

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Ann Thompson called the meeting of the East Penn Board of School Directors to order at 7:30 p.m. in the Board Room, followed by the Pledge of Allegiance.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, S. Kowlachuk,  
T. Richwine, M. Robert, V. Thomas, A. Thompson  
Solicitor: Marc S. Fisher, Esq., Worth, Magee, & Fisher  
Treasurer: Gary Reigal  
Board Secretary: Cecilia R. Birdsell  
Assistant Superintendent: Dr. Denise Torma  
Press Present: Loretta Fenstermacher, East Penn Press Reporter  
Randy Kraft, Morning Call Reporter

2. Requests to Address the Board

Shaun Whalen, 5301 Hanover Drive, Wescosville spoke about the walkway to the Wescosville School that was approved at the September 26 Board Meeting. He indicated that the plans showed that the path had been removed as of September 12. He asked for an explanation of why the motion was introduced by Mr. Ballard and why the Board took the position on the walkway without discussion. He said the homeowners are opposed to the path. Mr. Ballard said he did not present the motion for the permit for the walkway.

3. Appointment of the Substitute Superintendent of Schools

Motion by Robert, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors appoint Dr. George A. Ziolkowski as Substitute Superintendent of Schools effective November 1, 2005 to June 30, 2006 at a daily rate of \$508.00/day as per agreement.

Education Level:	B. S. Degree, Bloomsburg University M. Ed. Degree, University of Southern California M. Ed. Degree, Bloomsburg University Ph. D., Penn State University
Certification:	Superintendent of Schools IU Executive Director Elementary Principal Supervisor of Special Education Hearing Impaired, Speech Correction
Experience:	1997-2004: East Penn SD, Director of Pupil Personnel Services 3/96-3/97: Centennial School District, Supervisor of Special Services/Supervisor of Special Education 6/91-3/96: PA Department of Education, Director of Statewide Support Initiative for Early Intervention 1981-1991: Tuscarora IU 11, Director of Special Education 1980-81: PDE, Special Education Advisor 1978-1980: Tuscarora IU 11, Supervisor of Special Education 1976-1978: Carbon Lehigh Intermediate Unit, Teacher of the Hearing Impaired 1973-1976: Luzerne IU 18, Speech Therapist

1972-1073: American School, West Germany,  
Speech Therapist

Vice President Alan Earnshaw said the Board was pleased to have a talented and experienced administrator like Dr. Ziolkowski helping the district through this period without Dr. Morgan and for providing leadership for the district. Mrs. Thompson said the Board also appreciated having other administrators who were also willing to help.

This resolution was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine, Robert, Thomas,  
Thompson-----9

4. Lehigh Carbon Community College – Capital Projects

- A. Construction of Homeland Security Building
- B. Renovation of the Science Hall

Mr. Larry Ross, Assistant Financial Officer of LCCC, reviewed the plans for these capital projects. He explained that Lehigh County Emergency Service will be housed in the Homeland Security Building and other programs in the security area will also be provided. The college has received 4 million dollars from Lehigh County, a 5 million dollar grant from the state, and 1 million dollars from the federal government in a grant. Referring to the Education Center, Mr. Ross said the college has received one million dollars from a donor. This renovation includes more classrooms, research labs, and technology equipment. They have also received a grant from the federal government to provide scholarships to train and educate special education students. The amount of the grant is \$200,000/year, for four years. Mrs. Thomas asked if the additional operating costs for a larger building had been evaluated. Mr. Ross indicated that there would be more tuition gained from new instructional programs and funding from the non-credit courses that are offered. Ms. Fuller asked for background information about offering the courses in public safety. Mr. Ross indicated that there had been on-going discussions with Lehigh County Emergency Services since they wanted to move to a new facility where they could offer training courses and LCCC has a lot of land. Mrs. Thompson said this is another example of cooperation between different groups to facilitate a new program.

Motion by Ballard, Seconded by Earnshaw

RESOLVED, That, in accordance with Section 2.2 of the Rules, Regulations and Procedures for Lehigh Carbon Community College, the Board of Directors of hereby approves the following projects at the Main Campus for Lehigh Carbon Community College.

1. Construction of the Homeland Security Building with a cost not to exceed 13 million dollars inclusive of architectural fees, construction and fixtures.
2. Construction of renovation improvements to the Science Hall to accommodate the College's Education Center at a cost not to exceed 1.5 million dollars inclusive of architectural fees and construction costs.

be it further

RESOLVED, That the approval of each of these projects is based upon the following conditions and understandings:

1. In accordance with the College Board of Trustee's Resolution 38.49, no requests will be made to the College's sponsor school districts for an appropriation in the College's capital budget for either of these projects.
2. The architect's plans for each project as presented to this Board are approved with the understanding that no further approval of more detailed architectural plans will be required.

3. The construction plans and specifications for each project shall be reviewed and approved by Pennsylvania Department of Education prior to the awarding of contracts if applicable.

This resolution was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine, Robert, Thomas, Thompson-----9

5. Approval of Minutes

Motion by Ballard, Seconded by Robert

RESOLVED, That the East Penn Board of School Directors approve the minutes for the September 26, 2005 meeting.

This resolution was unanimously adopted by voice vote.

6. Report of the Assistant Superintendent – Dr. Denise Torma

1. Personnel

Motion by Earnshaw, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the following personnel items:

Resignations

Barbara Bortz, Study Hall Aide at Emmaus HS, effective immediately (Exhibit 1)

Bernardine Weibeler, Teacher Aide at Alburtis School, effective September 26, 2005 (Exhibit 2)

Gayle A. Wagner, Teacher Aide at Emmaus HS, effective October 7, 2005 (Exhibit 3)

JoAnn Demjanick, Teacher Aide at Emmaus HS, effective date to be determined (Exhibit 4)

2005 Teacher Tenure List

In accordance with Section 1121 of the PA School Code, the following temporary professional employees based upon satisfactory service be awarded tenure:

<u>Name</u>	<u>Assignment</u>	<u>School</u>
Joseph Bottiglieri	Health/PE	Emmaus HS
David Brown	Social Studies	Emmaus HS
Kathryn Burns Hillegass	Special Education	LMMS
Jonathan Chase	Grade 2	Lincoln
Marisa Dawson	Grade 5	Wescosville
Frank DiLeo	Grade 6	LMMS
Alison Evans	Speech	EHS/Wescosville
Sally Ann Hanzlik	Social Studies	Emmaus HS
Jamie Horn	Grade 3	Alburtis
Kim Kannenberg	Spanish	LMMS
Jill Kuebler	English	Emmaus HS
Monica Leibensperger	Grade 1	Wescosville
Nicole Mangan Wukitch	Grade 3	Macungie

Christine McCorristin	Grade 2	Macungie
Frank Meyers	Grade 1	Wescosville
Susan Noack	Grade 6	LMMS
Christopher Ritter	Mathematics	Emmaus HS
Mark Scisly	Health/PE	LMMS
Jayne St. Mary	Business	Emmaus HS
Melissa Shelly	Grade 3	Macungie
Tiffany Tashner	Special Education	Emmaus HS
Nicole Troccola	Grade 2	Wescosville
Jacqueline Vles	Grade 4	Alburtis
Carole Wilson	Science/Physics	Emmaus HS

Request for Leaves as Per Collective Bargaining Agreement

Employee: Sallie Yencho, Elementary Teacher  
Elementary Teacher

Effective: October 17-November 28, 2005

Employee: Paula Fehlinger, Elementary Teacher

Effective: October 18, 2005

Appointment of Administrative Assistant

Name/Address: JoAnn Demjanick  
546 N. Second Street, Emmaus

Assignment: Administrative Assistant, Pupil Personnel Services (Vacancy created by resignation of P. Tracy and subsequent transfers.)

Effective: To be determined

Salary: \$23,600, 35 hours/week

Appointment of Teacher Aides

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Valerie Moyer 6464 Tamarack Drive Allentown 18104	Health Room Aide Shoemaker (New budgeted position)	\$15/hr., 32 hrs./wk.

Additions to the 2005-06 List of Per Diem Substitutes

Ashley Mistretta, Elementary	Genevieve Baillie, Remedial Assistant
Robert Grim, Elementary	
Lori Klein, Elementary	
Deborah McConnel, Teacher Aide	
Justin Brehm, Music	
Aviva Hersh, Elementary	
Renee Carl-Fegley, Teacher Aide	
Penny Palencar, Food Services	
Kathy Soltysiak, Food Services	

Appointment – Food Services Department

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Angela Gable 125 S. Sixth Street Emmaus	Shoemaker, PT Food Serv. Assist (Vacancy created by resig. of J. Ziegler)	\$10.31/hr. 18.75 hrs./wk.

Pamela Henning 136 Main Street Emmaus	LMMS, PT Food Serv. Assist. (Vacancy created by resig. of G. Wagner)	\$10.31/hr. 17.8 hrs./wk.
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Teacher Aide Hour Changes

<u>Teacher Aide</u>	<u>From</u>	<u>To</u>
Barbara Kleckner	32.0-EHS/Health Room	30.0-EHS-Study Hall
Dorothy Grois	30.0-EHS/Study Hall	31.25-EHS-Bldg.
Debra Moyer	31.25-EHS-Bldg.	32.0-EHS-Health Room
Laurie Oswald	26-Eyer-Bldg.	25-EHS-Bldg./Office
Risa Donegan	28-EHS-Bldg/Spec. Ed.	31.5-EHS-Bld/Spec.Ed.

Food Services Position Changes

<u>Employee</u>	<u>From</u>	<u>To</u>
Darlene Rinker	LMMS-3.5 hrs./day	LMMS-4.75 hrs./day
Sandie Zettlemoyer	Lincoln-2.25 hrs./day	Wescosville-2 hrs./day

Co-Curricular Advisors

<u>Name</u>	<u>Activity</u>	<u>Stipend</u>
Bill Weiant	Model Building	\$28.89/session, 8 sessions
Brian Hubbs	Yearbook, Eyer MS	\$1248.00
Scott Ware	Non-Paid Assist	N/A
	LMMS Boys & Girls Cross Country Coach	
Steve Ott	Non-Paid Volunteer	N/A
	Football Coach	
Walter G. Shakespeare	Assist. Varsity	\$2559.00
	Boys Soccer Coach	
Leann Hoffer	Dance Team Coach	\$998.00, C Club
Scott Radio	Jr. Varsity Boys	\$2559.00
	Soccer Coach	

Educational Conferences – Exhibit 5

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 5.

Informational

Lehigh County Executive Director Jane Ervin has notified the East Penn School District that the 2005-06 allocation for the MORE for Children program is \$17,196.00. This allocation is based upon the district enrollment as of June 30, 2005, as a percent of the total enrollment in Lehigh County. Two additional venues will be added to the current list of eight venues in the program this year – the DaVinci Discovery Center that will soon be located on the grounds of Cedar Crest College, and the Liberty Bell Shrine in Allentown. The East Penn School District utilizes the funds for field trip experiences throughout Lehigh County that are identified in approved district curricula.

Dr. Michael Murphy, Director of Pupil Personnel Services, provided the background and explained the class action suit referred to as the Gaskin Case. The settlement agreement included: training; compliance monitoring; and a 15-member advisory council. The implications for East Penn are as follows: IEP format changes in the Least Restrictive

Environment portion by December 31; Compliance monitoring via Penn Data; changing the complaint process; sanctions for districts who cannot comply with Corrective Action Plan; mandatory meeting with PDE and appropriate sanction including withholding of funds, initiation of Professional Disciplinary Action; and, finally, a potential increase in parents insisting on full-time regular education with necessary services.

Mr. Ballard asked if this decision would go for the area of strengthening the argument for parents who want their child mainstreamed as opposed to a more restrictive IEP. Dr. Murphy said it could support a parent's request for mainstreaming. Ms. Gannon asked if the calculations might also mainstream a child who the parents do not want mainstreamed. Dr. Murphy said there are IEP meetings with parents for the best program and, while not ignoring the index, they will continue to do what is right for the child. Ms. Kowalchuk asked when the quotient was going to occur. Dr. Murphy said the district must be ready to submit data by December 31, 2005. Mr. Richwine commented on the fact that with the calculations there are always going to be 10% of the districts in the bottom 10% that would be penalized. He felt there should be a certain level that is considered passing. Mr. Richwine said that there are two IUs that are challenging the decision because they feel it is creating regulations outside the legislative process. Both Dr. Murphy and Solicitor Fisher indicated that the cases have been dismissed. Mrs. Thompson commented on the IDEIA presentation conducted by PSBA that she and Dr. Murphy, Mr. Richwine, and Ms. Kowalchuk attended. Dr. Murphy will be presenting information regarding the "state of special education" on January 26. Dr. Torma indicated that there were also cyclical tools for additional aides and special education teachers at Lower Macungie MS and Wescosville School. There is an increase in enrollment at Wescosville. At LMMS, the staff has been trying to meet the needs of the students, but, with additional students the positions are needed because they are having difficulty implementing the IEP. Mr. Ballard asked about how this affects the budget. Mr. Reigal said the district is 25% over budget. Following further discussion about unplanned teaching positions, Mr. Reigal was asked to provide an analysis on the salary account for teachers. Mr. Earnshaw clarified the budget is actually 25% over the increase in aides. Ms. Gannon thanked Mr. Reigal for preparing the analysis of the aide budget so the Board is aware of the impact on the budget. Mrs. Thompson thanked Dr. Murphy for preparing the cyclical tools for the requests for new positions, adding that seeing the numbers shows it is not simply something nice to have but it is actually needed.

Dr. Torma acknowledged the inclusion of the report on deployment of aides. Ms. Gannon commented on having a sharing of aides across school boundaries. Dr. Murphy said the time allocated is what is needed and not any extra. He said they would look at the sharing concept.

Mr. Reigal addressed the enrollment projections that had been part of the packet. These projections are based upon the October 3 enrollment report and were computed by projecting the past five year mean percent growth for each grade level up until October 2015. He commented that looking at the next three years it is projected that the district will go up at least 100 elementary students per year. This will all be considered as part of the feasibility study. In response to a question from Mrs. Thomas, Mr. Reigal indicated that Mrs. Daniel does an update on the number of building permits that are registered with the various municipalities. It is factored into the figures. Mrs. Thompson commented that the district has been through the projection process and they are re-evaluated. Mr. Ballard said the district could only try to be as accurate as possible and then move on from there. There will always be people saying the district is overbuilding, while others feel the district is not building enough. Mr. Reigal said the figures move students from Kindergarten through the system. Mr. Ballard asked how the PDE projections compare to these projections. Mr. Reigal responded that these are more aggressive. He noted that the architects are going to be using both projections when they do their study. There will be a variety to look over. Mr. Ballard said the projections seem to indicate an addition of ten classrooms per year for the foreseeable future. Mr. Reigal concurred that the assumption was correct. Mr. Ballard said this could equate to a building the size of Alburtis every two years. Mrs. Thompson pointed out that the increase is 469 students. In September, it was an increase of 406 students.

The personnel resolutions were duly adopted by the following roll call vote:  
Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine, Robert, Thomas,  
Thompson-----9

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit T. Richwine

Mr. Richwine reported that Dr. Frank Ferrari would be retiring as Executive Director as of March 31, 2006. The IU Board is in the process of exploring avenues to select a replacement.

-Lehigh Career & Technical Institute A. Thompson  
F. Fuller  
T. Richwine  
V. Thomas (alt.)

Ms. Fuller discussed the enthusiasm of students to advocate for some of the programs and she cited the dental health program as one that is recruiting. There was discussion about how the superintendents are working very cooperatively to bring the various curriculums into alignment and have opportunities for full day programs at LCTI so students can graduate with their home school classes. The continuing education department has entered into an agreement to conduct a fork lift and safety training program. Mrs. Thompson indicated that LCTI is trying the bill format that is being used in East Penn.

8. Facilities

1. Substantial Completion – Shoemaker School & Emmaus HS

Motion by Ballard, Seconded by Robert

RESOLVED, That the East Penn Board of School Directors approve Shoemaker School Phase 10 substantial completion for the following:

General Construction:	E. R. Stuebner, Inc.
HVAC Construction:	Worth & Company, Inc.
Plumbing Construction:	JBM Plumbing, Inc.
Electrical Construction:	Wind Gap Electric
Sprinkler Construction:	Anchor Fire Protection, Inc.

be it further

RESOLVED, That the East Penn Board of School Directors approve substantial completion with Cooper Smith Brothers, Inc. for the floor repairs and replacement at Emmaus HS.

This resolution was duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine, Robert,  
Thomas, Thompson-----9

9. Business Operations

1. Bill List

Motion by Earnshaw, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approved the attached bill list, including the addenda, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

2005-06 Salary Roster

RESOLVED, That the East Penn Board of School Directors include the 2005-06 Salary Roster in the permanent minutes of this meeting.

Construction Funds – Exhibit 6

RESOLVED, That the East Penn Board of School Directors authorize the payment of funds from the Capital Reserve Fund and the GOB 2004A Bond Issue as listed on Exhibit 6.

Group V Facility Rentals

RESOLVED, That the East Penn Board of School Directors grant permission to the following organizations to rent district facilities:

Organization: GM Financial Group, 4972 Medical Center Circle, Allentown  
Date(s): October 20, 2005  
Activity: College Funding Workshop  
Fees: \$28.00 per hour rental fee

Organization: Patricia Bostick Dance Center, 5925 Tilghman Street, Allentown  
Date(s): May 25, 2006; June 14, 16, 17, 2006  
Activity: Dance Rehearsal and Recital  
Fees: \$105.00 per hour rehearsal fee  
\$112.00 per hour recital fee  
\$32.00 per hour/locker room fee  
\$32.75 per hour custodial fee  
\$23.50 per hour security fee  
\$32.75 per hour equipment/technicians

These resolutions were duly adopted by the following roll call vote:  
Aye: Ballard, Earnshaw, Fuller, Gannon, Kowalchuk, Richwine, Robert, Thomas, Thompson-----9

10. Legislative

C. Ballard

Legislative Chairperson Charles Ballard reported on the following legislative items under consideration in Harrisburg:

HB-1968 Requires school districts to start the school year after Labor Day. The House Tourism and Recreational Development Committee are sponsoring the bill. This bill is in the interest of the tourism industry that wants to retain summer help that last week before Labor Day. Mansfield University is conducting a study on the issue. Mr. Ballard said it should be a local school district issue, not the entertainment industry.

HB-1722 Consolidation of the 501 school districts. The House Education Committee was supposed to have meetings this week but they were cancelled.

There are dozen of proposals being introduced concerning property tax reform. The educated guess is that there will be something before the election time. There is still talk about various Act 72 initiatives as well.

11. Announcements

Monday, October 10	7:00 p.m.-CLEAR Session (Personnel)
	7:30 p.m.-Board Meeting, Board Room
Tuesday, October 11	7:00 p.m.-Policy Committee, Board Room
Thursday, October 13	Yom Kippur-All Schools and Offices Closed
Monday, October 24	7:30 p.m.-Board Meeting

12. Other

Dr. George Ziolkowski, Substitute Superintendent, thanked the Board for his appointment. He said his mission is to be of assistance to the Board, administrators, teachers, and support staff. He reminded everyone that the overall mission is to serve students, adding "that is what it is all about." He said he is looking forward to being a part of it. He said his goal is to be part of a team that delivers services to kids and maintain a high level of education to meet the expectations of the community.

AYP/Title I Funds

Mr. Ballard gave a lengthy background report on the high quality educational programs in East Penn and how the series of regulations in the federal NCLB laws, coupled with the state's implication of its approved plan, could impact. He discussed the regulations under Adequate Yearly Progress and the technical way in which NCLB was implemented. In particular what can happen is that a school district may be making significant strides in AYP but because of small numbers of students in special categories (ESL, special education, ethnic) they find themselves in a situation where they fail to meet a goal for a subgroup. When this happens, districts fall into the "in need of improvement" category. East Penn has one school in that category - Emmaus HS. If the district receives Title I funds there are certain steps and options that occur and, if a district does not qualify for Title I funds, the sanctions are not as involved. Solicitor Fisher indicated that "appears to be correct." East Penn has not qualified for Title I funds for the past two years. Mr. Ballard made a strong request that East Penn not seek, apply, or accept any Title I funds so East Penn is not subjected to the technical violations of the law. Mr. Robert said that, while the district may not be qualifying for Title I funds, it is receiving federal funds. He concluded that before any decisions are reached the Board should understand what federal funds are being talked about. Solicitor Fisher indicated that it is strictly Title I funds under NCLB, noting there are two separate laws. Mr. Fisher said there are districts that have taken action to not accept Title I funds. It is far from a certainty as to what is going to happen in the end. Solicitor Fisher cautioned that this is an area where the Board must tread very carefully if the Board intends to pursue it. Mr. Earnshaw said Congress could change the law or pursue a judicial solution where hundreds of dollars could be expended in a defense case. He felt that was putting the district at risk. He would not be in favor of pursuing that course. In the most recent budget, there was an incentive grant that was supposed to be distributed with Title I funding. When the authorities realized East Penn was not receiving Title I funds, they had to try to figure out how to send the funds. Mr. Earnshaw felt that could be interpreted as some type of Title I incentive, noting the amount was approximately \$18,000. Mr. Reigal pointed out that the district still receives several other categories of federal funding, even though it is less than 1%. He also illustrated that the IDEA funds are in the neighborhood of \$800,000 and there is a large amount received for the food service operation. Ms. Kowalchuk asked Dr. Torma what are the qualifications for Title I funding. Dr. Torma said it includes all known students in the district between the ages of 5-18 years old. It does not mean that that they attend East Penn schools. It is determined by the census poverty information and the number of foster children who reside in the district. There is a formula applied and a district must have at least 2% or greater to qualify for Title I. It is calculated in the late winter and then final numbers are allocated in the spring. If the district qualifies, an application is completed to get those funds. Mr. Ballard clarified that he was only talking about Title I funds, not all federal funds. Mrs. Thompson asked Dr. Torma if the district was doing anything to aggressively pursue Title I funds and is the district planning to. Dr. Torma responded that the district is not pursuing Title I funding and is not planning to aggressively pursue the funds. Mrs. Thompson felt that answered Mr. Ballard's question. In terms of the Title I funding, those calculations are done and then it is up to the

district to apply for the funds. If the district would qualify for Title I funding, the Board would be advised and the Board could have the discussion as to whether it wants to accept or reject the funds. There was consensus among the board members to accept that conclusion.

Ms. Fuller said the administration has stepped up and done a wonderful job in filling in the void. She added that the Board is very thankful. Dr. Torma pledged that, on behalf of her fellow administrators, they will continue to serve and do the work ahead.

Mrs. Thomas asked how Mr. Whalen would get a response to his question. Mrs. Thompson said she would talk to him after the meeting.

Mrs. Thompson said she appreciated all the numbers and paperwork from the staff in answer to the Board's questions.

13. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:55 p.m.

Cecilia R. Birdsell, Board Secretary