

ORDER OF BUSINESS

1. Call to Order; Pledge of Allegiance

President Alan C. Earnshaw 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, followed by the Pledge of Allegiance.

Board Members Present: K. Bacher, C. Ballard, L. Donches, A. Earnshaw, F. Fuller, R. Heid, Z. Munson, S. Rhodes, III, W. Vinovskis (via Skype)

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  
Jennifer Marangos, Editor, Emmaus. Patch.com  
Precious Petty, Express Times Reporter  
Randy Kraft, WFMZ, On line Reporter  
Margi Peterson, Morning Call Reporter

2. Requests to Address the Board-None

3. Approval of Minutes

Motion by Ballard, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the minutes for the December 9, 2013 Board Meeting.

This resolution was unanimously adopted by voice vote

4. Public Financial Management – Scott Shearer, Managing Director

Mr. Scott Shearer, Managing Director of Public Financial Management, reviewed the refunding opportunities that are available for the Series of 2009 and the Series A of 2005 bond issues and the Debt Refinancing Analysis that is attached to the minutes of this meeting. The plan consists of the Board authorizing PFM to proceed for the advance refunding of the Series of 2009 with a bond sale in February or March 2014 and bond closing in March/April 2014. In October 2014, PFM would update the Board on the Series A of 2005 bond issue and the bond closing would be in December 2014.

Referring to the Series of 2009, Mr. Shearer said he would not recommend a sale with a savings of \$150,000. The callable date is November 15, 2014. He said the closer to the callable date the more efficient the transaction. Mr. Ballard asked what the approximate date would be when he would know the savings. Mr. Shearer estimated that it would be February 24, the day of the Board Meeting and the competitive sale date. Mr. Shearer reviewed the savings that could occur with this transaction and projected the school district's share would be \$152,471.26. In response to a question from Ms. Donches, Mr. Shearer said there would be no new money and the ending date remains the same. The only difference would be a reduction in the interest rate. In response to Dr. Bacher, Mr. Shearer said that the savings in the motion indicates \$200,000 savings; however, if it appears that the savings will fall below, then they would not proceed and they can pull the bond from the market the morning of the sale. At this time, all the indications were above \$200,000. He explained that if the savings is only slightly below the target (\$190,000), they would still come back to the Board. He said the rating agencies are usually very good with their projections. Mr. Earnshaw pointed out that if the Board would not go through with the transaction there may be some costs involved. Mr. Shearer felt there was a period of time that may be honored but, if it would go beyond six months, the costs would probably have to be paid.

It was noted that over the last 16 years the savings to the district for refunding bonds is \$11,596,677. Ms. Donches asked Mr. Shearer what documents does he use for a valid fund balance.. Mr. Shearer explained that he looks at the current year's budget and prior year's audits. Bond Counsel Attorney Jens Damgaard explained the advertising process and the official statement that must be made available as well as compliance with the various federal and state laws. He concluded that a lot of work must go into the process.

1. Resolution:

Motion by Ballard, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors authorize General Obligation Bonds for Refunding Purposes; Confirming the Appointment of the Financial Advisor and Bond Counsel; and Authorizing Related Actions as described in Exhibit 1.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

5. Update on DILT (District Instructional Leadership Team) Report is attached to the minutes of this meeting.

-Dr. Denise Torma, Assistant Superintendent

-Mrs. Kristen Campbell, Assistant Superintendent

Dr. Torma indicated that the work for DILT began in July 2011. She explained that a Planning Team was established and now includes building level and Central Office Administrators and teachers. Mrs. Campbell reviewed the goals that include defining a common language, information and data about best instructional practices, and observing and collecting base line data. The second year the team focused on actually defining instructional practices and developed a framework. In year three, the work was expanded to the building level and focused on questioning. All the DILT work has been in collaboration with Dr. Woodland from the University of Massachusetts at Amherst. Dr. Torma and Mrs. Campbell described the Fundamental Instructional Practices (FIP) that include the elements for description/attributes, what affects quality, how does it foster student learning and resources. Mrs. Campbell explained that the purpose of Instructional Rounds is to improve our schools and student performance and to do that by focusing on the instructional core. She explained the instructional core consists of the student, teacher, and content. The framework continuum of Tasks deals with discreet exercises, academic prompts, and performance and problem solving. A Rounds Team visits a school and members go into various classrooms and make non-judgmental observations of teachers and students on task. The classroom numbers are the only thing that the team receives. The raw data is then discussed and through a collaborative analysis they make recommendations to the school. When the Rounds Teams leave the school there is a wealth of information for the school.

Dr. Torma explained how SILT (School Instructional Leadership Team) is an extension of DILT. She said the impact can only happen by professional development and the impact that teachers have with students on a daily basis. She said the professional development that is conducted has been very focused on the Fundamental Instructional Practices. Dr. Woodland will be returning on January 30 and will be conducting a two-hour after school session on differentiation. The team meets monthly and on Saturday twice a year. During the summer months, there is an entire day dedicated to professional development for the Instructional Team. The way that they structure the classes they believe should model the instructional practices that we expect. There is a clear agenda, posted minutes and a video available to members of DILT. Last month they started off with educational effectiveness. The next portion of work focused on video analysis. The district is now collecting videos of East Penn teachers in action. The Instructional Team observes brief segments of the videos, compares observation data, and brainstorms and gives feedback.

Dr. Torma informed the Board that in 2012-13, the district was approved for 70 hours of professional development credit and, for 2013-14, 82 hours are being requested for credit approval. She explained how she and Mrs. Campbell will write the course for DILT and have lesson plans, outcomes, and assessments and get input from Dr. Woodland. All this information will be submitted to the Department of Education. Dr. Torma noted that throughout the process Dr. Woodland serves as a consultant and a facilitator. On January 29, Dr. Woodland will be working with the Macungie faculty. There is a close relationship with Amherst (MA) Regional School District and the Simsbury (CT) School District. There is a network of school districts that are doing this work. There will be two central office administrators join them on the visit to Jefferson as well as a professor from Muhlenberg College.

Ms. Fuller asked how students react to the teams in the classroom. Dr. Torma responded that the principal sets the schedule and has a broad cross section of the school from art rooms to learning support to major content areas. Teachers do nothing special. She noted that everything that is identifiable goes into a shred box. Dr. Munson wanted to know what work was done to have teachers buy into the process. Mrs. Campbell felt that it was the involvement of the teachers right from the beginning. The teachers are selected by a lottery and teachers can nominate themselves or be nominated by a colleague. The team is split – half teachers and half administrators. Dr. Bacher asked how buildings are selected and Dr. Torma answered that it is a District Instructional Leadership Team decision (DILT). Rev. Vinovskis asked if there was a time line and assessment for DILT as well as the scope of the use. Dr. Torma described the evaluation process that is used every year. The courses are evaluated then that drives the next year's activities. Dr. Seidenberger said the results were shared with the Board. Mr. Earnshaw thanked them for a very informative presentation.

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

1. District Update

Earlier, Dr. Seidenberger had welcomed a Boy Scout who is working on his Merit Badge and is an Emmaus HS student.

Dr. Seidenberger reported that the monthly AASA magazine, The School Administrator, has dedicated the January edition to Instructional Rounds. East Penn compares very favorably to the districts mentioned in the article. We will have representatives from North Penn and Muhlenberg College which is the goal to share our expertise. He felt the whole process unifies the administrators.

The Green Hornets' Academic Team won the conference championship with a victory over Liberty High on Dec. 16. The Junior Varsity took second place in the Western Division of the LVC. On Saturday, February 15, the Steel Hornets will be hosting 30 teams for the FTC Tournament at EHS. This event will be held for teams to qualify for the State Championship Event, held later in the year. The Varsity Competitive Cheerleading Squad qualified for the PIAA Championships at Hershey.

Dr. Denise A. Torma, a graduate of Moravian College, received the 2013 Benigna Education Award for her outstanding work in the field of education. Dr. Seidenberger attended the awards ceremony along with Dr. Torma's family members.

It was announced that Susan Bauer, a science teacher in the East Penn School District, has received the nation's highest honor for math and science teachers. She has been named a recipient of the Presidential Award for Excellence and Science

Teaching. She was one of 102 teachers in the country to receive the honor, which is awarded annually to outstanding science and math teachers. She was one of only two Pennsylvania teachers to receive the honor. The winners are chosen by a panel of scientists, mathematicians and educators following a selection process at the state level. Winners receive a \$10,000 award from the National Science Foundation to be used at their discretion and are invited to Washington, D.C. for an awards ceremony. The audience applauded this accomplishment.

Dr. Seidenberger announced that February 14 and April 17 are make up days. We will work with parents who have plans over those holiday weekends.

Dr. Seidenberger distributed copies of the 2014-15 Budget Timeline and Budget Primer, along with the Five Year Budget Worksheets. He said administrators are waiting for Governor Corbett's Budget message on February 4. Acting Secretary of Education Carolyn Dumaesque will be presenting the Education Budget for the PASA Legislative Committee members on February 7. Dr. Seidenberger noted that each year is a different year. Special Education costs have increased significantly and East Penn is adding staff for Albutis School. Federal ACCESS funds are reduced. There has been an increase in cyber and charter schools. We will be renewing our efforts to educate parents especially those enrolled in cyber charter schools and the quality of education. There are some revenues that are strong while some are not, i.e. interim real estate taxes. He said the Washington people have started to rally around a budget agreement. Sequestration may not be as severe as expected. The district will introduce a Preliminary Budget on January 27. Dr. Seidenberger also indicated that the administration will be asking the Board to seek exceptions. He pointed out that the district when granted exceptions in the past did not exceed the amount with the budget. He said everyone in the community understands the increases in PSERS and the fact that it is not a local decision. We are in the process of evaluating the transportation contracts. Dr. Seidenberger said there is a new business moving into the old Daytimers building which is good news. Business Manager Debbie Surdoval clarified the budget timeline noting that at the February 10 Board Meeting the Board will need to adopt the proposed preliminary budget which subsequently must be submitted to PDE if exceeding the index.

Mr. Earnshaw asked how Susan Bauer was nominated for the Presidential Award for Excellence. Dr. Torma indicated that she was nominated by a professor at Lehigh University and individuals were asked to write letters of recommendation based on her STEM work at Eyer. Dr. Torma wrote a recommendation, noting that what Mrs. Bauer was doing was very cutting edge. Dr. Seidenberger mentioned that they were doing a longitudinal study of the girls that had been in her class as to what they were doing three, four, five years out. Dr. Torma said she was also integrating lab studies with her students where they actually went to Lehigh and utilized its equipment for their studies.

## 2. Personnel

Motion by Ballard, Seconded by Fuller

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

### Retirements/Resignations

- Dr. Thomas L. Seidenberger, Superintendent of Schools, effective July 1, 2014 (Exhibit 2)
- Cecilia R. Birdsell, Board Secretary/Executive Assistant to the Superintendent, effective June 30, 2014 (Exhibit 3)
- Carol Firth, Confidential Assistant in Personnel, effective March 10, 2014 (Exhibit 4)
- Ann Miller, Administrative Assistant, Jefferson School, effective March 10, 2014 (Exhibit 5)
- Tamah Biello, Instructional Assistant, Wescosville School, effective December 20, 2013 (Exhibit 6)
- Anita Wible, Food Services Department, effective January 20, 2014 (Exhibit 7)
- Grace Hochella, Health Room Assistant, effective January 30, 2014 (Exhibit 8)

Ms. Fuller said she found both Dr. Seidenberger's and Miss Birdsell's letters very moving, very thorough and they both spoke about their commitment to education. She said she would like to vote :no" but they richly deserved their retirements and she wished them well. She thanked them for staying until the end of the school term. Mr. Earnshaw said there will be time to tell all the embarrassing stories.

### Appointment of Full-Time Substitute Teacher

Name/Address:	Kelly Riccio 710 Emerald Road, Gilbertsville 19525
Education Level:	B. S. Degree (2009)
Undergraduate School:	Kutztown University
Certification:	Instructional I, Music
Assignment:	Music, Lincoln & Jefferson Schools Opening created by C. Campbell Leave
Effective:	January 14, 2014
Experience:	10/2013-Present: East Penn SD 9/2009-6/2011: Allentown SD
Salary:	\$47,344, Year 1, Col. B

### Leaves as Per Collective Bargaining Agreement



The following dates are make-up days for the weather-related absences that occurred recently:

February 14 (January 2)

April 17 (January 7)

All additional days will be added to the end of the school year (June 10, 11, 12).

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit – F. Fuller

Ms. Fuller reported that the IU has received the audit from the Commonwealth of Pennsylvania for the period of February 22, 2011 through June 18, 2013. The IU complied "in all significant respects, with relevant requirements." The IU did implement the recommendations from the previous state audit regarding not updating the Memo of Understanding with a local law enforcement agency. The MOU had been updated and appropriate policies put in place. The IU General Operating Budget was approved in December. East Penn's contribution is \$136,703 which is change of \$394 over last year's budget. The IU will be distributing the budget to sponsoring districts for action.

-Lehigh Career & Technical Institute – R. Heid, A. Earnshaw, F. Fuller, S. Rhodes, IIII

Ms. Heid reported on the progress of the LCTI Budget and talked about the challenges in PSERS and health benefits that are occurring at LCTI. The current General Fund expenditures are \$24,375,500, an increase of 3.29%. There is a shortfall of \$2900 but they are trying to find ways to reduce funds. She said health benefits are at 18% but may stabilize at 15%. They are considering furloughing one teaching position and analyzing energy costs, instructional equipment, health benefits, and a replacement delay with some technology equipment. She noted that Allentown has the highest attendance at LCTI, followed by Parkland, East Penn, and Whitehall-Coplay. East Penn's projected share is \$159,346 for a total increase of 2%. East Penn has a credit coming in the amount of \$19,605. The Academic Center has a decrease of 2.73% because less students are attending. The total cost for East Penn is \$89,720. The surplus in the Academic Center is \$8,494. Ms. Heid pointed out that overall technical schools have a 90.4% graduation rate. She said that LCTI also has opportunities for adults as well.

8. Legislative – C. Ballard

Mr. Ballard reported on HB-1741 that would require school boards to provide at least 48 hours public notice before voting on collective bargaining agreements or professional educator employment contracts for a professional educator who is not a member of an employee organization. The notice must be published on the district's website and a newspaper of general circulation. This bill adds additional costs to taxpayers. Mr. Ballard urged everyone to contact the legislators to oppose this bill. Mr. Ballard reported that the State Board of Education recommends against creating new mandates for dating violence curriculum. He said this would require, school districts to provide dating violence education, to provide training to school staff on dating violence issues, and to adopt policy to address incidents of dating violence involving students at school.

Charter Reform is on the agenda for the second half of the legislative calendar. Legislators are looking for a compromise between HB 618 and SB 1085. Mr. Ballard elaborated on the many issues that surround the Charter Schools from performance to compensation. They are not subject to the Open Records Laws and he feels that they should be since taxpayers fund the schools. He urged board members to contact state senators because there are a number of amendments that are detrimental to school districts. Dr. Seidenberger said he would also be sending the Board a Temple University study about the performance of charter schools.

Facilities

1. Required Site Modifications for Willow Lane School – Exhibit 11

Motion by Ballard, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors authorize the Civil/Site Engineering Proposal for Willow Lane Elementary School with Liberty Engineering, Inc., 7535 Windsor Drive, Allentown as outlined in Exhibit 11.

Dr. Seidenberger said this is needed to complete the PLANCON process. In response to a question from Ms. Donches, it was noted that the sprinklers are for the exterior of the building.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

10. Business Operations

1. Bill List Approval

Motion by Ballard, 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.

Ms. Donches indicated she would be abstaining because she does not receive the information she needs.

This resolution was duly adopted by the following roll call vote:  
Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----8  
Abstain: Donches-----1

2. Treasurer's Report

Motion by Rhodes, Seconded by Ballard  
RESOLVED, That the East Penn Board of School Directors approve the Treasurer's Report.

Ms. Donches said that the information regarding investments only complies with about two-thirds of the policy. She indicated that she would vote for the report this evening but, in the future, would not unless she could see that the policy was being followed.

Disbursement of Funds – Exhibit 12

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as outlined on Exhibit 12.

Budget Transfers – Exhibit 13

RESOLVED, That the East Penn Board of School Directors approve the list of budget transfers as outlined on Exhibit 13.

2013-14 Salary Roster

RESOLVED, That the East Penn Board of School Directors include the 2013-14 Salary Roster in the permanent minutes of this meeting.

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors grant permission for Anita's School of Dance 3315 Mauch Chunk Road, Coplay to rent the Lower Macungie MS auditorium, locker room, and classroom for a dance recital rehearsal and show on June 4 and June 7, 2014. This is a Group V organization and will be charged the following rental fees:

- \$120.00/hr. Rehearsal Fee
- \$125.00/hr. Recital Fee
- \$18.00/hr. Classroom/Locker Room Fee
- \$41.49/hr. Stage Manager Fee
- \$16.00/hr. Security Fee
- \$41.49/hr. Custodial Fee

These resolutions were duly adopted by the following roll call vote:  
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Munson, Rhodes, Vinovskis-----9

3. Other

Ms. Donches asked Solicitor Fisher if he could tell her what statute prevents a board member from receiving information and what statute allows the majority of the board to decide what information an individual board member can have. Over the past few months she has asked for an Excel version of the line budget, all the account codes for all checks, a Master Teacher Schedule and the Board has either voted against it or she has been told she cannot have the information in the format requested. She feels she needs these items and makes the requests to fulfill her fiduciary responsibilities. Solicitor Fisher said he did not know the exact statute. She asked for the support of the Board to have the Solicitor research the statute. She wanted to know what is driving the Board to not give information to board members Mr. Earnshaw stated that the Board has discussed these issues on several occasions and the Board did not see the need to waste staff time to prepare the information in the format that she requested and that has been the answer all along. She said she requested the line item budget in Excel and receives a PDF. Mr. Earnshaw said that information comes from the County system. She continued to ask the Solicitor if there were statutes and not just internal controls that prevent her from receiving information. Dr. Bacher said it was his understanding that one person on the Board cannot expend district resources. She would have to convince four other board members. Dr. Bacher further commented that Ms. Donches keeps saying that she is being denied information and she has not made the case about why she requires information in a particular format to do her job. He said there are some very smart and experienced people on the Board who do not feel that the information requested is needed to do the job of a board member. In his mind, she has failed to make the case. Mr. Ballard said he had to deal with this disingenuous issue for some time. He said no individual board member has any more right to information than the public. If a Right to Know request would be filed, it would be rejected because it is not available in the format

that she is requesting. It is not required to customize a format that does not exist for district information. He said if there is a compelling case made about why this information is needed and relevant to the entire Board that would be adequate consideration. He pointed out that in their packets each board member received a memo addressed to Ms. Donches listing the checks and account numbers that she had questions on and she still voted to abstain claiming she did not have enough information. Over the course of the time she has been requesting this information it has cost taxpayers hundreds if not thousands of dollars in staff time to produce these memos. She has received the information and has done nothing with it and then claims she has not received information. He said there is a reason she does not receive the information. He talked about the information being state account numbers that do not tell you anything. He said the conduct is disingenuous. He felt there should be an accounting of how much this information costs. Ms. Donches claimed that she only asks about checks that are high dollar amounts. She again asked the Solicitor if there is some statute preventing her from receiving the information. She further stated that the information could be shared with the entire Board and, if the rest of the Board does not want it, then she still wanted it. She wanted to analyze the data such as the Master Schedule which is tax dollars so she could review the class sizes. Solicitor Fisher responded by clarifying that Section 508 states what a Board can expend funds on. He said as far as a request for formatting, it does not matter if it is a board member or a member of the public, the law does not require the district to put the information into a customized format.

11. Announcements

Monday, January 6	The Board met in Executive Session regarding personnel.
Monday, January 13	6:30 p.m.-Executive Session (Negotiations, Real Estate, Personnel Matters) 7:30 p.m.-Board Meeting, Board Room
Monday, January 20	Martin Luther King, Jr. Day (Schools & Offices Closed)
Monday, January 27	7:30 p.m. – Board Meeting, Board Room

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:30 p.m.

Cecilia R. Birdsell, Board Secretary