

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Charles H. Ballard called the regular 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: K. Bacher, C. Ballard, L. Donches, A. Earnshaw, F. Fuller, R. Heid, M. Policano, S. Rhodes, III, J. Stolz

Solicitor: Marc S. Fisher, Esq., Worth, Magee, & Fisher

Treasurer: Lynn Glancy

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Peter McConnell, East Penn Press Reporter
Precious Petty, Express Times Reporter
Mariella Savidge, Emmaus.Patch.com Reporter
Katrina Wehr, Morning Call Reporter

2. Award Presentations

-LEED for Schools Silver Award – Willow Lane Elementary School

Mr. Glancy announced that the U. S. Green Building Council notified the district that it had achieved Leadership in Energy and Environmental Design (LEED) certification of Willow Lane Elementary School. The letter is attached to the minutes of this meeting.

-Recognition of Achieving Model Independent Status for the 2011-12 School Year – Autism Initiative – Erin Haddigan & Staff, Emmaus High School; Jen Glendenmeyer & Staff, Wescosville School; Mike Behr & Staff, Wescosville School

Dr. Seidenberger, Dr. Pekarik, and Mr. Ballard presented certificates to the staff members named. Dr. Pekarik thanked the Principals, Dave Piperato and Tara Desiderio, and Supervisors of Special Education Meredith Frantz and Jen Curtis, for their support. They received a round of applause from the audience.

3. Requests to Address the Board

Nicole Bassett, 1221 Acorn Circle, Macungie announced that EPIC in conjunction with the Chamber of Commerce is having a Candidates' Night on April 30 from 7-9 p.m. at the Macungie Institute.

Susan Coenen, 6220 Wheatland Drive, Macungie thanked the Board for voting in favor of the .75 mile distance for elementary students. She felt there were still loose ends such as the appointment of the parent committee at Willow Lane; how the distance from home to school will be calculated; will some families within a development be bused while others will not; and is there a plan B. She questioned why the plans are not on the web site stating that the plans are on the Lower Macungie Township site. She also expressed concerns about safety and suggested a Traffic Manager from PennDOT could assist. She said her 17-page report was submitted to open a dialog about the changes.

Jonathan Berger, 6912 Sunflower Lane, Macungie claimed the parents are angry because they feel left out of an open dialog about the recent Willow Lane busing issue. He asked Dr. Moyer about having a Town Hall Meeting and he has not responded to him. He criticized Dr. Seidenberger's explanation about the calendar data. He said that the data was created several times. Mr. Berger declared that he was an Information Technology Manager for a Fortune 75 company. He said the district would not win an argument with him but he was willing to have a dialog. In addition, he said he would like a formal investigation into the security of the district's computer system.

Claire Kowalchik, 2980 Keystone Avenue, Emmaus expressed her condemnation of Board Member Julian Stolz and his Stolz Report. She reviewed the following PSBA Core Values: Commitment: We demonstrate our belief in public education and the importance of local school governance. Integrity: We are honest, responsible and ethical in all we do. Respect: We recognize the dignity and worth of everyone by treating them with courtesy and fairness.

She said Mr. Stolz has disdain for public education and uses his elected position as a platform for making sexist and racist remarks and has clear contempt for the children in the community. She concluded that the Board should vote to censure him.

Hillary Smith, 7644 Sweetwood Drive, Macungie said, as an involved parent, she was deeply offended by Mr. Stolz' remarks. She said his remarks border on obscenity and violate the moral standards of this community. She felt the Board should take the necessary disciplinary action.

Byron Crudup, 4806 Pine Grove Circle, Wescosville explained that he has two daughters who graduated from Emmaus High School who are doing very well. He talked about his experience with the teachers and how he intervened to be sure they included minority scientists and women in the curriculum. As a result, he had a very good relationship with the teachers. He said it is very hard to understand when comments are made that have to do with their integrity and try to sort it out. He said when students are called "crotch fruit" it is offensive and a mere apology "just does not cut it." He said it shows ignorance on Mr. Stolz' part and he needs to re-educate himself. Mr. Crudup said he would be more than happy to assist him in that until his re-election. He said we need people who will believe in our public school system so that our students get their fair share of education. It is one thing to have actually stated something like that but Mr. Stolz reflected on it and agreed to it. Mr. Crudup concluded that Mr. Stolz must go.

Corinne Fecho, 6690 Hauser Road, Macungie spoke about the outstanding experience that she and her daughter have had in the district. She said she would have to applaud the previous speakers who stayed so calm when addressing Mr. Stolz' statements. She said it is not acceptable for anyone representing children. She called for Mr. Stolz' resignation or stepping down from his position. She spoke in support of keeping the cafeteria workers and not contracting them out. She noted that they live and work in the community and have a commitment to the district.

Risa Donegan, 9 Coach Street, Macungie spoke against outsourcing the cafeteria workers. She said that many times they are the first people to notice a change in the pattern of a student. She talked about paying for conferences and cited examples on the Educational Conference page. She felt teachers should use the webinator more. She asked that the Board reconsider outsourcing since this is not just a money issue because these workers have a stake in the community.

4. Approval of Minutes

Motion by Donches, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors approve the minutes for the March 25, 2013 meeting.

This resolution was unanimously adopted by voice vote.

5. 2013-14 Adoption of the Lehigh Carbon Community College Capital & Operating Budget

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 Adoption of the Lehigh Carbon Community College Capital & Operating Budget.

Mrs. Ann Thompson, East Penn's representative on the LCCC Board of Trustees, pointed out that the full-time tuition for a student at LCCC is \$2,880 while in a state university the tuition is \$6,428 and at Penn State it is \$15,562. Overall the budget has increased 1.7% and East Penn's share has increased 1.4% This year East Penn has 89 students in the dual enrollment program compared to 56 students last year. Due to the many articulation agreements and the caliber of the community college, students may transfer to some of the most prestigious colleges and universities to complete their education. Mr. Earnshaw expressed his thanks to the staff and the administration at LCCC. He felt the school offered fantastic educational opportunities for students and is an asset to the community. Mr. Stolz felt that the classes he took at LCCC were every bit as good as what he had at DeSales University. Mr. Ballard thanked Mrs. Thompson for representing East Penn.

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

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

1. District Update

Dr. Seidenberger reported on the following items:

- Wednesday-Saturday the Emmaus HS Drama Department will be presenting “Legally Blonde.” He was sure it would be an outstanding performance and wished Mrs. Kuebler and the students lots of luck.
- Lincoln Principal Dr. Jackie Attinello and the teachers were congratulated. Last week there were visitors from PATTAN and CLIU to observe Lincoln’s School Wide Positive Behavior Program and they passed with flying colors and will receive an award in Hershey on May 29.
- Mike Mauro, Grade 3 teacher at Wescosville School, has been selected as B104’s March Teacher of the Year.
- The NSBA Technology Site Visit planning is underway. There will be administrators attending from Alabama, Louisiana, Texas, and California. There will be a reception at the DaVinci Center on April 29. He thanked the vendors that are sponsoring the reception. We are also getting a lot of interest from local school districts that may attend for one day. He thanked Mrs. Bloise and Mr. Mohn and all the staff members for their help with this visit.
- At the April 22 Board Meeting, Director of Technology Michael Mohn, will be updating the Board on Moodle sites. He will be going over what is happening with the NSBA participants.

Referring to the district’s 2013-14 budget, Dr. Seidenberger said he was optimistic. Currently, the budget shows an increase of 1.69%. We are confident that we will be able to increase revenue streams. There is still Basic Education Funding for \$300,000 and the pension reform collar would mean a decrease of \$582,000. He was not able to attend the Legislative Breakfast last Friday because of his commitment to Middle States. Dr. Torma is currently evaluating a public high school in Bermuda.

Director of Operations Lynn Glancy reviewed the Capital Reserve Fund History. Capital Reserve Balance is currently \$1,961,484. He indicated that transfers from the General Fund for refinance savings have taken place and capital projects have been paid from this fund. Two projects being proposed for this summer are the Lincoln roof replacement and the resurfacing of the Lincoln playground. This will amount to approximately \$675,000 to complete both of those projects. We may be looking at taking some of the savings from refinancing and putting it in Capital Reserve. There are additional projects that need to be done such as boiler work in the high school since it is not an efficient system and we could have more energy savings. It would be a two to three year payback period. Because of the mild winter, there are some funds left in the utility account. There is no recommendation this evening because they continue to have a dialog but they are hopeful to have a recommendation at the next Board Meeting so they can move forward and complete these programs during the summer. In response to a question from Ms. Heid, Mr. Glancy explained that some of the domestic hot water boilers were replaced by smaller and more efficient designs and we are saving energy. This replacement would enable the district to use a smaller boiler for operation during the summer rather than the larger boilers. Part of the larger boiler was rebuilt but the way the system is set up in order to have hot water during the summer the larger boiler needs to operate. Dr. Seidenberger further explained that when we completed the borrowing for Willow Lane the Board was asked to approve some additional capital projects. The bids came in low and put the district in an advantageous position.

Ms. Donches asked about ACCESS funds and what the more aggressive use means. Dr. Seidenberger said it relates to personnel and the reimbursement for certain services for students who qualify. It is basically for health and special services. We have been using those funds for positions in special education. An aggressive use means that we can staff more positions from the ACCESS funds. Referring to federal funds, Ms. Donches asked if we do not accept funds from the federal government do we have to do all the No Child Left Behind provisions. Dr. Seidenberger was not sure. Mr. Ballard pointed out that some of the regulations from the federal government have been adopted by the PA Department of Education so not taking the federal funds means that we cannot be fined the federal penalties; however, failure to meet the state NCLB regulations may supplant some of the federal ones. Dr. Seidenberger said he was not sure the Bob Jones scenario would apply here. Dr. Seidenberger will provide further information. Ms. Donches then asked about the \$158,000 for the Common Core Curriculum the status. Dr. Seidenberger said the district is in a good place and has been working on the Common Core changes over the last two years. Currently, our curriculum is in alignment but there is more work to be done with teachers. Ms. Donches said she has heard that there are legislators who are not excited about having the Common Core and she wondered

if Pennsylvania would opt out how much we are investing in the implementation. Dr. Seidenberger explained that we do need to do things differently and challenge teachers and students with more rigor and this fits in with what the district is doing in Instructional Rounds. Teacher will become more sophisticated and engage students in higher level thinking skills. He said he would hate to see the district abandon what the Common Core is all about. There is some debate in educational circles but the district is required to make that shift. Ms. Donches requested that the social security, retirement contributions, and workers' compensation be broken out. Dr. Seidenberger asked her to email him tomorrow with the request. She asked if web capturing fits into the budget. Dr. Seidenberger did not see it as making or breaking the budget.

2. Personnel

Motion by Fuller, Seconded by Rhodes

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

Retirements/Resignations

-Michael Seip, Health/Physical Education Teacher, effective June 16, 2013 (Exhibit 1)

Dr. Seidenberger recalled that when he came to the district six years ago, Mike Seip was an outstanding person. He embraced change and has taken the Phys. Ed Department, Aquatics, and Driver Education and modernized them. Last year he had conversations with Mike about making the pool a great place for students. Dr. Seidenberger thanked him for his years of service and said he will miss Mike.

-Patrice Helfrich, ESL Teacher, effective June 12, 2013 (Exhibit 2)

-John Stabinger, Web/Application Specialist, effective May 3, 2012 (Exhibit 3)

Dr. Seidenberger said one of the invisible people in the district is John. When Dr. Seidenberger came to the district six years ago, he was considering outsourcing the web page. People convinced him to give the staff a chance. John has played an outstanding part with the portfolios, the Dashboard, Moodle and Moodle, docs, etc. He works with the highest integrity and he wished him well.

-Melissa Klingenberg, Instructional Assistant at Jefferson School, effective April 5, 2013 (Exhibit 4)

-Amanda Kender, Instructional Assistant at Macungie School, effective April 10, 2013 (Exhibit 5)

General Leave of Absence – Board Policy 539

Employee: Maria Matsuba
Instructional Assistant, Wescosville School
Effective: June 5, 2013-June 4, 2014

Income Protection Leave

Employee: Jeanette George
Custodian
Effective: April 18, 2013

Leave as Per Collective Bargaining Agreement

Employee: Emily Vernon
Grade 2 Teacher, Willow Lane
Effective: May 1, 2013-June 30, 2013

Remedial Assistant and Staff Assistant Appointments

Name/Address	Assignment	Salary
Jennifer Rosa 78 Willow Street Macungie 18062	Remedial Assistant, Macungie School Vacancy created by R. Ross resignation	\$13.75/hr., 29 hrs./wk. Effective 4/9/13
Sandra Kreiner 3950 Main Road, West Emmaus 18049	Staff Assistant, Macungie School Vacancy created by K. Cole resignation	\$13.38/hr., 16.5 hrs./wk. Effective 4/9/13

Additions to the 2012-13 List of Per Diem Substitutes

Robert Bogwist, Social Studies
 Jennifer Halucka, Special Education/Elementary
 Kristen Breitfield, Family & Consumer Science
 Kathryne Fones, Remedial Assistant
 Kim Wanninger, Remedial Assistant
 Kristen Marks, Remedial Assistant
 Dee Barebo, Remedial Assistant
 Diana Wallbillich, Remedial Assistant
 Jeanette Nichol, Food Service
 Jessica Celone, Food Service

Co-Curricular Appointments

See Exhibit 6

Educational Conferences – Exhibit 7

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 7.

Ms. Donches requested that Mrs. Andrea Edmonds present information on the Restorative Practices Training. Dr. Seidenberger indicated that the high school has been involved in this training for approximately four years and he would contact EHS Principal Dave Piperato to provide a ten minute presentation at a future board meeting.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

7. Legislative C. Ballard

Mr. Ballard talked about the Lehigh County Legislative Breakfast held at East Penn on Friday, April 5. There were over 25 superintendents, business managers, and board members and 5 legislators. East Penn was represented by Ms. Fuller, Ms. Donches, Ms. Heid, Mr. Policano, Dr. Bacher, and Mr. Ballard. There does not appear to be a lot of movement on the state budget. He said it was a very good discussion and received some good feedback.

8. TIF Committee Dr. K. Bacher; Dr. Thomas L. Seidenberger

Dr. Bacher reported that there was a meeting on March 27 and it was probably the last committee meeting. It is expected that LCIDA should be voting at a public meeting next week. Lehigh County will then take up the TIF at a committee meeting (April 24) and then a regular meeting (May 18?). Dr. Bacher felt that the TIF would be on East Penn's May 13 Board agenda. Lower Macungie Township is looking at taking action at their June 6 meeting. As soon as the LCIDA approves the plan, it will be released and put on the web sites of all three municipal groups (Lehigh County, East Penn SD and Lower Macungie Township). Dr. Seidenberger indicated it will also include a Commonly Asked Questions page as well. The presentation at the East Penn Board Meeting will be conducted by PFM. Ms. Donches asked if it would be helpful to deal with it at two meetings. Dr. Bacher said there is only one meeting in May and pushing it to June would delay everything. Mr. Ballard said if the board members do not feel

they have enough information it could be tabled. Mr. Earnshaw pointed out that if the time line outlined is followed the plan will be on the web site for at least three weeks to review and he felt it was incumbent on board members to seek any feedback before the May meeting. Dr. Bacher pointed out that the County meeting on April 24 will be a public forum. Dr. Bacher said he has already received feedback from the public and he felt there would be plenty of time. Ms. Donches said there is more dialog at the County Meeting and suggested changing the East Penn meeting to allow for dialog. Dr. Bacher said the public and the Board will see the presentation and then make a decision. He concluded it was premature to decide what the reaction is until the plan is presented.

9. Business Operations

1. Bill List

Motion by Fuller, Seconded by Rhodes

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

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes-----7

Abstain: Donches, Stolz-----2

2. Budget Transfers (Exhibit 8)

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the budget transfers as listed on Exhibit 8.

Record of Investments (Exhibit 9)

RESOLVED, That the East Penn Board of School Directors approve the investments listed on Exhibit 9.

Disbursement of Funds (Exhibit 10)

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the Capital Reserve Fund and 33-2010 Series A as described on Exhibit 10.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

5. PLANCON PART K: Project Refinancing (Informational Only) (Exhibit 11)

PLANCON PART K: Project Refinancing and appended materials are being entered into the minutes of this Board Meeting.

Mr. Ballard mentioned that PDE is not accepting any PLANCON applications. There is a two to three year waiting list for reimbursement. The funds have been limited and the only reason to do PLANCON is get reimbursement. East Penn is reimbursed at about 8%.

6. Proposed Motion by L. Donches for April 8, 2013 Agenda

Motion by Donches, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors direct the administration to bid out all the professional services.

She explained that she has asked if the auditor or bond services have been bid out and has been told that these are professional services and they are not bid out. Her concern is that she does not know if the district is receiving the best service for the taxpayers' dollars if these services are not bid out. She claimed it was common

business practice to bid out services every three years. Ms. Donches mentioned that she was not suggesting that the current providers of services were not giving good service. She suggested that she does not know if the district could be saving money by taking advantage of the economic times and is it getting the best service that it can. Dr. Bacher asked if she was talking about all professional services or asking for RFPs or bid packets. Ms. Donches said that once RFPs are submitted they could be used in the future. She cited legal services, engineering services, bond counsel and financial services, auditor, Insurance Advisory, etc., summarizing it would be beneficial to have the RFPs. Mr. Earnshaw expressed concern about this idea. There is no indication of how often services would be bid out and does it mean the district would be changing its solicitor every year or every time there is a bond refinancing we would have to go out and get bond counsel and financial services. He pointed out that the bond professionals would not be there as well as engineering services, auditing. He concluded that this motion was ill thought out. Mr. Earnshaw's other concern was that the district has been getting excellent service with the professionals (bond counsel, solicitor, engineers) and it would seem that the institutional memory saves a lot of billable time. He talked about the learning curve to bring people up to speed and how the time is billed to the client. A new solicitor would have to review all the ongoing cases in which the district is involved. You may save a per hour rate but you will put out more money in billable hours and cost over runs. He talked about the district's experience (Willow Lane) in selecting architects and going with a less expensive firm. He concluded he would not be in favor of doing this unless there is a professional service not giving us the service then we might look at that. Dr. Bacher said the motion is not accurate. He thought that the administration does seek other services when it is appropriate (i.e. pool item). He concluded he was not in favor of this action. Mr. Ballard read the attached statement describing the process for writing bids, the use of time for district staff, the extent of the services beyond what is mentioned. He concluded that this is not being businesslike and showing a positive need. He described the problems that have been created by going with a low bidder and the subsequent legal costs. Someone asking to have bids for all these services is just asking to multiply these problems a hundred fold. The School Code allows for maintenance services not to be bid for services below \$18,500. Mr. Ballard said when he sees one of these thoughtless, forcing everything into one ideology motions, he has to think what the rationale is. He said so far he has not heard anything but sound bite responses. He said most professional services are obtained under a RFP process. Mr. Ballard concluded that professional services contracts are not subject to the bid rule and there is an element of trust in these contracts. The district has to go to someone that is trusted not the cheapest provider that can be found he could not support the motion. Ms. Donches responded said she did not put in a time frame because she did not know how often the services would be put out to bid. She understands that with the RFP you get to evaluate the proposal and not only choose it as low bid. She felt that would be worth doing for the services mentioned but she did not know how to word it. She continued to debate about how the Board knows it is getting the best service, adding that she felt it was the Board's fiduciary responsibility. Ms. Fuller responded that the way the motion was phrased to bid out all professional services and what Ms. Donches has presented are diametrically opposed. She said she would vote against it and she felt the administration needs to have flexibility to react when the district needs services. Ms. Fuller concluded that it was not an effective motion. Mr. Stolz suggested that the motion be either tabled or withdrawn to give it more thought. Ms. Donches agreed to withdraw the motion.

Ms. Donches asked about a previous check issued for \$83,804.72 to USI Insurance Services for worker's compensation. She asked to confirm the commission and was told that the district does not pay commission but she was told previously that commissions were around 3% to 4%. She again questioned the role of the insurance agents on the Insurance Advisory Council who may represent a particular company that is awarded the insurance and then subsequently they are paid a commission. Mr. Glancy reiterated that this had been explained to her in a previous Board Meeting. Mr. Ballard said the insurance agents share the commission. Dr. Bacher, Mr. Earnshaw and Ms. Heid again explained how the best insurance for a customer is provided and subsequently the agent receives the commission. If there was a single agent, then one agent would get all the commissions for all the policies involved. Mr. Earnshaw said he could not see how this was so hard to understand. Ms. Donches said that it just seemed like "racketeering" by the agents who get a benefit from the insurance award. Ms. Fuller responded that the insurance industry would have to change how an agent is paid and that is not what the Board can do. Ms. Donches then questioned if there is any incentive by the agents to get the best prices. Mr. Ballard said that these agents would not be on the Insurance Advisory Council if the district finds out that they have been "stiffing us." Ms. Donches asked what the evaluation process is. Mr. Glancy responded that he sits down with the agents and reviews the multiple quotes that are received and then a recommendation is made to the Board. They compare the last two or three years using a variety of instruments that tell whether it is going up or going down based on the claims. If the cost do not track, then they will look at another company.

10. Announcements

Monday, April 8	7:00 p.m.-Executive Session (Negotiations; Real Estate; Confidential Matters, Personnel)
	7:30 p.m.-Board Meeting
April 10, 11, 12, & 13	7:00 p.m.-Emmaus HS Spring Musical, Legally Blonde
April 13	2:00 p.m.-Matinee
April 15-19	1:30 p.m.-Elementary Early Dismissal
April 22	7:30 p.m.-Board Meeting

11. 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