

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

**Regular Meeting
June 21, 2011**

The School District of Lancaster School Board held a regular meeting on Tuesday, June 21, 2011 at 7:00 p.m. at J.P. McCaskey High School, Lancaster, Pennsylvania. Attendance of the Board was as follows:

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

Officers: Mr. Pedro Rivera, Superintendent (Via Telephone)
Mr. Matt Przywara, Treasurer
Mrs. Colleen Marshall, Secretary

Legal Counsel: Mr. Robert Frankhouser, Solicitor

6/21/2011: CALL TO ORDER: The meeting was called to order at 7:15 p.m. by President Caplan. Roll call was answered by: *Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Absent: – 0.*

A moment of silence was observed in memory of Rachel G. Howard and C. Thomas Moore.

President Caplan announced the Board of School Directors met in Executive Session on May 24 and June 21, 2011 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.

6/21/2011: ADDENDUMS AND CORRECTIONS: None

6/21/2011: APPROVAL OF AGENDA: Following a motion by Director Miller and seconded by Director Heath, the agenda was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Nay – 0.*

6/21/2011: SUPERINTENDENT’S REPORT/BUDGET UPDATE: Matthew Stem, Director of Student Services gave the Superintendent’s Report. The Superintendent was not present at the meeting; however, he participated via telephone.

CALL TO ORDER

**ADDENDUMS AND
CORRECTIONS**

**APPROVAL OF
AGENDA**

**SUPERINTENDENT’S
REPORT**

Thanks to hard work and determination, 626 students earned a McCaskey diploma this year. The Commencement Ceremony at the Lancaster Convention Center was a remarkable event. On behalf of the District, we wish the Class of 2011 much success as they embark on new adventures.

Prior to the end of the school year, the District had the pleasure of recognizing our 99 retirees. Collectively they have served the District for over 2,000 years!

The high school will again provide credit for students during a summer session from June 28 to August 3. Instruction will be from 7:45 a.m. to 1:45 p.m. Mondays through Thursdays. In addition, a new program "Jump!" will start this summer designed to bolster the success of selected incoming 9th graders. This program will continue throughout their freshman year with the same teachers in extended periods (four per day). Successful students will complete the 2011-2012 school year with as many as nine credits.

As a reminder, the final budget for school year 2011-2012 will be approved at a Special Board Meeting on Thursday, June 30 at 5:00 p.m. in the J.P. McCaskey Recital Hall. The budget adoption will include the following items:

1. Approve employee furloughs
2. Decision regarding custodial staff
3. Final tax rate
4. Final budget (expenses and revenues)

It was noted that the budget meeting time was changed to 6:00 pm on June 30th.

Capital Improvement Plan Update:

Hand Middle School and the Rockland Building will undergo asbestos abatement this summer in preparation for future construction.

All Phase I Schools are expected to be completed prior to the start of the school year.

6/21/2011: PUBLIC COMMENTS REGARDING AGENDA ITEMS:

President Caplan made the public aware that with respect to the Martin Elementary K-8 project that was on the agenda, a motion would be made to table the matter so that the Board Members can have further evaluation and discussion regarding the project.

Anna Smith, Springhouse Road, feels the proposal for farming on the land at Wheatland is a good idea. She also expressed her concerns that the Board is not meeting during the month of July and in addition, she felt the public should be allowed to speak during public comments regarding the Martin Project.

Jezerel Gutierrez, Mill Pond Drive, an employee of the District whose children went to Martin is concerned with not having Martin. She feels there are a lot of families who like the school and want to attend Martin and a lot of families leave the District when their children need to go to middle school.

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

**PUBLIC COMMENTS
REGARDING
AGENDA ITEMS**

Mandy Tirado, Michelle Drive, is very supportive of Martin becoming a K-8 school as she fought to have her children attend Martin and will not send her children to Wheatland Middle School.

David and Nicole Sadaphal, Poe Drive, feels Martin is a close group who has teachers and staff that truly focus on the children. They asked the Board to keep in mind the educational strength that Martin possesses.

Delia Sanchez, Palm Street, was concerned that she learned from the personnel recommendations that the Principal at Hand Middle School resigned. She asked the Board when going through the hiring process that they find someone that is committed to providing stability for the children.

Shari Groff, Bentley Summit, was in favor of Martin becoming a K-8 school. She feels the staff and atmosphere at the school is incredible.

Ward Lake, Holchester Drive, has a lot of respect for the teachers and staff and is excited about the K-8 program and he doesn't want his child to attend any other school.

Heather Garner, Colcester Drive, a graduate of JP McCaskey and children attend Martin. She wants Martin to become a K-8 school.

Shaun Keenen and wife, Pickford Drive, have a daughter at Martin. They will consider selling their property if Martin does not become a K-8 school and move out of the District.

Jose Tirado and son, Michelle Drive, has a daughter who was in career camp and they forgot to pick her up at the designed time. There was a custodian at Martin who stayed with his daughter for 45 minutes until they could pick her up. He does not know of any other custodial staff that would do that for a child. His son attends Martin and wants to be there for 4th grade.

Paul O'Shea – Pennridge Drive, the staff helped his son and he will sell his house and move to another District if Martin does not become a K-8 school.

Vice President Heath stated that there is not and has not been any conversation about shutting down Martin and there has not been any conversation about Martin not being a K-8 school. Board Member Rowen also stated there has not been Board discussion about not being a K-8 school and he feels a lot of this has been a misunderstanding. There has been discussion about what the Board does with the physical building as far as do they renovate, do they build a new building and if so, do they build on that site?

Cassie Okenseck, Elm Avenue, supports the plan of farming at Wheatland and is willing to volunteer for this opportunity.

6/21/2011: CONSENT AGENDA: Director Heath made a motion to approve Items 1-7 and Item 9 of the Consent Agenda as follows:

- (1) Approval of Minutes: May 17, 2011 Regular Meeting
Approval of Minutes: May 24, 2011 Special Meeting
Approval of Minutes: June 8, 2011 Special Meeting
- (2) Personnel Recommendations

**PUBLIC COMMENTS
REGARDING
AGENDA ITEMS**
(cont.)

CONSENT AGENDA

Minutes

Personnel
Recommendations

<p>(3) New and Revised Board Policies – Second Readings: 311 Suspensions and Furloughs 314 Physical Examinations 314.1 HIV Infection 411 Suspensions and Furloughs 412 Evaluation of Professional Employees 414 Physical Examinations 414.1 HIV Infection 511 Suspensions and Furloughs 514 Physical Examinations 514.1 HIV Infection</p>	<p>CONSENT AGENDA (cont.) Board Policies</p>
<p>(4) Approve the Reappointment of Hartman Underhill and Brubaker LLC as the District’s Solicitor for the 2011-2012 School Year</p>	<p>Solicitor Reappointment</p>
<p>(5) Approve the Appointment of Matthew Przywara as Board Treasurer for the period of July 1, 2011 through June 30, 2012</p>	<p>Board Treasurer Reappointment</p>
<p>(6) Authorization for Approval of Payments for the month of July</p>	
<p>(7) Approval of Terms of Agreement for Employee #951</p>	
<p>(8) Educational Excellence Contracts/Agreements: 1. Tabor Community Services – Master Agreement 2. Kids and Cultures – Master Agreement 3. Lancaster County Dept. of Parks and Recreation – Master Agreement 4. Community Action Program – Master Agreement 5. Rose M. Thomas – Not to Exceed \$2,750.00 6. Joel L. Samitt, DO – Not to Exceed \$7,500.00 7. Pressley Ridge – Not to Exceed \$8,000.00 8. Urban League – Not to Exceed \$8,000.00 9. Urban League – Not to Exceed \$4,000.00</p>	<p>Educational Excellence Contracts/Agreements</p>
<p>(9) Finance and Operations Management Contracts/Agreements: 1. Michael E. King Transportation Management & Consulting Services – Master Agreement 2. Tom Josiah Consulting – Master Agreement 3. Christian-Baker Company – Not to Exceed \$9,337.00 4. EHC Associates, Inc. – Not to Exceed \$15,793.00 5. EHC Associates, Inc. – Not to Exceed \$15,700.00 6. EHC Associates, Inc. – Not to Exceed \$3,305.00 7. EHC Associates, Inc. – Not to Exceed \$21,465.00 8. EHC Associates, Inc. – Not to Exceed \$5,100.00 9. Quality Elevator Sales & Service, Inc. – Not to Exceed \$18,840.00 10. Apps-Tech Corporation – Not to Exceed \$5,010.00 11. Capraro Associates LLC – Not to Exceed \$3,385.00 12. Covenant United Methodist Church – Not to Exceed \$2,690.00 13. Orbit Software (Bus Boss) – Not to Exceed \$14,563.00 14. Fire Systems Integrated – Not to Exceed \$8,280.00</p>	<p>Finance and Operations Contracts/Agreements</p>

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

Director Marten made a motion to approve Items 8.2 and 8.4 - 8.9 of the Consent Agenda. The motion was seconded by Director Heath and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Recuse: – 0.*

Director Marten made a motion to approve Item 8.1, Tabor Community Services Master Agreement of the Consent Agenda. The motion was seconded by Director Simms and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Marten, Miller, Owens, and Simms – 7; Recuse: Heath –1. (Mr. Rowen left the room at 8:02, returned at 8:07)*

Director Owens made a motion to approve Item 8.3, Lancaster County Department of Parks and Recreation Master Agreement of the Consent Agenda. The motion was seconded by Director Miller and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller and Owens – 7; Recuse: Simms – 1. (Mr. Rowen left the room at 8:02, returned at 8:07)*

6/21/2011: EDUCATIONAL EXCELLENCE COMMITTEE:

Director Rowen made a motion to approve Items A, 7.B.5 -7.B.7, C, D and E from the Educational Excellence Committee Report:

- A. Approval of Minutes: June 2, 2011 Meeting
- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
 - 1. Lancaster-Lebanon IU 13 – Not to Exceed \$4,503,928.58
 - 2. Lancaster-Lebanon IU 13 – Not to Exceed \$414,246.00
 - 3. Lancaster-Lebanon IU 13 – Not to Exceed \$278,559.00
 - 4. Lancaster-Lebanon IU 13 – Not to Exceed \$154,584.00
 - 5. Boys and Girls Club – Not to Exceed \$246,072.00
 - 6. Compass Mark – Not to Exceed \$246,072.00
 - 7. Montgomery County IU 23 – Not to Exceed \$28,401.31
- C. Approval of Communication Arts (English Language Arts) Textbook Adoption for the High School
- D. Approval of Jump! Program
- E. Approval of 2011-2012 School Improvement Plans for Fulton Elementary School, Ross Elementary School, Washington Elementary School, Price Elementary School, Hand Middle School, Wheatland Middle School, Reynolds Middle School, Lincoln Middle School and the McCaskey Campus

Director Marten seconded the motion, and it was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Recuse: – 0.*

Director Heath made a motion to approve Items 7.B.1 -7.B.4 of the Educational Excellence Committee Report. Director Marten seconded the motion and it was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens and Rowen – 8; Recuse: Simms – 1.*

Dr. Tracy Ocasio asked for the Board's authorization to purchase a biology and a chemistry textbook that is needed for the start of the school year and then do the formal approval process at the August Board Meeting since there is no Board Meeting in July. The Board Members did not have any objection to making the purchase now and then

CONSENT AGENDA
(cont.)

EDUCATIONAL EXCELLENCE COMMITTEE REPORT
Minutes
Educational Excellence Contracts/Agreements

Communication Arts Textbook Adoption
Jump! Program
School Improvement Plans

finalizing the approval at the August Board Meeting. The estimated cost of the two textbooks is \$40,000.

Director Simms stated that for the last few weeks of the school year there was a Community Committee who was involved in reviewing the Standards and Expectations Behavioral Manual for the District. Mr. Matthew Stem stated that the Committee consisted of parents, teachers, administrators and representatives from the community. Director Boben asked when the PSSA test results are expected and if the Board will receive a copy prior to meeting in August? Superintendent Rivera indicated that the results are expected mid to late July and the data will be forwarded to the Board Members upon receipt.

6/21/2011: FINANCE AND OPERATIONS MANAGEMENT COMMITTEE

REPORT: Director Heath made a motion to approve agenda items 8.A, B, C, D (Bids 3117, 3132 and 3134) E, F, G, H, I, J, K and L, from the Finance and Operations Management Committee Report:

- A. Approval of Minutes: June 9, 2011 Meeting
- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
 - 1. WLGS, Inc. d/b/a Manpower – Not to Exceed \$464,935.00
 - 2. Toshiba Financial Services – Not to Exceed \$87,256.00
 - 3. Central Susquehanna Intermediate Unit – Not to Exceed \$58,344.00
- C. Approval of Change Orders for Phase I Projects:
 - 1. Ross Elementary School – Not to Exceed \$883.64
 - 2. Washington Elementary School – Not to Exceed \$83,869.70
 - 3. Lafayette Elementary School – Not to Exceed \$47,621.76
 - 4. Wharton Elementary School – Not to Exceed \$8,862.22
- D. Approval of Bids:
 - Bid 3117 Fall Athletics
 - Bid 3119 IU Audiovisual Equipment
 - Bid 3132 and Bid 3134 Hand Middle School & Rockland Building Asbestos Abatement
- E. Approval of PLANCON Part F – Lafayette, Wharton, Ross and Washington Elementary Schools
- F. Approval of PLANCON Part G – Lafayette, Wharton and Ross Elementary Schools
- G. Approval of PLANCON Part I – Lafayette, Wharton, Ross and Washington Elementary Schools
- H. Approval of PLANCON Part D – Hand Middle School
- I. Approval of PLANCON Part F – Hand Middle School
- J. Approval of Pennsylvania School Boards Association Annual Membership Dues – Not to Exceed \$12,300.00
- K. Approval of Athletic Pricing Increasing
- L. Approval of Monthly Financial Reports

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

Director Heath made a motion to approve Items 8.D (Bid 3119) from the Finance and Operations Management Committee Report. The motion was seconded by Director Rowen and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens and Rowen – 8; Recuse: Simms – 1.*

EDUCATIONAL EXCELLENCE COMMITTEE REPORT (cont.)

FINANCE AND OPERATIONS MANAGEMENT COMMITTEE REPORT

Minutes
Approval of Contracts/Agreements

Change Orders

Approval of Bids

Approval of PLANCONS

PSBA Membership

Athletic Pricing
Financial Reports

6/21/2011: PUBLIC ENGAGEMENT COMMITTEE REPORT: Director Simms made a motion to approve the following agenda item from the Public Engagement Committee Report:

A. Approval of Minutes: June 14, 2011 Meeting

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

6/21/2011: DISCUSSION ITEMS:

A. Proposal for Wheatland Farming – Mr. Benjamin Weiss presented his proposal for leasing 10 acres of land directly across from the Wheatland Middle School. Mr. Weiss would like to lease the land to create a farming community which would include a 1 acre organic community garden, a 5 acre sustainable vegetable, grain and orchard farm, an exhibit “forest garden” in the tree line and four 1 acre “incubator farms” which are small plots of land where new growers can have the experience of managing land while sharing the knowledge and skill of veteran farmers at the same location. Mr. Weiss would work with teachers from Wheatland Middle School and Buchanan Elementary school to create programs for local students to become involved in the project.

6/21/2011: DISCUSSION/ACTION ITEMS:

Director Boben made a motion to approve all payments in Item 11 (A) with the exception of the following:

A. Approval of Payments – Invoice #00324308, #WFFA0601 and #WFFA6111 for Fulton Financial Advisors; Invoice #00324363 and #WIU06011 for Lancaster Lebanon IU 13 and #WSTS5141 and #WSTS5281 for Substitute Teacher Service. The motion was seconded by Director Simms and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Nay: – 0.*

Director Heath made a motion to approve Invoice #00324308, #WFFA0601 and #WFFA6111 for Fulton Financial Advisors. The motion was seconded by Director Marten and approved by the following vote: *Aye: Directors Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 8; Recuse: Boben – 1.*

Director Marten made a motion to approve Invoice #00324363 and #WIU06011 for Lancaster Lebanon IU 13, and Invoice #WSTS5141 and #WSTS5281 for Substitute Teacher Service. The motion was seconded by Director Heath and approved by the following vote: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, and Rowen – 8; Recuse: Simms – 1.*

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

**PUBLIC
ENGAGEMENT
REPORT**

Minutes

DISCUSSION
Wheatland Farming
Proposal

DISCUSSION/ACTION

Payments (Invoice
Listings)

JUDICIARY REPORT

C. Adoption of Resolution to Opt-out of the Provisions of the Mental Health Parity and Addiction Equity Act – Director Heath made a motion to approve Resolution to Opt-out of the Provisions of the Mental Health Parity and Addiction Equity Act. The motion was seconded by Director Marten and approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9; Nay – 0;*

PROVISIONS OF THE MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT

D. Approval of construction of a new building for Martin Elementary K-8
There was discussion amongst the Board Members as to whether a new building should be constructed and how to proceed with the Martin project.

MARTIN ELEMENTARY K-8

Director Boben made a motion to table Item D, Approval of construction of a new building for Martin Elementary K-8 on the existing site until the next School Board Meeting, currently scheduled for August. The motion was seconded by Director Crystle and approved as follows: *Aye: Directors Boben, Caplan, Crystle, Miller, Owens and Simms – 6; Nay: Heath, Marten and Rowen – 3;*

E. Approval of PLANCON Parts A & B – Martin K-8 School
Director Boben made a motion to table Item E, Approval of PLANCON Parts A & B for Martin Elementary School until the next School Board Meeting, currently scheduled for August. The motion was seconded by Director Owens and approved as follows: *Aye: Directors Boben, Caplan, Crystle, Miller, Owens and Simms – 6; Nay: Heath, Marten and Rowen – 3;*

6/21/2011: REPRESENTATIVE REPORTS:

**REPRESENTATIVE REPORTS
IU 13**

Director Marten stated that the IU 13 has frozen their salaries for both administration and their professional employees which will result in possible cost reductions that were not anticipated.

Director Miller reported that the Lancaster Recreation Commission is in a good financial position and a lot of the discussions that were held involved the budget of our District.

Lancaster Recreation Commission

Director Marten stated that Principal Evelyn Antonsen retired and Mr. Tom Shad will be replacing her.

La Academia

Director Crystle asked that another Board Member be the representative for LFEE so that Director Crystle can step down as the representative.

LFEE

6/21/2011: OLD BUSINESS:

**OLD BUSINESS
Educational Excellence Symposium Update**

A. Educational Excellence Symposium Update – President Caplan informed the public that a draft report has been provided to the Board Members and the final report is expected within the next couple of weeks. There will be discussions on whether the District should retain the District Management Council to assist the District in the future.

B. AFSCME Update – President Caplan informed the public that a meeting will be held on Thursday, June 23rd with the Administration and Board Members to meet with AFSCME Representatives for further discussions in an attempt to resolve the matter of outsourcing the custodial staff.

AFSCME Update

6/21/2011: NEW BUSINESS: None.

NEW BUSINESS

6/21/2011: INFORMATION: President Caplan announced the following information pertaining to Four Day Work Weeks: Beginning the week of June 27th with the last week being the week of August 1st, District buildings will be open to the public between the hours of 7:30 A.M. through 5:00 P.M., Mondays through Thursdays.

INFORMATION

President Caplan also announced that there will be no Committee Meetings nor will there be a Board Meeting held in the month of July.

6/21/2011: PUBLIC COMMENTS:

PUBLIC COMMENTS

Luz Tiru, Reynolds Avenue, thanked the Board for their willingness to meet with AFSCME on Thursday and that AFSCME is looking forward to the opportunity to have the Board hear their side.

Mandy Tirado, Michelle Drive, expressed concerns that the Martin project was tabled. Her concern was that with the project being tabled construction would be pushed back and therefore cost more money. She is unhappy that there are no meetings scheduled in July and asked that the Board reconsider meeting in July.

President Caplan stated that the Board will not be tabling the project longer than the time that is allowed in order for construction to not be pushed back. The Board has some time and is not doing anything irresponsible and is aware that there is a deadline that will require the Board to act but the deadline is not now. The District is in financial trouble and will not be wasting money but when there is discussion on spending millions of dollars on construction, we need to make sure we are spending the money appropriately.

There was discussion on whether a meeting would be held in July and how quickly that information would be made available. President Caplan stated that the Board could not commit to having a meeting in July if we do not know what those agenda items may be that need to be addressed. Secretary Marshall stated that once the Board decides if they are going to meet, the notice would be placed in the newspaper, placed on our website, posted on facebook as well as other communications. The Board will provide as much notice as possible if they plan to meet in July.

Nicole Sadphal, Poe Drive, parent of children at Martin, wanted clarification on the funds for the construction at Martin. She thought these funds were coming from a totally different account and had nothing to do with budget cuts. Director Rowen reiterated that it is important the Board justify how we are spending tax dollars. He confirmed that the District received low interest loans but they still need to be paid back and that those funds are strictly for the Martin project.

6/21/2011: ADJOURNMENT: President Caplan adjourned the meeting at 9:00 p.m. on a motion by Director Rowen, seconded by Director Heath.

ADJOURNMENT

Attest:

Colleen R. Marshall
Board Secretary