

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

**Regular Meeting**  
**September 20, 2011**

The School District of Lancaster School Board held a regular meeting on Tuesday, September 20, 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  
Mr. Matt Przywara, Treasurer  
Mrs. Colleen Marshall, Secretary

Legal Counsel: Mr. Robert Frankhouser, Solicitor

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**9/20/2011: CALL TO ORDER:** The meeting was called to order at 7:01 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 Lois A. Parker, Evelyn H. Shaub, Shelby S. Hackman and Carolyn Mae Wirth.

**9/20/2011: ADDENDUMS AND CORRECTIONS:** None

**9/20/2011: APPROVAL OF AGENDA:** Following a motion by Director Marten and seconded by Director Miller, the agenda was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9.*

**9/20/2011: SUPERINTENDENT’S REPORT:**

Superintendent Rivera provided an acknowledgement regarding the response to the recent flooding from Hurricane Lee.

Many of our dedicated SDoL staff, partner staff and community members have provided countless hours of support and resources to the 25+ families that were displaced due to flooding from Hurricane Lee. Some families have doubled up with other families or friends and 17 families remain in an emergency shelter at the Brunswick Hotel. Various community agencies and faith based partners came together to devise a plan of ongoing support to address food, shelter, clothing, recreation and mental health needs. The Superintendent thanked the following individuals for their ongoing participation in the support efforts during the crisis:

**CALL TO ORDER**

**ADDENDUMS AND  
CORRECTIONS**

**APPROVAL OF  
AGENDA**

**SUPERINTENDENT’S  
REPORT**

St. James Episcopal Church – Father Peck and staff; Homeless Student Project – Ken Marzinko and Becky Ortega-Lyda; SDoL Transportation Department – Rose Bland; SDoL Enrollment Office – Marsha Riddick; Community Education Liaisons – Ana Vazquez and Wilson Lopez; Boys & Girls Club Community School Directors – Lisette Rivera and Luisa Olivo; Compass Mark Community School Directors – Katie Reiff, Kim Robinson-Hodges and Janice Thomas; Millersville Social Work Interns – Charito Faulkner and Katie Noon; SDoL School and Community Safety – Bill Gleason; Lancaster City Housing Authority – Bob Shellhammer and members of the SDoL Administrative Team – Dr. Janette Hewitt, Art Paynter, Diane Patton, Dr. Arthur Abrom and Pamela Smith.

Twelve students at J.P. McCaskey High School have earned AP Scholar Awards for their exceptional achievement on AP Exams. The College Board's Advanced Placement Program provides willing and academically prepared students with the opportunity to take rigorous college-level courses while still in high school, and to earn college credit, advanced placement, or both for successful performance on the AP Exams.

Congratulations to Lafayette Elementary for their recent recognition as a Certified Olweus School for their implementation of the Olweus Bullying Prevention Program. Lafayette is the first urban school and among the first handful of schools in the nation to achieve this status.

Three of our high school students were selected to represent McCaskey and the Commonwealth of Pennsylvania at the 2012 ACDA All Eastern Choral Festival to be held in February. Those students include: William Broaddus, Bass II; Alexander Gawn, Tenor I; and Madeleine Scott, Alto II. In the choral world, this is one of the highest recognitions a student can achieve.

The Fall Parent Academy begins Thursday, September 29 and continues for the next three consecutive Thursdays. Each of the sessions includes dinner at 5:30 p.m. followed by workshops from 6-7:30 p.m. at McCaskey East High School. Childcare is provided.

Eight of our schools recently received High Mark grants for a combined total of nearly \$50,000. Funds will be used for upright fitness bikes, mountain bikes, helmets, rollerblades, pads, Wii Fit and Dance Dance Revolution stations, and nutrition sessions.

The Superintendent gave a PowerPoint presentation on the 2011 PSSA Results. Eleven of nineteen schools in the District made AYP in 2011 which shows tremendous growth. As part of his presentation, the Superintendent reviewed the percentage of targets met by the High School Campus, the Middle Schools and the Elementary Schools.

**9/20/2011: PUBLIC COMMENTS REGARDING AGENDA ITEMS:**

Robert Schellhamer, Executive Director of Lancaster City Housing Authority, thanked the School District and staff for their effort related to the recent flooding and all of the assistance that was given to get houses restored and families back in their homes.

Lynn Duncan, High Street, Lancaster, asked about the criteria to determine if the District should have a delay or closing due to inclement weather. Her concern was that the School District did not close or have a delay during the recent flooding event. The Superintendent clarified that he and several of his team members begin touring the City, visiting every school as early as 4:30 in the morning to check the status of roads for

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

**PUBLIC COMMENTS  
REGARDING  
AGENDA ITEMS**

debris, snow and check on the status of our facilities. At approximately 5:30 am they converse as to their findings and make a determination as to whether the District should have a delay or close for the day. The Administration must make decisions based on three items that are based on a community in need:

1. Service to kids and the fact that most of our students qualify for free and reduced lunch;
2. We serve 1,000 homeless families;
3. We serve students of families who have to work

The Superintendent clarified that if students were kept home due to weather conditions and that was communicated with the child's school, it would be considered an excused absence.

John McGrann, West Chestnut Street, spoke about the process regarding the review of the DMC Report. He feels the community has not been treated with respect regarding this matter and the Board should think about that in the future and encourage the public to attend meetings and hear the public's feedback regarding important issues. The public's impression is that the Board is trying to conduct discussions and make decisions in private without public input.

Sandy Rosario, East New Street, expressed her concern regarding school being in session the day of the flooding. By the time she left to take her daughter to the bus stop, it was raining very hard and although she had an umbrella, there were other students who did not have umbrellas and were not prepared for the weather situation. Because a lot of the students walk and do not ride the bus, they were drenched by the time they got to school in addition to their books being wet.

Director Owens also suggested that the weather reports be taken into consideration when decisions are being made about school being cancelled or delayed. Superintendent Rivera agreed and said that from 4 to 7 am, the dopler only showed 40% chance of rain but then by 10 am, it had gone up to an 80% chance. The rain moved much more quickly as the day went on.

**9/20/2011: CONSENT AGENDA:** Director Marten made a motion to approve all Consent Agenda Items with the exception of Consent Agenda Item (3).12, A Plus Success Master Agreement as that Agreement was removed from the Agenda:

- (1) Approval of Minutes: August 16, 2011 Regular Meeting
- (2) Personnel Recommendations
- (3) Educational Excellence Contracts/Agreements:
  1. Kinder Associates – Master Agreement
  2. Franklin and Marshall College, Center for Opinion Research – Master Agreement
  3. Lancaster Creative Factory – Master Agreement
  4. The Learning Lamp – Master Agreement
  5. Right Reason Technologies – Master Agreement
  6. ATS Project Success – Master Agreement
  7. School District of Lancaster – Master Agreement
  8. Club Z In-Home Tutoring Services, Inc. – Master Agreement
  9. Tutorial Services – Master Agreement
  10. Sylvan Learning Center of Lancaster – Master Agreement
  11. Huntington Learning Centers, Inc. – Master Agreement

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

**CONSENT AGENDA**

Minutes  
Personnel  
Recommendations  
Educational Excellence  
Contracts/Agreements

12. A Plus Success – Master Agreement
  13. Knowledge Points – Master Agreement
  14. #1 in Learning – Master Agreement
  15. Bright Light Education – Master Agreement
  16. Achieve HighPoints from Datamatics, Inc. – Master Agreement
  17. Christianson Tutorials, LLC – Master Agreement
  18. Michael Anderson Learning – Master Agreement
  19. The Right Prep, LLC – Master Agreement
  20. Arline Institute, Inc. – Master Agreement
  21. One On One Tutoring Services, Inc. – Master Agreement
  22. Kanmas Educational Support Center – Master Agreement
  23. Junior Achievement of Central Pennsylvania – Not to exceed \$24,000.00
  24. North Museum of Natural History and Science (WITW? Career Fair) – Not to exceed \$21,937.00
  25. Weller Health Education Center – Not to exceed \$14,000.00
- (4) Finance and Operations Management Contracts/Agreements:
1. Double Tree Resort – Not to exceed \$4,847.04

**CONSENT AGENDA**  
(cont.)

Finance and Operations  
Contracts/Agreements

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

**9/20/2011: EDUCATIONAL EXCELLENCE COMMITTEE:**

Director Rowen made a motion to approve Items A and C from the Educational Excellence Committee Report:

- A. Approval of Minutes: September 1, 2011 Meeting
- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
  1. Lancaster-Lebanon IU 13 – Not to Exceed \$80,815.92
  2. Lancaster Family YMCA – Not to Exceed \$180,000.00
  3. Lead to Learn, LLC – Not to Exceed \$271,700.00
- C. Approval of English Language Arts (Communication Arts) Secondary Approved Novels' List

**EDUCATIONAL  
EXCELLENCE  
COMMITTEE**

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

Director Heath made a motion to approve Items B.2 and B.3 from the Educational Excellence Committee Report:

- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
  2. Lancaster Family YMCA – Not to Exceed 180,000.00
  3. Lead to Learn, LLC – Not to Exceed \$271,700.00

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

Director Heath made a motion to approve Item B.1 from the Educational Excellence Committee Report:

- B. Approval of Contracts/Agreements in excess of \$25,000 threshold:
  1. Lancaster-Lebanon IU 13 – Not to Exceed \$80,815.92

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

**9/20/2011: FINANCE AND OPERATIONS MANAGEMENT COMMITTEE**

**REPORT:** Director Rowen made a motion to approve the Finance and Operations Management Committee Report except Items J and M :

- A. Approval of Minutes: September 7, 2011 Meeting
- B. Approval of Contracts/Agreements in Excess of \$25,000 threshold:
  - 1. RBC Placement Agreement – Not to Exceed \$94,367.00
- C. Approval of Change Orders for Phase I Projects:
  - 1. Washington Elementary School – Not to Exceed \$40,501.29
  - 2. Lafayette Elementary School – Not to Exceed \$63,289.14
  - 3. Wharton Elementary School – Not to Exceed \$49,892.50
  - 4. Lincoln Middle School Annex – Not to Exceed \$1,334.48
  - 5. Duke & Dauphin – Not to Exceed \$4,055.82
- D. Approval of PLANCON Part I – Interim Reporting – Lafayette Elementary School, Ross Elementary School, Washington Elementary School, Wharton Elementary School
- E. Approval of PLANCON Parts D, F & G – Hand Middle School
- F. Approval of PLANCON Part D – Rockland Center
- G. Approval of Rockland Center Bids
- H. Approval of Winter Athletic Bids – Not to Exceed \$7,686.76
- I. Approval of 2011-2012 Bus Routes and Bus Drivers
- J. Approval to Participate in Joint Purchasing Agreements for the 2011-2012 School Year
- K. Approval of Monthly Financial Reports
- L. PDE #:359 Buildings, Equipment and Premises Leased for Educational Use Self-Certification Application – Buehrle School and Phoenix Academy
- M. Resolution to authorize and direct the incurring of non-electoral debt through the issuance of a series of General Obligation Bonds in the maximum aggregate amount of \$75,586,000.00

**FINANCE AND  
OPERATIONS  
MANAGEMENT  
COMMITTEE**

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

Director Owens made a motion to approve Item 8. J. from the Finance and Operations Management Committee Report:

- 8. J. Approval to Participate in Joint Purchasing Agreements for the 2011-2012 School Year

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

There was extensive discussion amongst the Board Members regarding how the District should integrate the public into this year's budget process and in addition, how to integrate the educational needs with the financial needs of the District. Director Heath stated that moving forward discussions would be held at Finance Committee meetings in addition to the Work Session meetings. He encouraged the public to attend the Work Session meetings where a lot of the discussions will take place regarding the budget starting in October. President Caplan stated the District has paid for the DMC Report

and that DMC identified areas where there is potential for improvement of delivery of educational services and that should translate into a budgetary process in which the quality of programs is reviewed and where areas for improvement are determined. Superintendent Rivera stated that in October, a framework for the budget will be presented to the Board so that everyone can agree on areas that the District should invest in and then agree on what not to invest in.

**FINANCE AND  
OPERATIONS  
MANAGEMENT  
COMMITTEE (cont.)**

Director Crystle questioned how the choices will be made regarding the DMC recommendations and what the timeline is and when will the timeline be presented? Superintendent Rivera stated DMC will present a timeline to us and he expects that to be a 4-5 month timeline. He would like everyone to be in agreement as to what resources we have to work with and establish what the funding is going to look like. Director Heath agreed that a framework is needed to get started and that there is a need to discuss the DMC report but decisions can be made independent of the report including easier decisions in October and then the more difficult decisions in November.

President Caplan stated there are two aspects when determining your budget:

1. How do we get enough money to fund the District?
2. Is the District spending the educational dollars wisely that we are currently spending for which we have money or should we be putting the money into different things to achieve the goals that are being voted on?

Director Crystle asked what the nature of DMC's work is going forward. Superintendent Rivera stated that a calendar is in the process of being created and an administrative team has been established based on each of the Goals.

Director Rowen stated that the Board had been conversing about the DMC report for 20 minutes and in his opinion shows that the Board has acted correctly in receiving the information about the DMC report and that the Board did not previously deliberate about the report. Director Crystle disagreed and President Caplan then stated that there was a very full agenda the Board needed to get through and definitely, the report needs to be discussed but not at this meeting. Director Crystle asked President Caplan when were the Goals decided upon and how were they derived? President Caplan stated that the Goals have not been decided upon as they were on the agenda for this meeting to be approved. They were a recommendation from the Superintendent and can be discussed this evening.

Director Owens asked if there was an advantage to going to a calendar year for the budget. Attorney Frankhouser stated that we do not have an option as the School Code requires that we need to have a fiscal year budget.

William McCarty, Attorney for Hartman, Underhill & Brubaker LLP reviewed the legal documents for the General Obligation Bonds in the maximum aggregate amount of \$75,586,000.

Director Heath made a motion to approve Item 8. M. from the Finance and Operations Management Committee Report:

- 8. M. Resolution to authorize and direct the incurring of non-electoral debt through the issuance of a series of General Obligation Bonds in the maximum aggregate amount of \$75,586,000.00

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.*

**9/20/2011: PUBLIC ENGAGEMENT COMMITTEE REPORT:** Director Miller made a motion to approve the following agenda item from the Public Engagement Committee Report:

- A. Approval of Minutes: September 6, 2011 Meeting

There was discussion regarding electronic board documents and the presentation given at the Public Engagement Committee for the BoardDocs program. Director Crystle indicated that the ClassLink program the District already has is not ideal but it certainly can be used for sharing documents. Director Heath agreed to do some testing with ClassLink and will report to the Board his findings. Director Rowen stated that the CTC has a program that is very effective but he was unsure of the type of software that is being used.

Matthew Stem, Assistant Superintendent commended the staff at SDoL for their hard work during Hurricane Irene which occurred Sunday, August 28<sup>th</sup>, the day before school was to start for the new year. SDoL had eight schools without power for several hours and 14,000 meals had to be relocated due to power outages. There were staff members who worked through the night to ensure that everything was ready for the first day of school on August 29<sup>th</sup>.

Director Miller asked at the Reorganization Meeting in December the Board consider all of the Committee Meetings start at the same time. There is concern from the public that it is difficult to remember all of the different times for the various meetings.

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.*

**9/20/2011: DISCUSSION ITEMS:**

- A. Draft New and Revised Board Policies – First Readings:
  - 004 Membership
  - 210.1 Possession/Use of Asthma Inhalers and Epinephrine Auto-Injectors
  - 338 Sabbatical Leave
  - 438 Sabbatical Leave
  - 339 Uncompensated Leave
  - 439 Uncompensated Leave
  - 539 Uncompensated Leave
  - 351 Drug and Substance Abuse
  - 451 Drug and Substance Abuse
  - 551 Drug and Substance Abuse
  - 351.1 Pre-Employment Drug Testing
  - 451.1 Pre-Employment Drug Testing

**FINANCE AND OPERATIONS MANAGEMENT COMMITTEE (cont.)**

**PUBLIC ENGAGEMENT REPORT**

Minutes

**DISCUSSION**

- 551.1 Pre-Employment Drug Testing
- 518 Absenteeism and Tardiness
- 808.1 Free Meals and Free Milk

DISCUSSION (cont.)

There were no questions or comments, and these policies will be presented for second readings/approval at the regular October Board meeting.

**9/20/2011: DISCUSSION/ACTION ITEMS:**

DISCUSSION/ACTION

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

A. Approval of Payments – Invoice #00325710 for Lancaster Lebanon IU 13; Invoice #WSTS0818, #WSTS0822, #WSTS8301 and #WSTS9121 for Substitute Teacher Service; Invoice #00325502 for Lancaster County CTC; Invoice #00031565 for Lancaster County CTC Cafeteria Fund and Invoice #00325776, #OPOS0826 and #ORET0826 for PSERS.

Payments (Invoice Listings)

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.*

Director Rowen made a motion to approve Invoice #00325710 for Lancaster Lebanon IU 13; Invoice #WSTS0818, #WSTS0822, #WSTS8301 and #WSTS9121 for Substitute Teacher Service; Invoice #00325502 for Lancaster County CTC; Invoice #00031565 for Lancaster County CTC Cafeteria Fund and Invoice #00325776, #OPOS0826 and #ORET0826 for PSERS.

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

Superintendent Rivera gave a powerpoint presentation, *Moving from Strategy into Action and Results*, which included the Strategic Planning Approach of SDoL and The District Management Council. Superintendent Rivera reviewed the Commendations, the proposed Theory of Action and the four priority District Goals.

Theory of Action and District Goals

Director Marten made a motion to approve Item 11 B.1-4 as follows:

- B. Approval of SDoL Theory of Action and District Goals:
  - 1. Improve Graduation Rate
  - 2. Improve Elementary Literacy (K-6)
  - 3. Improve Secondary Literacy (6-12)
  - 4. Improve Building Capacity in Leadership and Learning

After discussion regarding the graduation rates and building capacity, Director Heath seconded the motion, and it was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Rowen and Simms – 8; Recuse: Owens – 1.*

Director Owens made a motion to approve Item 11.C. as follows:

- C. Approval of the Creation of the Hearing Officer Position for the Judiciary Committee

Hearing Officer Position

After discussion regarding the creation of a Hearing Officer position, Director Marten seconded the motion, and it was approved as follows: *Aye: Directors Boben, Caplan, Crystle, Heath, Marten, Miller, Owens, Rowen and Simms – 9.*

**9/20/2011: OLD BUSINESS:** None.

**OLD BUSINESS**

**9/20/2011: NEW BUSINESS:** Director Miller stated he feels Board Members should be involved in the charette process for the Phase II construction projects. President Caplan feels Board Members should be assigned to each school to have interaction not only for the construction projects but as a liaison between the Board and the Administration of each school. Superintendent Rivera stated that construction planning meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month beginning at 8:00 am to review all of the projects. The charette process is complete but the discussions are being held now for specific designs of the buildings. If any of the Board Members would like to participate in the planning meetings, the District will work with the Architects to make a change in the dates and times so that Board Member participation can occur.

**NEW BUSINESS**

**9/20/2011: INFORMATION:** President Caplan noted that the School Improvement Plan Presentations will be held in October and dates and times will be provided as soon as they are available.

**INFORMATION**

**9/20/2011: PUBLIC COMMENTS:**

**PUBLIC COMMENTS**

Joe Wesolowski, Drytown Road, Holtwood, suggested the Board Members go to the schools to view how things are done now with respect to physical education, music and art as things are not done now the way they used to be done. He also provided information to the Board for the 2011 SDoL Harvest Festival being held at Burrowes Elementary School on October 27<sup>th</sup> from 9 am to 2:30 pm.

Charles Crystle, Jr., West Chestnut Street, Lancaster, spoke as a taxpayer and his disagreement with the Board regarding the Sunshine Act. He feels sometimes the Board is on the line and close to the line of violating the Sunshine Act. During the two Executive Sessions in August, Mr. Crystle stated the Board moved goals, made substantive decisions, deliberated the Goals, Theory of Action and Targets. Since that time, he feels there have been no changes made to the Goals and Targets. He believes the DMC Report was never made private, it was a public document the entire time but a decision was made to not immediately release the document. He suggested going forward to not use the Sunshine Act to hide things from the public and protect things. He feels the Board does not trust the public and the report should not have been held back from the public who paid for the report. Mr. Crystle stated you cannot trust him as a Board Member to sit back if he feels the Board is not only violating the Sunshine Act but violating the public trust.

Luz Tiru, Reynolds Avenue, asked if there is a job description for the Hearing Officer position that was approved earlier in the meeting. Superintendent Rivera stated the position will be posted and it will be a part-time position.

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**9/20/2011: ADJOURNMENT:** President Caplan adjourned the meeting at 9:45 p.m.  
on a motion by Director Heath, seconded by Director Marten.

**ADJOURNMENT**

Attest:

Colleen R. Marshall  
Board Secretary