

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

Board President Francee E. Fuller called the meeting of the East Penn Board of School Directors to order at 7:30 p.m. in the Board Room located at 800 Pine Street, Emmaus, PA, followed by the Pledge of Allegiance.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, C. Jones, S. Kowalchuk, M. Prinzing, T. Richwine, J. Stolz
Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher
Treasurer: Gary Reigal
Board Secretary: Cecilia R. Birdsell
Superintendent of Schools: Dr. Thomas L. Seidenberger
Press Present: Loretta Fenstermacher, East Penn Press Reporter

2. Staff Recognition:

-Linda Iezzi, Administrative Assistant to the Assistant Superintendent for Supervision and Academic Planning

Ms. Fuller and Dr. Seidenberger presented a Certificate of Acknowledgement to Ms Iezzi for receiving the Professional Standards Program Advanced III, Option I Certificate awarded by the National Association of Educational Office Professionals. Dr. Seidenberger read a letter from the NAEOP describing the criteria for receiving this award. Mrs. Iezzi received a round of applause.

-Student Recognition:

Silver Medal Winners at the Skills USA Competition-Lehigh Career & Technical Institute

Ms. Fuller and Dr. Seidenberger presented a Certificate of Recognition to Derek Kleppinger for Automotive Service Specialization, and Mrs. Fenstermacher, mother of Kevin Fenstermaker, since Kevin was working this evening. The certificates for the remaining recipients will be forwarded to them at Emmaus High School.

Jacalyn Doyle	Tech Computer Applications
Kevin Fenstermaker	Internetworking
Corey Frizzell	Electronics Technology
Michael Wambaugh	Culinary Arts

3. Requests to Address the Board-None

4. Approval of Minutes

Motion by Kowalchuk, Seconded by Ballard
RESOLVED, That the East Penn Board of School Directors approve the minutes of the February 11, 2008 meeting.

This resolution was unanimously adopted by voice vote.

5. Report of the Superintendent of Schools – Dr. Thomas L. Seidenberger

1. Personnel

Motion by Earnshaw, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the following personnel items:

Dr. Seidenberger reported that board members had received a letter and resolution regarding the request by the Lower Macungie Youth Association. Dr. Seidenberger asked that the board members review the information for action at the next board meeting. A board member requested information on the eSchoolPlus program and a written report will be submitted at a later date.

Resignations

-Thomas Pellegrino, Teacher Aide at Emmaus HS, effective February 6, 2008 (Exhibit 1)
-Robin Molnar, Teacher Aide at Emmaus HS, effective February 11, 2008 (Exhibit 2)
-Christine Charles, Teacher Aide at Alburts School, effective February 20, 2008 (Exhibit 3)

Leaves as per Collective Bargaining Agreement

Employee: Kimberly Henry
Grade 1 Teacher, Wescosville School
Effective: March 5, 2008

Employee: Ashleigh Hulmes
Grade 1, Alburts School
Effective: February 19, 2008

Additions to the 2008-09 List of Per Diem Substitutes

Rachel Doherty	Elementary/Special Education
Edwin Wertman	Tech Ed
Loretti Schuima	Food Services
Patrice Murphy	Food Services

Appointment of Teacher Aides

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Debra Mullen 5634 Fresh Meadow Drive Macungie	Attendance Office, Emmaus HS	\$11.55/hr., 26.25 hrs./wk.
Adrienne Maiatico 351 Hopewell Drive Allentown 18104	Evening Library, Emmaus HS	\$11.55/hr., 10 hrs./wk.
Rebecca Gilbert 2166 Huckleberry Road Allentown 18104	Study Hall, Emmaus HS	\$11.55/hr., 28.5 hrs./wk.

Remedial Assistant Appointment

Jayanne Donmoyer 81 N. Walnut Street Macungie	Remedial Assistant, Eyer MS	\$12.55/hr., 25 hrs./wk.
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Change in Employment Status-Teacher Aides-Emmaus HS

<u>Name</u>	<u>From</u>	<u>To</u>
Dorothy Grois, Study Hall	31 hrs./wk.	28.5 hrs./wk.
Lisa DeLong, Study Hall	31 hrs./wk.	28.5 hrs./wk.
Dana Evans, Study Hall	31 hrs./wk.	28.5 hrs./wk.
Carla Reed, Study Hall	31 hrs./wk.	28.5 hrs./wk.
Susan Marsteller, Study Hall	26 hrs./wk.	28.5 hrs./wk.
Laurie Oswald, Guidance	25 hrs./wk.	31.5 hrs./wk.
Wanda Farley	31.5 hrs./wk., Shoemaker Special Education	32.5 hrs./wk., Alburts Special Education

Educational Conferences – Exhibit 4

That the East Penn Board of School Directors approve the expenses for the individuals attending the educational conferences listed on Exhibit 4.

These resolutions were duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

Co-Curricular Advisors

Motion by Stolz, Seconded by Gannon

RESOLVED, That the East Penn Board of School Directors approve the appointment of the following co-curricular advisors:

Jenifer Trautman	LMMS Spring Musical/Costumer	\$510.00
Susan Nester	Spring Costume Design Coordinator	\$510.00

Ms. Gannon said Ms. Trautman did a wonderful job on costume design for the plays and she was happy to see that she was being paid for her work. Mr. Prinzing asked why the Board was voting on these separately. Ms. Fuller responded that a request was made by a board member. Mr. Stolz said he had made the request because he was concerned about the cost in light of the construction issues facing the district. While the amounts may be small, he felt it was necessary to cut back where the district can and tighten our belts. Ms. Fuller said it was her feeling that the co-curricular advisors give far more than what they are paid. It would be very difficult to run a district without these advisors. She concluded it was money well spent.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

Motion by Earnshaw, Seconded by Ballard
 RESOLVED, That the East Penn Board of School Directors approve the appointment of the following co-curricular advisors:

Kathy Thomas	Clay Club, LMMS	\$30.11/session, 4 sessions
Mark Domyan	Juggling Club, Eyer MS	\$240.88
Kenneth Arndt	EHS Wrestling Coach	Volunteer

Ms. Kowalchuk said the after school activities are important because they build connections with the teachers and the school and that research shows that these connections are key to the academic program. Mr. Prinzing also felt that the after school programs were worthwhile and, with the federal cuts to drug programs, these activities keep kids engaged in positive programs. Mr. Earnshaw pointed out that the cost for these activities would be .003% of the budget. It is a minimal investment and these programs are incredibly valuable for all students. Mr. Ballard said he was supportive of a well rounded education. Mr. Stolz said he, too, felt that they were valuable experiences but he felt the district should revisit the co-curricular budget. He still felt it was an area where the district could but back. He noted that there are a lot of senior citizens in the district and their taxes are going up and they can no longer afford to live in the district. Mr. Stolz talked about senior citizens who sell their property to families who have children who then need to be educated in the district at a cost of \$9,000. Mr. Jones said the benefit is so much greater than the cost for these programs, adding that if the Board was looking for an area to make an impact on taxes this was probably the wrong place to do it.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine-----8

Nay: Stolz-----1

2. 2008-09 School Calendar – Exhibit 5

Motion by Ballard, Seconded by Earnshaw
 RESOLVED, That the East Penn Board of School Directors approve the 2008-09 School Calendar.

Dr. Seidenberger said the calendar is in concert with other districts. It has been reviewed with the administrative staff and the EPEA. In answer to a question from Mr. Jones, Dr. Seidenberger indicated that the calendar will be on the web site after it is adopted by the Board.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

3. Approval of Agreement with Therapy Source-Exhibit 6

Motion by Kowalchuk, Seconded by Gannon
 RESOLVED, That the East Penn Board of School Directors authorize an Agreement with Therapy Service, 10119 Valley Forge Circle, King of Prussia, PA for the services of a speech therapist as outlined in Exhibit 6.

Note: Contract has been reviewed by the Solicitor.

In answer to questions raised by Mr. Ballard, Mr. Fisher said that the Non-Solicitation Agreement should be removed. Referring to Section 2.2, Mr. Fisher said he had clarified the areas with Therapy Source, noting that if someone is employed it will be a one time annual salary.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

4. Acceptance of Gifts, Grants, Funds – Board Policy 702

Motion by Ballard, Seconded by Stp;z
 RESOLVED, That the East Penn Board of School Directors accept the following donation in compliance with Board Policy 702, Gifts, Grants, Donations:

Lincoln School PTO	\$5,000.00-For the purpose of purchasing books for the Lincoln School
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Library

Ms. Fuller thanked the PTO for their generosity.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

6. Facilities

1. Eyer MS Change Directive

Motion by Earnshaw, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve EC #1 Change Directive with Wind Gap Electric, Inc., 125 West Seventh Street, Wind Gap for time and material not to exceed \$32,000.00 for the Eyer MS Project providing labor, equipment and material to perform modifications to the existing electrical system as per drawing RE-12 and RE-5 dated October 15, 2007 involving interferences with the new skylight.

Note: This item will come back to the Board at a later date as a Change Order when the work is completed.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

2. Approval of Plancon F: Construction Documents, Willow Lane Elementary School (Exhibit 7)

Motion by Richwine, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve Plancon F: Construction Documents for submission to the PA Department of Education and further certifies that the architect has been directed to insure that all plans related to this project conform to generally accepted codes or guidelines per Section 349.16 of the Department of Education Standards.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

3. Approval of Mandate Waiver Program, Willow Lane Elementary School (Exhibit 8)

Motion by Ballard, Seconded by Jones

RESOLVED, That the East Penn Board of School Directors approve the attached mandate waiver program application (PDE-417) requesting a waiver of the Multiple-Prime Contract requirement under the PA School Code 24 P.S., Section 7-751 of 1949; to the extent that this section requires the school district to enter into multiple prime contracts for the construction of Willow Lane Elementary School.

Dr. Seidenberger explained that by adopting this waiver the district is asking PDE for permission to go out to bid. This project could be bid with a general contractor and three primes or a sole source provider. This gives the option of getting the best value for the available dollars. Mr. Earnshaw said he could fully support the process of bidding both ways. Mr. Earnshaw provided some corrections to the documents and criticized the wording in various areas that should be reviewed before mailing the document to Harrisburg. Mr. Ballard said he would fully support the application for the waiver. Mr. Ballard also felt that the document language needed improvements before going to PDE. He concluded that the language is not up to the standard of East Penn. Ms. Kowalchuk asked if this option would reduce the need for an owners representative. Dr. Seidenberger said this was discussed previously and the Board should have a representative who will be able to validate the work. He concluded it was in the Board's best interest to have an outside agency monitor the projects. In answer to a time line, Mr. Fisher said the district should hear back from PDE within 2 weeks. Mr. Richwine questioned how many districts have been granted waivers. Mr. Rick Bachl from W2A said that there have been three or four granted. Mr. Richwine asked if there was a special interest group that might want to maintain the status quo. Mr. Fisher explained the legal background, noting that there were two legal challenges lodged by the trade unions. The PA Supreme Court made a ruling last year that the practice was acceptable and that is why there have been so few waivers approved. Mr. Ballard said that PDE must show that they have made a good faith showing for any reasonable request for a mandate waiver. He added that there had been an original law that mandated the four contracts.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

7. Legislative

C. H. Ballard

1. Resolution Opposing Proposed High School Graduation Competency Assessments – Exhibit 9

Motion by Stolz, Seconded by Kowalchuk
RESOLVED, That the East Penn Board of School Directors approve the resolution opposing the proposed High School Graduation Competency Assessments as described in Exhibit 9.

Mr. Ballard reported that Governor Rendell has been pushing statewide competency exams since he took office and is a major part of his education platform. In addition, Secretary of Education Zahorchak sent a letter to all board members that Mr. Ballard felt was very insulting and requested that the Board Secretary read the letter into the minutes. The letter claims that Boards are being influenced by special interest groups such as PSBA. Mr. Ballard said he fully supports the PSBA position that states that this is not a well thought out initiative. The other agencies (PASA, PSEA, AFT, PA Association of Gifted Education, Education Law Center, etc.) have also raised concerns about this initiative. The State Board of Education unanimously voted to approve the Chapter 4 draft. That action moves the GCA proposal into the first phase of the regulatory review process, and now efforts must focus on that process.

Referring to high stake tests, Mr. Ballard reflected on the various kinds of students (liberal arts, mechanical/technical) and their particular learning styles and how they respond to testing situations that may not reflect their competency. Mr. Ballard said it is now time to take action and to defeat this proposal and he would support the resolution. Mr. Earnshaw and Mr. Jones shared their personal experiences with test taking and indicated their support for the resolution. Mr. Jones commented on the marketing literature and his sense was that they tried to address some of the concerns expressed. He felt it answered some of Mr. Ballard's concerns and cautioned against going to extremes. Mr. Jones said he would like to hear more about the pros and cons of test taking skills and preparing students for test taking for college. Mr. Stolz said he felt accountability at the teacher and student levels is important; however, these tests are an attempt to take away local control. He indicated he would be personally contacting Representatives Reichley and Beyer and Senator Wonderling. Mr. Richwine pointed out that in the February 1 edition of the PSBA School Leader News there was a two-page article by the National Center for Fair & Open Testing that lists the reasons why this proposal is not a good idea. He also agreed that the Zahorchak letter is insulting and makes it appear that districts cannot be trusted to do a good job and suggests state intervention is needed. Mr. Richwine talked about the cost for the testing and how it will take funding away from needier districts. He criticized the statement that the GCA's will be better than high school final exams and questioned the credibility of such a statement. Mr. Richwine said that test preparation companies are now becoming rich and the companies involved have influence over state and federal governments. He concluded that students who struggle will drop out of school, even if they have several years to pass the tests. Mr. Richwine said he would support any resolution that opposes these tests because there is nothing about continually testing that actually improves learning. Dr. Seidenberger shared his experience at a workshop with the Governor of Arizona, who was talking about a national movement to control curriculum and assessment. He said superintendents are concerned about teachers having another test that will limit their flexibility. He asked that the Board support this resolution. Mr. Ballard indicated that PSBA will be putting out a point-by-point fact sheet regarding the statements made in the Zahorchak letter.

In other legislative news, the Legislature is still looking at various property tax relief bills; the Governor has signed Senate Bill 1, the Open Records Law. PSBA will be conducting webinars on the new requirements in the Open Records Law. There are changes in immunization requirements and the district will probably need a parent education workshop to explain these requirements.

8. Other Educational Entities

-Carbon Lehigh Intermediate Unit T. Richwine

1. Approval of 2008-09 IU Budget

Motion by Richwine, Seconded by Gannon
RESOLVED, That the East Penn Board of School Directors approve the Budget of the Carbon Lehigh Intermediate Unit for the fiscal year July 1, 2008 to June 30, 2009.

Mr. Richwine reported that the proposed budget is 2.1 million dollars and \$761,000 is covered by the 14 sponsoring school districts. East Penn's share is \$121,501, an increase of \$5,000 over last year's amount. This is the only portion that boards have to approve. Mr. Stolz asked why there is a \$5,000 increase. Mr. Richwine responded that the IU has added small increments and explained the background. The IU performs many services for sponsoring districts and this is a small increase in districts' budgets. The IU Board and the Superintendents have approved this budget. Mr. Earnshaw further explained that some things are going up, some going down, and some are flat. He felt they were doing a great job, noting additional staff was needed, and concluded that inflation does happen. The demand for services has gone up significantly. Mr. Richwine noted there had been changes in the Business Office that were suggested by the auditors. This created a situation where things are being accounted for differently. It is difficult to compare item-to-item because of the changeover in methodology.

This resolution was duly adopted by the following roll call vote:
Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Kowalchuk, Prinzing, Richwine, Stolz-----9

Mr. Richwine reported that 53 students received major services and 306 students received services from the IU. In 2007-08, the IU serviced a total of 9,489 students. All the services received by students are billed to the district at cost.

-Lehigh Career & Technical Institute

A. Earnshaw
F. Fuller
S. Kowalchuk
T. Richwine

1. Approval of 2008-09 General Fund & Academic Center Budget

Motion by Earnshaw, Seconded by Ballard

RESOLVED, That the East Penn Board of School Directors approve the General Fund and Academic Center Budgets for the period of July 1, 2008 through June 30, 2009.

Mr. Earnshaw explained that the budget has two components – the Operating Budget and the Capital Budget. The Operating Budget is based on a five year rolling average of students sent and the average number of students has been increasing steadily over the last five years. The Capital Budget is based on the total market value of properties in the district. East Penn's market value has increased more than many other districts. The Academic Center Budget is based strictly on the number of students sent. The actual allocation will be determined next year when the enrollment is known. The total increase is 5.89%; the school district's increase is 4.4%. The Academic Center budget reflects a 20% increase or \$193,000 based on anticipated enrollment. East Penn's total allocation is going up 7.3%. Mr. Earnshaw asked the Board to support the budget.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Prinzing, Richwine, Stolz-----9

9. Strategic Planning

Dr. Denise Torma
Mr. Greg Nolan

Mr. Nolan reported that the committee met on Tuesday, February 19, and worked on key components for mission and vision statements. The committee will be meeting on March 4 and will be taking all the information received and developing new mission and vision statements. Ms. Kowalchuk indicated that this is the third time she has been a member of the Strategic Planning Steering Committee and she felt that the facilitators were making excellent use of the time. She said the group is moving forward in a very positive way and she is finding it the best experience out of the two previous committees. Mr. Nolan added that the community members have provided insight and guidance to the procedures.

10. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Ballard

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

Treasurer's Report

RESOLVED, That the East Penn Board of School Directors approve the Treasurer's Report.

Budget Transfers – Exhibit 10

RESOLVED, That the East Penn Board of School Directors approve the budget transfers listed on Exhibit 10.

Disbursement of Funds – Exhibit 11

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from 2002 AAA GOB Issue, 2004A GOB Issues, and the 2007 EGA Issue as listed on Exhibit 11.

2007-08 Transportation Contract

RESOLVED, That the East Penn Board of School Directors approve the student transportation contract with Laidlaw Transit, Inc./First Student for the 2007-08 school year at a daily rate of \$23,085.56.

Note: East Penn is currently in the fourth year of a multi-year contract that expires in June 2009. The above resolution reflects the actual number of vehicles now being used as well as the actual number of miles all vehicles are traveling each day.

These resolutions were duly adopted by the following roll call vote:

Aye: Ballard, Earnshaw, Fuller, Gannon, Jones, Prinzing, Richwine, Stolz-----9

11. Announcements

Monday, February 25	7:30 p.m.-Board Meeting, Board Room
Friday, February 29	11:00 a.m.-Early Dismissal, Emmaus HS
Tuesday, March 4	7:00 p.m.-Strategic Planning Steering Committee Meeting
Monday, March 10	7:30 p.m.-Board Meeting

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:05 p.m.

Cecilia R. Birdsell
Board Secretary