master Agreement
- (5) Finance and Operations Management Contracts/Agreements:
 1. E4 Exchange, Inc. – Not to Exceed \$6,500.00
 2. MM Architects, Inc. – Not to Exceed \$3,740.00

PUBLIC COMMENTS
(cont.)

CONSENT AGENDA

Minutes

Personnel Recommendations
New and Revised Board Policies

Educational Excellence
Contracts/Agreements

Finance & Operations Mgt.
Contracts/Agreements

The motion to approve the items on the Consent Agenda passed by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen, and Simms – 9; Nay – 0.*

Finance & Operations Mgt.
Contracts/Agreements
(cont.)

7/20/2010: EDUCATIONAL EXCELLENCE COMMITTEE: Director Caplan reviewed the minutes for the July 1, 2010 Educational Excellence Committee meeting. They were presented with a *StreetLaw* textbook for Public Leadership Small Learning Community. They had a presentation of the IB Program and how it affects the students involved in the program and there also was a presentation on class size reduction and the impact of 25 kids to a class. The creation of a Cyber School has been put on hold due to the economics and the costs of implementing the program.

**EDUCATIONAL
EXCELLENCE
COMMITTEE REPORT**

Following a motion by Director Marten, which was seconded by Director Rowen, the minutes of the July 1, 2010 meeting and the *StreetLaw* text for Public Leadership were approved in a unanimous roll call vote.

Minutes

7/20/2010: FINANCE AND OPERATIONS MANAGEMENT COMMITTEE REPORT: Director Rowen reviewed the July 7, 2010 Finance and Operations Management Committee meeting.

**FINANCE AND
OPERATIONS
MANAGEMENT
COMMITTEE REPORT**

Director Heath's motion to approve the following agenda items from the Finance and Operations Management Committee Report was seconded by Director Rowen:

- A. Approval of Minutes: July 7, 2010 Meeting
- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
 - 1. The Camelot Schools of PA, Inc. – Not to Exceed - \$1,441,020.00
- D. Approval of Monthly Financial Reports
- E. Capital Projects Update – The one issue that has come up is the question of the concrete at Washington Elementary School Cafeteria which is a cosmetic issue.
- F. Residential Lease with Coldwell Banker for Chinese Guest Teachers
- G. Resolution Approving and Authorizing the School District's Participation in the State Public School Building Authority Qualified School Construction Bond Financing Program for the interest free financing for Phase II.

Minutes

Contracts/Agreements

Monthly Financial Reports

Capital Projects Update

Residential Lease with
Coldwell Banker

Resolution Regarding QSCB
Financing Program

Mr. Rivera indicated a detailed evaluation would be scheduled for Camelot. Ms. Simms asked if we can find out how many students went there under Act 26 and the results of that, the academic success and any expulsions from Camelot. Mr. Rivera indicated there have been no expulsions.

President Owens asked why it was listed under Finance instead of Education. Mr. Rivera indicated it was a renewal of the contract.

The motion was approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Nay – 0.*

From Item C, Approval of Bids, Director Heath made a motion to approve the following bids:

- Bid 3010 IU Instructional Supplies - REVISED
- Bid 3020 IU Fuel Oil/Gasoline

The motion was seconded by Director Rowen and approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, and Rowen – 8; Nay – 0; Recuse: Director Simms – 1.*

FINANCE AND
OPERATIONS
MANAGEMENT
COMMITTEE REPORT
(cont.)

7/20/2010: PUBLIC ENGAGEMENT COMMITTEE REPORT: Director Crystle reviewed the July 6, 2010 Public Engagement Committee meeting.

PUBLIC ENGAGE-
MENT REPORT

There was concern about a cheerleading invoice for an event the squad never attended. Mr. Rivera stated we had been credited for this invoice. The August meeting has been cancelled and Director Crystle indicated he would be meeting with Pam Smith, the Director of Safe Schools/Healthy Students sometime in August. There was discussion of an internship to assist with media relations.

Director Crystle reported that the bicycle program has received a large outpouring of support and they recently delivered 152 bicycles to a warehouse. He thanked the Board and Mr. Rivera for their support of the program. In addition, The Music for Everyone piano that was painted by J.P. McCaskey students has been placed at Clemente Park. Mr. Rivera commended the staff and team for their efforts.

Following a motion by Director Miller, which was seconded by Director Marten, the minutes of the July 6, 2010 meeting were approved in a unanimous roll call vote.

Minutes

7/20/2010: DISCUSSION ITEMS: None

DISCUSSION

7/20/2010: DISCUSSION/ACTION:

DISCUSSION/ACTION

Director Rowen made a motion, which was seconded by Director Heath, to approve the following Discussion/Action agenda items:

- A. Approval of Payments – excluding the following: Invoice #00318829, #00318830, #00319136, #00318833, #00319138, #00319323 and WSTS0619
- B. Approval of Judiciary Report
 - 1. Monthly Report
 - 2. Annual Summary Report

Payments (Invoice
Listings)

Judiciary Report

The motion was approved by the following vote: *Aye: Directors Boben, Caplan, Heath, Marten, Owens, Rowen, and Simms – 7; Nay – 0; Recuse: Director Miller – 1; Abstain: Director Crystle – 1.*

Director Heath made a motion, to approve the following payments from the invoice listing: #00318829 for Lancaster County Career and Technology Center; #00318830, and #00319136 for Lancaster County; #00318833, #00319138 and #00319323 for Lancaster Lebanon IU 13; and #WSTS0619 for Substitute Teacher Service.

Payments (Invoice
Listings)

The motion was seconded by Director Caplan and approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, and Rowen – 8; Nay – 0; Recuse: Director Simms – 1.*

Director Boben made a motion, which was seconded by Director Heath, to approve the following Discussion/Action agenda items:

- C. New Board Policy 707.1 Concessions:
 - 1. Waiver of First Reading
 - 2. Approval of Policy

The motion was approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen, and Simms – 9; Nay – 0; Recuse – 0;*

7/20/2010: REPRESENTATIVE REPORTS:

There was no report for IU 13 Board of Directors.

Director Rowen stated he attended the LCCTC meeting, but he had nothing to report.

There was no report for Lancaster Recreation Commission.

7/20/2010: OLD BUSINESS:

Mr. Rivera stated the Resolution regarding the QSB Bonds will save approximately \$34 Million over the course of a number of years. A payment will not be due until 2017 when a significant amount of debt service comes off the books. A recent visit had been completed with the Board at Hand Middle School and we are pleased that the bonds will allow us to upgrade Hand Middle School, Fulton Elementary School and expand Martin Elementary School.

A visit is scheduled for July 29th to the proposed Lancaster Township Emergency Station. The access road is being moved totally off the property as an Agreement was secured with the apartment complex which answers a lot of the questions the Board had regarding the project.

Director Simms asked if we could revisit the Bullying and Cyber Bullying Policy at the top of Page 3 of 3 where it states “the content of the Bullying and Cyber Bullying Policy should be outlined in the Standards and Expectations of Behavior for Students booklet which shall be disseminated annually to students.” She asked if we could add “disseminated and reviewed annually with the students.”

Director Simms made a motion, which was seconded by Director Miller, to waive the first reading of amending the Bullying and Cyber Bullying Policy to read under Guidelines “disseminated and reviewed annually with the students.”

DISCUSSION/ACTION
(cont.)

New Board Policy

REPRESENTATIVE
REPORTS
IU 13

LCCTC

Lancaster Recreation
Commission

OLD BUSINESS

Phase II Capital
Improvement Program

Lancaster Township
Emergency Services Center

Bullying and Cyber
Bullying Policy

The motion was approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen, and Simms – 9; Nay – 0; Recuse – 0*

Bullying and Cyber
Bullying Policy
(cont.)

Director Caplan made a motion, which was seconded by Director Marten to approve the amendment to the Bullying and Cyber Bullying Policy as stated.

The motion was approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen, and Simms – 9; Nay – 0; Recuse – 0*

7/20/2010: NEW BUSINESS: None

NEW BUSINESS

7/20/2010: INFORMATION: President Owens stated the Finance and Operations Management Committee meeting has been changed to August 9th at 5:45 pm. Thursday, August 5th is the Educational Excellence Committee Meeting and there will not be a Public Engagement Committee Meeting in August. The next School Board Meeting will be August 17th at J.P. McCaskey High School at 7:00 PM.

INFORMATION

There will be a discussion regarding District Goals at the next Committee of the Whole Work Session.

7/20/2010: ADJOURNMENT: President Owens adjourned the meeting at 8:20 p.m. on a motion by Director Caplan, seconded by Director Marten.

ADJOURNMENT

Attest:

Colleen R. Marshall
Board Secretary