

## 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, J. Stolz

Solicitor: Robert Magee, Esq. (for Marc Fisher, Esq.), Worth, Magee, & Fisher

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Peter McConnell, East Penn Press Reporter

Katrina Wehr, Morning Call Reporter

Precious Petty, Express Times Reporter

Randy Kraft, WFMZ on line Reporter

Mariella Savidge, Emmaus.Patch.com Reporter

### 2. SGA Report

Adam Kita and Will Geroni, SGA representatives from Emmaus High School, reported on the following activities:

-Emmaus High School spring sports teams are just starting up. (La Crosse, Softball, Baseball, Cross Country)

-Matchmaker Server was conducted and they had over 1,000 students sign up. While they did not make a lot of profit, they did have fun.

-The track team sponsored Shave for the Brave and raised approximately \$45,000 for Pediatric Cancer Research.

-Adam Kita and Will Geroni addressed the bomb threats at Emmaus HS and commented on the inconvenience for rest room use, acknowledging that the precautionary measures were warranted for stopping the threat occurrences.

-EHS students and advisors are taking the annual Spring European trips. Students are touring in Italy, Greece, and Germany.

Mr. Earnshaw indicated that the AP German students were currently in Munich and would be touring Dachau, the site of a German Concentration Camp during WW II. He felt it would be a sobering experience for students. Mr. Earnshaw said he was glad that students had an opportunity to make these trips.

Mr. Ballard said that the students should be highly commended for their fund raising with the Shave for the Brave initiative.

### 3. Requests to Address the Board

Susan Coenen, 6220 Wheatland Drive, Macungie reported her personal survey results regarding the Willow Lane busing situation. She asked when the parent committee would be established; status of the site improvement plans to be filed with Lower Macungie Township; which of her suggestions from her 17-page report will be included in the final plans; whether the plans were going to be reviewed by a traffic engineer; and status of parent allegation about when the November 27 meeting was put on the district calendar. She also wanted the site improvement plans to be put on the district web page.

Dr. Lee LaRusso, 1982 Winthrop Way, Macungie urged the Board to support the resolution for K-5 busing as listed on the agenda. He felt it was a good compromise for the safety and traffic concerns.

Garrett Rhoads, 5595 Wedge Lane, Allentown reported that the electronics recycling program, sponsored by the Eastern PA Business Owners Network, raised \$500 for the Angel Network. He thanked all of the volunteers and Drs. Moyer and Seidenberger and his staff for allowing them to use the Willow Lane parking lot. He concluded that it was an excellent event to show cooperation between the school district and community for the needy families in the district and to demonstrate their mutual commitment to green operations policies.

Lou Schuler, 1991 Forest Lane, Allentown, a parent with three children in the East Penn School District and a journalist, expressed his outrage at the vulgar twitters about public education between a Todd Kincannon and East Penn Board Member Julian Stolz on Mr. Stolz' Twitter account. Mr. Schuler said Mr. Stolz was entitled to his opinion on public education and, if Mr. Stolz feels that students are inferior to children in private schools, he is entitled to that opinion also. He questioned why a person who holds children and their parents and taxpayers in such contempt takes up one of nine positions on the School Board and probed how this person who considers the 8,152 students in the district "inferior offspring of the proletariat" serve the cause of public education. He said his problem was not that Mr. Stolz holds these repellant views but rather the fact that Mr. Stolz uses his position on the School Board as a the source of his authority to support those repellant views. Mr. Schuler concluded that Mr. Stolz should not be holding a seat on the School Board and called for his resignation.

In response, Mr. Stolz said he did not agree with the language that Mr. Kincannon used in his tweet and has called him on that several times. However, he did agree that there are many problems with public education in this country but East Penn is the exception to the rule. He said in some areas children are trapped in very poor schools with teachers who did not have the same interest in education as in the East Penn Schools. He felt East Penn does a great job and he looks forward to taking part on this Board to uphold the excellent education. He told Mr. Schuler that if he wished to talk to him after the board meeting he could do so.

4. Approval of Minutes

Motion by Bacher, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the March 11, 2013 meeting.

This resolution was unanimously adopted by voice vote.

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

1. District Update

Dr. Seidenberger reported on the following staff and district activities:

- Sallie Yencho, Third Grade Teacher at Jefferson School, was selected as B104's Teacher of the Month.
- Michael Mohn, Director of Technology, will be adding up to three phone number fields for Edulink calls. Parents will be able to do this through the Home Access system.
- Emmaus High School will be hosting a College Fair on May 1 from 6:00-8:00 p.m. They will have over 100 post-secondary institutions.
- Teachers Erin Haddigan, Jen Glendenmeyer and Mike Behr received the Certificate of Outstanding Achievement in Recognition of Achieving Model Independent Status for the 2011-2012 School Year. This status is difficult to achieve through the PA Autism Initiative. Dr. Seidenberger thanked Dr. Pekarik and Jen Curtis for their work.
- Dr. Seidenberger reported on legislation that is being proposed for charter and cyber school funding and distributed a cost estimate compiled by Assistant Business Manager Jim Frank based on the legislation being proposed. The projected savings to East Penn with the new calculation would be \$102,178.23.
- Senator Joseph Scarnati, III is proposing legislation for security measures that will raise the Safe Schools allocation from \$500,000 to \$10,000,000. This could be used for school resource officers and East Penn would be eligible to submit a grant application.
- Senator Ward will be re-introducing SB 1507 that did have bipartisan support. This legislation is related to mandate waiver relief. This bill would allow districts to ask parents whether or not they would be using transportation. Dr. Seidenberger felt it was something that should be considered.

Referring to the 2013-14 East Penn Budget Books that were distributed to board members, Dr. Seidenberger explained that the district would not be seeking waivers this year. He called attention to the narrative section and the set of goals he established. He said the budget shows a 1.69% increase in the budget and he felt confident that could be reduced. He commented on the following specifics:

1. Basic Education Funding going up \$300,000 which is not in the budget; however, a partial amount of the ABG Grant is included. There is consistent information that the ABG grant will happen.
2. The increase represented is about \$1,320,617.00.
3. The concern about the status of assessment appeals. There is a back log of appeals and districts lose about 66% of those cases.
4. We do not know about pension reform. This is a function of PSERS and the Legislature. We expect a lot of activity from Harrisburg regarding this issue.
5. Privatization of Liquor stores will have no impact on this budget. If it goes through, the bank of money would not be available until 2014-15.
6. Special Education Funding. With the Governor's recommendation of holding harmless again this represents six years of no increases. Senator Browne is leading a charge to see how funds are allocated.
7. Enrollment patterns continue to fluctuate. The Kindergarten registrations indicated 367 students which is lower than previous years. There is usually an increase of approximately 75 students over the summer. The Spring Real Estate Meeting has not be scheduled yet.
8. At this point, we do not have an exact number of retirements.
9. The district is looking at opportunities to reduce transportation costs. (Merging bus runs with St. Ann's & Seven Generations; reducing the number of runs, etc.)
10. Departments will continue to look at their budgets and spending patterns to see if there is an opportunity to adjust.
11. There is a new housing development in Lower Macungie Township so we will be monitoring this to see how it could impact the schools.
12. Dr. Seidenberger will be having conversations with Township and Borough Managers to see if there is anything that could happen in the way of development.

Dr. Seidenberger said that we will continue to look at our revenue streams which continue to be positive (increasing at 2.4%). Referring to the TIF, there is no firm decision on that moving forward. Dr. Seidenberger said the district could be looking at a 5% decrease in federal funding that would impact Title I and special education. He reminded everyone that state aid increases would help reduce the budget as well as the restoration of Charter School reimbursements (\$850,000 loss to the district). He asked the Board to take a look at the budget books and the goals. Mr. Stolz provided his insight into the topic of state aid.

2. Personnel

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

Resignations

-David Silfies, Principal at Eyer MS, effective June 29, 2013 (Exhibit 1)

Vice President Alan Earnshaw commented that his children had the privilege of attending Eyer MS when Mr. Silfies was the Assistant Principal and then the Principal. Mr. Earnshaw said that Mr. Silfies is an outstanding educator and has kept the sense of community that exists at Eyer. He thanked him for his service and wished him a long, happy retirement.

-Ellen Rae Price, Instructional Assistant at Willow Lane School, effective June 11, 2013 (Exhibit 2)

-Susan Hoffman, Custodian, effective March 15, 2013 (Exhibit 3)

-Bonnie Kirka, Instructional Assistant at Shoemaker School, effective April 15, 2013 (Exhibit 4)

-Matthew Bachert, Custodian – Second Shift at Lincoln School, effective March 15, 2013 (Exhibit 5)

Leave as per Collective Bargaining Agreement

Employee: Marie Hartman  
Grade 3 Teacher, Willow Lane School  
Effective: April 12-June 30, 2013

General Leave – Board Policy 539

Employee: Ellen Peters  
Staff Assistant, Macungie School  
Effective: March 25, 2013-March 24, 2014

Temporary Professional Appointment

Name/Address: Ross Kirk  
851 Nantucket Circle, Bethlehem 18015  
Education Level: B. F. A. Degree (2004)  
Undergraduate: Edinboro University  
Graduate School: Moravian College  
Certification Credits  
Certification: Art, K-12; Elementary K-6  
Assignment: Art Teacher, Willow Lane School  
Vacancy created by resignation of M. Comp  
Experience: 9/12-Present: Northwestern Lehigh SD  
Salary: \$45,185 (Year 1, Col. B)

Appointment of Instructional Assistant

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Kaitlin Mikitka 5035 Elmhurst Drive Schnecksville 18078	Instructional Assistant, Eyer MS Vacancy created by B. Vanderoef resign.	\$13.38/hr., 29 hrs./wk. Effective: March 26, 2013

Appointment of Custodian

Scott Berry 7524 Bell Gate Road Coopersburg 18036	Custodian, Second Shift Vacancy created by M. Bachert resign.	\$18.94/hr., 40 hrs./wk.
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Co-Curricular Advisors

Shannon Atkinson Hair & Nails Club, Eyer MS \$32.56/session, 8 sessions  
Maximum

Change in Employment Status

Employee	From	To
Nicole Polanki, Instructional Assist.	Macungie School	Shoemaker School

Additions to the 2012-2013 List of Per Diem Substitutes – Food Services

Maureen McGrath Diana Mae Jago Suzanne Reppert  
Sandra Ruch-Moorin, German

Educational Conferences (Exhibit 6)

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 6.

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

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

3. 2013-14 East Penn School District Calendar (Exhibit 7)

Motion by Bacher, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 District Calendar.

Dr. Seidenberger said that every school district in Lehigh County, except Allentown and Parkland, are starting school before Labor Day. This is a common calendar among the districts so the flow of students to LCTI and the IU are not disrupted. The make-up days are included at the bottom of the calendar.

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

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

4. Transportation Resolution

Motion by Bacher, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors provide bus transportation for all K-5 elementary students who live .75 miles and further from their assigned school, effective with the 2013-2014 school year.

Dr. Seidenberger responded to comments made earlier this evening. Mr. Szewczak is working on the drawings to be submitted and approved by the Township. He commented on statements made at the last meeting about staff members not being forthright with dates on the calendar. He explained that when there was access to the district calendar on February 25 and March 7 the date is recorded. Dr. Seidenberger and his staff were reviewing the calendar information in a meeting on those two dates. Dr. Moyer asked the Technology staff as early as November 21 to put the information on the calendar for the November 27 meeting.

Referring to Willow Lane, he said that everyone was offered transportation for the first two years that the school was open. It was not the district creating the traffic issues but rather the number of parents who are transporting students to the school. He told Dr. Moyer that if he wanted to lessen traffic there must be cooperation from the parents. The district is realistic and he thought compromise and common sense are important to the resolution. Changing the mileage from 1.5 miles to .75 reduced the students by one-third so there will be about 125-140 students who will not be offered transportation unless there are mitigating circumstances or they are special ed students. The district has had conversations with Lower Macungie Township officials about the developments and communities and what planners look at when developing communities. The administration must look at a sense of fairness for other students and cannot be arbitrary and capricious. The district staff was surprised by how few students in the other buildings would be added so there should be no additional cost. The other component is the confidence that Lower Macungie Township will follow through with their part. He again re-stated that if for some reason the flashing signs and cross walks are not installed or we do not have crossing guards, he would come back to the Board and recommend busing for the students.

Ms. Fuller congratulated the staff and the public noting that it has been a long journey together. This plan demonstrates that concerns have been heard and incorporated. The first time .75 was suggested was during the public comment period. She recounted her conversation with the Township Engineer who indicated they just needed the school district to make the next move.

She indicated she would support the motion. Dr. Bacher asked how the distance would be measured. Dr. Seidenberger said whatever is done will be handled in a consistent basis. We will certainly work with parents who feel they have a legitimate case. They will be working with Versatran to develop the technology to allow parents to click on their address to see how far they are from the school. Mr. Ballard suggested that there be some kind of attachment to the Board Policy stating the .75 miles so it is written somewhere. Ms. Donches asked if the measuring would be from the door or the end of the driveway. Dr. Seidenberger said they would use discretion and would not quibble over a foot or a yard. Mr. Glancy will respond to that question when he returns. The district would save \$54,000 with this plan, including the crossing guards. She asked if any of the parent's safety concerns would be addressed. Dr. Seidenberger responded that they would be looking at the black top along the fence as an alternate. Ms. Donches asked if there was a consensus that the Fire Company was satisfied with the plan. Dr. Seidenberger reiterated that for years the Fire Company has asked the district to do something about parents coming up the main driveway. Moving the cars to Mill Creek will alleviate the traffic and there will only be 9-10 buses coming in from Sauerkraut Lane and they will be looking at the gates. Mr. Earnshaw clarified that the motion deals with courtesy busing. The resolution has nothing to do with traffic patterns at Willow Lane, drop offs, or ending transportation at Willow Lane. All these issues are separate and will be dealt with separately. This motion does not impact any of those items. He again restated the resolution. Mr. Stolz questioned the policy issue that Mr. Ballard talked about adding the distance. Mr. Ballard said the current policy is silent about mileage. This resolution states what we are doing with courtesy busing for elementary. He thought it would be clearer to the public so they would know what the current mileage is. Mr. Ballard and Mr. Stolz continued to debate the question of interpretation of policy and practice. Mr. Earnshaw said this is a district decision on how we are practicing our transportation. He did not see it as a policy change as much as a district practice.

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

6. Policy Adoption

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors adopt the following policies for inclusion in the Board Policy Manual:

Board Policy 609-Investment of District Funds – Exhibit 8

Board Policy 810-Transportation – Exhibit 9

There was consensus to add a schedule to Policy 810 stating the .75 mile distance as a district practice for elementary. Dr. Seidenberger will also add language for the middle schools and the high school.

This resolution was duly adopted by the following roll call vote:  
 Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit F. Fuller

1. 2013-14 Proposed General Operating Budget

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 General Operating Budget for the Carbon Lehigh Intermediate Unit as presented.

Ms. Fuller said this budget allows the IU to operate and pay for staff, curriculum, and maintenance. The budget this year calls for a total of \$823,241. East Penn's share is \$136,309 representing an increase of \$411 over the previous year. She supported adopting the budget.

This resolution was duly adopted by the following roll call vote:  
 Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

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

1. 2013-14 General Fund and Academic Center School Budgets

Motion by Heid, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the 2013-14 General Fund and Academic Center School Budgets as presented.

Ms. Heid reported that the budget has decreased .9% based on enrollment. Our total \$2,218,912 represents a \$19,000 decrease from last year's budget. In response to a question from Dr. Bacher, Ms. Heid indicated that Allentown and Parkland have the highest enrollments. Mr. Earnshaw clarified that there are two budgets – Operating and Capital Budgets. East Penn has a smaller part of the operating budget based on enrollment; however, we have a larger part in the Capital Budget because of the district's property base.

This resolution was duly adopted by the following roll call vote:  
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----9

8. Legislative

Mr. Ballard said the legislation on the privatization of the liquor stores may be changed and the revenue will not be put into a separate fund for education but will be earmarked for "some" fund. Mr. Ballard reported on the following legislative items passed and approved by the House of Representatives and the Senate:

The House of Representatives passed:

HB 658 which gives school districts the authority to implement local tax credit programs for seniors that perform services in a school district. Mr. Ballard pointed out that East Penn has a successful program that does not require seniors to work. East Penn was also one of the first districts to implement this program. Mr. Earnshaw noted that Dr. Seidenberger had a similar program in a previous district (Avon Grove).

SB 66 which moves the State Tax Equalization Board (STEB) from an independent board to a division within the Department of Community and Economic Development (DCED).

The House Education Committee approved:

HB 930, which makes extensive changes to the Professional Educator Discipline Act. Among the changes, HB 930 requires an educator arrested or indicted for or convicted of certain enumerated crimes to report the indictment, arrest or conviction to the employing school entity within 72 hours.

House Resolution 139, which directs the Legislative Budget and Finance Committee to conduct a study of the status of special education for gifted students in this Commonwealth.

The Senate approved:

SB 193, which requires all school nurses to be certified in cardiopulmonary resuscitation (CPR).

The Senate Education Committee approved:

SB 10, which expands the current Safe Schools Grant program offered by the Office for Safe Schools within PDE and creates a dedicated grant to public and private school entities for the purpose of training and hiring armed guards for schools that want them on premises.

SB 60, which allows school districts to apply to PDE for a waiver of pupil transportation requirements. The amendment requires a school board seeking a waiver to survey the parents of resident pupils prior to the incoming school year to determine transportation routes and schedules. The district will not be required to transport any child during regular school hours, if the parents waive, in writing, the transportation services provided by the school entity. The parent or guardian may revoke the waiver, in writing, at any time, requiring the school entity to provide transportation.

HB 2 implements a new special education funding formula, establishing how any increases in the current special education appropriation are distributed using weighting factors based on category of disability. The bill also creates a Special Education Funding Commission to develop the components of the special education funding formula, including the weighting factors and the parameters of each category of disability.

There is also a bill that would require districts to provide space and allow the Fish & Game Commission to conduct hunter safety courses.

Representative Roebuck, Chairperson of the House Education Committee, issued a report on charter and cyber schools and provided a report on the investigation of the schools that indicates there are problems with 44 of the schools and that 37 of those schools are still operating. He introduced HB 394 to reform the schools and it parallels the report of the Auditor General from last year. Mr. Ballard asked that board members talk to the legislators.

Mr. Stolz commented on the fact that legislators have no problem using the sale of liquor and gambling for revenue and do not see the immorality of taxing property owners.

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

Dr. Bacher reported that the Committee had met last Thursday and discussed more details. There was discussion about how the TIF Plan will become public. It will be voted on by LCIDA and at that point it will be made public. It will be on the web site as well as some Frequently Asked Questions. He indicated that another meeting will be held on Thursday. Mr. Rhodes asked if there was a time frame between when the plan is made public and when the district would have to act on it. Dr. Bacher indicated that the County would vote first and then the school district would vote second. By law, the Township would vote last. It does not make sense to put it on an agenda until the County has taken action. Mr. Rhodes asked if there was a date and he was told that they had not seen any specific date. In answer to a question from Ms. Donches regarding prevailing wage, Dr. Bacher indicated that this project is required to use prevailing wage. There is information in the TIF Plan but it has not been made public and it is just an estimate. There is an estimate for final bids and there is a line item in the document. Ms. Donches asked if the figure has been released yet. Dr. Bacher responded that it had not. Dr. Seidenberger said all three government agencies will be putting the final approved plan on their web sites. Ms. Donches asked if it would be done a regular meeting. It will be done at a public meeting by Public Financial Management.

10. Business Operations

1. Approval of Bill List

Motion by Fuller, Seconded by Stolz

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. Treasurer's Report

Motion by Stolz, Seconded by Earnshaw

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

Disbursement of Funds – Exhibit 10

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010, Series A, as listed 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

11. Other

Ms. Donches thanked Athletic Director Dennis Ramella for his conference report. In response to a question about whether there would be any budget implications, Dr. Seidenberger said budget implications would revolve around Title IX changes.

1. 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 bid out all the professional services.

In response to early comments, Mr. Stolz said that East Penn is an excellent school system; however, there are areas where lower income parents are forced to have their children attend failing schools. He suggested people read a piece that he wrote for Pennsylvaniaconservative.com.

11. Announcements

Monday, March 25	7:00 p.m.-Executive Session (Negotiations, Confidential Matters)
	7:30 p.m.-Board Meeting, Board Room
Thursday, March 28	All Schools & Offices are open. (Makeup Day)
March 29 & April 1	All Schools & Offices are closed.

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:15 p.m.

Cecilia R. Birdsell, Board Secretary \_\_\_\_\_