

## 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: C. Ballard, A. Earnshaw, E. Gannon, R. Heid, M. Policano, T. Richwine, J. Stolz

Board Members Absent: F. Fuller, S. Rhodes

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

Board Secretary: Cecilia R. Birdsell

Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Loretta Fenstermacher, East Penn Press Reporter

Robert Wallace, Emmaus. Patch.com Reporter

Kelly Martin, Morning Call Reporter

Mr. Ballard announced that the LMMS School Improvement Plan was being removed from the agenda.

### 2. Requests to Address the Board

Fawn Strunk, 1885 Grenshire Drive, Macungie thanked Ms. Gannon, Ms. Heid, Mr. Policano, and Mr. Stolz for their efforts in trying to keep the tax increase down. She said that this is the second year that the district exceeded its Act 1 limit.

Otto Slozer, 121 E. Elm Street, Emmaus thanked the Board minority for their efforts at the last meeting to lower the tax burden. He talked about the May 9 Board Meeting and accused Dr. Seidenberger of attacking campaign literature. He also talked about the Debt Service being \$15,616,506 which is higher than the 14.8 million dollars listed previously. He acknowledged that the district received "free money" from the state in the amount of 1.6 million dollars which is also tax money. He claimed this conflicted with other information and questioned "what is the truth?"

### 3. Approval of Minutes

Motion by Policano, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the June 27, 2011 meeting.

This resolution was unanimously adopted by voice vote.

### 4. Report of the Superintendent of Schools

#### 1. District Update

Dr. Seidenberger announced that the conference for the National Staff Development Council was being withdrawn for more information. He said the positions being replaced are necessary, specifically the Instructional Assistants who are working with special education students with major needs. The teacher leaving will need to be replaced at Macungie School

He explained the Exchange Program that is being recommended for Principal Tony Moyer. Dr. Seidenberger indicated that East Penn will have a visit from a Chinese administrator in October and, in turn, Mr. Moyer will be going to China in April. The funds for the registration will be coming from Title II funds and Mr. Moyer will be absorbing the additional costs. Dr. Seidenberger said this will give the district an opportunity to interact with the Chinese educational system.

The HVAC contract being awarded this evening is the low bid meeting specifications. The bid was \$45,000 less than the second lowest responsible bidder.

The district has received the subsidy funds that were promised by Representative Reichley and Senator Browne. A part of those funds will be for the ABG grant which was used to pay for instructional coaching, staff development, and for all-day kindergarten services. At this time, the district does not know what the parameters will be for these funds.

Referring to enrollment, Dr. Seidenberger reported the following figures:

Grades	2009-10	2010-11
K-5	3565	3413
6-8	1861	1892
9-12	2593	2523

He talked about the central registration process and announced that there will be evening hours in August. The information will be advertised on the district's web site.

2. Personnel

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

Resignations

-Diana Vasilik, Administrative Assistant at Eyer MS, effective August 2, 2011  
(Exhibit 1)

-Lorianne Reiss, Staff Assistant at Emmaus HS, effective June 29, 2011  
(Exhibit 2)

-Angela Fields, Instructional Assistant at Emmaus HS, effective June 27, 2011  
(Exhibit 3)

-Elizabeth Van Allen, Instructional Assistant at Wescosville School, effective June 20, 2011 (Exhibit 4)

-Lora Holland, Instructional Assistant at Alburtis School, effective May 27, 2011  
(Exhibit 5)

-Shannon Wernersbach, Elementary Teacher at Macungie School, effective August 30, 2011  
(Exhibit 6)

Educational Conferences

That the East Penn Board of School Directors approved the estimated expenses for the individuals attending the following educational conferences:

Educational Conference:	PA Institute for Instructional Coaching, Penn State University
Date(s):	July 25-27, 2011
Attending:	Dennine Leschinsky, Literacy Coach, Eyer MS Vicky Romagnoli, K-8 Technology Integration They are presenters for this conference.
Estimated Cost:	\$365.29

Educational Conference:	PA Institute for Instructional Coaching, Penn State University
Date(s):	July 25-27, 2011
Attending:	Michele James, Coach/IST, Macungie School
Estimated Cost:	\$272.28

Educational Conference:	US-China Administrator Shadowing Exchange Initiative, Beijing, China
Date(s):	April 8-22, 2012
Attending:	Anthony Moyer, Principal, Willow Lane School
Estimated Cost:	\$1600.00

Professional Employee Appointment

Name/Address:	Nicole Wack 407 Cherrywood Court, Perkasie 18944
Education Level:	B. A. Degree (1999) M. Ed. Degree (2005)
Undergraduate School:	La Salle University
Graduate School:	Cabrini College
Certification:	Instructional II, Chemistry
Effective:	August 30, 2011
Assignment:	Chemistry Teacher, Emmaus HS (Vacancy created by M. Case retirement)
Experience:	8/2005-Present: East Stroudsburg SD 8/2004-6/2005: William Penn SD 12/2000-6/2004: Archdiocese of Philadelphia
Salary:	\$62,898 (Year 10, Col. M)

### Temporary Professional Appointments

Name/Address: Laura Soha  
598 S. Fourth Street, Chambersburg 17201  
Education Level: B. S. Degree (2008)  
Undergraduate School: Indiana University of PA  
Certification: Instructional I, Safety Education/Driver Education; Health and Phys. Ed.  
Effective: August 30, 2011  
Assignment: Driver Education Teacher, Emmaus HS  
(Vacancy created by B. O'Connell retirement)  
Experience: 8/2010-Present: Waynesboro Area SD  
10/2009-6/2010: Milton Hershey HS  
Salary: \$45,185 (Year 1, Col. B)

Name/Address: Kristen Opfer-Grim  
1811 Siegfriedale Road, Breinigsville 18031  
Education Level: B. S. Degree (2001)  
M. E. Degree (2009)  
Undergraduate School: Kutztown University  
Graduate School: Lehigh University  
Certification: Instructional I, Secondary School Counselor  
Effective: August 30, 2011  
Assignment: Guidance Counselor, Emmaus HS  
(Vacancy created by R. Weidner-Smith resignation)  
Experience: 1/2010-Present: Bethlehem Area SD  
Salary: \$53,898 (Year 2, Col. M)

Name/Address: Marlo Smurda  
1112 North 23rd Street, Allentown 18104  
Education Level: B. S. Degree (2006)  
B. A. Degree (2006)  
Undergraduate School: East Stroudsburg University  
Certification: Instructional I, Social Studies  
Effective: August 30, 2011  
Assignment: Social Studies Teacher, Emmaus HS  
(Vacancy created by E. Carr retirement)  
Experience: 10/2007-Present: Allentown SD  
Salary: \$45,185 (Year 1, Col. B)

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

Aye: Ballard, Earnshaw, Gannon, Heid, Policano, Richwine, Stolz-----7  
Absent: Fuller, Rhodes-----2

### 3. Tuition Contract Agreement

Motion by Gannon, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the contract with The Development Center for Children & Families, Morris County, NJ to provide the summer program services and tuition for a student effective July 7, 2011 and terminating on August 10, 2011 at a total cost of \$6625.00.

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

Aye: Ballard, Earnshaw, Gannon, Heid, Policano, Richwine, Stolz-----7  
Absent: Fuller, Rhodes-----2

### 5. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported that the IU is conducting a search for a new Business Manager and an Assistant Executive Director, a position that has been vacant for over a year. He reported that last year the IU served 325 East Penn students and this year it served 360 East Penn students. For more intensive services, the IU served 12 more students going from 96 students to 108 students. He pointed out when there are that many more students served by the IU the special education costs will increase substantially. The state's percentage of support continues to shrink.

### 6. Legislative

C. Ballard

Mr. Ballard reported on the following legislative items:

Omnibus School Code Amendments (excerpt from the July 7, 2011 PSBA Legislative Report) --- [HB 1352](#), now Act 24 of 2011, provides for distribution of subsidies and other funds to schools.

Budget re-opening – School boards are permitted to re-open their 2011-12 budgets to reflect final state appropriations.

Repeal of costing-out study reference – The act deletes the reference to the state's goal to meet certain state funding targets by 2013-14.

Repeal of required use of funds -- The act repeals the requirement that limits a school district's use of funds when the school districts receive increases in their basic education funding above the index when compared to the prior fiscal year.

Moratorium on data collection -- The act provides a moratorium in the Departments of Education and Public Welfare on the collection of data during the 2011-12 and 2012-13 school years.

No PLANCON for districts not seeking state reimbursement -- The bill removes the requirement for the Pennsylvania Department of Education to approve school construction projects that do not use state funds. PDE approval also is not required for those school construction projects for which reimbursement is not requested.

Superintendent eligibility -- Act 24 removes the teaching experience requirement for a superintendent candidate and permits districts to hire non-educator candidates who have a graduate degree in business or finance. The non-educator candidate must have four years of relevant experience in business, finance or management. Superintendents who do not have teaching experience would be required to complete a leadership development program that meets Pennsylvania school leadership standards.

Act 45/48 moratorium -- Requirements under Act 45 and 48 that mandate professional development for teachers and administrators are suspended until June 30, 2013.

School safety reports -- Language clarifies that school safety reports must be filed with PDE on an annual basis.

Admission of beginners -- The act clarifies that school districts must admit first graders during at least the first two weeks of each school year

Dual enrollment -- The act repeals current provisions requiring a school entity that participates in a concurrent (dual) enrollment program to establish a committee that is responsible to develop an agreement between the entity and postsecondary institutions.

Act 1 Restrictions -- [SB 330](#), now Act 25 of 2011, removes a majority of the backend referendum exceptions under Act 1 of Special Session 2006. The new law retains the following exceptions, with some modifications:

Special Education: The exception adds language that requires costs incurred to be netted against state special education payments. That means that districts may only seek a tax hike to cover the portion of a special education cost increase that exceeds the district's special education state funding. Dr. Seidenberger indicated that the district had received over \$100,000 when the bills were actually over \$800,000.

Pension: The pension exception freezes the wage base at 2011-12 levels, such that the exception cannot be used to cover any increases in these costs above the base, even if a school district hires new employees and the total salary costs exceed the 2011-12 levels. Under the language, the exception applies to a school district's share of payments to the PSERS' system if the increase in the amount of the estimated payments between the current year and the upcoming year, as determined by the department, is greater than the index. The district's share of payments of PSERS for the current year is determined by the department using the lesser of the school district's total compensation for the current year or the school district's total compensation for the 2011-12 school year. It also freezes the district's share of payments for the upcoming year as determined by the department to the lesser of the school district's estimated total compensation for the upcoming year OR total compensation for the 2011-12 school year.

Sunshine Law Penalties -- [SB 101](#), act number not yet assigned, amends the Sunshine Act to increase the maximum penalty that may be imposed on a public official who participates in a meeting with the intent and purpose of violating the open meeting requirements and other provisions of the law.

Moratorium of Court-Ordered Assessments -- [HB 1696](#), still in the hands of the governor, creates a temporary moratorium of court-ordered countywide reassessments. This does not affect Lehigh County.

Mr. Ballard indicated that Lehigh County is in the process of conducting a tax reassessment process that will culminate next year. The reassessment does not allow a government entity to collect more than 2% more revenue than they had in the previous assessment year. If a house has not been re-assessed in twenty years then there could be a significant change in the real estate tax bill. He cautioned that people should start to prepare for the reassessment now.

Mr. Earnshaw noted that the process will be taking place in 2012 and will take effect in 2013. The last re-assessment was done in 1991. In answer to a question raised by Mr. Earnshaw, Dr. Seidenberger responded that the moratorium on professional development also includes the PA Inspired Leadership Program (PILS). He said the district is waiting for more information from PDE, adding that new superintendents and assistant superintendents still have to meet the requirements. This is an example of another unfunded mandate.

7. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Policano

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

Rejection of Bids -Fuel Oil & Diesel Fuel; System Integration of the Facilities Management and Control Systems

RESOLVED, That the East Penn Board of School Directors reject the Fuel Oil and Diesel Fuel bids that were opened on June 6, 2011 and authorize the re-bidding of these items; and,

Be it further

RESOLVED, That the East Penn Board of School Directors reject all the System Integration of the Facilities Management and Control System bids and authorize the re-bidding of this item.

Contract Award - HVAC Systems Professional Maintenance Service Contract

RESOLVED, That the East Penn Board of School Directors award the contract for HVAC Systems Professional Maintenance Service Contract to H. T. Lyons, Allentown, PA with a base bid of \$190,704.00.

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

Aye: Ballard, Earnshaw, Gannon, Heid, Policano, Richwine, Stolz-----7

Absent: Fuller, Rhodes-----2

4. Tax Collection Committee Resolution

Motion by Earnshaw, Seconded by Stolz

A resolution by the East Penn Board of School Directors, Lehigh County, Pennsylvania, authorizing, empowering and directing the proper officers of the East Penn School District to appoint a liaison Board Secretary, Business Manager, and Treasurer between and among East Penn School District, the Lehigh Tax Collection Committee and Berkheimer, the duly appointed tax officer for the collection of earned income tax, for the express purpose of sharing confidential tax information for official purposes or as provided by law:

**WHEREAS**, Act 32 enacted by the General Assembly of the Commonwealth of Pennsylvania on July 2, 2008 (53 P.S. §6924.101 et seq) amends the Local Tax Enabling Act to require countywide consolidated collection of earned income tax by 2012; and

**WHEREAS**, Section 504 of Act 32 (53 P.S. §6924.504) established a tax collection district (TCD) having a geographical boundary that is coterminous with the county in which the TCD is created, except for certain exceptions as set forth in the Act; and

**WHEREAS**, Section 505 of Act 32 (53 P.S. §6924.505) provided for the establishment of a tax collection committee (TCC) to oversee and administer the collection of earned income tax within the TCD; and

**WHEREAS**, Section 507 (a) of Act 32 (53 P.S. §6924.507 (a)) requires each TCC to appoint and oversee a tax officer whose function is to collect and administer income taxes within the TCD pursuant to Section 506 of Act 32 (53 P.S. §6924.506); and

**WHEREAS**, the Lehigh TCC, has entered into a Contract with H. A. Berkheimer, Inc. trading as Berkheimer Tax Administrator, (Berkheimer) of Bangor, Pennsylvania appointing Berkheimer to collect earned income tax for all political subdivisions within the Lehigh TCD; and

**WHEREAS**, Section 514 of Act 32 (53 P.S. §6924.514) specifically mandates that any information gained by a tax officer, or any employee or agent of a tax officer or of the tax collection committee as a result of any declarations, returns, investigations, hearings or verifications shall be confidential tax information; and

**WHEREAS**, Section 514 of Act 32 (53 P.S. §6924.514) makes it unlawful, except for official purposes or as provided by law, for the Commonwealth, any political subdivision, tax collection committee

member, tax officer or employee or agent of a tax officer or tax collection committee to (1) divulge or make known confidential tax information, (2) permit confidential tax information or a book containing an abstract or particulars of the abstract to be seen or examined by any person, and (3) print, publish or otherwise make known any confidential tax information; and

**WHEREAS**, any person who engages in the prohibited conduct as set forth in Section 514 (b) of Act 32 (53 P.S. §6924.514) commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of not more than \$2,500 or be sentenced to imprisonment for not more than one year, or both. If the offender is a member of the tax collection committee, the member shall be removed from the tax collection committee. If the offender is an employee of a tax collection committee or a political subdivision, the employee shall be discharged from employment. The offender shall pay the costs of prosecution; and

**WHEREAS**, Section 515 (b) (3) of Act 32 (53 P.S. §6924.515 (b) (3)) requires the tax officer authorized by the political subdivision to collect income taxes levied prior to January 1, 2012 (Article XIII tax officer) to deliver all tax records to the political subdivision and the newly appointed tax officer by June 30, 2012, unless pursuant to Section 515 (b) (4) of Act 32 (53 P.S. §6924.515 (b) (4)) it is otherwise agreed to by the political subdivision and the newly appointed tax officer for the collection of delinquent taxes or reports from 2011, or previous years; and

**WHEREAS**, the Lehigh TCC and Berkheimer request the passage of a resolution by the **East Penn Board of School Directors** specifying the Secretary of the **East Penn School District, the Business Manager, and the Treasurer** as the authorized representative(s) for the purpose of delivering to and receiving from Berkheimer confidential tax information pursuant to the provisions of Act 32 as hereinabove recited.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. **East Penn School District** hereby appoints the **Board Secretary of East Penn School District, the Business Manager and the Treasurer** as its authorized representative to deliver or facilitate the delivery of confidential tax information to Berkheimer and to request and receive confidential tax information from Berkheimer, relative to the collection of taxes for **East Penn School District** to be used for official purposes or as provided by law; and

2. Berkheimer is hereby directed to provide and/or transmit any and all confidential tax information relating to the collection of taxes for the **East Penn School District** upon written request, to **the Board Secretary of East Penn School District, the Business Manager, and the Treasurer**. Requests by the authorized representative shall be considered requests for official purposes or as provided by law.

3. **East Penn School District** hereby agrees to save harmless, indemnify and/or absolve the Lehigh TCC and Berkheimer from and against any and all liability in connection with the unlawful release of confidential tax information by the **East Penn School District**.

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

Aye: Ballard, Earnshaw, Gannon, Heid, Policano, Richwine, Stolz-----7

Absent: Fuller, Rhodes-----2

8. Announcements

Monday, July 11 7:30 p.m.-Board Meeting, Board Room

Monday, August 8 7:30 p.m.-Board Meeting

Monday, August 22 7:30 p.m.-Board Meeting

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:00 p.m.

Cecilia R. Birdsell, Board Secretary

## ORDER OF BUSINESS

### 1. Call to Order; Pledge of Allegiance

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Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, R. Heid, M. Policano, T. Richwine, J. Stolz  
Board Members Absent: E. Gannon, S. Rhodes, III  
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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Marangos, Emmaus.Patch.com Reporter  
Kelly Martin, Morning Call Reporter

### 2. Requests to Address the Board

John Donches, 559 Minor Street, Emmaus again suggested that the East Penn Board Meeting be web cast and requested that he be allowed to work with East Penn's IT Department. He said a cost of \$8,000 had been mentioned and asked if there was a report that he could see. He thanked the Board for their attention.

Travis Flexer, 1727 Pinewind Drive, Alburtis requested that the district provide bus service from First Impressions Day Care in Macungie to the Alburtis School. He claimed it was the only school that was not providing transportation and asked the Board to review their policy.

### 3. Approval of Minutes

Motion by Policano, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors approve the minutes of the July 11, 2011 meeting.

This resolution was unanimously adopted by voice vote.

### 4. Report of the Superintendent - Dr. Thomas L. Seidenberger

#### 1. District Update

Dr. Seidenberger reviewed the amount of scholarship money that was received by students in the Class of 2011. Over \$68,000 in local scholarship money was received; some of the graduates received an estimated \$5,000,000 in academic scholarships. The student/athletes received in excess of \$600,000 in scholarships.

In addition, the Emmaus HS AP scores were recently received. Emmaus HS offers 22 AP courses. There were 421 separate exams with 96 students scoring at least a 3; 140 students scoring at least a 4; and 144 students received a perfect score of 5. He said the high school students and teachers show their outstanding performance.

Dr. Seidenberger introduced Secondary Supervisor Dr. Linda Delvernois and Coordinator of Elementary Education Mrs. Susan Noack to give an overview of what is happening in math instruction.

Dr. Linda Delvernois, Supervisor of Secondary Education, noted that Pennsylvania is one of 45 states that have adopted the common core standards. On July 1, 2010, the Pennsylvania State Board of Education unanimously approved the Common Core Standards for English language arts and math with the expectation that these standards would be fully implemented statewide by July 1, 2013. These standards for K-12 were developed by the National Governors Association and the Council of Chief State School Officers and are based on the understanding that all elementary and secondary students should learn certain skills and information regardless of their address.

The English language arts standards encompass reading (literature, information text, and foundational skills), speaking, listening, writing, and language and can be integrated into the social studies and science curricula. The math standards are divided by grade level from kindergarten through Grade 8. For high school, the standards encompass the six areas of number and quantity, algebra, functions, modeling, geometry, and statistics and probability. In addition to the grade level standards, the common core also includes a section for "Standards for Mathematical Practice", which include the five practices of making sense of problems and persevering in solving them, reasoning abstractly and quantitatively, making viable arguments and critiquing the reasoning of others, modeling with math, and using appropriate tools strategically.

In an effort to be proactive and to prepare our students not only for the transition to the full implementation of the Common Core Standards, but also to meet with success on the Keystone exams, we are addressing the math

sequencing beginning with the 2011-2012 school year. All Grade 7 students will take Pre-Algebra and classes will be heterogeneously grouped. Grade 8 will begin incorporating more Algebra concepts into the current Pre-Algebra B course. In 2012-2013, the Grade 7 students will then take Algebra 1A as eighth graders and the Grade 8 students will take Algebra 1B as freshmen. These freshmen students will participate in the Algebra Keystone Exam. Any middle level student taking Algebra I Honors will participate in the Algebra Keystone Exam during the year he/she takes the course. Parents will be receiving a letter noting the changes in sequence.

Ms. Stacey Meckes, Middle School Math Department Leader and a member of the State Level Committee, explained that the department had met last week. Every middle school math teacher will sign up for the ED classes and another session is scheduled for next week. As of the 2011-12 school year, all grade 7 students will be taking Pre-Algebra and classes will be heterogeneously grouped. All grade 8 students will start to incorporate more Algebra concepts into pre-Algebra B and teachers will be provided with summer ED for planning purposes. There will be a small group of accelerated students who will take Algebra I Honors. In 2012-13, Ms. Meckes noted that Pre-Algebra in Grade 8 will become Algebra 1A and Algebra I will be offered in Grade 8 as an Honors level course only. Summer Ed hours will be provided for planning and preparation. Students will take the Keystone Exams after they have finished Grade 9 math.

Ms. Laura Leiby, Emmaus HS Math Department Leader and a member of the State Level Committee, noted there is a nice collaborative relationship between the middle schools and the high school math teachers. Summer ED planning time has been planned to start discussions for preparing for the Algebra I, Algebra II, and Geometry Keystone Exams. For 2012-13, the Grade 9 students who failed Grade 8 Algebra 1A will repeat Algebra 1A. Students who passed Algebra 1A will progress into Algebra 1B and these students will participate in the Keystone Exams. The Algebra Seminar that is currently a double period will transition into Algebra 1A with a lab component.

Mr. Earnshaw asked if students who took Algebra I in Grade 8 are going to have to go back and take the Keystone Exam after the fact. Dr. Delvernois explained students only have to take the exam in the year that they have taken the course. Students who took Algebra I previously are exempt. Mr. Ballard questioned if PA has adopted any of the complete curriculum that has been put out for the common core standards. Dr. Delvernois said PA is currently working on the math and has not adopted the math. There are committees that are currently meeting but work has not been completed. He questioned if the courses were being created to teach to the test. Dr. Delvernois said that they want to be sure that all the concepts that students need will be included in the courses and they are not catering the courses to the Keystone Exams or the common cores but the district is bound by regulation and law to include the common core standards in the curriculum guide. She concluded that they are trying to be proactive and aligning everything. Mr. Ballard pointed out that the district just got finished re-aligning to new PA standards and now is being expected to align to newer standards. Dr. Delvernois concurred and Mr. Ballard pointed out that the district is not receiving any extra funds from the state. Dr. Seidenberger said it is one of the reasons that the district did not purchase new textbooks, adding these are some of the outside influences that affect what we do internally.

Dr. Seidenberger reported that East Penn has received the preliminary AYP results. The district and all schools have made AYP for attendance and participation rate. For the performance target, all schools made AYP with the exception of Macungie and Emmaus HS. In Macungie, there was an IEP subgroup for reading and Emmaus High School had an IEP subgroup for mathematics. This puts both schools in the Warning category. Last year, LMMS was in a Warning status and this year they have done fine. Alburtis made AYP in the Special Education category but they did not have enough students in the subgroup. The school must go through the process and will be labeled Making Progress. Dr. Seidenberger indicated that the Alburtis situation is exactly why there needs to be changes in the NCLB regulations.

Community Liaison Nicole Bloise is working on the Annual Report. He said the report will be due out some time in September. He indicated that the E-folios will be making their debut on September 6 on the web site. There are evening registration hours on Tuesdays and Thursdays to accommodate new registrations. On August 15, all of the sports teams and EHS activities will begin. Dr. Seidenberger announced that the District Staff Day is scheduled for Tuesday, August 30, and will begin in the EHS auditorium. The New Staff Orientation Day is scheduled for Tuesday, August 30. These are district staff days but board members are welcome to attend. He related a story about how the EHS Key Club members have been working with the Mayor of Reading during the summer to provide books for disadvantaged students. They have also been working with Easton and the Allentown School District. In October, the students will also be going to the DaVinci Center to distribute books for a special science reading day. Bev Bradley who is in charge of the Cops 'n Kids programs complimented student advisors Mrs. Teles and Mrs. Wells and thanked Mr. Mark Warden who coordinated the delivery of the books.

Dr. Seidenberger mentioned the various maintenance projects that are taking place around the district. The staff is working with Booster Club to be sure the proper safety requirements are in place for the refreshment stand.

On Thursday, Dr. Rebecca Woodland from the University of Massachusetts will be conducting a workshop dealing with Instructional Rounds, specifically problem solving. She will be working with central office administrators and building administrators.

Dr. Seidenberger said this is the first year that there has been difficulty with filling all requests for out of boundary school changes. Some have been denied because class sizes are increasing and space must be left open for



students who will be living in a specific school's boundary. There are a few day care centers that do transport students to Alburis School. Elementary class sizes are running in the neighborhood of 28-29 students in Grade 1. A few years ago when we were re-districting the administration met with the providers and described the district can and cannot do. Dr. Seidenberger said that the administration will be meeting to develop guidelines. Open enrollment is available when there is space and when the transportation can be worked out. The district tries to do its best but we cannot artificially increase class sizes. Dr. Seidenberger indicated that the administration would be developing specific guidelines for open enrollment and would make a recommendation to the Board at a future date. Mr. Ballard asked if any of the board members objected to the Superintendent pursuing this project. There appeared to be no objection.

Dr. Seidenberger reported that in July East Penn had 7,886 students and as of August 1, there are 7,925 students. There are 39 more students 31 at the elementary level; 6 at the middle school level; and 2 at the high school level. In addition, there are some special education enrollments that are creating class sizes that are in excess of the mandated class size so an additional non-budgeted teacher will be needed. These students are enrolled in the autistic support classes. Mr. Earnshaw said that the state sets the standards for student to teacher ratios and that is why we are forced to higher an additional teacher. Dr. Seidenberger said that the various exceptionalities dictate the number of students in a class.

Last year Lower Macungie Township was not successful in going after a safe school grant that would have helped more students walking to Willow Lane. We are again working with the Township to develop safe walking strategies for Willow Lane.

Dr. Seidenberger talked about "green communications" and again emphasized that the district will not be sending out brochures for Adult Education. Previous attendees have been emailed and some brochures are in the local public libraries, doctors' offices, and senior housing locations. The District Calendar will also be handled electronically this year. Parents who do not have access to a computer will be provided hard copies. Dr. Seidenberger asked that this receive "full press court" as well as principals will be including these changes in their newsletters. The Common Core Math Letters will also be handled electronically. The bus cards are being mailed this year and health records. Mr. Earnshaw asked that notification be sent out when the report cards are available on line. Parents will be encouraged to sign up for the Home Access Center and the IT Department has scheduled two workshops for parents. Mr. Earnshaw complimented the staff for their work in this area and, as a parent, he found it very helpful.

The district will be receiving \$750,000 in Jobs money. When all funds have been received, the administration will do an analysis of what was received from the state both last year and this year.

The Fund Balance Policy is on the agenda for a second reading and is aligned to GASBE 54. Each district must pass this policy. The sources used for this policy are the local auditors, PDE, and PFM. The budget books is on line along with the final budget.

Ms. Fuller pointed out that she was pleased to see that the district was hiring art and music teachers in a day and age when those positions are being eliminated. East Penn is continuing to support the arts and music.

Referring to the advertising for the Adult Education courses, Mr. Ballard asked if any consideration was being given to putting posters in the libraries where there is electronic access. He also asked if there were hard copies of the budget books. Mrs. Bloise said printed brochures for Adult Education are in the libraries. The budget books are also in the libraries. Mr. Ballard talked about getting a commercial sponsor for the calendar. He said there are people who like to have the printed calendars. Dr. Seidenberger talked about perhaps looking at an Education Foundation and some other revenue sources. If there is something of interest, then he will bring it to the Board. Mr. Ballard cautioned that the PDE website may not match the new GASBE requirements and definitions of accounts.

## **2. Personnel**

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

### Resignations

- Marc Dobbs, Guidance Counselor at LMMS, effective July 21, 2011 (Exhibit 1)
- Elizabeth Nosek, Staff Assistant at Eyer MS, effective August 9, 2011 (Exhibit 2)
- Maria Ovidia, Staff Assistant at LMMS, effective July 15, 2011 (Exhibit 3)
- Amy Garchinsky, Staff Assistant at Wescosville School, effective July 28, 2011 (Exhibit 4)
- Michelle Dunleavy, Health Room Assistant at Jefferson School, effective August 1, 2011 (Exhibit 5)

### Request for General Leave of Absence

Employee: Shaista Qazi

Instructional Assistant, Wescosville School  
Effective: September 6, 2011-September 5, 2012  
Reference: Board Policy 539, General Leave

Request for Leave as per Collective Bargaining Agreement

Employee	Assignment	Effective
Ellen Martin	Grade 1 Teacher, Wescosville	8/30/2011-6/15/12
April Snyder	Grade 1 Teacher, Shoemaker	8/30/2011-1/26/12

Temporary Professional Teacher Appointments

Name/Address: Allison Bramnick  
510 Stevens Drive, King of Prussia 19406  
Education Level: B. M. Degree (2011)  
Undergraduate School: Susquehanna University  
Certification: Instructional I, Music  
Assignment: Elementary Music - Wescosville & Alburtis Schools  
Vacancy created by S. Smith retirement  
Effective: August 30, 2011  
Experience: None  
Salary: \$45,185 (Year 1, Col. B)

Name/Address: Amy Dewalt  
1154 Dewalt Drive, Easton 18040  
Education Level: B. S. Degree (2007)  
M. S. Degree (2010)  
Undergraduate School: East Stroudsburg University  
Graduate School: East Stroudsburg University  
Certification: Instructional I, Speech & Language Impaired  
Assignment: Speech Therapist  
Vacancy created by J. Dieffenderfer resignation  
Effective: August 30, 2011  
Experience: 8/10-Present: Elizabethtown Area SD  
Salary: \$53,898 (Year 2, Col. M)

Name/Address: Jennifer Wylie  
5011 Cypress Street, Wescosville 18106  
Education Level: B. S. Degree (2008)  
Undergraduate School: Kutztown University  
Certification: Instructional I, Art K-12  
Assignment: Elementary Art - Wescosville & Alburtis Schools  
Vacancy created by V. Free retirement  
Effective: August 30, 2011  
Experience: None  
Salary: \$45,185 (Year 1, Col. B)

Name/Address: Tara Lindsay  
531 Barrington Court, Sellersville 18960  
Education Level: B. S. Degree (2010)  
Undergraduate School: East Stroudsburg University  
Certification: Instructional I, Elementary, Special Education  
Assignment: Kindergarten, Macungie & Shoemaker Schools  
Vacancy created by S. Wernersbach resignation  
Effective: August 30, 2011  
Experience: 9/2010-6/2011: East Penn SD  
Salary: \$45,508 (Year 2, Col. B)

Full-Time Substitute Teacher Appointments

Name/Address: David Abruzzi  
293 West 30 Street, Northampton 18067  
Education Level: B. S. Degree (2009)  
Undergraduate School: Penn State University  
Certification: Instructional I, Elementary  
Assignment: Grade 1, Willow Lane School  
Opening created by A. Hulmes General Leave  
Effective: August 30, 2011  
Experience: 9/2010-6/2011: East Penn SD

Salary: \$45,185 (Year 1, Col. B)

Name/Address: Tara Collier  
6382 Manzanita Drive, Macungie 18062

Education Level: B. S. Degree (1989)  
M. A. Degree (1994)

Undergraduate School: Kutztown University

Graduate School: Rider University

Certification: Instructional I, Elementary, Early Childhood, Reading Specialist

Assignment: Grade 2, Shoemaker School  
Opening created by A. Theis leave

Effective: August 30, 2011

Experience: 9/2010-6/2011: East Penn SD

Salary: \$45.185 (Year 1, Col. B)

Grade 2 Leader: Paula Fehlinger, replacing Nicole Swatsky

Schedule B Appointments

See Exhibit 6

2011-2012 Annual Building Positions

See Exhibit 7

Physicians for the 2011-12 School Year

See Exhibit 8

School Dentists for the 2011-12 School Year

See Exhibit 9

2011-2012 List of Per Diem Substitutes

See Exhibit 10

Fall 2011 Adult Education Instructors

See Exhibit 11

Educational Conferences - Exhibit 12

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 12.

Resignations

-Michelle Tweardy, Family and Consumer Science Teacher at Emmaus HS, effective August 2, 2011 (Exhibit 5A)

-Genoveva Cintron-Cortes, Instructional Assistant, effective August 31, 2011 (Exhibit 5B)

-Elizabeth Mastroianni, Food Services Department, effective August 1, 2011 (Exhibit 5C)

Appointment of Temporary Professional Employees

Name/Address: Jillian Ziegler  
33 North Main Street, Telford 18969

Education Level: B. S. Degree (2006)

Undergraduate School: Kutztown University

Certification: Instructional I, Elementary, Special Education,  
Mid-Level English

Assignment: Teaching/Learning Support, Special Education, LMMS  
(Vacancy created by K. Butler retirement and subsequent transfers)

Experience: 9/2010-6/2011: East Penn SD  
8/2008-2/2010: Osceola (FL) SD  
9/2007-6/2008: East Penn SD

Salary:	\$45,831 (Year 3, Col. B)
Name/Address:	Molly McLeod 208 N. Seventh Street, Emmaus
Education Level:	B. S. Degree (2008)
Undergraduate School:	Wagner College
Graduate School:	Kutztown University 47 Graduate credits.
Certification:	Instructional I, Library Science
Assignment:	Librarian, Eyer MS (Vacancy created by K. Moore retirement)
Experience:	None
Salary:	\$45,185 (Year 1, Col. B)
Name/Address:	Tara Wenner 1815 Pelham Road, Bethlehem 18018
Education Level:	B. A. Degree (1998) M. S. Degree (2000) M. E. Degree (2011)
Undergraduate School:	Clemson University
Graduate School:	Northwestern University Lehigh University
Certification:	Instructional I, Elementary, Special Education
Assignment:	Special Education Education/Learning Support, Emmaus HS (Vacancy created by S. Seveland resignation and subsequent transfers)
Experience:	2009-Present: Lehigh Valley Academy
Salary:	\$53,575 (Year 1, Col. M)
Name/Address:	Jennifer Najarian 4201 Lakeside Drive, Coplay 18037
Education Level:	B. A. Degree (2006) M. A. Degree (2006) M. E. Degree (2011)
Undergraduate School:	Penn State University
Graduate Schools:	Penn State University Cedar Crest College
Certification:	Instructional I, English, Social Studies, Communications
Assignment:	Communications Teacher, Eyer MS (Vacancy created by M. E. Coyle retirement and Subsequent transfers.)
Experience:	None
Salary:	\$53,575 (Year 1, Col. M)
Name/Address:	Jamie Sanchez 217 S. 11th Street, Quakertown 18951
Education Level:	B. A. Degree (2011)
Undergraduate School:	DeSales University
Certification:	Instructional I, Elementary, English, Family & Consumer Science, Special Education, Social Studies, Mid-Level Mathematics
Assignment:	Special Education/Learning Support, Emmaus HS (Vacancy created by A. Edmonds administrative assignment and subsequent transfers)
Experience:	5/2011-6/2011: East Penn SD 3/2011-4/2011: Southern Lehigh SD
Salary:	\$45,185 (Year 1, Col. B)
Name/Address:	Stacy Schrettner 1013 Third Street, North Catasauqua 18032
Education Level:	B. S. Degree (2003)
Undergraduate School:	West Chester University
Graduate School:	East Stroudsburg University (24 credits)
Certification:	Instructional II, Special Education
Assignment:	Special Education Teacher/Autistic Support, Eyer MS (new position)
Experience:	8/2009-Present: Catasauqua Area SD 9/2004-6/2009: Carbon Lehigh IU 1/2004-6/2004: Carbon Lehigh IU

Salary: \$53,799 (Year 8, PC)

Name/Address: Blake Boyer  
338 Tupelo Court, Allentown 18104

Education Level: B. S. Degree (2003)  
M. E. Degree (2007)

Undergraduate School: DeSales University

Graduate School: Temple University

Certification: Instructional I, Secondary School Counselor

Assignment: Guidance Counselor, Lower Macungie MS  
Vacancy created by M. Dobbs resignation

Experience: 8/2007-Present: Allentown SD

Salary: \$54,827 (Year 5, Col. M)

Change in Assignment

Employee: Karen Shade, Administrative Assistant

From: Lower Macungie MS, Main Office

To: Eyer MS, Library

Informational: 2011-2012 Teacher Transfers - Exhibit 13

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

Aye: Ballard, Earnshaw, Fuller, Heid, Policano, Richwine, Stolz-----7

Absent: Gannon, Rhodes-----2

3. Supplementary Psychological Services Contract - 2011-12 (Exhibit 14)

Motion by Stolz, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the contract with George Grim for a rate of \$70.00/hour, for a maximum of \$30,000 by June 12, 2012 as outlined in Exhibit 14.

Note: Mr. Grim will assist psychologists with evaluations to comply with compressed timeline. Contract has been reviewed by the solicitor.

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

Aye: Ballard, Earnshaw, Fuller, Heid, Policano, Richwine, Stolz-----7

Absent: Gannon, Rhodes-----2

4. Lower Macungie Middle School Improvement Plan

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors certify that the School Improvement Plan for Lower Macungie Middle School has been reviewed by a Quality Review Team convened by the Superintendent and formally approved by the Board of School Directors, per guidelines required by the PA Department of Education; and, assures the Secretary of Education that the School Improvement Plan addresses all the required components prescribed by PDE: reflects sound educational practices; has local leadership at all levels to ensure successful implementation; has a high probability of improving student performance and educational practices; has met NCLB requirements for Title I schools with AYP status other than Warning; and,

THEREFORE, Recommend that the Secretary of Education and PDE grant formal approval of the school improvement plan for Lower Macungie MS for the 2011-12 school year.

Dr. Seidenberger thanked Mrs. Vincent and central office staff who worked on this document. Mr. Ballard said Secretary of Education Arne Duncan said there would be waivers on a large number of these particular items that have not been resolved by Congress. The current law is not aligned with special education IDEA and NCLB regarding the progress of students with IEPs and it needs to be fixed. Mr. Stolz noted President Obama is considering modifying NCLB via an Executive Order and asked if this would alleviate some of the concerns. Dr. Seidenberger felt it would, adding that five states have been granted waivers and there is a lot of pressure in this area.

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

Aye: Ballard, Earnshaw, Fuller, Heid, Policano, Richwine, Stolz-----7

Absent: Gannon, Rhodes-----2

6. Policy

-Second Reading: Board Policy 620 - Fund Balance - Exhibit 15

This policy will be on the August 22 agenda for adoption. If there are any comments or suggestions, they should be forwarded to the Board Secretary so she can relay them to the appropriate administrator.

7. Business Operations

1. Bid Opening Reports - Concrete, Diesel Fuel, Fuel Oil; System Integration of the Facility Management and Control System (Exhibit 16)
2. Bill List Approval

Motion by Earnshaw, Seconded by Stolz

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

Contract Award -System Integration of the Facilities Management and Control System

RESOLVED, That the East Penn Board of School Directors award the contract for System Integration of the Facilities Management and Control System to Johnson Controls, Inc. for the following amounts:

Base bid amount	\$139,230.00
alternate #1	\$ 8,900.00
alternate #2	\$ 15,500.00
alternate #3	\$ 4,750.00
Total Contract Amount	\$168,380.00.

Non-Reimbursable Work Approval Application - Ramp Replacement; Loading Dock Addition; New Concrete Sidewalk

RESOLVED, That the East Penn Board of School Directors authorize the application to the Department of Education for approval of the following plans and specifications for the work described below:

Ramp Replacement, Loading Dock Additions, New Concrete Sidewalk for various school locations.

Note: Construction contracts will not be entered into prior to PDE approval.

Contract Awards for District-wide Concrete Work

RESOLVED, That the East Penn Board of School Directors award the contracts for contract work to the following bidders:

Ramp Replacement - Jefferson School

Zgura's Concrete Services, Inc. \$17,230.00

Loading Dock Addition - Lincoln School

Zgura's Concrete Services, Inc. \$17,700.00

Sidewalk Replacement and Minor Drainage Work - Alburtis School

Zgura's Concrete Services, Inc. \$15,650.00

New Concrete Stairs and Sidewalk - Eyer MS

Zgura's Concrete Services, Inc. \$19,950.00

New Concrete Sidewalk and Minor Paving - Emmaus HS

Zgura's Concrete Services, Inc. \$46,900.00

Disbursement of Funds (Exhibit 17)

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the 32-Capital Reserve Fund and 33-2010 Series A GOB as listed on Exhibit 17.

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

Aye: Ballard, Earnshaw, Fuller, Heid, Policano, Richwine, Stolz-----7

Absent: Gannon, Rhodes-----2

8. Announcements

Mr. Ballard asked if there were any objections to him writing a letter of commendation to the pastor of the Lutheran Church of the Holy Spirit on their 50th Anniversary and their service to the community. There were no objections.

Mr. Richwine commented that there was a certain amount of information that has been ignored regarding the cyber charter schools. A board member in Annville-Cleona compared the cyber schools to state averages. He said the findings are interesting. There are 11 cyber charter schools and 7 of the 11 schools performed below the state averages in every subject area. In addition, not one of 11 of the cyber charter schools scored above the state average in math. The results were not particularly impressive of the 4 cyber charter schools that had some grades perform above the state average. Mr. Richwine said considering the push for more charter schools it is quite revealing how poorly they have done in state testing. He talked about the scandal in the state involving cheating on the PSSA's. There were 89 schools that have been flagged for investigation based on the high number of erasures and questionable gains on reading and math scores. Mr. Richwine cited the Chester Community Charter School as being one of the schools being investigated for suspicious erasures. In his commentary about the Chester Community Charter School, Mr. Richwine pointed out that the school is operated by the single largest contributor to Governor Corbett's campaign. Prior to the allegations, Governor Corbett visited the Chester Community Charter School run by Vahan H. Gureghian and praised it as the model that needs to be reported to all Pennsylvania. Mr. Gureghian played a significant role in Governor Corbett's Transition Team and was a member of the Education Committee. Mr. Richwine talked about plans to take over the Pottstown elementary schools and there have been closed door meetings with Senator Jeffrey Piccola, Chair of the Senate Education Committee, the management company, and Pottstown District leadership. Following this meeting, Senator Piccola introduced a bill that would make it easier for charter schools to take over a public school. The Chester Community Charter School refused to divulge financial information and tied up the requests in court. He concluded that these are the people who are taking advantage of this law. There is such a large turnover of teachers that they charge them \$2,000 for leaving before the end of the school year. The Basic Education subsidy money received from public school districts goes to the owners and administrators, not the teachers. Mr. Richwine said this is a story being ignored while the state keeps pushing charter schools and making it easier to siphon funds away from public education that has the brunt of education. Mr. Richwine concluded that there are people who see this as a way of making money with no regard for the students. Mr. Ballard added his comments about the selected tests that charter schools would administer so they could not be compared to public school tests.

Monday, August 8

7:00 p.m.-CLEAR Session (Real Estate, Confidential Matters)  
7:30 p.m.-Board Meeting

Monday, August 22

7:30 p.m.-Board Meeting

9. Adjourn

There being no further business to come before the Board, the meeting adjourned, upon motion, at 8:40 p.m.

Cecilia R. Birdsell, Board Secretary

## 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: C. Ballard, A. Earnshaw, F. Fuller, E. Gannon, M. Policano, S. Rhodes, T. Richwine, J. Stolz

Board Member Absent: R. Heid

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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Margolas, Emmaus.Patch.com Reporter  
Jennifer Rodgers, Morning Call Reporter

### 2. Requests to Address the Board

Lynn Donches, 559 Minor Street, Emmaus asked how much East Penn received as a result of the increased funding from the state after the budget was adopted. Dr. Seidenberger said the reason why the district was able to decrease the preliminary budget was because he reached out to several legislators and the district received approximately \$567,000 in additional revenue. It was reflected in social security reimbursements and partial funding of the Accountability Block Grants.

John Donches, 559 Minor Street, Emmaus again asked what kind of format the district needed to web cast board meetings. He also asked if there was a document regarding the web cast. Mr. Ballard said the last estimate was \$5,200. In response to a question, Mr. Ballard said it included connecting to the servers, redoing the PA system, and the number of cameras.

### 3. Approval of Minutes

Motion by Policano, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the August 8, 2011 meeting.

Ms. Gannon said she had forwarded questions about the Math Program and questioned the accuracy of the number of students who took the AP tests. Dr. Seidenberger said he would check with Mrs. Demchak.

This resolution was unanimously adopted by voice vote.

### 4. Report of the Superintendent of Schools-Dr. Thomas L. Seidenberger

#### 1. District Update

In order to clarify his answer about the budget, Dr. Seidenberger conferred with Business Manager Debra Surdoval who indicated that the amount stated had been incorporated into the budget in anticipation of reports that we would be receiving funds from the state. He will be coming back to the Board with a chart on the allotment of revenues from the state in the upcoming budget.

Dr. Seidenberger said that there is a comprehensive list of day care providers and the schools that they serve. The district does try to work with parents and the day care providers with transportation issues. Mr. Ballard noted that transportation is provided if the day care is along an established route or the day care can provide transportation. Dr. Seidenberger said this issue was brought up at the last meeting. The day care provider did not think it was economically feasible to transport 4 students to the Alburtis School either.

He indicated that two weeks ago the district had 7,925 students and, as of today, there are 7,980 students registered. This is an increase of 55 students. This year he will be providing the Board with actual classroom enrollments so there is a comprehensive look at class sizes.

Dr. Seidenberger reported that walkways had been installed along Pine Street for safe walking. He congratulated Dr. Torma for being published in the journal, Learning Forward, August 2011 edition for her article, "Data drives learning for teachers and students." He also indicated that Dr. Linda Delvernois was President-Elect of Learning Forward PA (formerly the PA Staff Development Council) and will be representing PA at the national conference.



The 3-day New Teacher Induction Program starts on Tuesday, August 23, beginning at 8:45 a.m. Mr. Ballard and Dr. Seidenberger will be greeting teachers tomorrow and he invited board members to attend. He will also be having an informal conversation with the new teachers on Thursday. The full staff day is scheduled for Tuesday, August 30, at 8:30 a.m. in Emmaus HS. He sent an Alert NOW notice to all staff members and the information is available for the staff on the Intranet. These steps have been taken to alleviate mailings and to go green.

Director of Operations Lynn Glancy reported that over the last 18 months the district has saved over \$366,000 in energy costs and over a 12 month period there has been a savings of \$269,000 through the use of Provident Energy. The budget process has been accelerated and information will be sent to Principals and Department Heads on September 14. It must be returned to the Business Office by October 18.

Dr. Seidenberger thanked IT Director Michael Mohn and his staff for conducting the Home Access Center sign-up. After today's sign-up, approximately 75% of the parents in the district have taken this step. He asked principals and teachers to remind parents of this service through any newsletters or correspondence with families.

## 2. Personnel

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

### Resignations

-Joanne McCandless, Staff Assistant at Emmaus HS, effective August 11, 2011 (Exhibit 1)

-Jessica Harrington, Health Room Assistant at Shoemaker School, effective August 22, 2011 (Exhibit 2)

### Leave as per Collective Bargaining Agreement

Employee: Stephanie Mills  
Grade 3 Teacher, Shoemaker  
Effective: Extension to January 26, 2012

### Temporary Professional Employee Appointment

Name/Address: Ashley Cassel  
221 East 21 Street, Northampton 18067  
Education Level: B. S. Degree (2008)  
Undergraduate School: Kutztown University  
Graduate School: Wilkes University, graduate credits  
Effective: August 30, 2011  
Certification: Instructional I, Elementary, Special Education,  
Mid-Level English & Mathematics  
Assignment: Special Education/Learning Support Teacher, LMMS  
(Vacancy created by K. Boligitz resignation)  
Experience: 8/2009-6/2011: Catasauqua SD  
10/2008-6/2009: East Penn SD  
Salary: \$46,154, Year 4, Col B

### Full-Time Substitute Teacher Appointments

Name/Address: JoAnn Welsko  
2666 Barley Drive, Macungie 18062  
Education Level: B. A. Degree (1991)  
M. A. Degree (1996)  
Undergraduate School: Wilkes University  
Graduate School: Kutztown University  
Effective: August 30, 2011  
Certification: Instructional I, English  
Assignment: Language Arts Teacher, Eyer MS  
Opening created by T. Antonioli leave.  
Experience: 12/2010-6/2011: Northampton Area SD  
Salary: \$45,185, Year 1, Col. B

Name/Address: Matthew Weimann  
3215 West Union Street, Allentown 18104  
Education Level: B. S. Degree (1996)

Undergraduate School:	Valley Forge Christian College
Graduate School:	DeSales University, certification credits
Effective:	To be Determined
Certification:	Instructional I, Elementary
Assignment:	Grade 2 Teacher, Willow Lane School Opening created by A. Bower leave.
Experience:	None
Salary:	\$45,185, Year 1, Col. B)

  

Name/Address:	Jessica Harrington 4772 White Oak Circle, Emmaus
Education Level:	B. S. N. Degree (1995) Certified School Nurse (2008)
Undergraduate School:	DeSales University
Graduate School:	Cedar Crest College
Effective:	August 23, 2011
Certification:	Educational Specialist I, School Nurse
Assignment:	Certified School Nurse, Alburtis/Emmaus HS Opening created by L. Heffron leave
Experience:	9/11-11/11: East Penn SD
Salary:	\$45,185, Year 1, Col. B

  

Name/Address:	Kimberly Exaros 2007 Sunrise Drive, Allentown 18104
Education Level:	B. S. Degree (2008)
Undergraduate School:	Penn State University
Effective:	August 30, 2011
Certification:	Instructional I, Elementary
Assignment:	Grade 4 Teacher, Macungie School Opening created by C. Mish leave
Experience:	8/2009-6/2010: Parkland SD
Salary:	\$45,185, Year 1, Col. B

Appointment of Custodian

Name/Address:	Scott Schoenly 2891 Sequoia Drive, Macungie
Effective:	September 6, 2011
Assignment:	Eyer MS, Tuesday-Saturday Vacancy created by C. Zellner retirement and subsequent transfers
Salary:	\$18.62/hr., 40 hrs./wk.

Co-Curricular Advisor

Ashley Benner	Cross Country Volunteer
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Change in Contract Status

Employee:	Stacy Schrettner Special Education Teacher, Eyer MS
From:	Temporary Professional
To:	Professional Employee

Salary Correction

Employee:	Tara Wenner Special Education/Learning Support Teacher, EHS
From:	\$53,575, Year 1, Col. M
To:	\$58,101, Year 1, Col. M +36

  

Employee:	Jennifer Najarian Communications Teacher, Eyer MS
From:	\$53,575, Year 1, Col. M
To:	\$58,101, Year 1, Col. M +36

2011-2012 Food Service, Instructional Assistant, Staff Assistant Changes

See Exhibit 3

#### 2011-2012 List of Mentor Teachers

Julie Becker	Sarah Bodnar
Cheryl Borysowski	Denise Brosky
Anne Finnegan	Deborah Frey
Ellen Held	Nikol Kushma
Brett Snellman	Janet Spence
Heather West	Ann Johnson

#### Additions to the 2011-2012 List of Per Diem Substitutes

Please see Exhibit 4

#### Grade 3 Leader

Anjanette Hoffman

#### Educational Conferences-Exhibit 5

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

#### Temporary Professional Appointments

Name/Address:	Alexis Schultz 3A Doral Drive, Reading 19607
Education Level:	B. S. Degree (2006)
Undergraduate School:	Penn State University
Certification:	Instructional I, Mathematics, Health & Phys. Ed., Family-Consumer Science
Assignment:	Family-Consumer Science Teacher, Emmaus HS Vacancy created by M. Tweardy resignation
Effective:	August 30, 2011
Experience:	5/2011-6/2011: East Penn SD 9/2010-Present: Wilson West Lawn SD; Muhlenberg SD; Schuylkill Valley SD
Salary:	\$45,185, Year 1, Col. B

Name/Address:	Katja Wahrhaftig 600 Valley Road, Warrington 18976
Education Level:	B. A. Degree (2010)
Undergraduate School:	West Chester University
Certification:	Instructional I, German
Assignment:	German Teacher, Emmaus HS Vacancy created by J. Ziegler resignation
Effective:	August 30, 2011
Experience:	8/2010-Present: Pottsgrove SD 5/2010-6/2010: Pennridge SD
Salary:	\$45,185, Year 1, Col. B

#### Full Time Substitute Teacher Appointment

Name/Address:	Heather Spotts 139 Main Street, Slatington 18080
Education Level:	B. S. Degree
Undergraduate School:	Kutztown University (2009)
Certification:	Instructional I, English
Assignment:	English Teacher, Emmaus HS Opening created by S. Petrunak leave.
Effective:	August 30, 2011
Experience:	8/2009-6/2011: School District of Lancaster
Salary:	\$45,185, Year 1, Col. B

#### Appointment of Instructional Assistants/Health Room Assistant

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Donna Hall 6228 Fairway Lane, Wescosville	Eyer MS Vacancy created by T. Hicks resignation	\$12.99/hr., 29 hrs./wk.

Melissa Klingenberg 5144 Laurie Drive, Emmaus	Jefferson School Vacancy created by L. Jones resignation	\$12.99/hr., 22.5 hrs./wk.
Margaret Ann Muschako 835 S. Jefferson Street, Allentown	New Position One on One IEP	\$18.22/hr., 29 hrs./wk.

General Leave of Absence

Employee: Kathy Cole  
Staff Assistant, Macungie School  
Effective: 9/6/11-9/5/12  
Reference: Board Policy 539, General Leave

Request as per Collective Bargaining Agreement

Employee: June Urabassik  
Business Education, Emmaus HS  
Effective: 10/3/11-1/26/12

Additions to the Mentor List

Elaine Civic	Timothy O'Connor	Heather Day
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In response to a question about staffing from Mr. Richwine, Dr. Seidenberger noted that there are a few full-time substitute positions to fill, a special education teacher, and a Health Room Assistant.

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

3. Teen Screen Agreement (Exhibit 6)

Motion by Stolz, Seconded by Richwine  
RESOLVED, That the East Penn Board of School Directors appoint Pamela Stiles Teen Screen Coordinator for the 2011-2012 school term at a cost of \$145/day for up to 15 days as outlined in Exhibit 6.

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

4. Emmaus HS Discipline Code (See District Website: [www.eastpennsd.org](http://www.eastpennsd.org))

Motion by Earnshaw, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors approve the Emmaus HS Discipline Code.

Note: *These format changes/modifications are a result of the alignment to the Pennsylvania Information Management System (PIMS) code, EPSD Incident Codes and the collaboration of the Jefferson Committee chairperson, the high school discipline committee, and the continuous efforts for consistency among our administrative team. As a result, the code has been organized in accordance to the EPSD Incident Codes and PIMS codes. The language of infractions is representative of description of the EPSD Incident Codes.*

Mr. Earnshaw thanked the administration for providing a more defined definition for disrespect. He found some minor typos and will forward them to the staff for their revision. Mrs. Mathesz explained that they were trying to be sure that the definition and PIMS codes match. In response to a question by Mr. Ballard raised about Appendix A, Solicitor Marc Fisher clarified that the form as presented was adequate.

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

5. Policy

1. Final Adoption: Board Policy 620, Fund Balance (Exhibit 7)

Motion by Earnshaw, Seconded by Fuller  
RESOLVED, That the East Penn Board of School Directors adopt Board Policy 620, Fund Balance for inclusion in the Board Policy Manual.

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

6. Legislative C. Ballard

1. Voting Delegates - PSBA 2011 Legislative Policy Council

Motion by Rhodes, Seconded by Gannon  
RESOLVED, That the East Penn Board of School Directors approve the following individuals to be voting delegates for the 2011 Legislative Policy Council scheduled for Thursday, October 20, 2011 in Hershey, PA:

Charles H. Ballard Alan C. Earnshaw Francee Fuller

Note: The PSBA Bylaws authorize school districts of the second class to appoint three voting delegates.

Mr. Earnshaw commented that there are usually about 350 voting delegates and wished more districts would send delegates to be a voice. He appreciated that the Board supports sending board members to be delegates at this assembly and indicated that it was a good experience. He said over the years East Penn has had members speak to issues as well. Ms. Gannon thanked the board members for being willing to serve in this capacity.

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

7. Business Operations

1. Bill List Approval

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

Bid Rejection-Fuel Oil and Diesel Fuel Bids

RESOLVED, That the East Penn Board of School Directors reject the Fuel Oil and Diesel Fuel bids opened July 25, 2011 and authorizes the re-bidding of Fuel Oil and Diesel Fuel.

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors grant permission to Kaplan Test Prep and Admissions, 1926 Catasauqua Road, Allentown to rent classrooms at Emmaus HS for classes to prepare students for the SAT. Dates requested are: September 20, 22, 27, 29, October 4, 6, 11, 13, 18, 20, 2011. This is a Group V organization and will be charged the following fees:

Classroom Rental Fee \$18.00/hour

Disbursement of Funds - Exhibits 8 & 8A

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB as listed on Exhibits 8 and 8A.

These resolutions were duly adopted by the following roll call vote:  
Aye: Ballard, Earnshaw, Fuller, Gannon, Policano, Rhodes, Richwine, Stolz-----8  
Absent: Heid-----1

8. Announcements

Monday, August 22 7:30 p.m.-Board Room

Tuesday, September 6      First Day for All Students

Monday, September 12      7:30 p.m.-Board Meeting

Mr. Ballard indicated that business attire will be in order for the meeting.

9.      Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 7:57 p.m.

Cecilia R. Birdsell, Board Secretary

## 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. Mr. Ballard called for a Moment of Silence in remembrance of the victims and the emergency responders who died ten years ago, yesterday, September 11.

Board Members Present: C. Ballard, A. Earnshaw, F. Fuller, E. Gannon, R. Heid, M. Policano, S. Rhodes, T. Richwine, 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: Corrine Durdock, East Penn Press Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Marangos, Emmaus.Patch.com Reporter

### 2. Requests to Address the Board

John Donches, 559 Minor Street, Emmaus announced that he was taping the meetings and they would be placed on the East Penn Reform Coalition's web site (eprc.wordpress.com). He read the attached letter.

Mr. Ballard cautioned that the Board is not permitted to discuss information regarding students due to HIPPA and the confidentiality regulations. Michael Fiske, 3386 South Second Street, Whitehall has a daughter who is attending first grade at St. Ann's School in Emmaus. Although he is a Whitehall resident, he is requesting that his daughter be allowed to ride the East Penn bus that drops off students at the Rodale Day Care. He works in Center Valley and his wife works at the Rodale Day Care. He said this creates a hardship for his wife because she has to leave work to pick up their daughter and bring her to the Rodale Day Care. He contacted the Superintendent about the situation and was told there would need to be an agreement between Whitehall and East Penn since this situation has not been done before. Mr. Fiske relayed his ongoing emails and conversations among the various parties. Mr. Fiske is expecting some type of transportation agreement to accommodate this request. Mr. Ballard indicated that Dr. Seidenberger would get back to him.

### 3. 2010-2011 Year in Review Video

Dr. Seidenberger introduced the video that highlights the activities of the previous school year. It was shown to the staff on the first Staff Day, August 30. He thanked Mr. Mohn, Mr. Stabinger, and Mrs. Bloise for putting the video together this year. Following the seven-minute video, there was a round of applause from the audience. Mr. Ballard said it was shown to remind teachers of the kind of district East Penn is and the kind of work that is done here.

### 4. Approval of Minutes

Motion by Gannon, Seconded by Stolz

RESOLVED, That the East Penn School Board of School Directors approve the minutes for the August 22, 2011 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 that the district enrollment has gone from 7,980 on August 19 to the current 8,004, representing an increase of 11 students at the elementary level; 5 students at the MS level, and 8 students at Emmaus High School.

Through the efforts of Assistant Principal Sally Hanzlik, we have received a two-year approval for the LTS Program at Emmaus High School. Currently, there are 26 students involved.

The individual PSSA scores are going home this week and school results will be released publicly this week.

On September 14, Author Jonathan Kozul, who wrote the book Savage Inequalities: Children in America's Schools, will be speaking at Moravian College. There will be 25 people from East Penn attending the presentation. Teachers who are enrolled in Moravian's Master's Degree Program will describe what they are doing with their projects.

Dr. Seidenberger thanked Activities Director Dennis Ramella for the wonderful tribute that was presented in remembrance of 9/11. EHS student Wesley Clerge sang a moving rendition of the song "Proud to be An American." There were representatives from the police and fire departments and an Iraqi war veteran.

Karen Devine, Director of Member Relations for the PA School Boards Association, has requested the email addresses for individuals who are the President or Representatives of their local PTO/PAC organizations so they can provide the groups with timely updates on legislative issues.

Tomorrow, Mr. Ballard, Mr. Glancy, Mrs. Surdoval and Dr. Seidenberger will be attending a Symposium on Act 1 being sponsored by the PA Association of School Business Officials. The webinar will be held at the Carbon Lehigh Intermediate Unit.

Dr. Seidenberger complimented the maintenance/custodial staff for doing such an outstanding job of getting all the buildings ready for the opening of school. He said the work was outstanding.

Dr. Seidenberger complimented Mr. Glancy and Mr. Ritter for their work in contract negotiations with the district vendors. They saved a total of over \$300,000. This will not occur next year because these prices are for five or six years.

Referring to a chart that was compiled, he said that there was a decrease 1,883,652 million dollars less received from state revenue sources. Taxes were raised by 1.3 million dollars.

Seven Generations Charter School in Emmaus has submitted a written request to have their charter extended for five years. Dr. Seidenberger is assembling an evaluation team and will be working with other districts that have gone through the process. He said it will be similar to a Middle States visit. After reviewing the school, a report will be issued. He is hoping to complete the process before Christmas. Mr. Earnshaw asked if a hearing would be required. Solicitor Fisher indicated that unless there is a possibility of not approving the charter then a hearing would be required. It is not required if the charter is renewed and, by law, five years is the required time period.

We have been notified that there are 11 National Merit Semi-Finalists for Emmaus High School. They will be recognized at the October 24 Board Meeting.

Dr. Seidenberger notified the Board that superintendents in the Carbon Lehigh Intermediate Unit are talking about starting school prior to Labor Day. If a majority of districts make that decision then East Penn would have to follow in order to comply with special education classes and the LCTI schedule. There will be a specific recommendation around December.

Dr. Seidenberger updated the Board on what is being done with the weather event last week. He emphasized that the first thought is always for safety, both for the students and the staff. There were ten roads that were closed and it made it very difficult to re-route school buses and it would have affected the school day. Governor Corbett declared a state of emergency so the district will be appealing to Secretary of Education Ron Tomalis for an exception; however, if this is not forthcoming then regular classes will be held on October 10 which was a scheduled in service day. If a make up is needed then the other day being considered is the Monday after Thanksgiving. Board members indicated that this may not be a popular decision. Dr. Seidenberger indicated that these two make up days would then offset any further snow days through the winter months. He will be working with the PAC groups, bargaining groups, and staff if the Monday after Thanksgiving is used. Mr. Earnshaw said he could support of pre-Labor Day start. Mr. Ballard said there has been a bill introduced just about every year to prevent pre-Labor Day starts. He also felt that the Monday after Thanksgiving could be a problem since it is the first day for deer hunting in PA.

## 2. Personnel

Motion by Earnshaw, Seconded by Gannon

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

### Resignations

- Barbara Poling, Remedial Assistant, effective August 29, 2011 (Exhibit 1)
- Jeffrey Schmeltzle, Staff Assistant, effective August 19, 2011 (Exhibit 2)
- Tonya Schantz, Instructional Assistant, effective August 17, 2011 (Exhibit 3)
- Mary Munley, Staff Assistant, effective August 22, 2011 (Exhibit 4)
- Risa Roth, Instructional Assistant, effective August 22, 2011 (Exhibit 5)
- Rosemary Castellano, Instructional Assistant, effective August 22, 2011 (Exhibit 6)
- Terri Kunenzler, Instructional Assistant, effective August 23, 2011 (Exhibit 7)
- Kelly Schneider, Remedial Assistant, effective August 29, 2011 (Exhibit 8)
- Margaret Ann Mushalko, Health Room Assistant, effective August 29, 2011 (Exhibit 9)



#### Appointment of Full-Time Substitute Teachers

Name/Address: Tiffany Fenstermaker  
5561 N. Walnut Street, Macungie  
Educational Level: B. S. Degree (2009)  
Undergraduate School: Cedar Crest College  
Certification: Instructional I, Special Education, Elementary  
Assignment: Grade 1, Shoemaker School  
Opening created by S. Mills leave  
Effective: September 13, 2011  
Experience: None  
Salary: \$45,185 (Year 1, Col. B)

Name/Address: Jessica Zosky  
3140 Route 309, Orefield 18069  
Educational Level: B. A. Degree (2004)  
M. A. Degree (2008)  
Undergraduate School: University of Iowa  
Graduate School: Lehigh University  
Fresno Pacific University (graduate credits)  
Certification: Instructional I, English  
Assignment: English Teacher, Emmaus HS  
Opening created by J. Landgraf leave  
Effective: September 13, 2011  
Experience: 3/2011-6/2011: East Penn SD  
1/2011-3/2011: Twin Valley SD  
1/2008-6/2010: Parkland SD  
Salary: \$45,185 (Year 1, Col. 3)

#### Appointment of Instructional/Staff Assistants

Name/Address	Assignment	Salary
Marc Pun 144 Spruce Street, Emmaus	EHS, Staff Assist. Vacancy created by Haus resignation	\$12.99/hr., 29 hrs./wk.
Lisa Wilmer 2191 Rolling Meadows Dr., Macungie	Alburtis, Instruct. Assistant. Vacancy created by L. Holland resignation	\$12.99/hr., 29 hrs./wk.
Jill Schrader 327 Adrain Street, Emmaus	EHS, Instruct. Assistant Vacancy created by R. Costellani resignation	\$12.99/hr., 29 hrs./wk.
Vicki Kulp 3036 South Sixth Avenue Whitehall 18052	Wescosville, Instruct. Assist. Vacancy created by R. Roth resignation and subsequent transfers	\$12.99/hr., 29 hrs./wk.
Michele Yesenofski 1387 Butternut Lane, Macungie	EHS, Staff Assist. Vacancy created by J. McCandless resignation	\$12.99/hr., 29 hrs./wk.
Deborah Sheldon 186 Miller Road, Barto 19504	Eyer, Instruct. Assist. Vacancy created by Cintron-Cortez resignation	\$12.99/hr., 29 hrs./wk.
Cynthia Fitz-Maurice 2606 Bayberry Circle, Emmaus	Wescosville, Staff Assist. Vacancy created by J. Schmeltzle resignation	\$12.99/hr., 12.5 hrs./wk.
Lori Peters 6451 Sweetwood Drive, Macungie	Eyer, Staff Assist. Vacancy created by resign.	\$12.99/hr., 12.5 hrs./wk.

#### Appointment of Health Room Assistant

Jill Natale  
7528 Hamilton Blvd., Trexlertown  
Eyer, Health Room Assist.  
Vacancy created by  
J. Harrington resignation  
\$18.22/hr., 29 hrs./wk.

#### Instructional/Staff/Health Room Assistant Transfers

See Exhibit 10

Co-Curricular Appointments (Schedule B)

See Exhibit 11

Change in Employment/Salary Status

Employee	From	To
Molly McLeod	\$45,185 Year 1, Col. B)	\$53,575 Year 1, Col. M
Tricia Gutman	\$500/pay stipend for K. Campbell Leave Effective: 9/6/11	
Susan Noack	\$77,234	\$82,234
Tina Mondovich	PTFSA, LMMS	FT, EHS, 6 hrs./day
Lynn Walters	PTFSA, EHS 4.75 hrs./day	PTFSA, Eyer 4.5 hrs./day

2011-2012 List of Bus Drivers

See Exhibit 12

Additions to the 2011-2012 List of Per Diem Substitutes

See Exhibit 13

Addition to the 2011-2012 List of School Dentists

Dr. Michael Conrad  
770 Feters Lane, Wescosville

Reimbursement: \$2.00/examination

Appointment of Health Room Assistant

Name/Address: Grace Hochella  
214 S. West Street, Allentown 18102

Assignment: Jefferson School  
New Position for IEP Student

Effective: September 21, 2011

Salary: \$18.22/hr., 29 hrs./wk.

Addition to the 2011-12 NTI Mentor List

Kevin Bisignani

Educational Conferences - Exhibit 14

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 14.

Performance PLUS Renewal & Contract - Exhibit 15

RESOLVED, That the East Penn Board of School Directors approve the Performance PLUS Renewal & Contract with SunGard K-12 Education, 3 West Broad Street, Bethlehem, PA for Performance PLUS Tracker and Performance PLUS TechPaths at a total cost of \$21,164.00, effective October 1, 2011 to September 30, 2012.

Adjustments to the 2011-2012 School Calendar

RESOLVED, That the East Penn Board of School Directors approve the following changes to the 2011-12 School Calendar:

From: October 10, 2011  
ED Day

To: October 10, 2011  
Instructional Day

Note: Pending the outcome of an appeal to the Department of Education for an exception due to recent weather events.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

6. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine indicated that he had not attended the last Board meeting; however, he was aware that the IU Board had hired a new Assistant Executive Director and Business Manager who are coming to the IU from the Allentown School District. Mr. Richwine noted that he will be leaving the East Penn Board in November and this will create a vacancy both on the IU Board and the LCTI Joint Operating Committee. He invited any interested board member to an IU Board Meeting or JOC meeting to see if they would be willing to serve. The IU Board meetings are on the Third Monday of the Month; the JOC meets the Fourth Wednesday of the Month. Mr. Earnshaw indicated that Southern Lehigh has already appointed replacements. If a board member is interested in these activities, he/she should contact Board President Charles Ballard.

-Lehigh Career & Technical Institute

F. Fuller  
A. Earnshaw  
T. Richwine  
R. Heid

Ms. Fuller reported that the candidates for the Executive Director position at LCTI will be interviewed at the October JOC Meeting. She was confident that Dr. Hornberger had created a dynamic team so LCTI will continue to thrive. The JOC had a presentation on the robotics class that is offered for traditional students and adult students. LCTI has done such a fine job of training that B. Braun has created a program in California. She stressed the importance of having a trained work force in the Lehigh Valley to attract industries to locate here. Mr. Earnshaw added that the program was impressive to see. Students are trained to come out and earn starting salaries of \$60,000-\$65,000. He said that students can benefit from training at LCTI if they do not see themselves continuing on to college.

7. Legislative

C. Ballard

Mr. Ballard reported that the Legislature is on recess but hearings are being held across the state. He said there continues to be movement toward making more charter schools that divert money from the public school system. There is no evidence that charter schools are more successful than public schools and as much as 40% of them have not performed as well or better than public schools. Mr. Ballard pointed out that public access to charter school records will be more difficult. Public input is limited and he cited the refusal of one school to provide basic financial information to the newspaper. He felt it was not being rationally discussed at any level. Senator Piccola seems to be the major driving force and has indicated that he is no friend of public education. He is also pursuing legislation dealing with superintendent contract buy outs. Mr. Ballard talked about the importance of the contract and the significance of terminating a contract. HB 1369, would delete and replace provisions relating to collective bargaining between public school employees and their public employers. This bill has all kinds of hidden provisions, such as trying to make the negotiations public, and changing the structure for the arbitration costs from a three-way split of the costs to a two-way split having the teachers association and the district pay the costs of arbitration and removing the state from having to share the costs. He talked about the condition and attitude of today's legislators and their commitment to doing what is right over their election status. He asked that people talk to their legislators and encourage them to discuss their commitment to public education and what will or will not work.

8. Business Operations

1 Bid Opening Report - Diesel Fuel; Fuel Oil

The following bids were opened at 2:45 p.m. in Conference Room A of the East Penn School District Administrative Offices on August 30, 2011. Bidder Representatives Present: Jack Reimer of Reimer Bros., Inc. and Gerry Weslowski of Deiter Bros. Fuel Company. Staff Present: Robert Ritter and Debra Surdoval.

**Diesel Fuel**

Deiter Bros. Fuel Co., Bethlehem, PA  
Pilot Travel Centers LLC, Knoxville, TN  
Reimer Bros., Inc., Bangor, PA

**Fuel Oil**

Deiter Bros. Fuel Co., Bethlehem, PA  
Pilot Travel Centers LLC, Knoxville, TN  
Reimer Bros., Inc., Bangor, PA

**Bill List Approval**

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

**Budget Transfers - Post Audit for June 30, 2011 - Exhibit 16**

RESOLVED, That the East Penn Board of School Directors approve the budget transfers that are listed on Exhibit 16.

**Contract Approval - Diesel Fuel and Fuel Oil**

RESOLVED, That the East Penn Board of School Directors award the contracts for diesel fuel and fuel oil bids to Reimer Brothers, Inc., Bangor PA.

**Disbursement of Funds - Exhibit 17**

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from GOB 33-2010, Series A as described on Exhibit 17.

Mr. Stolz asked about the reason for approving budget transfers. Mr. Glancy indicated that this is required by the auditors as part of the year end audit. Mr. Earnshaw said that during the audit, the auditor may determine that certain items should have been recorded in the expenses from the previous year. The district cannot exceed the budget but can shift funds around in accounts.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

Mr. Ballard asked if there were any further items. Mr. Richwine chided Mr. Stolz for texting during the meeting. Mr. Richwine questioned whether text messages sent or received by a board member during a meeting are considered a public record. Solicitor Marc Fisher said he would look into the matter. Mr. Richwine said that a number of times he has observed Mr. Stolz texting, adding it was rude and objectionable, and questioned whether he was asking for direction from a non-board member. Mr. Richwine said no one on the Board should be texting or receiving messages during a meeting.

9. Announcements

Monday, September 12	7:00 p.m.-CLEAR Session (Negotiations, Employment, Legal, Real Estate) 7:30 p.m.-Board Meeting, Board Room
Tuesday, September 13	7:00 p.m.-Meet the Teacher Night, Shoemaker School
Wednesday, September 14	7:00 p.m.-Meet the Teacher Night: Alburdis, Jefferson & Willow Lane Schools
Thursday, September 15	7:00 p.m.-LMMS Meet the Teacher Night (Grades 7 & 8)
Monday, September 26	7:30 p.m.-Board Meeting

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:35 p.m.

Cecilia R. Birdsell, Board Secretary

## 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, R. Heid, M. Policano,  
S. Rhodes, T. Richwine, 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: Jennifer Marangos, Emmaus. Patch.com reporter

Jennifer Rodgers, Morning Call Reporter

Tyler Martin, East Penn Press Reporter

### 2. Requests to Address the Board

Mrs. Carol Bettler, 6022 Fairway Lane, Wescosville expressed her concern about the escalating class sizes, especially at the primary grade levels. She read the attached letter.

### 3. Statement by Solicitor Marc S. Fisher, Esq.

Solicitor Marc Fisher read the following statement:

"A person attending a meeting of the Board of School Directors of the East Penn School District has the right to videotape the proceedings. The Board of School Directors has not authorized anyone to videotape its meeting, and any videotaping is not being done at its direction or request. To the extent that such a person then displays, posts or otherwise shows such videotape in any form, electronic or otherwise, such person is doing so without the express permission, consent, direction or request of the Board of School Directors and therefore, the Board of School Directors makes no representation of the accuracy of the videotape, and disclaims all liability relating thereto."

### 4. Approval of Minutes

Motion by Policano, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes of the September 12, 2011 meeting.

This resolution was unanimously adopted by voice vote.

### 5. Emmaus HS SGA Report - Cristen French & Shiv Joshi

SGA Secretary Cristen French and Vice President Shiva Joshi reported on the following activities taking place in the high school:

-64 students took the Advanced Placement tests

-11 students were named National Merit Semi-Finalists

-Drama Department will be presenting "The Crucible" by Arthur Miller on October 27, 28, and 29

-EHS student Moira Benner worked on a cleanup of parks and grounds as part of her work for a Silver Badge.

-Coaches vs. Cancer will be held on October 7. Pink Out Tee Shirts will be sold and all proceeds will go to Coaches vs. Cancer.

-Homecoming is the week of October 17 and some of the activities planned include a variety of special themed days such as Favorite Sports Team Day, Western Day, Spirit Day, Super Heroes Day and a Powder Puff Football Game, Bonfire, and Homecoming Dance. There will also be a Homecoming Golf Tournament at Shepherd Hills.

### 6. Public Financial Management - Scott Shearer, Managing Director

Mr. Shearer reviewed the Emmaus General Authority Bond Pool and the Letter of Credit renewal. He indicated that there is one general obligation bond issue that may be able to be refinanced. He reviewed the four bonds through the 1989 Bond Pool, noting that approximately 25% of the District's debt portfolio is comprised of the 1989 Bond Pool variable rate debt. A similar action was taken in 2008. The impact of this action is to increase the administration fee by .25%. The new commitment will be for a 2 year period. The new all in rate plus the administrative fee represents 1.36%.

Mr. Shearer then addressed the Summary of Outstanding Indebtedness (Debt Service) and Local Effort as it previously stood. He noted that investments have been losing substantial revenue because of the low interest rates. He pointed out in the Chart that the total debt service is \$15,576,506. He emphasized that the local effort was the impact to

local taxpayers (the principal + interest - state's share) and this is \$14,008,367. The district receives approximately 1.5 million dollars from the state.

He referred to the revised Summary of Outstanding Indebtedness which will show the increase as a result of tonight's action. While the debt service will remain the same, the local effort will be increased to \$14,033,276. A copy of this information is attached to the minutes of this meeting.

In answer to a question from Mr. Earnshaw concerning the initial amount of the notes vs. the outstanding amounts and their average rates, Mr. Shearer explained the reason the rates were different is because they were done at different times. Mr. Earnshaw asked about the dollar amounts being different and asked if the 2003 Series A notes were interest only or a balloon payment. Mr. Shearer responded that it is against the law to do a balloon payment and the district must follow federal and state regulations. They either have to be wraparound or level payments depending on what is most cost effective at the time. The 2003 notes were done at the same as wraparound notes, so the Series C will be paid off soon and principal starts getting paid then on the Series A. In answer to a question raised by Mr. Richwine regarding why the district should pursue this action if it will cost more, Mr. Shearer responded that the district could pay them off with fixed rate bonds for a rate around 4% and they would be sold with a ten year call feature but it is not what he was recommending. Mr. Richwine concluded that it was a lot less to go to 1.36% than to do something else which would cost more. Mr. Shearer indicated that they have seen these cycles in the past and they do expect to see these fees drop again.

1. First Amendment to Credit Agreement

Motion by Earnshaw, Seconded by Richwine  
RESOLVED, That the East Penn Board of School Directors agree to amend the Credit Agreements for the following bond issues as described in Exhibits 1, 2, 3, and 4.

Series 1989 A Bonds (Exhibit 1)  
Series 1989 E Bonds (Exhibit 2)  
Series 1989 F Bonds (Exhibit 3)  
Series 1989 H Bonds (Exhibit 4)

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

Mr. Ballard thanked Mr. Shearer for his services on behalf of the district.

6. E-FOLIO Presentation/Demonstration - Dr. Denise M. Torma, Assistant Superintendent

Dr. Torma reported that the E-Folio was launched on the website on September 15. There is a portfolio for each school in the district as well as one for the district itself. The E-Folio is an electronic portfolio that tells the story of the district through a brief narrative and visuals. Each portfolio includes Who We Are, How we do business, and the school's results. Using Shoemaker School as an example, Dr. Torma demonstrated the features that could be found for each school such as a video presentation completed by students and teachers. Other areas that are included for each school include demographics, attendance, enrollment data, free and reduced lunch, gifted program, special education, and staff data. Periodically, information will be updated to keep it current. She noted that students are not identifiable by the data. Also included is staff and parent perception data. Dr. Seidenberger interjected that some of the data was from 2007 and that many of the areas have already been addressed. Dr. Torma reviewed the PSSA definitions and the proficiency levels that are described. Again, this information is available for each building in the district. Mr. Ballard pointed out that the state averages are not included; however, that data is available on the district's Dashboard. Ms. Fuller congratulated her on the demonstration, adding that she intended to explore the site on her own. Dr. Torma explained that there was a framework provided for each school to start the project. Building principals were free to work with their staff and parents to provide most of the stories. It was definitely collective in nature. This will evolve over time as other input is introduced. The changes will be made by Publications Specialist John Stabinger. Dr. Seidenberger emphasized that this material is copyrighted. Mr. Richwine noted the amount of time and the people involved in this project. He commented on the amount of information that is available to the public on the web site. Mr. Earnshaw felt the district had done a phenomenal job on this project. He commented on the rich resource that is available through the internet. He asked if the administration had thought about offering some kind of public seminar to show how to navigate through the web site. Dr. Seidenberger said it was under consideration. Mr. Ballard said this is an outstanding effort by the staff.

7. Report of the Superintendent of Schools - Dr. Thomas L. Seidenberger

1. District Update

Dr. Seidenberger reported that AASA has invited staff members to be part of a cohort to look at data and see how it can be used to close the achievement gap. It looks very promising and he and Dr. Torma will apply to get involved. It would be an opportunity to work with people around the country.

PSBA has forwarded information on the Consumer Price Index which was 3.8% for the past twelve months in the Philadelphia area and 3.4% for the United States. A notice was published in the Sept. 24, 2011 issue of the *Pennsylvania Bulletin* announcing that the Department of Education has calculated the **Act 1 base index for the 2012-13 fiscal year at 1.7%.**

He announced that Mr. Tony Moyer, Principal of Willow Lane School, and Mrs. Tricia Gutman, Title I Coordinator, have both been awarded their Doctorates of Education. Dr. Moyer was present at the meeting and received a round of applause. Mrs. Kelly Weaver, a teacher at Lower Macungie Middle School, has been elected to the Executive Board of the PA Middle Schools Association. On November 14, Dr. Moyer will be hosting a principal from a primary school in China for a week. In turn, Dr. Moyer will be traveling to China in April.

The Strategic Plan that is in place will be reviewed by the Steering Committee as part of the mid-year report to go to PDE. Board member Francee Fuller and former board member Sue Kowalchuk represented the Board on this Steering Committee. Since Ms. Kowalchuk is no longer on the Board, the board may wish to replace her. Any other board member who may be interested should contact Mr. Ballard.

Referring to the earlier comments by a resident regarding high class sizes, Dr. Seidenberger read the following from the *PASA Education Update*: *"A recent survey of school districts conducted by PASA and the Pennsylvania Association of School Business Officials (PASBO) reveals that, with the new school year underway, students across the state have returned to schools that look differently, the result of state budget cuts and the elimination of federal stimulus programs. The survey found that, with fewer available resources, school districts have increased the number of students per classroom, reduced teachers and other school staff, shrunk course offerings, imposed additional fees for extracurricular activities, and placed restrictions on field trips. Respondents to the survey (nearly 60% of the Commonwealth's school districts) indicated a reduction of 8,365 instructional and non-instructional positions, or a total of 14,178 positions statewide. Other districts avoided lay-offs by implementing salary freezes for 2011-12. In addition, 7 in 10 districts responding indicated they will rely on reserve funds to balance their budgets this year, and more than a third of the districts indicated they did not increase property taxes this year."* Dr. Torma and Mrs. Susan Noack, Elementary Coordinator, are working on a report regarding class sizes. This is not just an issue in East Penn, but one that is state wide.

Dr. Seidenberger reported that the Property Tax Rebate Program has increased from 236 tax claims in 2007-08 to 400 in 2010-2011. This represents a total cost to the district for 2010-11 of \$171,447.66. This represents the cost of 2 teachers and an instructional aide.

Dr. Seidenberger indicated that the district encourages teachers to be risk takers. IT Teacher Scott Didra sent student videos regarding the element project he had them complete to Sir Ken Robinson who wrote the book, *The Element*. The element is the point at which natural talent meets personal passion. Mr. Didra just heard back from Sir Ken Robinson who wrote, *"My apologies for being slow to get back to you. I'm deep into writing the sequel to The Element and a bit behind myself. I have just spent an hour on a flight from LA to New York watching the DVDs. I think they're really wonderful. I loved that you set this as a project in the first place that everyone responded so creatively to it. The editing, interviews and production of all the presentations were so professional. The range of talents and passions that they projects illustrate is inspiring and really confirms for me the core theme of the book. Please give my thanks to Sarah, Chrissy, Jonathan, Maddie and Khadi and to everyone else who took part. And thank you for sharing the project with me. I was delighted to know about it and to get such a vivid glimpse of the talents and passions of your terrific students."* Dr. Seidenberger indicated that they would be seeking the students' permission to have the DVDs on the district web site.

He noted the AP Test Results: 144 students had a score of 5 and 140 students had a score of 4. The 2011 SAT results have been received and the Emmaus HS students continue to score well above the state and national averages.

In conclusion, Dr. Seidenberger said East Penn takes a lot of time to communicate with the public, citing the E-FOLIO, as a definition of the accountability and transparency in the district. He said you have to take a look at the whole picture, not just one snapshot. No one has asked us to do this - this is done because it is the right work to do. There is collegiality among the staff and pride in what they are doing. Mr. Richwine said that while the district is coming up with more and more information there are other sources that are shrinking in reporting information. He cited the PDE sites that have moved away from a lot of the previous information. He also included the *Morning Call* that has also curtailed reporting the good news.

Dr. Seidenberger talked about the Superintendent's attending a meeting in Washington and their hope to get up to date information on No Child Left Behind.

## 2. Personnel

Motion by Rhodes, Seconded by Gannon

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

### Resignations

-Beth Faust, Staff Assistant at Willow Lane, effective August 24, 2011 (Exhibit 5)  
-Janice Miller, Food Services, effective September 20, 2011 (Exhibit 6)

### Temporary Professional Employee Appointment

Name/Address: MaryBeth Long  
106 Lehigh Avenue, Palmerton 18071  
Education Level: B. S. Degree (2005)  
M. Ed. Degree (2011)  
Undergraduate School: Penn State University  
Graduate School: DeSales University  
Certification: Instructional I, Special Education  
Assignment: Autistic Support, Macungie School  
New Position  
Effective: August 30, 2011  
Experience: 1/2010-4/2011: East Penn SD  
Salary: \$53,898 (Year 2, Col. M)

### NTI Mentor

Patrice Arnold

### Request for Compensated Professional Development Leave

Employee: Melissa Aquila  
Computer Teacher, Grades 6-8  
Effective: Second Semester, 2011-12 School Year  
Purpose: Pursue Full-Time Graduate Course Work  
Reference: Board Policy 438.1, Compensated Professional Leaves

### Requests for General Leaves of Absence per Board Policy 539, General Leave

<u>Employee</u>	<u>Effective</u>
Santiago Baracarte Eyer MS, Instructional Assistant	9/12/11-9/11/12
Melanie Potter-Morales Food Service Department	9/6/11-9/5/12
Amanda Lawler Confidential Assistant, Personnel	10/18/11-10/17/12
Carolyn Shook Food Service Department	9/13/11-9/12/11
Elizabeth DeSantis Staff Assistant, Emmaus HS	9/12/11-1/2/12

### Income Protection Leave

Robert Jones, Custodian

### Leave as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Eleni Assise Health/Phys. Ed. Teacher, EHS	8/30/11-11/23/11
June Urbassik Business Education, EHS	10/3/11-1/26/12
Jasmyn Tanner Grade 2 Teacher, Alburtis	10/10/11-1/26/12



Shannon Petrunak  
English, EHS

10/14/11-1/26/12

Kelly Faisetty  
Grade 2 Teacher, Shoemaker School

Leave Extension to 11/10/11

Change in Assignment

Employee	From	To
Ashleigh Hulmes Caitlin Shutte	Alburtis Shoemaker/Macungie	Willow Lane (on leave) Macungie

Appointment of Instructional Assistant/Staff/Health Room Assistants

Name/Address	Assignment	Salary
Margaret Skibinski 7308 Green Hill Drive, Macungie	Health Room Assistant Eyer MS/Jefferson M. Dunleavy resign.	\$18.22/hr., 29 hrs./wk. Effective: 9/27/11
Deborah McConnell 3391 Watermill Drive, Macungie	Instructional Assistant Emmaus HS Fields resignation	\$12.99/hr., 25 hrs./wk. Effective: 9/27/11
Barbara Kendall 518 Beechwood Street, Emmaus	Instructional Assistant Macungie School G. Hinricks retirement & subsequent transfers	\$12.99/hr., 29 hrs./wk. Effective: 9/27/11
Jeanne Kean 6991 Lincoln Drive, Macungie	Staff Assistant Willow Lane E. Bianco resign. & subsequent transfers	\$12.99/hr., 12.5 hrs./wk.
Pamela McCarthy 2204 Autumn Ridge Road Macungie	Staff Assistant Willow Lane B. Faust resignation	\$12.99/hr., 17.5 hrs./wk. Effective: 9/27/11
Raymond Ross 6964 Tuscany Drive, Macungie	Macungie School M. McGinley death	\$13.50/hr., 25 hrs./wk.
Denise St. Pierre 7008 Hearth Lane, Macungie	LMMS, Cafeteria R. Romanik resignation and Subsequent transfers	\$12.99/hr., 12.5 hrs./wk.

Appointment of Remedial Assistants

Shannon Seremula 76 Covington Place Catasauqua 18032	Wescosville K. Schneider resignation	\$13.50/hr., 25 hrs./wk. Effective: 9/27/11
Ashley Frontino 2026 Pierce Drive Whitehall 18052	Wescosville B. Poling resignation	\$13.50/hr., 25 hrs./wk. Effective: 9/27/11

Co-Curricular Advisors

See Exhibit 7

Additions to the 2011-2012 List of Per Diem Substitutes

See Exhibit 8

Educational Conferences - Exhibit 9

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 9.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

8. Legislative

C. Ballard

1. PSBA Value Pass

Mr. Ballard reported that the State Legislature has just reconvened. He said there will be an accelerated push on vouchers. According to PSBA, they will be cutting back on the number of students who would be eligible for vouchers. They are also looking at expanding the tax credit program. Mr. Ballard cited the objections of using public funds for entities that do not have to be accountable at the same level as public education. He said there are claims that choice is the answer; however, they cannot cite the problems that choice will solve.

Referring the PSBA Value Pass, Mr. Ballard asked board members to consider this program that allows all members of the board to attend the various regional evening meetings that now cost around \$100/board member. This pass would allow all board members to attending training sessions under this one time fee. The Value Pass allows for school board members to attend 8 lunch and learn audio conferences; 10 monthly web conferences, the Spring Legal Roundup, and the Board President's Training Workshop. In answer to a question from Ms. Heid, it was noted that it does not cover the New Board Orientation sessions. He noted that the district is approaching a year where there is the potential for a lot of changes. He was proposing that the Board take advantage of this program. Mr. Ballard introduced the following motion:

Motion by Ballard, Seconded by Fuller  
RESOLVED, That the East Penn Board of School Directors purchase a PSBA Board Development Value Pass.

In response to a question about how much is spent on conferences, Mr. Ballard was told the Board has a budget of \$4,000. Ms. Fuller expressed her support since she had attended sessions and found them to be very valuable. She pointed out that there will be two new board members and she hoped they would attend the New Board Member Orientation sessions. Mr. Richwine said he found the sessions very informative and the longer he was on the Board the less he attended of the routine sessions unless there were changes. Mr. Earnshaw said he found the workshops very helpful, especially when there was new legislation such as when No Child Left Behind became law. He said there is always new jargon and the legislation is always changing. This would allow board members to go to more of the workshops. Ms. Heid said her problem is her work schedule and asked about the Spring Legal Roundup. She was told that this workshop is in the evening while others may be at lunch time. Some of the web conferences require participation at the designated time while others may be viewed at another time.

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

Mr. Ballard reminded board members of the October 6 PSBA Workshop. If they are interested in attending, they should contact Board Secretary Cecilia Birdsell.

9. Business Operations

1. Approval of Bill List

Motion by Richwine, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors approve the bill list, including the addenda, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Treasurer's Report

RESOLVED, That the Treasurer's Report be approved.

Transportation Contract

RESOLVED, That the East Penn Board of School Directors authorize a Parent/Guardian Transportation Contract for the 2011-12 school year for AM trip only from 824 Gilly Avenue, Bethlehem to Lincoln School, 222 Seem Street, Emmaus, PA at a rate of 0.55/mile for 6.5 miles.

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 GOB and the 32-Capital Reserve Fund as described on Exhibit 10.

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

Mr. Ballard reminded board members that they had supported the PSBA Code of Conduct on school governance. He asked board members to review this information, specifically "board members work together in a spirit of harmony, respect, and cooperation despite differences of opinion." He said the Board has to debate substantial issues and there needs to be focus on those issues. He said there is enough strain and stress on the Board and although we differ we are here to discuss the issues.

10. Announcements

Monday, September 26	7:00 p.m.-CLEAR Session (Negotiations, Confidentiality) 7:30 p.m.-Board Meeting, Board Room
Wednesday, September 28	6:30 p.m.-Macungie Meet the Teacher Night
Thursday, September 29	7:00 p.m.-Parent Night, Emmaus HS
Saturday, October 1	8:00 a.m.-SAT & Subject Tests, Emmaus HS
Monday, October 10	7:30 p.m.-Board Meeting, Board Room

11. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:00 p.m.

Cecilia R. Birdsell  
Board Secretary

## 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., followed by the Pledge of Allegiance.

Board Members Present: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, R. Heid, M. Policano,  
S. Rhodes, T. Richwine, J. Stolz

Solicitor: Marc S. Fisher, Esq., Worth, Magee & Fisher  
Board Secretary: Cecilia R. Birdsell  
Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Tyler Martin, East Penn Press Reporter  
Jennifer Marangos, Emmaus.Patch.com Reporter  
Jennifer Rodgers, Morning Call Reporter

### 2. Requests to Address the Board-None

### 3. Approval of Minutes

Motion by Rhodes, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors approve the minutes from the September 26,  
2011 meeting.

This resolution was unanimously adopted by voice vote.

### 4. Report of the Superintendent of Schools - Dr. Thomas L. Seidenberger

#### 1. District Update

Dr. Seidenberger reported that Lower Macungie Township had given conditional approval to Cambridge Day Care to use Lower Macungie Elementary School as a day care facility.

Dr. Seidenberger announced that Human Resource Specialist Noelle Keeler was selected for a Martindale MBA Fellowship to study global business practices and corporate social responsibility at the University of Nottingham from March 2 to March 11, 2012. The Fellowship covers travel, lodging, and includes working in partnership with other Fellows from the Lehigh MBA Program.

He talked about the Lehigh University School Study Council trip to Washington, D. C. The group was briefed by Bruce Hunter from AASA who gave them an overview of the current political climate. They also met representatives from the Department of Education. They were told about the changes to ESEA, and No Child Left Behind. A common theme was that there may be more flexibility with the new regulations. They had an opportunity to talk to two staffers from Secretary of Education Arne Duncan's office regarding waivers. He said he was encouraged by what he heard. All this information can be found on the websites of AASA and NSBA.

Referring to another poll conducted by Terry Madonna, he indicated that this is the third poll to indicate that the people in the state do not want vouchers. Dr. Seidenberger suggested that board members review the poll.

Dr. Seidenberger reported that enrollment has increased by 7 students since September 12, noting that the elementary enrollment increased by 20 students; middle schools are down 1; and Emmaus HS is down 12. He distributed a three year comparison of elementary class sizes. The secondary will be available for the next meeting. If you use 25 students per class, based on the actual enrollment, East Penn would need to hire 14 teachers for at least 1.1 million dollars.

#### 2. Personnel

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

##### Resignation

-Shawna Weida, PT Food Service Assistant at Eyer MS, effective October 13, 2011 (Exhibit 1)

-Linda Conrad, Instructional Assistant at Emmaus HS, effective September 19, 2011 (Exhibit 1A)

##### Requests as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Carrie Mish Elementary Teacher, Macungie School	11/1/11-4/3/12
Melissa Sell Elementary Teacher, Shoemaker School	11/10/11-1/26/12

Additions to the 2011-2012 List of Per Diem Substitutes

See Exhibit 2

Administrative Assistant/Instructional/Staff Assistant /Technology Specialist Appointments

<u>Name/Address</u>	<u>Assignment</u>	<u>Salary</u>
Robin Serensits 1310 Lincoln Street Catasauqua 18032 Effective: October 13, 2011	LMMS, Admin. Assist. D. Vasilik resign. & subsequent transfers	\$24,900, 35 hrs./wk.
Taylor Angel 6534 Pioneer Drive Macungie 18062	EHS, Instructional Assist., Additional Autistic Support	\$12.99/hr., 29 hrs./wk.
Sylvia Martin 2296 Eldemere Circle Macungie	LMMS, Staff Assist. B. Althouse resign. and subsequent transfers	\$12.99/hr., 12.5 hrs./wk.
Joshua Williams 1909 Hoover Ave., Apt. G Allentown 18109	Technology Specialist S. Caverly retirement	\$30,000 annualized, 35 hrs./wk.

Co-Curricular Advisors

See Exhibit 3

Change in Assignment

Employee: Theresa Berthel  
From: LMMS, SA, 12.5 hrs./wk.  
To: LMMS, SA, 17.5 hrs./wk.  
R. Romanik retirement & subsequent transfers

Appointment of Full Time Substitute Teacher

Name/Address: Teena Giampietro  
304 Drummers Lane, Phoenixville 19460  
Education Level: B. S. Degree (1979)  
M. B. A. Degree (1993)  
Graduate Credits  
Undergraduate School: Penn State University  
Graduate Schools: St. Joseph's University  
Gwynedd Mercy College  
Assignment: Emmaus HS, Computer and Business Applications (Opening  
created by K. Duffy leave)  
Certification: Instructional I, Business-Computer-Info Tech K-12  
Effective: To be determined  
Experience: 11/10-Present: Chester County IU (per diem)  
9/11-Present: Perkiomen Valley SD (per diem)  
Salary: \$45,185 (Year 1; Col. B, prorated)

Educational Conferences

That the East Penn Board of School Directors approve the estimated 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, Heid, Policano, Rhodes, Richwine, Stolz-----9

3. Adjustments to the 2011-2012 School Calendar

Motion by Earnshaw, Seconded by Richwine

RESOLVED, That the East Penn Board of School Directors approve the following changes to the 2011-12 School Calendar:

From: Monday, November 28  
School Closed

To: Monday, November 28  
Schools Open - Regular School Day

Dr. Seidenberger reported that he had met with the Association and the consensus seemed to be to make up the days now before we get into the winter weather. He said that the district had applied for exceptions; however, he was told informally that the days would not be approved. If only selected schools had been closed, then the Department of Education would have approved the days.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine-----8

Nay: Stolz-----1

5. Other Educational Entities

-Carbon Lehigh Intermediate Unit

T. Richwine

Mr. Richwine reported that at the Board of Directors meeting the 2011 Campers of the Year Award was presented to Gretchen Lambert for the G Club and Ghadir Mousa for the B. Club. These camps are handicap accessible and have various activities. This year's recipient for the Annie Sullivan Award was Joan Lang, an IU Instructional Assistant. The Board also received an overview of the 2011 IU Summer Programs that served 268 students. These are usually extended year programs that are offered. A total of 90 students attended the Carbon and Lehigh Learning and Adjustment Schools where they concentrated on skills that have already been learned that need to be maintained. The IU team that was part of the Walk for Autism Speaks was recognized for raising over \$7,000 for autism research and awareness. Mr. Ballard reminded the board members that Mr. Richwine will be leaving the Board in December and will need to be replaced. He asked board members to consider the assignment and contact him if they were interested in being appointed to the vacancy.

-Lehigh Career & Technical Institute

F. Fuller  
A. Earnshaw  
T. Richwine  
R. Heid

Ms. Fuller reported that on September 28 there was the public opening of the Center for Advanced Technology. This Center offers high powered courses that are geared toward adult learners and is a partnership with LCTI, B. Braun, Nestle Waters, and some other local companies. It was covered by CBS News to promote an example of technical education. She noted that the JOC also discussed a school wide safety initiative to promote positive behaviors through reward and examples. They are promoting STARS (safe, teamwork, achieve success, and being respectful). They are also investigating an After School Alternative Education Program. It would operate under a management budget in which school districts could participate. It would be less than programs that are now available for school districts. LCTI is responding to the interest that has been expressed by Lehigh Valley school districts. Dr. Seidenberger said superintendents were briefed in Washington and LCTI was named as being the most outstanding technical school in the country. Mr. Earnshaw talked about the programs that allow students to get their certifications in various trades and go right to work. The Center for Advanced Manufacturing was actually built and was a Mack-Volvo training lab. The partnership was terminated and Mack moved their training facility to their Allentown facilities so the space was available. This will bring in additional revenue for LCTI. B. Braun asked LCTI to establish a training facility in California.

6. Legislative

C. Ballard

Mr. Ballard mentioned that Governor Corbett's voucher bill was supposed to be announced this week. He reported on the following Senate and House Bills:

SB 389 updates the definition of vocational agricultural education. This bill will now go to Governor Corbett for his signature.

SB 200 establishes standards for the management of concussions and head injuries to student athletes. A school may hold an information meeting for students and others. Coaches must complete a concussion management training course. There must be an appropriate medical professional trained in the evaluation and management of concussions and designated by licensed physician who is trained in the evaluation and management of concussions. This bill will now go to Governor Corbett for his signature.

HB 823 amends the Pennsylvania Municipalities Planning Code regarding notice to school districts on proposed residential developments. Under the bill, each month municipalities must notify, in writing, the superintendent of a school district in which a development plan received final approval by the municipality in the preceding month. The notice must include, but not limited to, the location of the development, the number and types of units to be built, and expected construction schedule. This bill will now go to the Senate for consideration.

HB 1610 requires the Departments of Health and Education to provide information about the signs and symptoms of cardiac arrest to be given to parents of children wishing to participate in interscholastic athletics. An informational meeting on this subject is required and coaches must attend annual training on the subject. This bill will now go to the Senate for consideration.

Mr. Ballard contended that these bills could be considered more unfunded mandates. There are also several packages of prevailing wage reform bills that amend the act. There are some bills that would amend laws regarding the bid limits affecting various local governments.

7. 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, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Disbursement of Funds - Exhibit 5

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the GOB 33-2010 Series A and the 32-Capital Reserve Account in the amounts indicated on Exhibit 5.

2011-2012 Salary Roster

RESOLVED, That the East Penn Board of School Directors include the 2011-2012 Salary Roster in the permanent minutes of this meeting.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

8. Announcements

Monday, October 10	All schools and offices will be open.
Monday, October 10	7:00 p.m.-CLEAR Session (Real Estate; negotiations; confidentiality, litigation)
	7:30 p.m.-Board Meeting, Board Room
Week of October 17	Emmaus HS Spirit/Homecoming Week
Monday, October 24	7:30 p.m.-Board Meeting, Board Room

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:05 p.m.

Cecilia R. Birdsell  
Board Secretary

## 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: C. H. Ballard, A. Earnshaw, F. Fuller, E. Gannon, R. Heid, M. Policano,  
S. Rhodes, T. Richwine, 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: Sarah Fulton, Morning Call Reporter  
Glenn Nelson, East Penn Press Reporter  
Jennifer Margolas, Emmaus.Patch. com Reporter

### 2. Student Recognition: Semifinalists in the 2012 National Merit Scholarship Competition

President Ballard, Superintendent Dr. Thomas L. Seidenberger, and Vice President Elaine Gannon distributed Certificates of Recognition to the following students:

Jessica L. Ackerman  
Bryan J. Auvil  
Lydia G. Brough  
Brittani N. Gilbert  
Jason R. Graybill  
Michelle A. Lanshe  
Andrew J. Licini  
Solon C. Mao  
Karthik Nataraj  
Madeleine C. Smith  
Emily A. Webb

Each student received a round of applause from the audience. Dr. Seidenberger said they are an amazing group of young people who have clear cut direction. He asked the parents of the students to stand and be recognized.

### 3. Requests to Address the Board-None

### 4. Approval of Minutes

Motion by Fuller, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the minutes for the October 10, 2011 meeting.

This resolution was unanimously adopted by voice vote.

### 5. Emmaus High School Student Government Association Report - No report.

### 6. Report of the Superintendent of Schools - Dr. Thomas L. Seidenberger

#### 1. District Update

Dr. Seidenberger removed the action item for the Strategic Plan Midpoint Review and indicated members of the Leadership Team would be doing brief presentations on their assigned areas.

Dr. Torma provided the background for the Strategic Plan, noting that it clearly defines the vision, mission, and values of the local education agency. The Steering Committee consists of administrators, teachers, community members, and business professionals. On September 8, 2008, the Board of School Directors approved the Strategic Plan. The Steering Committee reconvened on October 17, 2011 for the midpoint review and approved the changes. Dr. Seidenberger explained to the Board that the actual Strategic Plan templates are very lengthy and bulky. It is hard to go into the old document and highlight the changes that are being made to the plan.

Supervisor of Secondary Education Dr. Linda Delvernois addressed the Academic Standards and Assessment area of the Strategic Plan. She noted there were language changes because PA adopted the Common Core Standards in July 2010. These standards were developed to equalize education across the country so students are college ready. Since the adoption of the plan in 2008, the Keystone Exams have been added. These are end of course exams that are now part of the PA graduation requirements. These exams must be fully implemented by 2015. Language was added to



the 21st Century Skills area that went more into depth and detail. She used STEM, project-based learning, and ongoing integration of technology in all curium areas as examples of this area. She explained that online/hybrid learning is a current term being used by the state as a new initiative of including traditional education and technology. East Penn's cyber program was developed in partnership with other school district in the Lehigh Valley. Currently, there are 20 students enrolled.

Elementary Coordinator Susan Noack indicated that the district is moving away from the PDI (Professional Development Institute) to school-based professional development. It helps staff to focus on not only district initiatives but also what is needed in each building. She explained the Standards Assessment Inventory Survey from Learning Forward that measures how an institution is aligned to the national professional learning standards. Using all the goals and initiatives that have been developed, principals can use this instrument to customize their building professional development program. To evaluate the building professional development program, teachers will complete an evaluation form and then after 30 days will go back into the system and share how they implemented the new learning. This is currently in the development stage. The language in the New Teacher Induction portion was updated. The first year of the program will continue as before; however, a second year has been added to the program. The mentor training has been updated to reflect what is being taught in the New Teacher Induction Program. Teachers who completed the initial program will meet two times during the year and there will also be on line training.

Director of Technology Michael Mohn talked about the additional technology that has been supplied to classrooms throughout the district. As a safety factor, all projectors have been mounted in instructional areas to keep the wires off the floor. The district is completely wireless. Moodle is being used in over 900 classes from Grades 1-12. He talked about the web-based collaborative tools, Google Docs, Google Sites, and ePals. These are all available 24/7 and are free.

Director of Special Education Linda Pekarik explained that the Special Education Plan had been approved in 2008; however, it is a three year plan that must be submitted to the state so it was updated in 2011. She said the purpose of the plan is to afford the same educational benefits through a specialized program that is offered to regular students. The goal is to improve each student's ability to function in the four areas of need: Academics, Communication, Social Skills, and Behavior. She described the RtII Process that includes universal screening, research-based interventions, and progress monitoring. It is not used for some eligibility categories (autism, deaf-blindness, emotional disturbance, etc.) because those areas are not an IQ discrepancy and they come to the district from early intervention programs. Since 2008, the autistic population has increased by 93%. The school district must also provide related services if they are included in the student's IEP. Students must be educated in the least restrictive environment. The district was able to acquire SRA at the elementary level for reading, math, and writing and at the middle and high school level, Read 180 is being used. This has been successful with students increasing their reading level. Mrs. Pekarik explained that the professionals must look at the information and see how the students can be integrated into the regular education program and provide meaningful educational benefit. When they look at the Least Restrictive Environment, they look at students who are in residential placements. The state average is 62% and East Penn has 53% of the students. Currently there are 36 students in this category. This is a reduction since some students have come back to the program. There are 28 students in the Intermediate Unit program. She talked about some of the special needs cases that fall into these categories and the supplementary aids and services provided.

Director of Student Services Dr. Thomas Mirabella reported on the following areas:

- ASCA Model – American School Counselors Association – used as framework to create the Comprehensive School Counseling & Guidance program completed in August 2010. Consultant – Dr. Deb Barlieb & 22 counselors worked on plan.
- Crisis Management Techniques – continue to be sharpened – looking to train additional Flight Team Members. CMI (Crisis Management Institute) & NOVA. CLIU 21 designing our own training. Dr. Mirabella met with a group that would create our own response for all of the districts in the Lehigh Valley. There would be a web based program that would allow districts to take modules that are about 4-6 hours and after completion of the modules, there would be hands on training at the IU.
- SAP Maintenance Day – district in-service held in July 2011 using funds from the Stabler Foundation Grant. Caron Foundation provided an all day in-service and also provided team building opportunities for certain building locations that were interested.
- Home and School Visitor role defined a little more closely. Time accounting and case logs. Follow students, foresee issues and trouble shoot. He noted there were four families displaced by the flooding this year.
- Creation of partnership with L.V. Hospital to offer Play All Seasons Program to counter effects of childhood obesity epidemic. Nutrition and exercise program components are included.

Dr. Seidenberger indicated that the Steering Committee unanimously endorsed the changes. Ms. Fuller, a member of the Committee, indicated that this was a condensed version from what was described in the actual Steering Committee Meeting. She noted that the Steering Committee is comprised of people from the community and is really a cross-section. She said it was exciting to see how far the district had come over the last three years thanks to the administration and staff. She emphasized that as a person active in the business community she understands the importance of integrating technology with education because this is the way business is done today. If we overlook this

component because it is perceived as being frivolous or expensive, then we are doing a disservice to the students. Again, she thanked the staff for their work. Mr. Earnshaw thanked the team for a succinct presentation and a good overview. He concurred with Ms. Fuller and shared that in his company virtually everyone uses a computer on a daily basis. He was supportive of the 30 day survey for imbedded learning and critical thinking skills, specifically persuasion. He talked about special education and educating students to the best of their ability. This is not something nice to do but the right thing to do and it is required by law. He again thanked the staff for the wonderful presentation. Mr. Ballard noted that there are 14 classrooms with a maximum of 8 students (by law); and 51 classrooms with 20 students.

Dr. Seidenberger announced that he had received a letter from the College Board thanking Mr. Steve Kutz, Spanish Teacher at Emmaus HS, for his work in rating Spanish AP exams.

East Penn received an Honorable Mention for the 2010-2011 calendar from the PSBA Educational Publications Contest. He thanked Community Liaison Nicole Bloise for her efforts.

On the legislative front, the Senate Education Committee will be voting on SB 1, regarding vouchers. Dr. Seidenberger said that no matter how you stand on this issue the public should contact their local legislators.

The Annual Report is available on the web site. This is the second year for this publication.

He encouraged parents to sign up for Home Access. If they miss one of the district Home Access Sign Up Evenings then parents can come to the individual school and sign up.

Dr. Seidenberger called attention to Item 10.2, Authorization for User Agreement for RefPay. It is an option program for referees and is similar to a direct deposit. Currently, the district writes 600 checks for referees. The cost for this service is \$.67 per transaction. This would save employee time as well as materials (checks, envelopes, postage). Referees will receive a 1099 Form at the end of the year. Several districts have moved in this direction.

Dr. Denise Torma and Mr. David Piperato have been invited to the Amherst (MA) High School to actually participate in their Instructional Rounds. They will be involved in the observation and analysis.

Referring to the PIMS Report, Dr. Seidenberger commented that this showed that East Penn has 157 more students identified as low income as compared to last year. There are an additional 15 students who are Limited English Proficient. As of July 1, there are 93 new special needs students in the district. There are 16 students in the autistic category; 13 new students who are classified as other health impaired; and a variety of students in other special needs classes.

Referring to a PSBA report that was distributed last year, Dr. Seidenberger reported that East Penn was shown as below average in ratio of student to teacher. He noted that the index for this year will be 1.7, representing 1.6 million dollars. There may be an increase in state subsidy around 2% or \$206,000.

Using the attached enrollment comparisons, Dr. Seidenberger said over the last three years the most significant growth was at the middle school level. The high school lost 76 students and elementary has remained consistent with a differential of 4 students over three years. In comparing Kindergarten from June 1, 2011 to October 3, 2011, the district is down 71 students. In grade 1, there is a difference of 34 students; in grade 2, the district is down 63 students. It is not consistent across the district. When comparing the total elementary enrollment from June 1, 2011 to October 3, 2011, the district is down 33 students. Referring to the comparison for the promoted grade levels, specifically Kindergarten to Grade 1, there is a difference of 83 students. Willow Lane in Grade 1 has increased 27 students; Shoemaker has increased 25 students. The administration is well aware of the fact that there are many Kindergarten students who are educated in other schools and then enter Grade 1. Referring to the chart, Dr. Seidenberger indicated that from Grade 1 to Grade 2, there is a difference of 4 students; from Grade 2 to Grade 3, there is a difference of 3 students and so on. He noted that the differential between who is registered for Kindergarten now and students in Grade 1 is a differential of 154 students. He said the data will have to be analyzed. When the data is reviewed, they cannot just look at the numbers but they must look for the pattern. He said the District PAC is fully aware that redistricting may only last for two years and they acknowledged that at the October meeting. The grades and schools that have shown a consistent growth pattern over a three year period are: Grade 3 in Alburtis; Grades 1 and 3 in Macungie; Grades 2 and 4 in Shoemaker; and Kindergarten, Grade 1, Grade 3, and Grade 5 in Willow Lane. In reviewing the information, he felt it was not pervasive. The administration will be looking at historical data over the next few months. Mr. Ballard asked if there was a possibility that he was looking at redistricting. Dr. Seidenberger responded that one of the possibilities is look and see where we are in neighborhoods. Ms. Fuller pointed out that in 2009 the district was operating the Kindergarten Center at Lower Macungie Elementary School and Willow Lane did not open until 2010. Mr. Ballard asked if they had done any statistical analysis in class size. Dr. Seidenberger said this is a compilation but they have not had the opportunity to look into it as deeply as possible.

Referring to the Emmaus HS data, Dr. Seidenberger said that these are just the core courses (English, social students, math, science) that were used. These are basically the courses that are required for graduation. Referring to the English courses, he noted the following courses show consistent growth over three years: Ninth Grade English Honors; Tenth Grade English CP; and Tenth Grade English Honors. Dr. Seidenberger acknowledged that some of this growth can be attributed to staff not being replaced. In social studies there are 18 courses and 5 show a consistent pattern: American Studies II CP (10); World Studies CP (11); Government and Economics CP (12); U. S. History AP (12); and American Government and Politics AP (12). He said the two AP areas will need to be analyzed. In mathematics,

there are 18 courses and 3 show a consistent growth pattern: Applications of Mathematics II (10-12); Algebra I CP; and Analytical Calculus (BC) AP. In science, there are 26 courses and 4 of those areas show a consistent growth pattern: Biology Honors (9); Oceanography (9-12); Physics BAP (12) 8 periods; and Physics CAP (12) 8 periods. Mr. Earnshaw said this is one of those subjects where you can get lost in the data. He said he was really pleased to see the growth in AP classes where more and more students are taking the courses and then the AP exams. Students can acquire college credits for these courses. He shared a story that a teacher told him about students literally reaching senior status in college because they acquired so many AP credits. He talked about the economic benefit for parents. He concluded that the district is doing a great service for both the students and the community.

Referring to the middle school, Dr. Seidenberger noted that at this level there is teaming. He talked about redistricting but it was not implemented because of the cost. He said that Lower Macungie MS has reduced the enrollment. He pointed out the challenging offerings that are available for middle school students.

In conclusion, he said there is a perception that the district is going through another growth spurt but that would be a wrong conclusion. Until the administration takes a look at the neighborhoods, they will not know that until the data has been analyzed. He said on the average the numbers have been fairly consistent over the three year period. Last year, he mentioned the increases from Kindergarten to Grade 1 and they did show up this year. He also noted the increase in special education which is not as predictable from one year to another. He said the administration will be analyzing all the data. Mr. Ballard observed that there may be some pockets where the numbers appear high but the numbers that are there from year-to-year do not seem to be that different. Dr. Seidenberger said he has tried to be practical at budget time. Mr. Ballard indicated that he had attended a session at the PASA/PSBA Conference where districts were finding that there are quite a number of students within the district who are receiving services for which they are not eligible and he asked when was the last time the district did this kind of review. Dr. Seidenberger said the district does not have the dedicated personnel to follow up on these students. Mr. Ballard asked if the administration could get back to the Board on this topic. Dr. Seidenberger indicated that they are looking at the 1302 students who are here under a guardianship arrangement.

## 2. Personnel

Motion by Rhodes, Seconded by Gannon

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

### Resignations

-Ann Marie Martin, School Nurse, Wescosville School, effective October 17, 2011  
(Exhibit 1)

-Ashley Frontino, Wescosville Remedial Assistant, effective October 12, 2011  
(Exhibit 2)

### 2011-2012 Tenure List

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

Rebecca Beitler	Speech, Shoemaker School
Payal Bhowmick	English, LMMS
Cheryl Boryowski	Grade 1, Willow Lane
David Budinas	Special Education, Eyer MS
Ross Cooper	Grade 4, Willow Lane
Kathryn Heffelfinger Davenport	Psychologist, EHS
Danna Feigenbaum	Kindergarten, Willow Lane
Shannon Fraser	French, Eyer/EHS
Jennifer Glendenmeyer	Special Education, Wescosville
Marie Larson Hartmann	Grade 3, Willow Lane
Daniel Kukitz	English, Eyer MS
Kelly Lesko	Mathematics, EHS
Kelly McConahy	Music, LMMS
Melissa Moxley	Social Studies, EHS
Allison Brooks Shimon	Spanish, LMMS
Douglas Spadt	Special Education, LMMS
Jasmyn Kandel Tanner	Grade 2, Alburtis School
Stephen Toth	Technology Education, Eyer MS
Megan Tucker	Music, LMMS
Adriane Barton Ulicny	Special Education, Shoemaker School
Tracy Urban	Special Education, Eyer
Emily Vernon	Grade 2, Willow Lane
Lisa Wells	Wellness/Fitness, EHS
Heather Wilson	Speech, Wescosville

Appointment of Remedial Assistant

Name/Address: Pamela L. Cantone  
809 Meadowview Terrace, Zionsville  
Assignment: Wescosville School  
Effective: October 25, 2011  
Salary: \$13.50/hr., 25 hrs./wk.

Appointment of PT Food Service Assistants

Name/Address	Assignment	Salary
Nidia Marrero 177 E. Second Street, Alburtis	Eyer MS	\$12.96/hr., 4.5 hrs./day
Paula Hamershock 2441 S. Albert Street, Allentown 18103	LMMS	\$12.96/hr., 3.75 hrs./day
Renee Holmes 136 Fredericksville Rd., Mertztown 19539	EHS	\$12.96/hr., 5.75 hrs./day

Leave as per Collective Bargaining Unit

Employee: Kelly Faisetty  
Grade 2, Shoemaker School  
Effective: Extension of Leave to 1/26/12

Change in Employment Status

Employee: Blake Boyer  
From: Temporary Professional Employee  
To: Professional Employee

Employee	From	To
Melanie Pogtter-Morales	PTFSA, Eyer 4.5 hrs./day	Jefferson 3.75 hrs./day
Mary Beth Ritter	PTFSA, Eyer, 4.5 hrs./day	Lincoln, 3.75 hrs./day

Additions to the 2011-12 List of Per Diem Substitutes

See Exhibit 3

Co-Curricular Advisors

See Exhibit 4

Educational Conferences - Exhibit 5

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

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

7. Facilities

1. Addendum to Lease with Cambridge Day Schools (Exhibit 6)

Motion by Stolz, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the Addendum to the Lease with Cambridge Day Schools as described in Exhibit 6.

Note: This Agreement has been reviewed by the solicitor.

The transportation service to Alburtis has been excluded.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

8. Legislative

C. Ballard

Mr. Ballard reported that suddenly SB-1 has been brought back to the Senate Education Committee and supposedly will be voted on tomorrow (Tuesday, October 25). He said this is less than 24 hour notice for a piece of legislation that could change the way education is funded. Mr. Ballard indicated that polls have shown that between 61% and 62% of the public do not want vouchers to fund private education. These bills have been crafted as not having any regulations by the state over the private and parochial schools' operations. He said this would eliminate the opportunity for the public to question how the funds were being used. Mr. Ballard talked about legislators pushing the responsibility on local Boards because the State Legislature does not want to take the necessary measures to fund public education. He told a little story about moving raccoons as a comparison for not solving the root cause of the problem. He urged people to contact their state legislators and ask the tough questions about what will it solve and how.

9. Carbon Lehigh Intermediate Unit

1. Nominee for IU Board of Directors

Motion by Richwine. Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors appoint Francee Fuller to represent the Board on the Carbon Lehigh Intermediate Unit Board of Directors, effective December 1, 2011 through June 30, 2012.

Note: Ms. Fuller's name will be placed on the CLIU spring ballot to be elected to a three-year term from July 1, 2012 through June 30, 2015. She will be filling the unexpired term of Terry Richwine.

Mr. Earnshaw thanked her for stepping forward, adding that after serving with her on the LCTI JOC he knows she will do a good job.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

Mr. Ballard noted that there will be an LCTI vacancy to fill as well. He said one person has expressed an interest and asked if anyone else was interested they should contact him.

10. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Rhodes

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

Disbursement of Funds (Exhibit 8)

RESOLVED, That the East Penn Board of School authorize the disbursement of funds from the 33-2010 Series A GOB as described in Exhibit 8.

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors grant permission for Coral's Academy of Dance, 1107 S. Tenth Street, Emmaus to rent Eyer Middle School Auditorium for a dance recital on December 10. This is a Group V organization and will be charged the following fees:

Custodial Fee	\$40.10/hour
Security Fee	\$16.00/hour
Technician Fee	\$40.10/hour

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

2. Authorization for User Agreement for RefPay Payors (Exhibit 7)

Motion by Gannon, Seconded by Rhodes  
RESOLVED, That the East Penn Board of School Directors authorize entering into a User Agreement for RefPay Payors Services to establish an Account with RefPay and to deposit funds into the Trust Account to use the RefPay Services to automate payments as described in Exhibit 7.

Note: This Agreement has been reviewed by the solicitor.

Mr. Earnshaw expressed concerns about this contract, specifically the fees sections and questioned if there has been research into this company. Dr. Seidenberger responded that there has not been exhaustive research. Mr. Earnshaw further questioned Section 33, Indemnification. Solicitor Fisher agreed that it is a very broad process. Dr. Seidenberger said it is a new process and it is coming from the Athletic Directors in the Lehigh Valley group. Mr. Earnshaw said he understood that it will save staff time, processing fees, and some of the other hassles involved. He was afraid that if the fee structure can change at any time it may not be as economical. Mr. Glancy said that Whitehall, Northern Lehigh, and Northwestern Lehigh School Districts are currently using this process and they have had no problems. Solicitor Fisher pointed out that the contract is legal and the school district can close out the account at any time without any penalty. Mr. Policano said it appears that they are getting paid out of interest on the funds that would be in the account. Ms. Fuller commented that, understanding that the district can terminate the arrangement at any time, she would feel comfortable supporting the resolution. Ms. Gannon asked how much money this involves. Mr. Glancy responded that it is between \$14,000-\$15,000 per sports season. Ms. Gannon asked who would have oversight on our part of the transactions. Dr. Seidenberger responded that Mr. Shaun Murray the Assistant Activities Director would be the person to approve the referees to be paid. Also, the referees would have to sign up to be paid by this system, such as direct deposit. Mr. Richwine said the district has the control because referees cannot take the funds out of the account. Also, as long as the person in charge would be aware of any changes that would be detrimental to the district then we could make the decision as to whether or not we continue with this process. Mr. Earnshaw felt the monitoring of this account would be up to district personnel. He felt the district would lose some of the efficiency gained because the account would have to be monitored. He said that as long as the administration feels that there is the staff time available to make regular reviews of this account, he would support the motion. He said if it becomes the regular part of someone's duties and the administration is willing to make the staff commitment, he would support it. Dr. Seidenberger said it would fall under the auspices of the Athletic Office. Mr. Richwine noted that the bill list contains the checks that are drawn for the Athletic Fund. After further discussion, Mr. Earnshaw introduced the following motion:

Motion by Earnshaw, Seconded by Policanot  
RESOLVED, That the East Penn Board of School Directors table the Authorization for the User Agreement for RefPay Payors Services until the first meeting in November (14).

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Heid, Policano, Rhodes, Richwine, Stolz-----9

#### 11. Announcements

Mr. Richwine noted that he was able to get a list of the Merit SemiFinalists in Lehigh and Northampton Counties. East Penn had 11 out of 22 in Lehigh County and, adding the 8 for Northampton County then East Penn had 11 out of 30. The highest number of students come from Emmaus High School. He said based on the average being the top .5% who qualify as semifinalists that would mean Emmaus High School should have 3 students. He said that it speaks volumes about the students, parents, and staff.

Mr. Earnshaw thanked the Board for sending three of them to the Legislative Policy Council and they adopted a good platform.

Monday, October 24	7:00 p.m.-CLEAR Session (Real Estate; Litigation; and Confidentiality) 7:30 p.m.-Board Meeting
October 27, 28, 29	7:00 p.m.-EHS Drama Department presents "The Crucible" EHS Auditorium
Friday, November 11	9:30 a.m. & 1:00 p.m.-Veterans Day Program, LMMS Auditorium
Week of November 14	Elementary Parent Teacher Conferences; 1:30 p.m. Early Dismissal for Elementary Students
Monday, November 14	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 9:37 p.m.

Cecilia R. Birdsell, Board Secretary



## 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 7:40 p.m., followed by the Pledge of Allegiance.

Board Members Present: C. Ballard, A. Earnshaw, F. Fuller, E. Gannon, M. Policano, S. Rhodes, T. Richwine, J. Stolz

Board Member Absent: R. Heid

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: Jennifer Rodgers, Morning Call Reporter  
Glenn Nelson, East Penn Press Reporter  
Jennifer Marangos, Editor, Emmaus.patch.com

### 2. Board Member Recognition

President Ballard presented Certificates and Awards of Recognition to Board Members Elaine Gannon and Terry Richwine for their 16 years of service on the East Penn Board of School Directors. President Ballard said the Board and administration appreciated their service and support over the last 16 years. They received a round of applause.

Ms. Gannon said it had been a pleasure and honor to serve on the Board. She developed many relationships over the years. Ms. Gannon reflected on the increase in enrollment, adding it was bittersweet to step down and she will miss many of the people. She noted that a lot of good people have gone on, including her own children, and she felt it was time to move on. She said she wished everyone well and was thankful for the opportunity to serve.

Mr. Richwine said he would like to reserve some of his comments until the end of the meeting. However, Mr. Richwine said he had not anticipated being on the Board for 16 years. He reflected on the first budget book that he received in 1995-96 and the number of good people who have retired. He said the only people who were still here were Dr. Denise Torma, Mrs. Surdoval, Solicitor Fisher, and, of course, Board Secretary Cecilia R. Birdsell, the Swiss Army Knife of the East Penn School District, who has been the cornerstone of the district for many years and served the Board, the superintendent and the district. He said Dr. Wells was one of the last people and he retired last year. The changes in personnel have been extensive. He said he would continue with his remarks at the end of the meeting.

### 3. Requests to Address the Board

Carlen Blackstone, Computer Science Teacher at Emmaus HS, announced the Computer Science Education Week from December 5-9, 2011. She has taught computer science at the high school since 1981. She provided statistics that indicated that 2018 there will be 1.4 million computer specialists jobs to be filled and only one-third will be graduating from U.S. universities to fill these positions. She said East Penn has a strong computer science curriculum but more students are graduating who know how to use technology but not necessarily develop technology. In order to raise awareness, a Computer Science Showcase is planned for Thursday, December 8, from 8:00-9:00 p.m. The Robotics Club will use the semicircular lobby area to demonstrate tasks that programmable robots can do. Computer science professionals who live in the community will be available to demonstrate or discuss projects they have worked on. They will celebrate Grace Hopper's Birthday which is December 9 and will remember the legacy of Steve Jobs. She invited the public to attend. She thanked the Board for its time.

### 4. Public Financial Management -

Mr. Scott Shearer, Managing Director of PFM, reviewed the highlights of the refunding analysis of Series A of 2006. Attached to the permanent minutes is a copy of this report. The call date for this issue is January 1, 2012. Legally, the district could not refinance this issue until now. He said that based on the current rates and a January 17, 2012 settlement the net savings are estimated to be approximately \$203,524. Two other bond issues, Series A of 2004 and Series of 2007 could be re-financed; however, the interest rates are too low to do so at this time. They may be back by December 12 for the bond sale but it depends on the market. If it is not where they want it to be, then the sale would be postponed until January.

Motion by Policano, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors (the District) does hereby authorize the administration to work with Public Financial Management, as Financial Advisor and Rhoads & Sinon, LLP, as Bond Counsel, in conjunction with the issuance of General Obligation Bonds, Series of 2012, for the purpose of refunding the School District's General Obligation Bonds, Series A of 2006 at a minimum net savings of \$200,000.



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

Mr. Shearer thanked the outgoing board members, Ms. Gannon and Mr. Richwine, for their support and wished them well.

5. Emmaus HS SGA Report

Cristen French & Shiv Joshi reported on the following Emmaus HS activities:

-Homecoming week was a complete success. The football team won the game; Brian Auvil and Gabby Niciotis were crowned King and Queen.

-On October 6, the World Language Honor Society Induction Ceremony was held and welcomed new members. In order to be inducted the students had to have high grades and completed two full years in the language.

-On December 6, the Winter Choral Concert will be held in the EHS auditorium. Performing will be Fermata Nowhere, Choir, Women's Choir, and the Select Choir.

-Thirty-eight students were selected to perform in the PMEA District 10 Chorus.

-The Second Annual Blood Drive was held in November and there were 140 donors. All donations will benefit the American Red Cross of the Greater Lehigh Valley.

-The EHS Key Club donated many used books to the Cops 'n Kids Program. They sold over 200 labels and had a yard sale.

-The Academic Scrimmage Team beat Wilson and won in sudden death overtime. Devon Reinert is Captain and other members are Caleb Clever, Tim Su, Neeraj Tatikola and alternates Brit Gilbert and Asim Viqar.

-The fifth period lunch for Freshmen is a success. It allows Freshmen to make a smooth transition into the high school.

-The FBLA Club is hosting a fund raiser to send students to the state competition. They are selling \$1.00 raffle tickets and the winner of the raffle will get all the ingredients for a full Thanksgiving meal. The Regional Competition will be held on December 20.

Ms. Fuller said she was very happy to receive a copy of The Stinger, the EHS student newspaper.

6. Report of the Superintendent of Schools

1. District Update

Dr. Tony Moyer, Principal of Willow Lane Elementary School, introduced visiting Chinese principal, Li Ming, of Shijiazhuang Ning Yuan Primary School in Hebei Province, China. Parent Nancy Wu served as a translator for Principal Li. He said he had learned a lot to bring back to China to share with his teachers. He was glad to be here and had spent the whole day at Willow Lane. He said there are a lot of differences between American and Chinese Education Systems. The residents' philosophy and creativity are different. Dr. Moyer will be going to China in April. Principal Li felt that they can learn from each other and improve together. He said Chinese students and teachers like to learn from Americans, not only academically but culturally. President Ballard and Dr. Seidenberger presented President Li with a baseball cap and sweatshirt from Emmaus HS. They received a round of applause from the audience. Dr. Moyer thanked the Board and indicated that the teachers have spent a great deal of time teaching the students about China and it is hoped that a relationship with Principal Li's school can be established. He said it was a joy to see the students say "ni hao." Dr. Seidenberger said the dragon at the assembly was outstanding and it was an upbeat program.

In relation to the weather, Dr. Seidenberger said it has been a year unlike any before in terms of weather and extreme conditions. With the power outage, the district struggled with communications. He wanted to assure the Board and community that there are some things that will be done immediately to help with emergency situations. The district is in the process of updating the bus stops and creating an alternate emergency plan. This information will be mailed to parents and they will be asked to keep the plan posted in a prominent area. He reported that parents wanted to know why the alternate bus stops created were not on WFMZ. Dr. Seidenberger said WFMZ will not put that level of detail on the air. It was put in the Alert Now message. The parts for an upgrade to a generated communication systems had not been received in time for the unexpected snow storm. This would allow the district web site to operate on a minimal basis. Dr. Seidenberger pointed out that there are certain places in the district that could be impacted by any kind of heavy rain. If an emergency route is called, it will be for a full day - both morning pick up and afternoon delivery. One of the problems experienced was that as areas were cleaned up the buses followed their normal routes and this was confusing to parents.

Director of Operations Lynn Glancy said the district has had a contract with Clear Choice as our Demand Response Provider. Over the past two years, the district has received \$116,000 for being ready to reduce our electrical

peak demand when requested. It is time to renew the contract with Clear Choice or change to another Demand Response Provider. Clear Choice is estimating our payments for the next three years at up to \$177,000. An alternate to Clear Choice Energy would be EnerNoc, Inc. They are estimating that over the next three years we should receive up to \$233,669 for Demand Reduction. At no additional cost, they will also provide near-real time metering at ten of our school buildings and at the end of the three year contract the district would own the metering equipment. The installation of this metering equipment is worth \$50,000. This equipment and software will give us the ability to measure when we use the largest or peak amount of electrical energy and allow us to modify to save additional money by lowering the PPL bills. It was Mr. Glancy's recommendation to terminate the Clear Choice contract and enter into an agreement with EnerNOC, Inc. The estimated first year revenue for this agreement with EnerNOC would be \$61,672, which would offset part of the cost of electricity. Ms. Fuller asked if there were any other local districts using EnerNOC. Mr. Glancy responded that East Penn would be the first in Lehigh County using this company. Mr. Ballard asked if the solicitor had reviewed the Agreement and clause 3G. Solicitor Fisher said he had seen the Agreement. Mr. Ballard said that under clause 3G there was a clawback provision and proceeded to read the statement. Mr. Ballard had a problem with the idea of a clawback provision once the contract would be terminated. Mr. Fisher will review the agreement. This will come back to the Board at the December 12 meeting.

Mr. Glancy reviewed the Ref Pay recommendation that was tabled at the last Board Meeting. This system was developed by the Arbiter Sports System for NCAA. This software is serving 3,000 leagues and 270,000 officials. It is the largest software payment system in the country. This is a way to pay officials on line and thus reduce the costs of processing checks and mailing. The Athletic Department would continue to manage this process and would provide payment information to the Board for approval. In addition, Ref Pay will produce the IRS 1099 form for each official. The fall, winter, spring sports seasons costs the district about \$14,500/season. This amount would be deposited in a Ref Pay account at the beginning of each season. Weekly reports are available to monitor this system. Ref Pay has increased its fees once in the last three years and the Agreement can be cancelled at any time. Northern Lehigh, Northwestern Lehigh, and Whitehall Coplay School Districts are currently using Ref Pay and they are pleased with the system. Parkland and Allentown are considering using the system next fall. The Ref Pay Agreement will be on the December 12 Board Meeting. Mr. Earnshaw said the Agreement looked like a print out from their website and suggested that Mr. Glancy get an updated Agreement that includes the fee schedule.

Dr. Seidenberger reported that Terrific Teens, a new show by Channel 39, will be inviting our EHS Key Club for the taping of their first show for the Cops 'n Kids Program.

East Penn is receiving the Lehigh Valley Branch Sustainability Award for 2011 in recognition of our dedication and support of sustainable and environmentally responsible planning, design, construction and operations. This award is sponsored by the Delaware Valley Green Building Council. The ceremony will be held at the Steel Stacks on Wednesday evening.

Dr. Seidenberger will be looking at a company, Verified Residents.Com., that can do an audit to see if there are out-of-district students attending East Penn. The administration will be reviewing this concept at an approximate cost of \$16,000. Mr. Earnshaw questioned the company's claim that they can find at least 1% of the students who are not district residents. In East Penn's case that could be around 80 students. Dr. Seidenberger said he will be checking with other districts that have used this company.

Mr. Earnshaw commented positively on the international options that are being explored by Willow Lane. He relayed his personal work experience where he was interacting with visitors from a number of countries, adding that the reality of the business world today is that it is an international business. He felt the more students could be exposed to the different cultures the better off they will be in the future.

Dr. Seidenberger commented on the number of teachers who are attending the Indicator 13 workshops, noting that this is a state mandate.

Dr. Seidenberger said that Mrs. Surdoval will be giving an overview of the budget at the December 5 Reorganization Meeting since the timelines have been shortened. He then proceeded to review the attached list of current situations and fundamentals regarding the 2012-2013 budget.

Referring to the power outage, Dr. Seidenberger clarified for Mr. Ballard that two schools - Lower Macungie Middle School and Alburtis - did have power. Mr. Ballard asked about the natural gas powered generators that were in schools and why more schools did not have the emergency generators. Mr. Robert Ritter said all of the generators for the schools were on (both gas-fired and oil-fired). However, it is limited emergency power. The buildings were maintainable but school could not be held. Mr. Ballard asked how often they were tested. The generators are tested for a half hour, once a week.

Referring to the attached Budget Primer, Mr. Ballard pointed out that the vote for going to the index will have to be taken in December. The cutoff date based on the primary election date is January 5, 2012. The December 12 Board Meeting is where the Board will have to decide if the district is going to apply for exceptions. Mr. Ballard told board members that they will have to review the information that is received on December 5, and, again, emphasized that the December 12 Board Meeting is where action must be taken. Mr. Ballard said the cost of inflation is running at 3.4% and what the legislators will tell you is that the basic education subsidy has been increased. Currently, state payments to the district account for less than 20% of the district's revenue. He also commented that people in East Penn who think they will get funds from a voucher program are ill informed. The proposal on the table is for failing districts and that would not

include East Penn. The amount calculated is approximately \$2600 per year. It is higher in other districts based on their status.

2. Personnel

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

Resignations/Retirement

-Joelle Hower, Home & School Visitor, effective January 6, 2012 (Exhibit 1)  
-Nancy Hoffman, Remedial Assistant, effective November 4, 2011 (Exhibit 2)  
-Justin Schnalzer, Technology Assistant, effective November 2, 2011 (Exhibit 3)

Income Protection Leaves

<u>Employee</u>	<u>Effective</u>
Linda Dunnette Special Education Teacher, Lincoln	November 4, 2011
Dolores Evans German Teacher, Eyer/LMMS	November 8, 2011

Request for General Leave of Absence

Employee: Theresa Berthel  
Staff Assistant, LMMS  
Effective: November 7, 2011-June 30, 2012  
Reference: Board Policy 539, General Leave

Leave as Per Collective Bargaining Agreement

Employee: Caitlin Shutte  
Kindergarten Teacher, Macungie School  
Effective: 12/5/11-11/13/12  
  
Employee: Jennifer Carabello  
Kindergarten Teacher, Shoemaker School  
Effective: 11/28/11-1/2/12

Appointment of Full-Time Substitute Teachers

Name/Address: Lisa Wolff  
1979 Goldenrod Drive, Macungie  
Education Level: B. A. Degree (1983)  
Undergraduate School: Lehigh University  
Graduate School: DeSales University (Certification Credits)  
Assignment: Grade 6 Teacher, LMMS  
Opening created by T. Scisly leave  
Effective: October 25, 2011 (retroactive)  
Certification: Instructional I, Elementary  
Experience: 9/08-6/2011, East Penn SD (Elementary FTS)  
Salary: \$45,831 (Year 3, Col. B)

Name/Address: Jennifer Hanssen  
4283 Elm Drive, Allentown 18103  
Education Level: B. S. Degree (2010)  
Undergraduate School: Kutztown University  
Assignment: Gifted Education Teacher, Shoemaker, Alburtis, Jefferson Schools  
(Opening created by M. Sell leave)  
Effective: November 15, 2011  
Certification: Instructional I, Elementary  
Experience: 5/11-Present: East Penn SD (per diem sub)  
5/2010-6/2010: Saucon Valley SD (per diem sub)  
Salary: \$45,185 prorated (Year 1, Col. B)

Appointment of Instructional Assistant

Name/Address: Rebecca Murphy  
130 Spruce Street, Emmaus  
Assignment: Emmaus HS (Vacancy created by L. Conrad resignation)  
Effective: October 11, 2011  
Salary: \$12.99/hr., 29 hrs./wk.

Appointment of PT Food Service Assistant

Name/Address: Barbara Hoffman  
267 Maple Court, Alburdis  
Assignment: Eyer MS (Vacancy created by J. Miller resignation)  
Effective: November 9, 2011  
Salary: \$12.96/hr., 22.5 hrs./wk.

Co-Curricular Advisors

See Exhibit 4

Authorization of Attendance Officers

In accordance with Modifications 5.29, the East Penn Board of School Directors authorizes the following individuals to act in the capacity of attendance officers to write truancy citations:

Emmaus HS

David Piperato, Principal  
Janine Mathesz, Assistant Principal  
Mark Caccavo, Assistant Principal  
Zach Fuller, Assistant Principal  
Sally Hanzlik, Assistant Principal  
Andrea Edmonds, Assistant Principal

Elementary Principals

Dr. Jacqueline Attinello, Lincoln  
Tara Desiderio, Wescosville  
Dr. Ron Renaldi, Alburdis  
Cheryl Wetzel Scalzo, Jefferson  
Anthony Moyer, Willow Lane  
James Best, Macungie  
Lynn Brinckman, Shoemaker

Lower Macungie MS

Suzanne Vincent, Principal  
Greg Annoni, Assistant Principal  
Rodd Luckenbill, Assistant Principal

Eyer MS

Dave Silfies, Principal  
Michael Kelly, Assistant Principal

Student Services

Jennifer Curtis  
Karen Fairclough  
Meredith Frantz

Dr. Thomas Mirabella  
Linda Pekarik

Additions to the 2011-2012 List of Per Diem Substitutes - See Exhibit 5

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.

Mr. Earnshaw pointed out the number of teachers who are mandated to attend Indicator 13 training, noting that this is an unfunded mandate. The cost is approximately \$43/teacher; however, the district will have to hire per diem substitutes that will probably cost approximately \$15,000-\$20,000. He said legislators need to understand that many of the costs to taxpayers comes out of the regulations passed by the legislators.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Policano, Rhodes, Richwine, Stolz-----8  
Absent: Heid-----1

3. Approval for the Submission to the Department of Education - Mid Point Review of the East Penn Strategic Plan

Motion by Earnshaw, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors accept the report of the Strategic Planning Committee and approves the submitted revisions to the Strategic Plan; and,

Be it further

RESOLVED, That the Professional Education Report has been developed in accordance with the laws, regulations and guidelines for the development, implementation and evaluation of the Professional Education Report as designed in Chapter 4 of the Regulations of the PA State Board of Education.

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

Aye: Ballard, Earnshaw, Fuller, Gannon, Policano, Rhodes, Richwine, Stolz-----8

Absent: Heid-----1

7. Other Educational Entities

-Carbon Lehigh Intermediate Unit T. Richwine

The next meeting of the IU Board of Directors will be November 19. Mr. Richwine will introduce Ms. Fuller as his replacement on the IU Board. He said he always tried to convey what services the IU provides.

-Lehigh Career & Technical Institute  
F. Fuller  
T. Richwine  
A. Earnshaw  
R. Heid

Ms. Fuller thanked Mr. Richwine for his service on both the IU Board of Directors and the LCTI Joint Operating Committee. She indicated that there was a program on Collins Writing and Word Enrichment that helps students understand the vocabulary in their professional settings. Reporting excess revenues that will come back to districts in January, Ms. Fuller said East Penn will receive approximately \$13,140.83. East Penn will be owing \$313.45 for the Academic Center Fund excess revenues because of the level of students. Some funds have been retained for the Academic Center to offset the cost of tuition so East Penn currently has available \$83,528.42. The JOC will be holding a meeting for the interviews for the new Executive Director.

8. Legislative C. Ballard

Mr. Ballard announced that there are only 12 voting days before the end of the year. There are a number of major issues that are trying to be resolved. It is very possible to see a last minute sudden explosion of bills on a number of issues such as the Marcellus Shale Tax issue and vouchers. It is not clear what is happening to SB 1 in the House since there are House bills that have been sent to the Senate for concurrence that mirror some parts of SB 1. He urged board members to contact House members and let them know what the problems are with vouchers. It is the Senate's estimate that after year three of the vouchers that 80% of the money would go to students who are already enrolled in private and parochial schools. He concluded that it is creating a new entitlement program, giving taxpayers less control, and creating a bureaucracy and increasing government to take care of vouchers.

9. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Gannon  
RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addendum, and that the Treasurer be authorized to issue checks and vouchers in the amounts indicated.

Treasurer's Report

RESOLVED, That the Treasurer's Report be approved.

Disbursement of Funds - Exhibit 7

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from the 33-2010 Series A GOB and the Capital Reserve Fund as outlined on Exhibit 7.

Parent Transportation Contracts

RESOLVED, That the East Penn Board of School Directors approve the following Transportation Contracts:

Parent: Sharon & Richard Colson  
1058 Hausman Road, Allentown

Effective: 10/3/11-6/15/12

Reimbursement: 8.3 miles to Eyer MS  
2.5 miles to Willow Lane  
\$.55/mile

Parent: Kathleen O'Gara  
1151 Bulldog Drive, Allentown

Effective: 11/1/2011-6/15/2012

Reimbursement: 11.8 miles to LMMS & Alburtis  
\$.55/mile

These resolutions were duly adopted by the following roll call vote:  
Aye: Ballard, Earnshaw, Fuller, Gannon, Policano, Rhodes, Richwine, Stolz-----8  
Absent: Heid-----1

10. Approval of Minutes

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of Schools Directors approve the minutes of the October 24, 2011 meeting.

This resolution was unanimously adopted by voice vote.

11. Comments by Outgoing Board Member

Mr. Richwine said a lot of what he is going to say has to do with what he felt the role of public education is in society today. He noted that in the 1996-97 school there was an enrollment of 6560 students and a building capacity of 5700. He said the district had to provide over 1200 spaces for just the students we had at that time. Most of the school buildings had not been worked on for 20 or 30 years. The building plan had to come up with over a 20% increase in taxes just to meet the needs at that time. We now have over 8000 students. He reflected that since he was on the Board the capacity increased by almost 50%. He said people have pointed out the debt but the district does not build, renovate, and expand ten school buildings without incurring debt. His first meeting where he was sworn in was in the Wescosville School before it was expanded.

Other changes that have affected how the district operates, includes the change in population. When he came on the Board low income students made up 3% of the student population and now that is 17%. He said low income students are harder and more difficult to educate because they are less prepared and they have less assistance outside of school. Traditionally, they do not do well on standardized tests. He said it is remarkable that the PSSA scores are as high as they are. He objected to using standardized testing to judge a school. Quoting from H. G. Wells, "Our challenge is not to educate children we used to have or want to have but educate the children who come to the schoolhouse door." A school district cannot pick and choose but must take them all. There has also been a tremendous increase in special education students. These are students that private and parochial schools do not have to take. The special ed costs have increased 370% in recent years; state funding has increased 40%. East Penn's net cost has increased by 9.5 million dollars. He said the district must provide these services by law and it is the right thing to do. He was criticizing how the program is funded or not funded. Another underfunded mandate would be charter schools. At one time the district did not pay anything because charter schools did not exist and now the district is paying 3 million dollars. He pointed out that these two items account for 20% of the millage. Those are costs over which there is no control.

The Board has been accused over the years of not being fiscally responsible. Since he joined the Board, East Penn has gone from the fourth highest millage in Lehigh County to the third lowest, despite all those extra students, extra buildings, and extra special education costs. The Center for American Progress studied all the school districts in Pennsylvania as well as other states, East Penn received the highest rating in the category of Basic Return on Investment of 39 districts in the state and the only one in Lehigh County to get the highest rating. When Moody's increased the bond rating, some of the comments were that the rating reflects the district's historically strong financial operations and conservative financial management practices. Those opinions of organizations not related to East Penn speak volumes about our fiscal responsibility.

The academic performance is as good as anyone in the East Penn area. For many years, East Penn has offered more AP courses than any other school. More East Penn students take AP tests and more students receive the highest grades. This year we had half of the National Merit Semi Finalists from Lehigh County and one-third from Lehigh-Northampton Counties. East Penn has been averaging almost ten students a year even though statistically we should only have three or four students. In a recent Morning Call article, citizens who moved to Lower Macungie Township said a lot of them moved there because of the reputation of the school district. He said that should say volumes for the quality of

an East Penn education. Mr. Richwine said that unfortunately public education is under attack. He cited the following reasons as factors: Money-people in corporations decided that you can make money in education by driving public education out of existence and privatizing education; Union Busting-to destroy the public education system you destroy the unions, leaving the students without a free and appropriate education; Re-segregation-by the haves and have nots. He said that would leave some students going to the Saks Fifth Avenue of schools and relegating most students to the Wal-marts. Most of the people funding these movements never went to public schools. This goes across party lines. He talked about the international comparisons that are used to bash public schools. On the average U.S. schools finish in the middle of the pack. U. S. Schools with 10% poverty are equal to any country in the world, including Singapore that is rated at the top. He cited the comments made by the Minister of Education for Singapore who talked about the differences between American Schools and Singapore.

East Penn is lucky enough to be properly funded. Mr. Richwine said the schools that really need help are the urban ones. He read some comments from a Chinese educator now living in the United States, "by grading students success in government set standards in such limited subjects such as math, reading and science, the United States is willing to throw away one of its global advantages - an education that respects individual's talents and does not dictate what students learn or how teachers teach. Mr. Richwine felt this is what schools have been driven to by No Child Left Behind. The Chinese educator said, "what China wants is what America is eager to throw away."

Mr. Richwine concluded his remarks by saying, "As a school board member for the last 16 years, I have tried to do what is best to see that the education provided to the East Penn students is a high quality education with value and things other than how you did on a standardized test. It is a shame that we have to be driven by these tests." Mr. Richwine further stated that he believed that public education is part of what has made this country great. The ability of people from modest or no means to get an education and get ahead and make something out of their lives is driven by the education that they can receive in the public sector. He believes that it is something worth saving and I hope that all board members here and in other districts keep that in mind. To throw away what we do well for reasons that have nothing to do with education is something that we have to fight against. He said he hoped that this Board's mission will continue to offer that kind of education.

## 12 Announcements

Monday, November 14	6:45 p.m.-CLEAR Session (Confidentiality, Real Estate)
	7:30 p.m.-Board Meeting
Week of November 14	Elementary Parent Teacher Conferences - 1:30 p.m. Dismissal
November 17, 18, 19	7:30 p.m.-LMMS Fall Comedy "Tartuffe" LMMS Auditorium
Monday, November 28	Weather Emergency Make Up Day - All schools and offices will be open.
Monday, December 5	7:30 p.m.-Board Reorganization Meeting, Board Room
Monday, December 12	7:30 p.m.-Regular Board Meeting, Board Room

## 13. 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

EAST PENN SCHOOL DISTRICT  
BOARD OF SCHOOL DIRECTORS  
REORGANIZATION MEETING

December 5, 2011

7:30 p.m.

Board Room  
800 Pine Street, Emmaus, PA

1. Call to Order; Pledge of Allegiance

Board Secretary Cecilia R. Birdsell called the Reorganization and General Business Purposes Meeting to order at 7:30 p.m., followed by the Pledge of Allegiance and a moment of silence in memory of Linda Dunette, Learning Support Teacher at Lincoln School, and Mr. Joe Liberati, Superintendent of Southern Lehigh School District, who passed away last week.

Board Members Present: K. Bacher, C. Ballard, L. Donches, A. Earnshaw, F. Fuller, R. Heid,  
M. Policano, S. Rhodes, J. Stolz

Robert Magee, Esq., Worth, Magee, & Fisher (Mr. Magee was filling in for Mr. Fisher.)  
Cecilia R. Birdsell, Board Secretary  
Lynn Glancy, Treasurer

Precious Petty, Express Times Reporter  
J. Rodgers, Morning Call Reporter  
T. Martin, East Penn Press Reporter

2. Requests to Address the Board

Mr. Rob Hamill, 1500 Little Lehigh Drive, North, Emmaus congratulated the new board members and distributed a copy of Budget Facts 2011, PA State Pension Liabilities, as composed by the Commonwealth Foundation. He said the Pension Plan contributions will be increasing 700%. He said one of the reasons is that the pension system that the teachers are under has been going under the assumption of an 8% annualized increase for the last decade. He said that does not happen in the private sector. He said the answer to this so the district does not have to cut teachers or increase class sizes is to hold the salaries in check or decrease the salaries from hereon. He said the contract two years ago gave 4.9% raises. He requested that the contract be re-visited and ask teachers to not accept salary increases for next year and the year after based upon the fact that the pensions they have been getting have doubled in a decade.

3. Election of President Pro Tempore

Miss Birdsell called for nominations for President Pro Tempore. The following nomination and motion was introduced:

Motion by Earnshaw, Seconded by Heid  
RESOLVED, That Francee Fuller be nominated as President Pro Tempore.

This resolution was unanimously adopted by voice vote.

Mr. Policano nominated Mr. Ballard who had not been sworn in at this time.

4. Oath of Office

President Pro Tempore Francee Fuller administered the Oath of Office to the recently elected board members. Following the Oath of Office, board members took their seats at the board table. The elected board members are as follows:



-Kenneth Bacher  
-Charles Ballard  
-Lynn Donches  
-Samuel H. Rhodes, III  
-Julian Stolz

5. Election of President

President Pro Tempore Francee Fuller called for nominations for President. The following nomination and motion was introduced:

Motion by Policano, Seconded by Earnshaw  
RESOLVED, That Charles Ballard be elected as President.

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

Mr. Ballard thanked the Board for their confidence and thanked them for appointing him.

6. Election of Vice President

President Ballard called for nominations for Vice President. The following nominations were introduced:

Mr. Stolz nominated Mr. Bacher and it was seconded by Mrs. Donches. Mr. Ballard asked if there were any more nominations and Mr. Rhodes nominated Mr. Earnshaw and it was seconded by Ms. Fuller. Mr. Policano nominated Ms. Heid but the motion failed for the lack of a second. The nominations were closed. The Board voted by ballot. Listed below are the announced results of the ballot vote:

Ballot votes for Mr. Bacher: Donches, Heid, Policano, Stolz-----4  
Ballot votes for Mr. Earnshaw: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----5

The ballots are attached to the permanent minutes of this meeting.

Mr. Earnshaw was elected Vice President.

7. Setting Time & Place of Board Meetings

Motion by Fuller, Seconded by Earnshaw  
RESOLVED, That the East Penn Board of School Directors shall meet in regular session in the Board Room located in the Administrative Offices Building, 800 Pine Street, Emmaus, PA at 7:30 p.m. on the second and fourth Monday of each month in 2012 unless advertised otherwise:

January 9 & 23  
February 13 & 27  
March 12 & 26  
April 23  
May 14  
June 11 & 25  
July 9  
August 13 & 27  
September 10 & 24  
October 8 & 22  
November 12  
December 3, Reorganization Meeting  
December 10

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

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

8. Designation of Newspapers of General Circulation for Advertising Purposes

Motion by Rhodes, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors designate the following newspapers for advertising purposes during the 2012 calendar year.

Morning Call (Daily, General Circulation)  
Express Times (Daily, General Circulation)  
East Penn Press (Weekly, Secondary Circulation)

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

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

9. Lehigh Career & Technical Institute Appointments – 1 appointment

President Ballard indicated that Mr. Rhodes has indicated that he would be willing to serve. Mr. Ballard asked if anyone else was interested. Mr. Stolz indicated his interest.

Ms. Fuller nominated Mr. Rhodes and it was seconded by Mr. Earnshaw. Mr. Policano nominated Mr. Stolz and it was seconded by Mrs. Donches.

Ballot votes were taken for the appointment of a board member to serve on the LCTI Joint Operating Committee. The votes were announced as listed below:

Ballot votes for Mr. Rhodes: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Ballot votes for Mr. Stolz: Donches, Policano, Stolz-----3

Mr. Rhodes was appointed as one of the East Penn representatives to the LCTI Joint Operating Committee. The ballots are attached to the permanent minutes of this meeting.

10. General Business

1. Appointment of Treasurer/Tax Collector for Lower Macungie

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors approve and acknowledge the appointment of Stephanie Yothers as Lower Macungie Township Treasurer and thus Tax Collector for East Penn School District Lower Macungie Township real estate taxes with a term expiring January 6, 2014.

Mr. Ballard explained that Mr. Yothers died so a new Tax Collector for real estate taxes needed to be appointed.

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

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

2. Budget Outlook - Debra Surdoval, Business Manager

Mr. Ballard explained explained that the Legislature has moved up the Presidential Primary by three weeks. The Act 1 restrictions are tied to the primary so the timelines have been moved up for budget preparation and action. School districts must take action by January 5, 2012 to either make the 2012-2013 proposed preliminary budget available for public inspection or adopt a resolution that it will not raise the rate of any tax by more than its index. In order to give board members the most amount of information to make a decision on December 12, this presentation was requested by the Business Office.

Dr. Seidenberger distributed copies of the PSBA School Funding and Finance Chart that shows the actual instructional expense from 1970 to 2009-2010. He pointed out that local school districts were contributing approximately 53% and the state subsidy was approximately 47% in 1970; however, today the state is contributing 30% and the local school districts are contributing almost 70%. Dr. Seidenberger reminded the Board that tonight was simply an overview with no vote to be taken. The next Board Meeting

is when the Board needs to decide if they will stay within the index or go for exceptions thereby giving the administration more time.

Business Manager Debra Surdoval explained how the state arrives at the 1.7% index and its implications for budgeting. She emphasized that for budgeting purposes this is extremely early but because of the timeline this needs to be done now. Mrs. Surdoval indicated that there are many unknowns such as the state and federal funding. Dr. Seidenberger interjected that with the failure of the Super Committee and the potential cuts in IDEA revenue will be affected. Mrs. Surdoval noted that the interim real estate and transfer taxes are behind other years even though the revenue had been dropped when finalizing the budget. Some of the major projects that were completed have gone for reassessment. East Penn has not experienced as much growth as in previous years. She talked about the changes in the collection of EIT that had been collected by the individual tax collectors and will be collected at the county level by Berkheimer Associates. All the business managers are expecting a lag in the collections. Mrs. Surdoval noted that there have been tremendous increases in charter school costs, noting that Seven Generations opened which was a big expense for the district. There are now other charter schools being proposed in other districts that may impact our budget. The state deducts cyber schools tuition from the subsidy that is sent to the district. She said that the retirement rate is going from 8.65% which the state shares half back to the district but for 2012-2013 it is going to 12.36%. She reviewed the timeline noting that the preliminary budget would have to be adopted on January 23 if the Board does not approve a not to exceed resolution at the December 12 meeting. The budget presentation for the 2012-2013 proposed final budget is scheduled for the March 26, 2012 meeting. In May, the proposed final budget must be adopted as usual, and, in June, the final budget must be adopted. Overall state sources are up due mainly to increased expenditures for retirement payments, state's share of social security contributions, and a 2% Basic Education Subsidy increase may or may not come through. Mrs. Surdoval reviewed the history of East Penn's millage increases versus the Act 1 Index as outlined in the attached power point. She explained that exceptions are based on items that are out of the district's control such as special education costs and retirement contributions. She pointed out that 2011-12 had a 1.4% index and East Penn applied for exceptions that were approved so East Penn could have increased the millage by 4.79% but actually only went up 1.83%. The dollar value of exceptions for 2011-12 was \$2,658,607 but the district only used \$325,374. The current millage rate is 46.15 mills. The Act 1 Index would generate \$1,270,001 or 0.78 of a mil. The referendum exceptions for special education amount to \$333,404 and retirement contributions amount to \$989,030 for a total of \$1,322,434 or 0.81 of a mil. The estimated total millage allowed is estimated at \$2,592,435 or 1.59 mills which is a 3.45% rate increase.

In conclusion, this is a constantly moving budget. Mrs. Surdoval said that because of the early timeline and the significant financial unknowns, the administration needs as much flexibility as possible so they can give the Board options for the final budget. She noted that applying for exceptions does not mean that all exceptions will be used. The administration will continue to examine line items and revenues and make adjustments that will be reflected in the March 26 budget draft. Referring to the attached list of budget cuts from last year, Mrs. Surdoval noted that the teachers' salary freeze saved the district \$2,127,046 and debt refinancing saved the district \$486,756. Contracts are in place for the teachers until 2014-15; custodians until 2014-15; and administrative assistants and instructional/staff assistants until 2013-14. Mrs. Surdoval will be using the attached Five-Year Budget Model for 2012-13 to come up with a proposed preliminary budget. It is basically a step in the process but not the actual budget that will be presented on March 26. Mrs. Surdoval will be continuing her work on the budget. She cautioned about spending down the fund balance. Mr. Ballard reiterated that it is the proposed preliminary budget for applying for exceptions. It is not the formal budget.

Mr. Ballard said the Board will be voting on whether the district will stay within the index or go for exceptions at the December 12 meeting. He asked board members to review the data received this evening.

11. Announcement

Monday, December 12

7:30 p.m.-Board Meeting  
(Only meeting in December)

12. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:10 p.m.

Cecilia R. Birdsell, Board Secretary



## ORDER OF BUSINESS

### 1. Call to Order; Pledge of Allegiance

President Charles H. Ballard called the meeting 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: L. Fenstermaker, East Penn Press Reporter  
J. Marangos, Emmaus.Patch.com Reporter

### 2. Requests to Address the Board

Mr. Robert Hamill, 1500 Little Lehigh Drive, N., Emmaus, PA requested the Board not increase the tax index by more than 1.7%. He commented on the Budget Facts regarding the State Pension Liabilities (Commonwealth Foundation) that showed a 500% increase in the state pension plan from 2011 to 2016-17. He claimed it is an asset that public employees have that is not shared by the private sector. He distributed copies of the November 8, 2011 article from The Wall Street Journal entitled, "Public School Teachers Aren't Underpaid." The article states that "teachers receive about 52% more than they could in private business." He also quoted from a December 12, 2011 article in The Wall Street Journal that "Two-thirds of employees, report they would be willing to make some sacrifice to keep their jobs. Giving up the opportunity for an annual bonus is the most palatable option; while taking a lesser job or a demotion is the least attractive." Mr. Hamill said public school teachers are not underpaid because of the pension issue and to some degree the health care issue. He suggested that the salaries be frozen again for next year. He did not think it was the right time to raise taxes because most people don't see any need and think they are being taxed enough.

Mr. William Bullman, 2306 Chablis Drive, Macungie, PA complained because the online agenda did not have the resolution for vouchers. He felt there was no opportunity for the public to present their views. Mrs. Fawn Strunk, 1885 Greenshire Drive, Macungie, PA spoke about the resolution for vouchers, adding it was divisive and controversial. She felt it should have been posted online with the agenda for public review. She complained that the school district did not ask for input from the community by an online survey. She criticized the resolution as being ill conceived and one-sided. She asked who wrote the resolution and was an attorney involved and who paid for the attorney and the authors and what organization produced it. She concluded that the resolution did not represent the diversity in the community. She felt if the Board had issues with SB 1 then they should speak out about those issues and how they could be remedied. She said as citizens they had First Amendment rights to speak and others should not be speaking for them. She commented that it did not represent the thoughts of three generations of her family, citing a workshop she attended where the PSBA stated there should be sufficient study given to proposed actions and districts should encourage input from students, staff, and citizens and try to incorporate their views into Board deliberations. She felt the Board should not take action on the resolution until everyone has a chance to contact their representatives.

### 3. Approval of Minutes

Motion by Policano, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the minutes for the November 14, 2011 meeting and the December 5, 2011 Reorganization Meeting.

This resolution was unanimously adopted by voice vote.

### 4. Bond Refinancing - Scott Shearer, Managing Director, Public Financial Management - Exhibit 1 Richard B. Wood, Esq. and Jens Damgaard, Esq., Rhoads & Sinon, Bond Counsel

Mr. Shearer reviewed the attached Bid Results and Debt Service Schedule, noting that Moody's Investor Service had maintained the Aa2 rating for the school district. This rating is two from the top (Aa1 and Aaa) of the rating scale. He said the results of the auction were the best he had ever seen. The bonds today actually sold better than an actual triple A credit rating. There were 65 bids with Morgan Keegan being the successful bidder. Originally, the projected savings were around \$200,000 but the actual savings to the district as a result of this sale is \$1,340,021.81. The optional redemption date for these bonds is March 15, 2017. He explained how the payment dates were moved up which also saved \$150,000-\$200,000. He said in a normal transaction 2% savings would be considered good; however, this transaction shows 16.24%. Mr. Shearer pointed out that Page 13 indicates the Summary of outstanding indebtedness and PFM is always looking for opportunities for the district to refinance bonds. The district has saved almost 10 million dollars by refinancing bonds over the past 13 years.

Public Financial Management is watching the GO Bonds Series AA of 2004 and GO Bonds of Series 2007 for possible refinancing in 2012.

In response to a comment from Ms. Fuller, Mr. Shearer concurred that the 1.3 million dollar savings does not occur in one year but over the life of the bond. Mrs. Donches asked if there was a protocol for the amount of savings. Mr. Ballard replied that it has been a long standing practice to look for \$200,000 or more. Replying to a question from Mr. Bacher, Mr. Shearer explained the reason why this issue is structured for the savings to fall over multiple years is because there is not a lot of principal being paid over the next five to six years (See Page 7, Col. 2) with the larger principal starting after that time. If there were full principal payments in the first or second year, then it would have been structured for the savings to take place in the earlier years. It works well in this case and allows for a level funding. Mrs. Donches asked if it was possible to get a Prospectus. Board members receive this information about ten days after the sale. Mr. Ballard called attention to the Moody's Investors Service letter and the positive comments about the debt service and East Penn's "conservative financial management practices" as one of the reasons the district has maintained its high rating. Mr. Shearer concurred. Mr. Ballard said he was somewhat stunned by the positive statements. Mr. Shearer said they made many positive statements about the district. He said these agencies are looking at things very carefully and more strictly than in the past.

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors authorize the refunding of its General Obligation Bonds, Series A of 2006, in the original aggregate principal amount of \$9,500,000 dated as of December 15, 2006 as set forth in the attached resolution.

Mr. Damgaard reviewed the attached resolution. The numbers in this resolution reflect the results of the bond sale. The bond counsel is part of the Financial Team that includes the financial advisor, solicitor, and administration. They are charged with focusing on state borrowing laws, federal security laws, and the IRS Code. Mr. Earnshaw and Mr. Ballard thanked the Financial Team for their work.

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

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

#### 5. 2012-2013 Budget - Index Resolution

Mr. Ballard explained that this resolution as stated would lock the district into a budget that would be at the index or less. If the Board wants to apply for exceptions, then this motion would have to be defeated. Dr. Seidenberger asked the Board to review the document prepared by Mr. Shearer and the recognition of the efforts that were made by the administration. He mentioned comments that were made last year by members of the community that claimed the district was carrying a lot of debt. In the Moody's letter, they clearly state that "the district's debt burden is below average."

Dr. Seidenberger discussed the impact of re-assessments that is affecting school districts. He noted that East Penn must refund \$862,154 as a result of reassessments. There has been a reduction of over 2 million dollars in state aid. He emphasized that exceptions are part of Act 1 and they are legal. In the early years of Act 1, we did not choose exceptions because we felt a quality education could be offered within the index. He reviewed the history of East Penn's use of exceptions and the actual budget increase. He felt the district had shown restraint and actually brought the budget in under the index. Two years ago we were approved for exceptions at 5.02% and came in at 2.9% and last year we were approved for 4.79% and came in at 1.83%. This year if the Board defeats this motion it gives the administration more flexibility. The two areas that reflect increases are PSERS and special education over which we do not have control. The special education population has increased in every category. We do not anticipate any state increases. If Congress does not pass a spending plan, the district is looking at a cut of 1.5% in existing special education funds or \$25,000 less. He pointed out that the CPI is running around 3.4% which affects the purchase of materials. This year the district is actually spending less than last year and continues to monitor discretionary spending. In January, the county is moving toward a new EIT collection which may slow cash flow. He said state aid is the wild card. He reviewed the information that he has given the Board concerning charter cyber school funding. He noted East Penn has a program for \$4,200 yet the district is paying over \$8,000 for a cyber charter school. He said if the district would only have to pay \$4,200 then it would be a savings of over \$700,000. Referring to vouchers, East Penn's voucher is worth approximately \$2600. If a parent was given a voucher for cyber charter school in the amount of \$2600 then they would save East Penn close to one million dollars. He felt the Legislature needs to address the issue and urged people to contact them. In addition, Auditor Jack Wagner has urged the Legislature to review the way cyber charters schools are being funded. Dr. Seidenberger's recommendation was to allow the administration to be given the time and flexibility to look at the budget by defeating this motion.

Motion by Earnshaw, Seconded by Heid

WHEREAS, the Board of School Directors of the East Penn School District has determined that there will be no increase in the rate of any tax for the support of its public schools for the 2012-2013 fiscal year by more than the Index established by the Department of Education (Department) for the district;

WHEREAS, the Index for the District is 1.7%;

- WHEREAS, the Board of Directors of the East Penn School District does hereby certify that the District will comply with the procedures as forth in Section 687 of the Public School Code as it relates to the annual budget for the adoption of its proposed and final budgets;
- WHEREAS, the Board of School Directors certifies that increasing any tax at a rate less than or equal to the established index will be sufficient to balance its final budget;
- WHEREAS, the Board of School Directors certify that the District will submit information on a proposed increase in the rate of a tax levied for the support of the public schools to the Department on a uniform form prepared by the Department no later than five (5) days after the adoption of this resolution;
- WHEREAS, the Board of School Directors certify that a copy of this resolution adopted pursuant to Section 311 of the Taxpayer Relief Act of Special Session No. 1 of 2005 will be sent to the Department no later than five (5) days after the adoption of this resolution;
- WHEREAS, the Board of School Directors recognize that the District shall not be eligible to seek referendum exceptions under Section 333 (f) of the Taxpayer Relief Act; and,
- WHEREAS, the Board of School Directors recognize that the Department shall compare the proposed percentage increase in the rate of the tax with the index; within ten (10) days of the receipt of the information as required, the Department shall inform the District whether the proposed tax rate increase is less than or equal to the index.

NOW, THEREFORE, BE IT RESOLVED, by the Board of School Directors of the East Penn School District, as follows:

The Board of School Directors adopts this RESOLUTION on the 12th day of December, 2011 indicating that it will not raise the rate of any tax for the support of its public schools for the 2012-2013 fiscal year by more than the index established by the Department of Education for the East Penn School District.

Mr. Earnshaw commented on the uncertainty of funding from the state, noting Governor Corbett's promise not to raise taxes. He pointed out that the state will be under a great deal of budgetary pressure regarding PSERS. This may result in a cut of basic education subsidy and there has been no increase in special education funding. If Seven Generations continues to add another grade, then that will increase charter school payments. While Mr. Earnshaw would like to see a budget with no tax increase, he recognizes that the district does not know where it is going with revenue in the face of significant costs. This would give the administration more flexibility by applying for exceptions rather than making significant cuts in programs. He talked about cuts that have been made such as middle school band camps. If the district's hands are tied, then the Board may have to make some unpleasant decisions regarding curriculum areas and class sizes. Dr. Seidenberger talked about increases in class sizes at several levels. The Kindergarten registration date has been moved up to give a better idea of what the Kindergarten population will look like. Ms. Fuller pointed out that this is the first of four votes on the budget. A vote to defeat this resolution will give the district administration more flexibility to develop a budget that is better suited to the district. She emphasized that the quality of the education sets the standard for the district and the quality of our housing market. In response to a question raised by Mr. Bacher concerning the Kindergarten registration date, it was clarified that it will be moved from April to March and there will be two more votes on the budget after that time. Dr. Seidenberger said that it is a group process to review the high school schedule and the class selections by students to see what staff is needed and this will take place at both the middle school and elementary level as well. He further noted that the administration already knows that there are 15% more students in the IU early intervention program coming into the district. We must provide the supplementary services if they are included in a child's IEP. We are constantly looking at ways to save energy. We have made attempts to Go Green in the area of copying. This year we will not be having a significant number of retirements.

Mr. Stolz asked how many exceptions there were prior to the legislation that was passed last year. Mr. Ballard responded prior to last year there were approximately ten but some of those were absolutely useless such as the health insurance exception as it relates to contracts and court orders. There probably were five that were useful. Mr. Stolz contended that the Legislature actually removed the ones that were not used and left the ones that were. Mr. Ballard said they took out the construction exception which has been used by some districts. Mr. Stolz noted that charter school reimbursement was removed from the Governor's budget last year. He talked about asking the Governor to restore charter school reimbursement as it relates to vouchers and choice. In referring to the wage freeze by employees, Mr. Ballard indicated that the employees had volunteered to take a wage freeze and that it was a partial freeze. In response to a question from Mr. Stolz, Mrs. Surdoval replied that the approved exceptions amounted to 1.3 million dollars as well as the salary savings. Mr. Stolz called on the staff to volunteer to take another freeze to show they were not just creating an election year issue but were really interested in what is best for the taxpayers and students. He indicated that he was voting to stay within the index. Mr. Ballard pointed out that the process is flawed because the budget is supposed to be prepared before anyone has indicated what we will be getting in revenue. He said the Governor has not even

given his budget address, adding that by May the district still may not know what it is getting in subsidy. He reiterated the concerns that had been expressed regarding special education funding. If the motion is not defeated, then it could result in making painful cuts in program based on the vote without any knowledge of where the state is going with the budget. The index will not sustain the costs to the district. He reminded the Board that there are assessment appeals that would result in refunds, the real estate market is soft, and the EIT revenue will be slow coming in with the county changes. Mr. Ballard indicated he would be voting against this motion. To clarify the motion, Mr. Earnshaw said if the vote is "no" the administration will bring back a resolution to apply for exceptions and then apply to the state where the exceptions may or may not be approved. Mr. Ballard clarified that the Board would be voting on the proposed preliminary budget on January 23. By taking this action, the Board would follow the regular budget timeline for March/April and, by that time, the district would have the proposed budget, the tax increase to support that budget, and the amount of the exceptions. Ms. Heid said this is not an easy decision for anyone on the Board and they do not want to put a burden on taxpayers. Last year the district could have stayed within the index. Dr. Seidenberger and the work of the Business Office got the budget to a place where most of the Board would be happy. She reviewed how she looks at her agenda packet prior to coming to the meeting to vote. She said she listens to people's comments and tries to make a decision about what is best for the education system and the taxpayers. She urged the Board to try to stay within the index if at all possible.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

## 6. Report of the Superintendent of Schools

### 1. District Update

Dr. Seidenberger asked the Board to join him in asking the Governor to reinstate the 30% reimbursement for charter schools and capping cyber charter schools costs.

There were questions about the occupational/physical therapy contract. We are asking for approval because 2 staff members are on leave and we still need to provide the services. The letter and brochure listing the emergency bus routes is being mailed to parents this week. There is a Plan A and B and an Alert NOW message will be sent to only those parents who are impacted by the flooding. When Plan B is implemented, it will be for both morning and afternoon runs. This information will also be on the web site. The EnerNOC contract will provide additional energy cost savings. Several weeks ago, Seven Generations Charter School asked for an extension of their charter. Last Wednesday the district group was set to tour Seven Generations; however, they were having problems with their building so some of the documents were not available. The district administration will reschedule the tour and, after reviewing the documents, a report will be written along with the Superintendent's recommendation to the Board. Dr. Seidenberger has had two very positive conversations with the Director and, at the right time, we have offered the services of our maintenance staff to help train their maintenance staff on what to look for. He concluded that the process was going on but just had to be interrupted at this time.

Dr. Seidenberger reported on his invitation to visit Kutztown University where he and Dr. David Krem, Superintendent of Wyomissing, will be meeting with the KU President and Dr. Angel Castillo who is the Ecuadorian Director of Education.

Referring to various awards, Dr. Seidenberger said he will be presenting 2 energy awards at the January meeting. East Penn and Parkland each received a \$1,000 check from Giant Food Store at the opening of their new Trexlertown Store. He explained that the designation of Title II funds for conferences means that this is federal funds for staff development. We use Title II funds before district funds are allocated.

### 2. Personnel

Motion by Earnshaw, Seconded by Rhodes

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

#### Retirements/Resignations

- Dr. Linda Delvernois, Supervisor of Secondary Curriculum, effective April 4, 2012 (Exhibit 2)
- Linda Duffy, School Nurse at Eyer MS, effective date to be determined (Exhibit 3)
- Donna Hunger, Instructional Assistant at Emmaus HS, effective December 23, 2011 (Exhibit 4)
- Gina Tomasino, Remedial Assistant, effective December 9, 2011 (Exhibit 5)
- Elizabeth DeSantis, Instructional Assistant at Emmaus HS, effective December 4, 2011 (Exhibit 6)
- Chandra L. Dodds, Instructional Assistant at Wescosville School, effective immediately (Exhibit 7)
- Marc Pun, Staff Assistant at Emmaus HS, effective December 8, 2011 (Exhibit 8)

#### Appointment of Full Time Substitute Teacher



**Name/Address:** Ross Glase  
 126 Wildflower Drive, Allentown 18104  
**Education Level:** B. S. Degree (2009)  
 B. S. Degree (2010)  
**Undergraduate School:** Penn State University  
**Graduate School:** Penn State University  
**Certification:** Instructional I, Elementary K-6  
**Initial Assignment:** Grade 2, Shoemaker School  
 Opening created by K. Faisetty leave.  
**Effective:** December 13, 2011  
**Experience:** 8/2011-Present: East Penn  
**Salary:** \$45,185 (Year 1, Col. 3)

**Sabbatical Leave for Restoration of Health**

**Employee:** Jan Landgraf  
 English Teacher, Emmaus HS  
**Effective:** 12/6/11-12/5/12

**Compensated Professional Leave**

**Employee:** Lisa Caruso  
 Art Teacher, Emmaus HS  
**Effective:** 2012-2013 School Year

**General Leaves of Absence - Board Policy 539**

**Employee:** Laura Goldy, Remedial Assistant  
**Effective:** 1/13/12-4/30/12

**Employee:** Jennifer Curtis  
 Supervisor of Special Education  
**Effective:** 1/9/12-1/26/12

**Leaves as per Collective Bargaining Agreement**

<u>Employee</u>	<u>Effective</u>
Amanda Theis, Grade 2, Shoemaker	Extension to 6/15/12
Amanda Schneck, Grade 1, Shoemaker	12/20/11-2/7/12
Jill Kuebler, English Teacher, Emmaus HS	12/23/11-1/2/12
Rebecca Beitler, Speech, Shoemaker	1/2/12-4/3/12
Amanda Bower, Grade 2, Willow Lane	1/2/12-6/15/12
Kelly Duffy, Business Ed, Emmaus HS	12/22/11-6/15/12
Tanya Scisly, Grade 6, LMMS	1/2/12-4/3/12
Caitlin Shutte, Kindergarten, Macungie	Extension to 1/26/12

**Correction to Food Services Department Hours**

<u>Employee</u>	<u>From</u>	<u>To</u>
Renee Holmes	5.75 hrs./day	4.75 hrs./day
Melanie Potter Morales		Additional 1.0 hrs/day Breakfast

**Additions to the 2011-2012 Per Diem Substitute List**

Sharon Benner	Instructional/Staff Assistant
Risa Roth	Instructional/Staff Assistant
LuAnn Cronauer	Instructional/Staff Assistant
June Rodriguez-Ashmar	Instructional/Staff Assistant
Natalie Lahr	Instructional/Staff Assistant
Danielle Treat	Instructional/Staff Assistant
Irene Tyson	Elementary, ML Math
Lisa Donmoyer	Food Services Department
Michael Runyan	Biology, ML Science
Arlene Sovorsky	Elementary
Lynnze Weidaw	Elementary/Special Education
Ashley Weaver	Elementary, ML Math, English, Special Ed.

**Appointment of Temporary Professional Employee**

Name/Address:	Eileen Klang 130 Pond View Drive, Hamburg 19526
Educational Level:	B. S. N. Degree (2004) Course Work for Masters
Undergraduate School:	Kutztown University
Graduate School:	Alvernia College
Certification:	Ed. Specialist I, School Nurse
Assignment:	School Nurse, Eyer MS Vacancy created by L. Duffy resignation.
Effective:	To be determined
Experience:	1/2009-Present: Reading SD
Salary;	\$45,508, Year 2, Col. B

**Co-Curricular Advisors - Exhibit 9**

**Educational Conferences - Exhibit 10**

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 10 with the exception of the PSBA New Board Member Orientation Program being held at Lehigh Career & Technical Institute on January 26, 27, 2012 with Board Member Lynn Donches attending.

**Contract for Speech/Occupational/Physical Therapy - Exhibit 11**

RESOLVED, That the East Penn Board of School Directors approve the contract with Providastaff, for Speech/Occupational/Physical Therapy for the 2011-2012 school year as described in Exhibit 11.

Note: This contract has been approved by the solicitor. There were changes to the date of the contract and correction of an interest rate error.

Mr. Earnshaw and Mr. Ballard noted the retirement of Dr. Linda Delvernois from the district. Mr. Earnshaw said he valued not only her professional contributions to the district but also her sunny disposition. He thanked her again and wished her well in her retirement. Mr. Stolz said she was his Assistant Principal and expressed his best wishes. Mr. Ballard also added his best wishes and noted that Dr. Delvernois always kept her smile even when there were heated questions from the Board.

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

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

**Educational Conference**

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the estimated expenses for the PSBA New Board Member Orientation Program being held at Lehigh Career & Technical Institute on January 26, 27, 2012 with Board Member Lynn Donches attending at a cost of \$349.

Mrs. Donches indicated that she would be abstaining because she is receiving remuneration for the conference. Mr. Earnshaw explained that when a board member is sent to training in their capacity as a board member there is no conflict of interest unless there is a financial interest in the company that is providing the training. There is nothing inappropriate in voting to attend a conference in a professional capacity.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz-----8

Abstain: Donches-----1

**4. 2012-2013 Emmaus HS Program of Studies Changes- Exhibit 12**

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve the 2012-13 Emmaus HS Program of Studies Changes as indicated on Exhibit 12.

Dr. Linda Delvernois explained that each year the high school administration along with the guidance counselors and the department leaders look at the document students use to select their courses. This year math has been the ever changing content area because the state has changed things. Dr. Delvernois thanked Assistant Principal Andrea Edmonds who was responsible for making the changes. Two years ago when the process began the new tool was the SAS. This was changed in March and then the state adopted the Common Core for full implementation in 2013-2014. PA is only 45% aligned with the Math Common Core. She noted that

this has influenced the middle school program that was presented to the Board in September and subsequently the high school program that is being recommended this evening. Dr. Delvernois referred the Board to the changes in Math that are listed on Exhibit 12, page 2. Laura Leiby, Mathematics Teacher at EHS and member of the Keystone Exam Committee, who answered questions regarding this area. Mr. Bacher had questioned an area where there was indeed a correction needed. Mr. Bacher asked about the restriction of science electives to Grades 10-12 only or when students have concurrent enrollment in Honors Biology. Mrs. Edmonds indicated that the Science Department felt that a freshman taking two courses was somewhat overwhelming for some students. The Science Department recommended that it be changed to a 10-12 grade elective and, if a Grade 9 student had a solid science background, then they could take the course. There are other electives outside of the science curriculum. Mr. Earnshaw said the curricula is much more challenging for high school students today. He said he was pleased to see that courses that no longer serve the needs of students are being removed. He complimented the staff on their work.

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 is the PSBA Liaison for the Board and the resolution was prepared by PSBA and reviewed by the PSBA legal counsel. There were no school district resources utilized to prepare this resolution. In answer to a question from Mr. Rhodes about whether this resolution was on the web site, the item was listed on the printed agenda that was on the website; however, the actual resolution was an attachment, and attachments are not included on the website. It was part of the printed agenda that was available to the public. Mr. Policano questioned whether it was appropriate for the public to have the resolution prior to the meeting. Mr. Stolz said he assumed that the Board was being asked to vote on this resolution because the Legislature is going to be voting on it this week. He said he could support it if it was specifically for SB 1; however, this resolution was opposing all school choice and he found that offensive. He asked how much it cost to educate a child in East Penn. Mr. Ballard noted that there are different calculations. Mr. Stolz said it was \$13,000 as compared to \$8,000 for a charter school student. Dr. Seidenberger said there are approximately 260 East Penn students in charter schools for a total of 3 million dollars. Mr. Stolz said he would not support the resolution. He felt districts should be competing for tax dollars. He said it was the parents' choice, their children, and their tax dollars to make a choice. Ms. Fuller said if it was the parents' tax dollars it would cost about \$3,000. She had calculated the cost of an East Penn education for her children and she estimated it would be around \$120,000 and she would be still paying. Ms. Fuller pointed out that in no way over the course of a child's education in East Penn are the parents solely paying the education - it is the whole community's money. She contended that it is not a level playing field because public schools take all students and "public schools in the Commonwealth are held to strict accountability standards in an effort to measure student achievement and academic progress, unlike private and parochial schools which are not required to give state assessments or publish student achievement data." SB 1 is picking the pocket of the taxpayers. Mr. Bacher said he did not see the relevancy of charter schools and commented 75% of the money from SB 1 is going to go to people already enrolled in private schools. If they are going to private school now then the money is coming out of the taxpayers and they do not get to see any benefit. He indicated his support for the resolution. Mrs. Donches said she agreed that the resolution should be on the web site. She feels that education provides opportunities and every child deserved a first rate education and in a safe and nonviolent environment. She concluded that the resolution restricts parents' choice and she would not support it. Mr. Earnshaw said there are a number of issues and misconceptions around school choice. Parents have a choice to apply to any private school or parochial school but those schools also have the ability to say "no" to any parent. He said until every private and parochial school is required to accept any student there is no true choice. He commented on his interaction with a teacher from a local private school who said they have no curriculum requirements and he can teach anything he wants. Mr. Earnshaw pointed out that there is no accountability that students are achieving the standards that are expected of them. He talked about the tuition for the top private schools in this area and the amount of tuition compared to the tuition voucher amount of \$2600 so they would still have to come up with \$13,000 for tuition. He criticized the concept that parents should judge what a quality education is for their child. Even as a board member, he felt he was not qualified to judge one school over another. This legislation does not require that students take any type of standardized tests or assessments of any kind. He talked about the funding for students, noting that one student does not add a substantial amount. The incremental cost is minimal. When the total cost of the entire system is considered that is when the figure comes up to \$12,000 or \$13,000. The state funds education from state and local sources. He felt it was a public priority to educate the populace. Mr. Policano asked what purpose this resolution would serve and felt the resolution is restrictive. He felt the resolution implied that all of East Penn is against vouchers.

Mr. Ballard said the reason this is on the agenda is that there are only six more days left in the Legislative agenda for this year. It is possible that someone will try to sneak through a bill to accomplish something in the voucher area. PSBA is asking for a maximum effort to get word to the legislators. This is not a referendum by the people but for the district. Mr. Ballard pointed out that board members represent the people who elected them as well as the district of which they are a part. Board members have a fiduciary responsibility to the district as well as the taxpayers to do what is in the best interest of the district. The question before you is whether or not vouchers are in the best interest of the district. He said board members are here to represent the public and the district and sometimes they have to decide what is best for the district. This was not a public poll. There has never been a question about whether parents have choice but the question is now do they get tax dollars. This is a question for all taxpayers to weigh in on, not just parents. He concluded that SB 1 was an entitlement program and all of the proposals that have come forth are damaging to public education. In

response to a question from Mr. Stolz, Mr. Ballard said there is a spread sheet that has been put out showing that a voucher in East Penn would be worth \$2,600. He said there are some districts that may receive more. He further clarified that there are 144 failing schools in 17 districts and those are the districts that will be affected. Mr. Stolz continued to debate whether parents know if their children are learning, concluding that if the school is working for their children then it is good for them. He proposed the following amendment:

Motion by Stolz, Seconded by Donches

RESOLVED, That in the three paragraphs that start with the East Penn Board of School Directors the language be changed to read, "a majority of the East Penn Board of School Directors."

Ms. Heid said that this is just starting something that could be inserted in every document that the Board votes on. She said she was against it. Mr. Bacher asked how many times in the past has it been reflected that a vote is a majority of the Board. Mr. Ballard said it has not been done in the 20 years he has been on the Board. Mr. Earnshaw explained the parliamentary procedure with this amendment. There continued to be debate about whether parents know the quality of the school they choose, accountability to the public.

This amendment was defeated by the following roll call vote:

Nay: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes, Stolz-----8

Aye: Policano-----1

1. Resolution Opposing Tuition Vouchers (Exhibit 13)

Motion by Ballard, Seconded by Fuller

WHEREAS, school districts in the Commonwealth have continued to make steady gains in academic achievement and create innovative and effective programs and curricula for all public school students and Pennsylvania is the only state in the nation to have increased academic achievement in every subject, at all tested grade levels and for all ethnic, racial and economic subgroups of students from 2002 through 2008; and

WHEREAS, the implementation of a tuition voucher program, over-expansion of any existing tax credit program or incentivizing a student's transfer out of the public education system in any way takes financial resources away from traditional public schools and diminishes the great strides that have been made in those schools and increases the burden on property taxpayers and their resident school districts working toward greater academic successes; and

WHEREAS, unlike nonpublic and private schools, public school districts in the Commonwealth accept and educate children regardless of race, ethnicity, gender, religion or academic talents, as opposed to those institutions that are able to reject applicants based on low academic performance, discipline issues or any number of other factors; and

WHEREAS, unlike nonpublic and private schools, public schools in the Commonwealth are held to strict accountability standards in an effort to measure student achievement and academic progress, unlike private and parochial schools which are not required to give state assessments or publish student achievement data; and

WHEREAS, there is no consistent evidence to demonstrate that students who utilize vouchers make any better academic progress in nonpublic or private schools than they did prior to transferring; and

NOW THEREFORE, BE IT RESOLVED that the EAST PENN School District opposes any legislation or other effort by the General Assembly to implement a tuition voucher program in the Commonwealth or any other program that would have an effect similar to that of a tuition voucher program, and encourages its elected officials to oppose the same.

BE IT FURTHER RESOLVED that the EAST PENN School District directs its Board President to take immediate action to alert its district's state legislators about the need to oppose voucher legislation and the negative consequences on the school district and the public education system at large and to provide a copy of this resolution to them.

BE IT FURTHER RESOLVED that the EAST PENN School District will encourage others, including parents, students and district taxpayers, to contact the Pennsylvania General Assembly to convey the importance of supporting public education in the Commonwealth.

Mr. Rhodes felt this resolution should be placed before the public. He indicated his support for the resolution. Mrs. Donches said there are too many unanswered questions. She introduced the following motion:

Motion by Donches, Seconded by Stolz  
RESOLVED, That the resolution opposing Tuition Vouchers be tabled.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6  
Aye: Donches, Policano, Stolz-----3

The Board then returned to the original motion.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6  
Nay: Donches, Stolz-----2  
Abstain: Policano-----1

8. Business Operations

1. Informational: Plancon Part K: Project Refinancing - Exhibit 14

Plancon Part K: Project Refinancing has been approved by the PA Department of Education. This document and appended materials are to be entered into the minutes of this meeting.

2. Bill List Approval

Motion by Earnshaw, Seconded by Stolz

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

Treasurer's Report

RESOLVED, That the Treasurer's Report be approved.

Parent Transportation Contract

RESOLVED, That the East Penn Board of School Directors approve the following transportation contract:

Parents: Pamela and John Clark  
1151 Bulldog Road, Allentown  
Effective: November 21, 2011-June 15, 2012  
Reimbursement: 7.4 miles to Lincoln School  
\$.55/mile

Disbursement of Funds - Exhibit 16

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of funds from the 2010 Series A and Capital Reserve Fund as described on Exhibit 16.

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

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

3. Termination of Clear Choice Energy and Approval of the ENERNOC Demand Response Sales and Services Agreement (Exhibit 15)

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors terminate the agreement with Clear Choice Energy and approve the Demand Response Agreement with ENERNOC, Inc.

Note: The estimated first year revenue for this agreement would be \$61,672 which would be used to offset part of the cost of electricity. Section 3.g. of the Demand Response Agreement has been modified.

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

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

4. LCTI Alternates

Motion by Policano, Seconded by Heid

RESOLVED, That all members of the East Penn Board of School Directors be approved as alternates to the Joint Operating Committee of LCTI.

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

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

Since Ms. Fuller will be a member of the IU Board of Directors and will be reporting on the IU activities at the East Penn Board Meeting, another board member will need to report on the activities of the JOC. Mr. Ballard asked the representatives to work that out among themselves.

9. Announcements

Mr. Earnshaw complimented the Emmaus HS Band on their concert on Friday evening.

Monday, December 12      7:00 p.m.-CLEAR Session (Confidentiality)  
7:30 p.m.-Board Meeting

Tuesday, December 13      7:00 p.m.-Eyer MS Band & Orchestra Concert  
7:00 p.m.-Alburtis & Lincoln Winter Concert

Wednesday, December 14      7:00 p.m.-Eyer Chorus Concert  
7:00 p.m.-LMMS Choral Concert

Thursday, December 15      7:00 p.m.-LMMS Choral Concert

Friday, December 16      11:00 a.m.-Middle Schools Early Dismissal  
11:00 a.m.-Emmaus HS Dismissal  
7:00 p.m.-EHS Orchestra Concert

Friday, December 23      11:00 a.m.-Secondary Schools Dismissal  
12:00 p.m.-Elementary Schools Dismissal

Monday, January 9      7:30 p.m.-Board Meeting, Board Room

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 10:20 p.m.

Cecilia R. Birdsell, Board Secretary

## ORDER OF BUSINESS

### 1. Call to Order; Pledge of Allegiance

Vice 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, PA, followed by the Pledge of Allegiance.

Board Members Present: K. Bacher, L. Donches, A. Earnshaw, F. Fuller, R. Heid, M. Policano, S. Rhodes  
Board Members Absent: C. Ballard, 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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Marangos, Emmaus.Patch.com Editor

### 2. Award Presentations:

-E-power Energy-Smart Business Honor Roll

Dr. Seidenberger and Mr. Earnshaw presented a Certificate of Recognition to Mr. Glancy, Mr. Ritter, and Mr. Warden acknowledging that East Penn is listed on the E-Power Energy-Smart Business Honor Roll. Mr. Glancy explained how East Penn took part in the PPL Energy Benchmark Programming and three of our schools won energy star awards that are displayed in their lobbies. We actually received rebates from PPL for purchasing energy efficient appliances.

- 2011 Delaware Valley Green Building Council (Lehigh Branch) Award for a Green School District

Dr. Seidenberger explained that East Penn was nominated last year and lost to Parkland. This year East Penn won the award at a ceremony that took place at Steel Stacks. He noted that PA has a new program called Green Schools and Mr. Glancy, Mr. Ritter, and Mr. Warden will be looking in to that program as well.

### 3. Requests to Address the Board-None

### 4. Approval of Minutes

Motion by Fuller, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors approve the minutes for the December 12, 2011 Board Meeting.

This resolution was unanimously adopted by voice vote.

### 5. Report of the Superintendent of Schools

#### 1. District Update

Dr. Seidenberger indicated that the district has been receiving many accolades from around the Lehigh Valley regarding the outstanding performances by our instrumental and choral groups. Students performed at Christkindlmarkt, LVIA Airport, and other community areas. He thanked Bruce Denmead and Rita Cortez for their work with the students. He described the administrative initiative, Instructional Rounds, noting that there were 115 teachers who expressed interest in the process. The first team consisting of administrators, teachers, a teacher from Amherst, and Dr. Rebecca Woodland from the University of Massachusetts will be visiting Lincoln School on Friday, January 13. Teachers who were not selected will be considered for a future team. He announced that Public Law 12174 has restored 1.5% of Title I funds. Skills USA, sponsored by LCTI, will be held on February 1 at the Fairgrounds. Station WLEV has selected

Grade 6 teacher Jennifer Corona as the Teacher of the Week. Referring to the January enrollments, the high school enrollment has decreased by 12 students, middle schools have increased by 1 student, and elementary has decreased by 26 students. The current enrollment is 7,994. Mr. Bacher asked about the breakdown of who would be participating in the Instructional Rounds. Dr. Seidenberger indicated that there will be 12 administrators and 12 teachers and the teachers were evenly selected between secondary and elementary. This process is the focal point for the administrative in-service. The next building will be high school so there will be more teachers than administrators involved in the process at the high school.

## 2. Personnel

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

### Resignations

-Daisy Granados, Health Room Assistant, effective January 6, 2012 (Exhibit 1)  
-Ann Popule, Instructional Assistant, effective January 3, 2012 (Exhibit 2)

### Requests for General Leaves of Absence - Board Policy 539 General Leave

<u>Employee</u>	<u>Effective</u>
Lori Rose, School Psychologist	1/13/12-2/24/12
Carol Gaugler, PT Food Service Assistant	1/2/12-1/1/13
Kristen Esser, Instructional Assistant, Eyer MS	12/13/11-6/30/12
Tina Coulomb, Instructional Assistant, Wescosville	1/11/12-1/11/13

### Income Protection Leave

Terry Hillegas, Custodian, Macungie School Effective: January 24, 2012

### Leaves as per Collective Bargaining Agreement

Erin Dry, Music Teacher, Willow Lane	1/16/12-3/5/12
Shannon Atkinson, Special Education, Eyer MS	1/12/12-3/12/12
April Snyder, Grade 3 Teacher, Shoemaker School	Extended to 6/30/12
Melissa Sell, Gifted Education, Shoe/Alb/Jefferson	Extended to 4/3/12

### Leaves as per Collective Bargaining Agreement

Stephanie Mills, Grade 1 Teacher, Shoemaker	Extended to 4/3/12
Kendra Bergman, Grade 2 Teacher, Alburtis	1/30/12-1/29/13
Jasmyn Tanner, Grade 2 Teacher, Alburtis	Extended to 6/30/12

### Temporary Professional Employee Appointments

Name/Address:	Samantha Riffey 108 Stuart Avenue, Doylestown 19335
Education Level:	B. A. Degree (2008) M. S. W. Degree (2010)
Undergraduate School:	University of Pittsburgh
Graduate School:	University of Pennsylvania
Certification:	Education Specialist I, Home & School Visitor
Assignment:	Home & School Visitor Vacancy created by J. Hower retirement
Effective:	January 10, 2012
Experience:	1/2011-Present: Achievement House Cyber Charter School 1/2011-8/20/11: Chester County IU
Salary:	\$53,898 (Year 2, Col. M)



Name/Address: Jessica Harrington  
4772 White Oak Circle, Emmaus  
Education Level: B. S. N. Degree (1995)  
Undergraduate School: DeSales University  
Certification: Educational Specialist I, School Nurse  
Assignment: Wescosville School  
Vacancy created by A. Martin resignation  
Effective: January 10, 2012  
Experience: 9/11-Present: East Penn SD (FTS)  
9/10-3/11: East Penn SD (FTS)  
4/10-6/10: East Penn SD (per diem sub.)  
Salary: \$45,508 (Year 2, Col. B)

#### Appointment of Instructional Assistant

Name/Address: Risa Roth  
165 W. Berger Street, Emmaus  
Assignment: Instructional Assistant, Autistic Support  
Wescosville School  
Vacancy created by C. Dodds resignation  
Effective: January 10, 2012  
Salary: \$12.99/hr., 29 hrs./wk.

#### Change in Employment Status

Employee	From	To	Effective
Deb Diefenderfer	Administrative Assistant	Technology Assistant	1/10/12
Robert Haberstumpf	Custodian, 3 Shift	Night Foreman, 3 Shift	1/10/12

#### Additions to the 2011-12 List of Per Diem Substitutes

Karen Baer, Elementary	Heath Mensher, English
Donna Hunger, IA/SA	Rachel Richwine, School Psychologist
Kimberly Schiffert, Elementary, Special Ed.	Grace Huang, Special Ed., English, Social Studies, ML Math

#### Educational Conferences - Exhibit 4

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

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

Aye: Bacher, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes-----7  
Absent: Ballard, Stolz-----2

Ms. Fuller asked that this item be separated since Faith Andrews is her sister-in-law. A copy of Ms. Fuller's Conflict of Interest Abstention Memorandum is attached to the permanent minutes of this meeting.

Motion by Policano, Seconded by Heid  
RESOLVED, That the East Penn Board of School Directors approve the following personnel item:

#### Co-Curricular Appointments - See Exhibit 3

Katrina Rainford, LMMS Exploratory Team Leader, replacing Melissa Aquila for second semester.  
Brent Ohl, Science Department Chair, substitute for Kim Kneller's leave.

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

Aye: Bacher, Donches, Earnshaw, Heid, Policano, Rhodes-----6  
Abstain: Fuller-----1

6. Other Education Entities

-Carbon Lehigh Intermediate Unit F. Fuller

Ms. Fuller reported that she had attended her first IU Board Meeting where the 2012-13 General Operating Budget was approved. It will then be sent out to the sponsoring school districts for approval. There are other budgets that are funded through sponsoring districts that use the IU services. In addition, there was discussion about charter schools. Catasauqua is having hearings regarding a Medical Charter School. She noted that they are advertising extensively and she was interested in seeing how the curriculum may differ from the curriculum used at LCTI. She felt it was a duplication of courses. She further noted that it was interesting to see how public funds were being used to advertise.

-Lehigh Career and Technical Institute R. Heid  
F. Fuller  
A. Earnshaw  
S. Rhodes

Ms. Heid reported that the LCTI Culinary Arts students prepared a 50's theme meal for the annual Holiday Dinner. Former East Penn Board member Terry Richwine was presented with a rocking chair in recognition of his ten plus years of service as a JOC member representing East Penn. Mr. Alan Earnshaw was elected as the new Chairman of the Joint Operating Committee. They also looked at the preliminary budget and were assured that LCTI will be staying within the 1.7% index. The Skills USA competition will be held on February 1 at Agricultural Hall on the Allentown Fairgrounds parking lot. Mr. Rhodes indicated that he was happy to be back on the JOC, adding it is a wonderful education entity and he is happy to be serving with Mr. Earnshaw, Ms. Heid, and Ms. Fuller.

7. Business Operations

1. Approval of Bill List

Motion by Policano, Seconded by Fuller

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

Budgetary Transfers - Exhibit 5

RESOLVED, That the East Penn Board of School Directors authorize the budget transfers listed on Exhibit 5.

Facility Rental Request

RESOLVED, That the East Penn Board of School Directors authorize the use of Emmaus HS by Kaplan Test Prep Admission, 179 Dale Road, Wethersfield, CT for SAT Prep Classes on January 21, 23, 30, February 4, 6, 13, 25, 27, March 3, 5, 2012. This is a Group V organization and will be charged the following fees:

Classroom Rental Fee \$621.00

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

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

Absent: Ballard, Stolz-----2

2. Acceptance of Rodale Family Foundation Contribution

Mrs. Donches indicated that she would be abstaining on this motion since she is an employee of Rodale. A copy of her Conflict of Interest Abstention Memorandum is attached to the permanent minutes of this meeting.

Motion by Policano, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors accept the \$100,000 contribution from the Robert & Ardath Rodale Family Foundation for the Emmaus High School Track in accordance with Board Policy 702, Gifts, Grants, and Funds and authorize the transfer of the \$100,000 from the General Fund to the Capital Reserve Fund.

Ms. Fuller thanked the Rodale Family Foundation for helping to make this track possible. This is the third installment out of four. She noted that the public has use of the track. In response to a question from Mr. Bacher, Dr. Seidenberger indicated that the district paid for the track out of the Capital Reserve Account and the Agreement was that the Rodale Family Foundation would contribute \$400, 000 (\$100,000/year for four years). This is to reimburse the capital reserve account. Mr. Earnshaw also thanked the Rodale Family for their contribution.

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

Aye: Bacher, Earnshaw, Fuller, Heid, Policano, Rhodes-----6

Abstention: Donches-----1

Absent: Ballard, Stolz-----2

Ms. Fuller indicated she would not be able to attend the January 25 meeting of the LCTI JOC and asked if another board member would be able to attend in her place. Any other board member may attend since all board members were approved as representatives.

8. Announcements

Monday, January 9	6:45 p.m.-CLEAR Session (Confidential Matters, Real Estate, Negotiations).
	7:30 p.m.-Board Meeting, Board Room
Wednesday, January 11	6:30 p.m.-EHS 8th to 9th Grade Guidance Information Night
Thursday, January 12	6:30 p.m.-EHS Financial Aid Night
Monday, January 16	Martin Luther King, Jr. Holiday - All Schools and Offices will be closed.
Monday, January 23	7:30 p.m.-Board Meeting, Board Room

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion,  
at 7:55 p.m.

Cecilia R. Birdsell, Board Secretary

## ORDER OF BUSINESS

### 1. Call to Order; Pledge of Allegiance

President Charles H. Ballard 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: K. Bacher, C. Ballard, L. Donches, A. Earnshaw,  
F. Fuller, R. Heid, M. Policano, S. Rhodes, 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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Margolas, Emmaus, Patch.com Reporter

### 2. Requests to Address the Board

Mr. John Donches, 559 Minor Street, Emmaus, PA indicated that his group was video taping the board meetings and announced that it could be viewed on [www.eprc.wordpress.com](http://www.eprc.wordpress.com).

Mrs. Fawn Strunk, 1885 Grenshire Drive, Macungie, PA suggested that the district could go green by taping board meetings so people would not have to drive to the board meetings. She wanted the Board to strive for a no property tax increase this year and to give a more detailed budget on line so citizens can understand it. She commented about erroneous information that was given on the radio during a Bobby Gunther Walsh Radio Show regarding overtime. She suggested that something be done so parents can understand the difference between overtime and extra curricular work.

Brenda True, Macungie, PA requested that in the future the decision on the 2012-13 calendar be made earlier since parents have to submit their work schedules and do not want their children to miss school, especially since the district has always started after Labor Day and is now considering a pre-Labor Day start. She commented on the Home Access Center and asked that parents be allowed to change their password on line. She felt the process of having to come into an office, show ID, and have someone set the password is not as secure.

Deana Zosky, 3705 Orchid Place, Emmaus spoke as a parent who has two students who attend Seven Generations Charter School and a founding member of the school. She said she wanted to focus on what was unique about a school that has a rigorous program of academics, community problem solving and how children can be empowered to think creatively. She commented on the background of the founding of the school and the Parent Group that helped in the creation of the school. She remains involved as a parent who is also critically engaged in seeing that the vision of the school remains true. She said the curriculum framework is based on the EIC framework and is the only school in PA that uses that model. She said she spent time with Moravian, Swain, Jefferson School, and United Friends School to be sure the curriculum was a unique approach in line with the vision. She concluded that she had never seen a school that had so many parents, grandparents, and community involved every day to make the school a success.

Ms. Susan Pfiel, 4940 Steeplechase Drive, Macungie and Director of Seven Generations Charter School from May 22 indicated that she was impressed with Dr. Seidenberger because he met with them and asked thoughtful and precise questions. She thanked him for the remarkable job of holding the school to what needs to be done. She said they are passionate about what they do and it is a wonderful school. Seven Generations is one of 37 schools in the country practicing the EIC Curriculum. She spoke about Joe Leiberman who started the movement and Seven Generations will be one of four schools featured in a book that he is writing. She invited the Board to visit and to see what they are all about.

### 3. Approval of Minutes

Motion by Fuller, Seconded by Rhodes  
RESOLVED, That the East Penn Board of School Directors approve the minutes of the January 9, 2012 meeting.

This resolution was unanimously adopted by voice vote.

### 4. SGA Report - Cristen French & Shiv Joshi

Cristen French and Shiv Joshi reported on the following events that have either taken place or will be taking place at Emmaus High School:

- Santa picture taking event raised funds to be donated to the Coaches vs. Cancer program.
- District Band & Chorus auditions were held on December 3. There are 5 students selected for the Band; 12 students selected for Orchestra.
- EHS Spanish Club met on December 12 to make and decorate holiday cards with common holiday phrases in both English and Spanish. The cards were donated to the Boys and Girls Club of Allentown.
- Mid-term exams were scheduled for Friday, Monday, and Tuesday.
- June 10 has been set for graduation beginning at 1:00 p.m. in Stabler Arena.
- The following students have been selected as EHS's scholar athletes for the fall:

-Jason Graybill-Boys Cross Country  
 -Lydia Brough-Girls Cross Country  
 -Lena Phillips-Field Hockey  
 -Brian Auvil-Football  
 -Collin Cox-Golf  
 -Blair Geiger-Boys Soccer  
 -Sandra Gee-Girls Tennis  
 -Katherine Krissinger-Girls Volleyball

- EHS musical, "Guys and Dolls" will be presented on April 11, 12, 13, 14 at 7:00 p.m., with a 2:00 p.m. matinee on April 14.
- PA Math League members will participate in a national test, the American Math Competition on February 7. Those with the highest scores will be invited to take part in the American Invitational Math Exam on March 15.
- The Snow Ball will be coming up in February.

#### 5. 2012-2013 Preliminary Budget

Motion by Fuller, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors adopt the preliminary 2012-2013 budget in the amount of \$124,430,418 with the following tax levies:

47.62 mills on the assessed valuation of real estate  
 0.5% (.005) Act 511 Earned Income Tax  
 1.0% Act 511 Real Estate Transfer Tax (0.5% is District's share)

And be it further

RESOLVED, That the District be authorized to apply for exceptions.

Dr. Seidenberger explained what this motion does allow the district to submit a letter asking for approval for exceptions. Over the course of the last two years, the district has budgeted a certain value but has not used the full value. He will continue to work with the staff on the budget. The preliminary budget being adopted this evening is not the budget that will be presented in May. He noted that other districts are also applying for exceptions. He pointed out that there is a lot of information that we do not know regarding enrollment, funding from the state, federal funding, or if any other housing developments will be cropping up. The administration will come back with recommendations that they feel are educationally sound. Mr. Ballard said the Board will have three passes at this budget before the final budget is adopted in June. Mr. Bacher inquired as to what assumptions had been put in place in terms of the class size and enrollments. Dr. Seidenberger replied that there are no new positions in the budget. The key event in the next few months is kindergarten registration. The second key event would be the high school course selections. He noted that they would not like to have very large class sizes in the areas of math and science. Dr. Seidenberger commented that there are also fewer retirements this year over last year. The principal budgets were increased by 2% this year. He said budgets for special education and pupil personnel services have not been reviewed. Mrs. Donches asked if a 0% budget could be developed to see what that would mean and then she asked, if in addition, the administration could indicate which lines in the budget are mandated, discretionary, and contracted. Dr. Seidenberger said when it is an obvious mandate that could be done but it would be extremely difficult to do that exercise. She also requested having the function and the code included as well. Dr. Seidenberger remarked that since it was her first budget as a board member the administration would be glad to spend time with her to help her understand the process. Mr. Ballard mentioned that the district will not know the final numbers until after the Governor's Budget Address on February 7. Right now Harrisburg legislators are saying that revenues are down and there is no money and areas will be flat lined. He concluded that the district could not count on much from the state. Mr. Earnshaw said the challenge is that the state is under a fair amount of pressure about the budget. He felt with the PSERS contribution increase that the state may be cutting basic education subsidy. Mr. Earnshaw also noted that there are many unknowns at this point in the budget process. He said the law was created without any consideration for the practical matters. As the data becomes more available over the next few months, the district will have a better idea on how to proceed with the budget. In response to Mrs. Donches request for a flat budget, Mr. Earnshaw said there is no way the Superintendent can do that unless the Board stipulates what programs to cut. He cited areas such as escalating fuel costs, electricity, and some modest increases for staff. He felt it was unfair to ask the Superintendent what it would look like. He illustrated his point by itemizing what would be used in a third grade classroom, noting it was not cut and dried. He would be opposed to spending staff time breaking the budget down in that manner. He indicated his support for the budget presented this evening. Mrs. Donches pursued her request saying that she envisioned three columns - mandated, contracted, and discretionary. She also added that it is not the Board's job to

say what programs should be cut but it is rather the recommendation of the administration. Mr. Ballard responded that it is the Board's job to make the hard decisions, not the Superintendent.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Nay: Donches, Policano, Stolz-----3

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

1. District Update

Dr. Seidenberger indicated that the motion for Ref Pay was being withdrawn.

Dr. Seidenberger distributed copies of the proposed 2012-2013 calendar to the board members. A recommendation for adoption will be presented at the February 13 Board Meeting. Dr. Seidenberger explained the process, noting that last September he talked about a pre-Labor Day start. In Lehigh County, Catasauqua, Northern Lehigh, Northwestern Lehigh, East Penn, Southern Lehigh, Salisbury, and Palmerton are moving forward with starting before Labor Day. Parkland, Whitehall Coplay and Allentown have contract issues at this time. One of the main reasons for starting early deals with testing. We do not know when the Keystone Exams will be coming back along with PSSA testing. Secretary of Education Tomalis has requested a freeze on AYP. The state is asking for a trade off of the PSSA's in Grade 11 for the Keystone Exams. By starting on August 27, it would give teachers more time to address the curriculum. This will give students an additional four days. The last day would be June 10. He has reviewed the calendar with the teachers and there are no big issues. He said the only calls received in the office deal with people who are making vacation plans. He talked about the Act 80 day being coordinated countywide for November 6. Ms. Fuller noted that even with weather related days the last day would be June 13. Mr. Ballard noted that there is allowance for a long Labor Day weekend. Mr. Bacher asked if there was any financial advantage of adopting one calendar over another and the answer was "no."

Dr. Seidenberger noted that along with the various holiday activities that involved the EHS choral and instrumental groups the LMMS Cadence Choir under the direction of Kelly McGonahy also performed in the community and assisted living facilities. He reported that Channel 69 would be filming and interviewing students who designed and built a playhouse by the EHS architectural classes under the direction of EHS teacher Scott Didra. The playhouse received all the Borough approvals and permits. The district maintenance crew also assisted with the playhouse.

Dr. Seidenberger called attention to the article that appeared about the withholding of EIT taxes for individuals who work in the area of the new Hockey Arena in Allentown. He said they have contacted Senator Browne concerning this issue. At this time, we do not know how many East Penn residents work in the companies included in this zone.

He talked about meeting with parents regarding middle school redistricting issues. He told the parents that the district would not be implementing the middle school redistricting plan because of budget constraints. He said he is sensitive to the parents' concerns and it will be reviewed by the administration

Dr. Seidenberger reported that he had been elected Vice President of the Middle States Board of Trustees. He is currently the Chairperson for the Elementary Commission. The Vice President appointment puts him in line for the presidency. The current President is John Cavanaugh who is Chancellor of Higher Education in Pennsylvania. The Middle States Association accredits districts and colleges. Emmaus High School will be undergoing a Middle States Evaluation in February. They have selected the Excellence by Design Model. Board members may be asked to meet with the group. There will be a team of educators who come to the high school to conduct a review.

We have received the Performance Audit from the Department of the Auditor General that states, "the East Penn School District complied in all significant respects, with applicable state laws, contracts, grant requirements, and administrative procedures."

IT Director Michael Mohn will be giving a brief presentation on technology at a later date.

Referring to Instructional Rounds, Dr. Seidenberger said everyone found it to be a very rewarding experience. The work was extraordinary and it was a good start for problem solving. The next school to be visited will be Emmaus High School. He thanked Lincoln Principal Dr. Jackie Attinello and the staff for their excellent performance.

2. Personnel

Motion by Fuller, Seconded by Donches

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

Request for General Leave of Absence - Board Policy 539, General Leave

Employee: Jill Natale  
Health Room Assistant, Jefferson School  
Effective: 1/27/12-1/26/13

Employee: Debora Smoker  
Instructional Assistant, Shoemaker School  
Effective: 1/27/2012-2/13/12

Change in Employment Status

Employee: Barbara Phillips  
From: Administrative Assistant, Emmaus HS  
To: Administrative Assistant, Curriculum & Instruction  
Vacancy created by D. Deifenderfer transfer  
Effective: January 24, 2012

Leave as Per Collective Bargaining Agreement

Employee: Lori Sheipe  
Health/Wellness Teacher, Emmaus HS  
Effective: 2/13/13-2/26/12

Appointment of Remedial Assistant

Name/Address: Heather Potemski  
1380 W. University Avenue  
Bethlehem 18015  
Assignment: Lincoln School  
Vacancy created by N. Hoffman resignation  
Effective: To be determined  
Salary: \$13.50/hr., 25 hrs./wk.

Appointment of Instructional Assistant

Name/Address: Ashley Zulli  
2017 West Bullshead Road, Northampton 18067  
Assignment: Macungie School  
Vacancy created by G. Tomasiw resignation  
Effective: January 24, 2012  
Salary: \$12.99/hr., 29 hrs./wk.

Additions to the 2011-2012 List of Per Diem Substitutes

Virginia Duncan, Business	Melanie McBride, Social Studies
Sarah Dreisbach, Social Studies	Norman Steinrock, Citizenship
Danielle Croll, Elementary	Victoria Bennett, Elementary
Brynn Cappellari, Spanish	Keith Verdi, ML Science
Ellen Switzer, Instructional/Staff Assistant	

Educational Conferences (Exhibit 1)

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 1.

Co-Curricular Advisors

See Exhibit 2

These resolutions were 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 reported that the Legislature is just back in session. Harrisburg is dealing with a very bad budget situation; however, there is the possibility that an increase in EITC or vouchers may be proposed. Right now everything is going to wait until the Governor gives his budget speech. Referring to the Neighborhood Improvement Zone article, Mr. Ballard said Senator Browne is not supportive of doing anything else for anyone, only Allentown. He feels that improving downtown Allentown will benefit all the suburbs. Mr. Ballard suggested that if there is a difference of opinion then Senator Browne should be contacted. He pointed out that this does not just affect Lehigh County but also other municipalities who have anyone working in the downtown zone. Mr. Bacher asked about the EITC program. Mr. Ballard explained that it is a scholarship fund that is funded by tax donations from corporations in lieu of paying taxes. They make contributions to this

fund for scholarships for private and parochial schools. Mr. Stolz added that he did not expect anything to be happening at this time either.

8. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Bacher

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

Treasurer's Report

RESOLVED, That the Treasurer's Report be accepted.

Approval of PLANCON J, Project Accounting Based on Final Costs Board Transmittal

RESOLVED, That the East Penn Board of School Directors approve the following PLANCON J, Project Accounting Based on Final Costs Board Transmittal, for submission to the PA Department of Education for the following projects:

- Emmaus HS (Exhibit 3)
- Eyer MS (Exhibit 4)
- Alburtis Elementary School (Exhibit 5)
- Shoemaker Elementary School (Exhibit 6)
- Willow Lane Elementary School (Exhibit 7)

Transportation Contract

RESOLVED, That the East Penn Board of School Directors approve the following Parent/Guardian Transportation Contract:

Parent:	Jeffrey and Robin Urenko
	7204 Stack Road, Macungie
Effective:	December 5, 2011-June 12, 2012
Reimbursement:	\$.55/mile - 2.5 miles to Eyer MS

Disbursement of Funds (Exhibit 10)

RESOLVED, That the East Penn Board of School Directors authorize the expenditure from the 33-2010 Series A GOB 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

2. Approval of PSBA Insurance Trust for Unemployment Compensation System Basic Program - Exhibit 8

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the Agreement with the Pennsylvania School Boards Association Insurance Trust to participate in the Better Unemployment Compensation System BASIC Program as described in Exhibit 8.

In answer to a question from Mrs. Donches, Mr. Glancy explained that this service is not new and the district has used it for many years; however, now their attorneys advised that they document the arrangement. The cost is about \$4100 (\$2.55/employee; 1600 employees). Mrs. Donches asked if the district paid for the travel and was told "no." Mr. Bacher had questions about Section 4. Mr. Earnshaw said the part not refundable is the 15% of the administrative fee if we fail to fill out the survey. If we terminate, they will not refund the 15%. Mr. Bacher questioned the termination clause and relayed his interpretation. Mr. Earnshaw said if they discontinue the service they will not return the fees. Dr. Seidenberger and Mr. Glancy noted this service has been used for over 30 years. In reference to another question on Section 4.4 from Mrs. Donches, Mr. Ballard said if they terminate the agreement then they will have to have an agreement to carry on any additional fees.

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

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



9. Announcements

Monday, January 23

7:00 p.m.-Executive Session (Personnel; Real Estate; Litigation)

7:30 p.m.-Board Meeting, Board Room

Friday, February 3

7:00 p.m.-EHS Jazz Band Swing Dance

Monday, February 13

7:30 p.m.-Board Meeting, Board Room

10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:45 p.m.

Cecilia R. Birdsell, Board Secretary

## 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, S. Rhodes, III, J. Stolz  
Board Member Absent: M. Policano  
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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Marangos, Emmaus.Patch.com Reporter

### 2. Requests to Address the Board

Jennifer Taylor, Wescosville, and the parent of a child attending Seven Generations Charter School, read the attached letter.

### 3. Approval of Minutes

Motion by Earnshaw, Seconded by Fuller  
RESOLVED, That the East Penn Board of School Directors approve the minutes of the January 23, 2012 meeting.

This resolution was unanimously adopted by voice vote.

### 4. Local Audit Report - Mr. Bill Gorman, Gorman & Associates

#### 1. Acceptance of Local Audit

Motion by Rhodes, Seconded by Fuller  
RESOLVED, That the East Penn Board of School Directors accept the district's local audit report for the fiscal year ended June 30, 2011 as prepared by the firm of Gorman & Associates, P.C.

Auditor Bill Gorman explained the purpose of the audit was to look over the financial reporting and to see if the district is in compliance with state and federal regulations and generally accepted accounting principles and standards. He does not audit the operational or governance aspects of the school district. In addition, he is required to report to the Board any significant deficiencies or material weaknesses in those controls and any major compliance issues in association with the School Board. Following the audit, Mr. Gorman said he was pleased to report that the district was in complete compliance with generally accepted accounting principles and there were no significant deficiencies or material weaknesses in those controls. The year before he reported there were two significant deficiencies that have been corrected by management so there are none to report. The district is in compliance with the school laws of Pennsylvania and municipal laws associated with the district. The district is also in full compliance with federal programs and there are no deficiencies associated with the controls for those programs. He commended the administration from a financial reporting standpoint, from the compliance of the laws and regulations that they are providing the guidance and reporting as under the law and accounting principles for government bodies.

He called attention to the change in accounting principles that affected all governments. Due to this change there may be variances with the 2009-2010 audit. Mr. Gorman explained that the categories of fund balance were changed and also changed the definitions of governmental funds as well as the types. Prior years would show under the Special Revenue column there would be two funds - Athletic which is now consolidated and the General Operating column. The Capital Reserve Fund was the other fund and is now classified as a Capital Projects Fund. Mr. Gorman explained the five categories of fund balance - Nonspendable; Restricted; Committed; Assigned; and Unassigned. (Note: These funds are defined in Board Policy 629, Fund Balance (attached for reference). Mr. Gorman explained each of these categories and provided examples for each category. Mrs. Donches questioned the difference in Debt Service from the audit report to the recent bond refinancing. Mr. Gorman pointed out that the Audit Report is for the year ending June 30, 2011 and would not include the January 2012 bond information. The report does cover any re-issuances up to November 2011. She said during the campaign she was told that the debt service was not close to 15 million dollars and it looks like it was. She questioned if there was a 1.6 million dollar savings. Mr. Gorman said he had not seen the official statement from the bond issue and that would come under next year's audit. He further noted that in the statement there is a page of all the district's outstanding debt at the time the official statement was issued. If there were any bond payments in 2011 up to when the bond was implemented then that would be taken into consideration on the schedules that show the debt. Upon review of what Mrs. Donches was asking, Mr. Gorman said what she was looking at is the total

debt (principal and interest of the new issue) and the 15 million dollars is the amount that would have been generated and paid for in the 2011-12 year. Mr. Bacher said one of the discrepancies was the district's total payments and responsibilities and that was the difference and some is paid for by the state.

Mr. Earnshaw thanked Mr. Gorman for his professionalism and thorough job on the audit. Mr. Gorman said the auditor makes the determination of what is tested and what is not. The profession says that the auditor could test on 60% of the revenue and 60% of expenditures to be within the professional standards. In the General Fund, he tests between 80%-85% of expenditures; in the revenue area, he tests around 90%, and, in the Capital Project/Capital Reserve Fund, he tests 100% because of the bond money and the district's obligations to the bond holders. He concluded that East Penn was in good shape from a financial reporting standpoint. Mr. Ballard talked about the material defect being in the process rather than significant amounts of money missing. Mr. Gorman talked about internal controls to insure that fraud and errors are prevented. A material deficiency in the controls could create fraud and misrepresent the financial statements. A significant deficiency is a step down from a material deficiency and will not cause a material misstatement; however, it is important enough to bring to the attention of the governing body. He informed Mr. Ballard that they did not find any kind of fraud or money being taken by an administrator or clerk. He would have notified the Board at the time it was discovered. He talked about the small funds/items that are not under central management. There are no slush funds.

This resolution was duly adopted by the following:

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes, Stolz-----8

Absent: Policano-----1

## 5. Report of the Superintendent of Schools

### 1. District Update

Referring to Agenda Item 8.4 (Expending Funds from the Capital Reserve Account), Mr. Glancy reported on two hot water heater failures at Shoemaker and Eyer Middle School. The replacement cost for these two hot water heaters is \$20,200 and will be paid with Capital Reserve Fund money. In a separate handout, Mr. Glancy indicated that the \$20,200 has been included in the 2012-13 Capital Reserve Fund Projection and the Fund History has also been updated. The projected amount for paving is also included in the projection. He encouraged the Board to support the resolution. The heaters need to be replaced so hot water can be provided for kitchen production and other sanitary needs. His plan is to give the Board a total update at the February 27 meeting. Mr. Earnshaw asked why the water heater replacement was in the 2012-13 budget. Mr. Glancy will move the funds to the current year. Mrs. Donches asked if this was the kind of thing that needed to go out to bid. Mr. Glancy said the maintenance staff will be completing the removal and installation. The water heaters are coming to the district through the state contract process. Mrs. Donches asked how old the Eyer water heater was and Mr. Glancy responded that it was 12-13 years old. These are high efficiency water heaters (possibly 95%). Ms. Fuller asked Mr. Glancy to explain the bidding process. He said normally a project cost of \$10,000 or more would be advertised and bid specifications would be required and then the bid awarded. If a district goes through the state contract process, the state has already gone through the steps and the vendors who want to participate have taken a part in the process.

Dr. Seidenberger reported on the following activities by students and staff:

- ✓ Elementary Chamber Orchestra performed at the Emmaus Snow Blast
- ✓ Former Emmaus HS student Dane DeHaan has a leading role in the film, Chronicles, currently playing at the Rave Theater. He is also in three yet-to-be released movies.
- ✓ Community Liaison Nicole Bloise has been investigating how districts have set up Foundations and acquired 501C status. She has contacted Parkland, Nazareth, and Wilson-West Lawn. The Board would have to direct the administration to pursue it. The Foundation would be independent of the Board and perhaps the Superintendent and another board member could be ex officio without voting rights. An attorney would be needed to draft the Articles of Incorporation. He said it may be something to look at to provide alternative funding. He said a purpose would have to be established and a goal. Several years ago, Dr. Seidenberger met with the Executive Director of the Mid Atlantic Foundation Group when the district was looking at funding for the all weather track. He has also received an email from a former student, Jay Iannini, who is now living in MA and is chairperson of their foundation and would be willing to help.
- ✓ The Emmaus High School National Intention Signings involved 16 students who have been awarded 1.2 million dollars in scholarships. Some of the institutions represented are Duke, Northwestern, and University of Richmond. Three of the students are academic All Americans; Four are members of the National Honor Society. Dr. Seidenberger called attention to the fact that these young people are students before they are athletes.
- ✓ All 11 of the Merit Semi Finalists have moved on to be finalists.
- ✓ Eyer MS and LMMS participated in the MathCounts competition. LMMS placed 7th out of 30 participating districts; Eyer placed 2nd. Katie Xue, placed third and will move on to the state level and Sameer Lai placed eighth. Eyer Middle School, is coached by Julie Hummell; Paul Duarte coaches the LMMS team.
- ✓ The district is requesting that parents who are involved in science, technology, or engineering fields volunteer to serve on the district's STEM Advisory Committee. We have 16 individuals who have contacted the district.
- ✓ Kevin Campbell from Barry Isett & Associates is helping the district complete a Green Ribbon School Application.
- ✓ Referring to the 2012-13 calendar, it was noted that November 6, 2012 will be a county wide Act 80 day.
- ✓ The Emmaus HS Future Business Leaders Association has 11 students moving on to the state finals.

- ✓ There were 4 EHS/LCTI students who competed in the Skills USA competition. The winners were: Quaniesha Grant, Commercial Baking; Benjamin Uhl, Electronics Technology; Brandy O'Brien, Nurse Assisting; and Kaitlyn Bennicoff, Food & Beverage Service.
- ✓ Three Emmaus HS teachers have been selected by The College Board for scoring AP Tests: Steve Kutz, Spanish; Todd Burkhardt, Mathematics; and Beth Stoudt, AP Calculus.
- ✓ Attached is a list of students from each building who are contributing to community partnerships. This information will also be on the web site.

In conclusion, Dr. Seidenberger said that he is proud of what the students and staff are doing in the community and it should be known that they do give back to the community.

Dr. Seidenberger talked about the Governor's budget, noting the change in funding from separate accounts to the new designation, Student Achievement Education Block Grant that is currently \$14,423,807. In addition, special education funding is level; there is no ABG Grant; and no reimbursement for charter schools. The Business Office staff has been trying to decipher what the district will be getting and how it compares to last year. He distributed two spread sheets - one from the Democratic Party and one from the Republican Party. Every professional association in the state will be conducting webinars and training sessions. Referring to the level special education funding, he talked about the increase in students, noting that the funding has not increased in five years. At some point, there needs to be a hard look at how special education is funded. Referring to mandates, Dr. Seidenberger cited the Right to Know Law, school bus idling, Keystone Exams, Tax Study Commissions, Act 32, transportation for private charter schools, required standard budget forms, body mass index, wellness policies, Workplace Safety Committees, and so forth. Dr. Seidenberger then discussed the legislated mandated programs that are underfunded by the state and the federal government. Using the attached chart, he noted that the lost revenue for charter school reimbursement is \$915,258; Special education lost revenue is \$1,520,100 if reimbursed at 40% instead of 16.7%; English Language Learners lost revenue if wholly reimbursed is \$545,434. There is no reimbursement for the gifted program that has a net cost of \$513,804. The Act 32 Countywide EIT Collection costs \$25,297. The total lost revenue to East Penn is \$4,753,721 and the estimated amount that the index and estimated exceptions generates is \$2,411,330. If that money was received from the state and federal government, there would be no tax increase. He felt these numbers must be shared with elected officials.

## 2. Personnel

Motion by Fuller, Seconded by Stolz

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

### Resignations

-Lora Walters, Health Room Assistant, effective January 27, 2012 (Exhibit 1)

-Christine White, Emmaus High School Staff Assistant, effective February 14, 2012 (Exhibit 2)

### Requests for General Leaves of Absence - Board Policy 539, General Leave

<u>Employee</u>	<u>Effective</u>
Carole Limar, Staff Assistant Willow Lane School	1/31/12-1/30/13
Stephanie Fisher Remedial Assistant, Lincoln School	2/2/12-2/1/13

### Leaves as per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Monica Baumer Speech Teacher, Macungie School	3/7/12-4/17/12
Tanya Scisly Grade 6, LMMS	Leave extension to 6/30/12

### Income Protection Leave

Employee: Sheryl Knauss, Custodian  
Effective: February 21, 2012

### Appointment of Full Time Substitute Teachers

Name/Address: Erin Piazza  
8540 Oak Hollow Lane, Macungie  
Education Level: B. S. Degree (2010)

Undergraduate School: East Stroudsburg University  
 Certification: Instructional I, Elementary K-6  
 Assignment: Grade 2 Teacher, Alburdis School  
 Opening created by K. Bergman leave.  
 Effective: February 14, 2012  
 Experience: 9/2011-Present: East Penn SD (Per Diem Substitute)  
 Salary: \$45,185 (Year 1, Col. B)

Name/Address: Virginia Duncan  
 26 Lower Way Road, Easton 18045  
 Education Level: B. S. Degree (1975)  
 M. S. Degree (2008)  
 M. S. Degree (2011)  
 Undergraduate School: Hampton University  
 Graduate School: Gwynedd Mercy College  
 Certification: Instructional I, Business-Computer, Info Tech, Special  
 Education  
 Assignment: Computer & Business Applications Teacher, LMMS  
 Opening created by M. Aquila leave  
 Effective: February 1, 2012  
 Experience: 12/2006-6/2010: Easton Area SD  
 Salary: \$45,185 (Year 1, Col. B, pro-rated)

Appointment of Administrative Assistant

Name/Address: Christine White  
 5859 Snowy Orchid Lane, Allentown 18104  
 Assignment: Administrative Assistant, Emmaus HS  
 (Vacancy created by transfer of D. Diefenderfer &  
 B. Phillips)  
 Effective: February 14, 2012  
 Salary: \$24,900, 35 hours/week

Appointment of Instructional/Staff Assistants

Name/Address	Assignment	Salary
Suzanne Ferrel 1472 Butternut Lane, Macungie	Instructional Assistant Shoemaker School Vacancy created by A. Popule's resignation	\$12.99/hr., 22 hrs./wk.
Effective: February 14, 2012		
Laura Groh 6378 Carmel Drive, Macungie	Staff Assistant/SS Monitor Emmaus HS Vacancy created by M. Pun resignation	\$12.99/hr., 29 hrs./wk.
Effective: February 14, 2010		

Change in Employment Status

Employee	From	To
Blake Boyer Guidance Counselor, LMMS	Temporary Professional	Professional Employee
Berta Rondon	PTFSA, Jefferson	Addition of 1 hr./day
Carlene Brumbach	PTFSA, Macungie	Addition of 1 hr./day
Anita Wibble	PTFSA, Jefferson	PTFSA, Macungie Addition of 1 hr./day
Ron Wetzel	Night Foreman, Wescosville	2nd shift Custodian, Alburdis School
Pauline Blankenbiller	Night Foreman, EHS	2nd Shift Custodian, EHS
Allan Bennicoff	2nd Shift Custodian LMMS	Night Foreman Wescosville School

Co-Curricular Advisor

Additions to the 2012-2013 List of Per Diem Substitutes

Taylor Angel, Special Education/Elementary  
 Angela Wambaugh, Elementary, Special Education  
 Linda Duffy, School Nurse  
 Karl Eisenhart, Elementary  
 Jane Jones, Elementary  
 Phil Godshall, Health & PE  
 Kristin Marks, Elementary  
 Mary Reid, Elementary  
 Jennifer Scott, Elementary/Special Education  
 Merissa Frye, IA, SA  
 Austin Medernach, IA, SA  
 Nadine Johnson, Business  
 Kristyn Ryan, Special Education/Business  
 Destinee Logan, Social Studies

Spring 2012 Community Education Instructors - See Exhibit 3Educational Conferences - Exhibit 4

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

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes, Stolz-----8  
 Absent: Policano-----1

## 3. 2012-2013 School Calendar - Exhibit 5

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the 2012-2013 Calendar as presented in Exhibit 5.

Dr. Seidenberger indicated that he had received no negative comments since it was mentioned in the last meeting for action this evening. Mr. Stolz said he had an opportunity to talk with parents who brought it up and said they had planned vacations and thought it should be next year. He did not have any personal preference but because the parents he represented brought it up, he would be voting against the calendar. Mr. Earnshaw said it was a challenging issue because it changes long standing practice. He felt ending the year a littler earlier would be more productive. This will also give the district more time to prepare students for mandated testing and having an extra week is a good thing. He felt the positive outweighed the negatives, citing the antiquated agrarian system. He thought the year-round concept with the same amount of days but stretched out so there would be more time for holiday/vacation periods and there would not be the big lapse in the summer. It may affect summer employment for students earning tuition money. It is not a discussion that East Penn can have on its own. Mrs. Donches concurred with the year round concept and asked if this would affect third day enrollments. Dr. Seidenberger said it is a count of students who are on the rolls. Adjustments are made a few weeks later. Dr. Seidenberger said for parents who have plans there are accommodations that can be made. Mr. Ballard said parents can apply for educational vacations in the middle of the school year. He felt giving six months notice would be sufficient.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes-----7  
 Nay: Stolz-----1  
 Absent: Policano-----1

## 6. Other Educational Entities

-Carbon Lehigh Intermediate Unit

F. Fuller

Ms. Fuller said the Board met on January 16 and there was spirited discussion about meeting on Martin Luther King, Jr. Day. There was consensus that the day is for community service and serving on a Board illustrates that concept. CLIU is working with the Capital IU to prepare an eLearning 21 Virtual Learning program so that small districts in the IU can start their own cyber learning school and afford their students the option so they can benefit from the cost saving. Dr. Seidenberger is interested in the teacher training component and shifting away from VLN and he will be working with Parkland, Whitehall, and Southern Lehigh and be working with the IU to see if these programs can be merged and have a county-wide program. East Penn has approximately 30 students enrolled in the cyber high school option. Also, the IU is helping to develop teacher evaluation tools that are being required by the state.

Ms. Fuller shared the following information regarding the number of students in East Penn who are being served by the IU - 64 who are major assignments (deaf or hearing impaired, emotional support, enhanced autism, learning support, life skills, and multiple disabilities) and 239 who are receiving related services that include occupational and physical therapy.

-Lehigh Career & Technical Institute

R. Heid  
A. Earnshaw  
F. Fuller  
S. Rhodes, III

Ms. Heid reported on the 2012-2013 LCTI Proposed General Fund and Academic Center Budgets that were approved by the Joint Operating Committee. LCTI will be staying within the 1.7% index. She noted that enrollment decreased slightly which means costs have increased - the fewer the students the more it costs. She said the five-year average is approximately 255 students from East Penn. East Penn's proportionate share is 9.38% of the budget. There are major factors that determine the budget - the five year rolling average; the cost per pupil; and the percent share of the Capital Debt Service. The total member district share with Debt Service for East Penn is \$2,137,708.48. The Academic Center has increased enrollment by 50% in a five year period. East Penn's share of the Academic Center calculation is \$9,961 with our overall budget of \$1,374,290. The next meeting of the JOC is February 22. She hoped the Board would recognize the quality education that students are receiving at LCTI and support this budget.

7. Legislative

C. Ballard

Mr. Ballard reported that he had attended the NSBA Federal Relations Network Conference in Washington, D. C. last week. He said he spent a day and a half in meetings getting briefed on what is happening in the federal budget with the focus being on the re-authorization of ESEA or otherwise known as No Child Left Behind (NCLB). It is somewhat stalled in Congress. There was supposed to be a new draft bill out this week from the House Education Committee and a lot of states are requesting waivers. He said many of them have been pushing to get NCLB reconciled with IDEA so that if a district is meeting a student's IEP then it should be considered Adequate Yearly Progress. Two representatives from Parkland and Mr. Ballard met with Representative Dent's aides who formulate the policy. Other members of the state delegation had a meeting some of Senator Toomey's staff. There was no movement since Senator Toomey is a staunch supporter of vouchers and is not interested in many of the issues brought to the office by the delegates.

Referring to Governor Corbett's budget, Mr. Ballard said people do not understand what is happening. He explained how the state has combined four separate accounts (basic education subsidy, pupil transportation, nonpublic and charter school public transportation and School Employees' Social Security) and they are now under the Student Achievement Education Block Grant. It will be difficult to separate the accounts to hide that they are cutting back on educational expenses. Mr. Ballard discussed the way that the information is being presented at both the Republican and Democratic level. He said it is not an exercise being done to give the districts flexibility. There are no payments for charter schools and local taxpayers are picking up the expense. He encouraged board members to talk to the legislators. He concluded that it was another "smoke & mirrors game." He said the costs are going up and the district is mandated to do the programs. He felt it was a political ploy. He said the primary election is still up in the air because the Supreme Court did not approve the redistricting plan and said it was unconstitutional. This has created confusion on who will be running since the Court said to use the old system. He concluded that PA was "a very confused state." We do not know yet what the final state budget will be. Mr. Stolz pointed out that every precinct except one in the district is without representation. He said Republicans are slowly but surely caving because they know they will have to deal with the present situation. Mr. Bacher noted that New Jersey's application for a waiver of No Child Left Behind has been accepted and asked if Pennsylvania had applied for anything. Dr. Seidenberger said his understanding was that Secretary Tomalis had applied for a freeze on the current AYP levels. States are aligned with the President's call for teacher and principal evaluation. The Congress has not approved an extension of ESEA. He said people understand that special education should not have been included in the provisions of NCLB.

8. Business Operations

1. Bill List Approval

Motion by Earnshaw, Seconded by Stolz

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

Transportation Contracts

RESOLVED, That the East Penn Board of School Directors approve the following Parent/Guardian Transportation Contracts:

Parent:	Lisa Druckenmiller
	1617 Seidersville Road, Bethlehem
Effective:	January 23, 2012-June 14, 2012
Reimbursement:	\$.555/mile - Lower Macungie MS; Jefferson
	37.8 miles/day

Parent:	Althea Robinson 15080 Kutztown Road, Kutztown
Effective:	December 1, 2011-June 14, 2012
Reimbursement:	\$.555/mile - Lower Macungie MS, Willow Lane 12.5 miles/day

Disbursement of Funds - Exhibit 6

RESOLVED, That the East Penn Board of School Directors approve the expenditures from the 32-Capital Reserve Fund and the 33-2010 Series A GOB as listed on Exhibit 6.

Expending Funds from Capital Reserve Fund

RESOLVED, That the East Penn Board of School Directors authorize the expenditure of \$20,200 from the Capital Reserve Fund for the purchase of non-condensing water heaters for Shoemaker Elementary School and Eyer Middle School.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes, Stolz-----	8
Absent: Policano-----	1

9. Announcements

Ms. Fuller said she had three opportunities during the last month to see the value of an East Penn education. She commented on Dane DeHaan, who was a student at Emmaus HS, and recalled his roles in Footloose and The Whiz. She said it was quite remarkable to see him on the big screen at the Rave Theater and see how far he has come. In January, she saw Keith Jarrett play a solo performance at Carnegie Hall. He had four encores and five standing ovations. She spoke about the music teacher that mentored him, Earl Peters. Mr. Jarrett was a member of the EHS Class of 1962. Ms. Fuller talked about the experience of being invited to a STEM Assembly at Wescosville School. She said it was wonderful to see the enthusiasm of Grade 2 students and the parents, as well as other students being praised, helped, and congratulated. It was an uplifting experience to see a real sense of family and community in action. She said what happened in Wescosville was not unique to Wescosville because it happens throughout the district all the time.

Mrs. Donches concurred with Ms. Fuller about the Wescosville program and she attended the LCTI SkillsUSA competition. She wanted to give a brief report on the PSBA New Board Member Orientation. She said it highlighted the role of the Board which is to set the goal, state the expectation and clarify the responsibility. The administration acts to accomplish the goal and carry out the activity. She said a lot of time was spent on meetings, agendas, Executive Session, Sunshine Law, Parliamentary Procedure, Act 1 budget timeline, sources of revenue, ideas for reducing spending, and only a little time was spent on the functions and the objects which is what she was really interested in. She said several board members did have a detailed budget in hand and that was encouraging. She thanked Dr. Seidenberger for his work. She commented that she had an email from someone who was looking forward to a more detailed budget. There was an overview on legal aspects with students and employees given by one of the attorneys. She said there was a session on No Child Left behind, AYP, and the PSSAs. She said during the Q & A session the question was asked whether the employees of PSBA pay into PSERS. Upon confirmation that this was true, she became disillusioned with the stance and policies of PSBA because in essence our taxpayers pay their taxes to the school district, the school district uses the money to belong to PSBA, and then PSBA pays into PSERS so she was questioning if there was any incentive to reform the pension problem which "is the biggest elephant in the room." She said she was glad that she went and took a lot away from the opportunity. She enjoyed meeting the school directors from other districts and comparing notes with them. She will continue to attend sessions by PSBA as another option and another point of view to listen to. Mrs. Donches announced that she will pay for any sessions that she attends and she was refunding the tax money that was used for her to go to the session. Mr. Ballard pointed out that with the Value Pass a lot of the upcoming sessions are already paid. She suggested that she go on the website and download their pension reform paper and find out they proposed a wide spread revamping of the system. PSBA employees were put on that pension plan so PSBA would not have to fund their own pension plan. The Legislature allowed them to enroll their employees in the state plan. The committee was formed by school board members and the staff of PSBA simply carries out those directives. She said she did read it and felt it should have gone further.

Mr. Earnshaw talked about a family he knew in cyber charter school in another district. He told them about VLN but they felt the courses were too difficult. While he realized it was anecdotal, this was a family who opted for a cyber charter school because it was easier than an education by a bona fide school district. Referring to the comments earlier about a student struggling with special needs, Mr. Earnshaw called attention to Project Connect for pre-school children who may have special needs.

Monday, February 13	7:00 p.m.-Executive Session (Legal, Personnel, and Real Estate)
	7:30 p.m.-Board Meeting
February 16	11:00 a.m.-Dismissal for Middle Schools
	11:00 a.m.-Dismissal for Emmaus High School
February 17 & 20	Presidents' Holiday - All schools and offices are closed.
February 27	7:30 p.m. - Board Meeting, Board Room



10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 9:25 p.m.

Cecilia R. Birdsell, Board Secretary

## **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, S. Rhodes, J. Stolz

**Board Member Absent:** M. Policano

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

**Treasurer:** Lynn Glancy

**Board Secretary:** Cecilia R. Birdsell

**Superintendent of Schools:** Dr. Thomas L. Seidenberger

**Press Present:** Loretta Fenstermacher, East Penn Press Reporter

Jennifer Rodgers, Morning Call Reporter

Jennifer Marangos, Emmaus.Patch.com Editor

### **2. Requests to Address the Board**

Susan Pfeil, 4949 Steeplechase Drive, Macungie and Director of Seven Generations Charter School, invited the Board to their lottery drawing on Thursday, March 1, for the six openings in the school. She said there were 120 parents vying for those slots. They are working through the questions submitted by Dr. Seidenberger for their charter renewal, adding that they are happy to be held accountable for what they believe in and what they say they do. They are looking forward to being on the agenda soon.

Garrett Rhoads, 5595 Wedge Lane, Allentown, PA cited a Commonwealth Foundation Study regarding the underfunding of state pensions. He concluded that since underfunded pension programs will be the focus in Harrisburg over the next four years, he recommended that defined pension programs be integrated into defined contribution pension programs going forward. He asked the Board to take some kind of stance on any legislation that comes forth in the next few years regarding converting some of these funds from defined to contribution programs.

### **3. Approval of Minutes**

Motion by Donches, Seconded by Earnshaw

**RESOLVED,** That the East Penn Board of School Directors approve the minutes for the February 13, 2012 meeting.

This resolution was unanimous approved by voice vote.

### **4. Student Government Association, EHS Report - Cristen French & Shiv Joshi (No report this month.)**

### **5. 2012-13 Capital Projects**

Mr. Lynn Glancy, Director of Operations, noted that the payment for the hot water heaters appears in the 2011-12 budget as a result of last meeting's discussion. Using the attached charts, Mr. Glancy indicated that the Capital Reserve Fund Balance to date is \$1,855,814. Mr. Ballard clarified that the Capital Reserve Fund has gone from a 5 million dollar balance in the late 1990s to 1.8 million dollars in February 2012. The Priority 1 items are the ones that are being considered for 2012-13 as summer work. These items include lighting upgrades, installing occupancy sensors, replacing wood windows, repairing pool roof-top unit, replacing steel windows, repairing skylights, masonry repairs, and repairing cap stones and roof flashings. These items are being considered

because of operational and safety reasons. Referring to the pool repair work, Mr. Glancy indicated the repairs deal with the air quality in the pool area. The occupancy sensors pay for themselves in two years with energy savings. Mrs. Donches asked if the skylights in LMMS had been replaced before. Mr. Earnshaw pointed out that they had not been touched since they were installed originally. Mr. Glancy mentioned that repairs for leaks have been made to them and they will need to be resealed. In answer to a question from Mr. Bacher, Mr. Glancy said they are currently getting the engineering specs together for the paving, pool roof top unit, and window repairs. These will be put out to bid so the district can get a better cost before the end of the school year for the summer work. The additional storage area is a safety concern because items are being stored in areas that could result in ongoing hazards (tripping; blocking exits). Ms. Heid commented on the future roof replacements noting that in 2014-15 just the EHS and Jefferson roof replacement would amount to over 2 million dollars. Mr. Glancy pointed out that \$929,659 is available from the bond issues. The total cost for all projects from Priority 1-8 is \$6,767,000. Mr. Earnshaw recapped the situation with leftover bond funds and extenuating circumstances. Mr. Glancy noted the 4 million dollar borrowing that allowed for the completion of Willow Lane and roofing projects.

Mr. Glancy said he is hoping to bring back three of the items plus the capital reserve by the next Board Meeting. The district would be spending \$658,000 out of the \$929,659. Mr. Earnshaw interjected that the district must take the lowest responsible bidder so the projects may come in below the estimated cost or state contract. Each one of these projects will come before the Board. There are some projects that only require materials and the maintenance crew will perform the work.

**6. Report of the Superintendent of Schools - Dr. Thomas L. Seidenberger**

**1. District Update**

Referring to the capital projects, Dr. Seidenberger said the money will come from bond issues and the capital reserve so there is no fiscal impact on the budget. He indicated that the bids for the boilers and roof projects came well under the estimates. The strategy for these projects is to emphasize safety and operational savings.

Dr. Seidenberger reported on the following items:

- ❖ The Pennsylvania Department of Education has approved the Mid-Point Review of the Strategic Plan conducted by the East Penn School District.
- ❖ A film crew from The Doctors was filming on the all weather track for an upcoming episode.
- ❖ Kindergarten enrollment begins March 26. He encouraged parents to register early since this is a pivotal part of the budget process. There are always late enrollments during the summer.
- ❖ Last Friday night the Lehigh Valley Conference Boys Basketball Championship at Freedom High School was a sellout. There was interesting banter but within the tenets of good sportsmanship.
- ❖ On Wednesday evening, the Boys Basketball Team will play Parkland.
- ❖ Dr. Seidenberger met with Representative Samuelson, a member of the Appropriations Committee, and he provided him with the same information on unfunded mandates. The IU will be releasing costs on cyber charter schools. He will be meeting with Representative Simmons as well as Senators Browne and Mensch.
- ❖ Dr. Seidenberger will be part of a panel discussion at Northampton Community College on March 21, along with Bruce Davis and Malcolm Gross, about tax issues. There are over 80 people registered for this discussion.
- ❖ Dr. Seidenberger will be sending out letters to each of the townships and municipalities asking them if they anticipate any developments or changes in the real estate atmosphere so we have the most accurate information. If they want a one-on-one meeting, Dr. Seidenberger will do that as well.
- ❖ Dr. Seidenberger distributed an analysis of the Governor's Budget as prepared by the Education Law Center. He thought there was a potential for law suits regarding inequalities. Dr. Seidenberger said there is concern because this is not a formula driven budget. It is based on a series of assumptions that had nothing to do with the formulas for education funding. He said there may be some issues with the new social security payments. He indicated that some of the information may be as much as two years old and does not include the lay-off numbers from last year in the current information. He talked about commingling of education, transportation, and social security. This is being used as a flat

base line for funding. The Governor's Budget is not clear. He said one of the concerns is special education funding and the lack of increases over a five year period. There is a SB that does address special education funding.

- ❖ There will be a Legislative Forum on Public Education on Thursday, March 8, at 7:00 p.m. at Lehigh Carbon Community College. This is an attempt to have parent groups intensify lobbying on behalf of public education. The League of Women Voters will facilitate the forum. It will be a chance to interact with local legislators. The District PAC has been notified and invited to participate in this nonpartisan activity.
- ❖ He thanked the Emmaus Rotary Club for their donation of \$1,000 to Lincoln.
- ❖ The list of student activities in the community is on the web site.
- ❖ Dr. Seidenberger acknowledged the passing of EHS student Ben Albro. He noted that Ben's pastor sent a beautiful letter thanking the East Penn extended family for the wonderful performance of the EHS Chamber Orchestra and the wonderful way that the students showed respect and offered comfort to the family.

## **2. Personnel**

Motion by Earnshaw, Seconded by Heid

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

### **Retirement/Resignations**

Linda Lee Iezzi, Administrative Assistant to Assistant to the Superintendent, effective April 30, 2012 (Exhibit 1)

Anna Eisenhard, Staff Assistant at Jefferson School, effective February 23, 2012 (Exhibit 2)

### **Request for General Leave of Absence - Board Policy 539**

Employee: Mary Visintainer, Instructional Assistant, Wescosville School  
Effective: March 26, 2012-June 30, 2012

### **Health Room Assistant Appointment**

Name/Address: Dana Brindjar  
3430 McKeever Road, Macungie  
Assignment: Health Room, Eyer MS/Jefferson School  
Vacancy created by D. Granados resignation  
Effective: February 28, 2012  
Salary: \$18.22/hr., 29 hrs./wk.

### **Additions to the 2011-12 List of Per Diem Substitutes**

Michelle Kelly, Health Room Assistant  
Kathleen Platt, Instructional/Staff Assistant  
Allison Fritchman, Special Education, Social Studies, Instructional/Staff Assistant  
Katie Hummel, School Nurse

### **Co-Curricular Appointments**

Kyle Grim	EHS Girls Soccer	Volunteer
Alexis Schultz,	EHS Boys & Girls Track	Volunteer
Matthew Laub	LMMS Boys Volleyball	Volunteer
John Wilson	EHS Boys La Crosse Assist.	\$2881
	Coach	

### **Change in Assignment**

Employee: Santiago Baraciarte  
From: Instructional Assistant, Eyer MS

To: Instructional Assistant, Emmaus HS

Educational Conferences - Exhibit 3

That the East Penn Board of School Directors approve the estimated expenses for the individuals attending the educational conferences listed on Exhibit 3.

Acceptance of Donation

RESOLVED, That, in accordance with Board Policy 702, Gifts, Grants, Funds, the East Penn Board of School Directors accept a \$1,000 check from the Emmaus Rotary Club for the new sound system in the Lincoln All Purpose Room.

Approval of Northeastern Educational Intermediate Unit Contract (Exhibit 4)

RESOLVED, That the East Penn Board of School Directors approve the attached contract with Northeastern Educational Intermediate Unit for provision of special education programs and services as specified therein for the 2012-2013 school year and thereafter until expiration in accordance with the terms of the contract.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Rhodes, Stolz-----8

Absent: Policano-----1

7. Facilities

1. Approval of PlanCon K - General Obligation Bonds, Series of 2012  
(Exhibit 5)

Motion by Earnshaw, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors approve PlanCon K, General Obligation Bonds, Series of 2012, for submission to the PA Department of Education.

In answer to a question raised by Mrs. Donches about bidding services, Solicitor Fisher indicated that the services of Public Financial Management and Rhodes & Sinon are considered professional services and are not bid.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Rhodes, Stolz-----8

Absent: Policano-----1

8. Legislative

C. Ballard

Mr. Ballard talked about the Lehigh County Assessment letters that were received by Lehigh County property owners. He suggested that people go online and look up their properties to see how this assessment will affect them. He indicated that 55% of the properties will pay less taxes; 45% of properties will pay more. The new property value will not be effective until 2013. Mr. Ballard strongly emphasized that this reassessment does not have anything to do with the East Penn School District. There is an informal review process that a resident can sign up for by mail or online. Mr. Ballard shared his own assessment information, noting that his taxes will be increasing. He said there are several sites that list properties and gives you what the comparable values are in your area. He noted that Business Manager Debbie Surdoval has been listed as the contact for East Penn. He reminded senior citizens to look into the East Penn Tax Rebate Program. The forms can be obtained from the Tax Collectors, municipal offices, representatives' offices, or the Business Office. (Note: Forms are also available at the public libraries.) There are approximately 280 senior citizens who took advantage of the program last year. Ms. Fuller noted that the forms are on the East Penn web site. Mr. Earnshaw suggested a prepared statement should be put on the web site.

Mr. Stolz brought up the fact that Speaker Sam Smith had until Friday to make the determination about a special election for the 134th State Legislative District seat. This action has left five seats unrepresented and there might be a need for a special election. He suggested calling Speaker Sam Smith's office and voicing displeasure about his handling of this situation and his leadership. A special election will also cost taxpayers more money as well.

9. Business Operations

1. Approval of Bill List

Motion by Earnshaw, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the attached bill list, including the addenda, 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.

Facility Rental Request - Group V

RESOLVED, That the East Penn Board of School Directors grant permission for College Planning Center, 1301 Glasgow Street, Pottstown to rent Café 2 at Emmaus HS for a college planning seminar. This is a Group V organization and will be charged the following fees:

\$45.00/hr., rental fee

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Rhodes,

Stolz-----8

Absent: Policano-----1

Mr. Ballard acknowledged Joseph Ludrof, Jr., 2100 Alexander Drive, Macungie who had raised his hand during the meeting to ask a question. Mr. Ballard explained the meeting protocol and Mr. Ludrof subsequently completed a Request to Address the Board Form. His request was to have a copy of the information regarding the capital projects and he was given the copy of the information.

Mr. Stolz wanted to know if the Board should have accepted Mrs. Donches' reimbursement for her PSBA seminar, adding that he and the taxpayers thanked her. Mr. Ballard said there was a discussion about the policy since it is unclear and that is why there was a motion for accepting a gift. Mr. Stolz suggested the following motion regarding the Neighborhood Improvement Zone in Allentown:

RESOLVED, That the East Penn Board of School Directors express its displeasure with our representatives in the legislature in Harrisburg who sponsored and supported the legislation using East Penn taxpayer dollars for the Allentown Neighborhood Improvement Zone.

Mr. Ballard said there are claims being made that the funds will not be used and be there "in case" and, at best, it will take 9 months to get the funds. The district will not be able to count on it for the 2012-13 budget. Dr. Seidenberger said further information was received this afternoon but he needs to talk with Mr. Glancy and Mrs. Surdoval. He added that the Townships and Boroughs are leading this charge. One of the questions is whether Berkheimer or Keystone can give an estimate. Mr. Stolz and Mrs. Donches noted that other municipalities (Lower Macungie Township) have taken similar action. Mr. Ballard said it would be on the March 12 agenda under Legislative so the rest of the board has a chance to look at it.

10. Announcements

**Monday, February 27**

**6:45 p.m.-Executive Session (Personnel, Real Estate,  
Confidential, Litigation)**

**7:30 p.m.-Board Meeting**

**Friday, March 9**

**ED Day, School Closed for Students**

**Sunday, March 11**

**Daylight Savings Time - Turn Clocks Ahead 1 hour**

**March 12-16**

**PSSA Reading & Math Exams**

**11. Adjourn**

There being no further business to come before the Board, the meeting was adjourned,  
upon motion, at 8:40 p.m.

**Cecilia R. Birdsell, Board Secretary**

## 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: Loretta Fenstermacher, East Penn Press Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Marangos, Emmaus.Patch.com Editor  
Randy Kraft, WFMZ Online Reporter  
Precious Petty, Express Times Reporter

### 2. Requests to Address the Board

Courtney Kennedy, 381 Barrett Road, Emmaus, PA shared her insights about Seven Generations Charter School and the experiences of her three children. She mentioned that she and her husband have always been strong supporters of the public schools and she felt having children with diverse backgrounds and learning together strengthens education. They support the public schools in East Penn and thanked the Board for their hard work and underappreciated efforts. She said parents send their children to Seven Generations for a variety of reasons. There are no stereotypes and they serve a wide audience. She and her husband selected Seven Gen for its hands-on philosophy feeling it would work well with her children. She talked about some of the growing pains of the school and came to the conclusion that it was a great success. She noted that first graders are going on field trips to nine area farms. All-school meetings and student led classroom activities are part of the experience. She felt that Seven Generations was acting as a charter school should by encouraging and offering innovative teaching methods and it should give teachers the opportunity to be responsible for learning in the school. Mrs. Kennedy intimated that East Penn had made changes because of Seven Generations. She said they should not be considered a threat to the education in East Penn because Seven Gen supports the East Penn programs. Seven Generations is a brick and mortar charter school where students go to classrooms. They are run by a non-profit organization as opposed to some of the cyber charter schools that are run by for-profit companies. She invited people to come have a look at the school. She felt Seven Generations helped with the student population. She talked about working with other schools and historic sites to provide opportunities for their children. She thanked the Board for its time.

### 3. Approval of Minutes

Motion by Fuller, Seconded by Rhodes  
RESOLVED, That the East Penn Board of School Directors approve the minutes for the February 27, 2012 meeting.

This resolution was unanimously adopted by voice vote.

### 4. Lehigh Carbon Community College 2012-13 Operating, Debt Service, and Capital Budgets

Mr. Larry Ross, Vice President Finance and Facilities, was present in the event that the Board had questions.

Ann Thompson, East Penn's Representative on the Board of Trustees, explained how credits from LCCC can be transferred to schools such as Princeton and the University of PA, adding that LCCC's program is top notch. The most recent addition is an Applied Technology Bachelor's Degree program in cooperation with Bloomsburg University. Students will be able to begin with LCCC and transfer to Bloomsburg and not have to leave the LCCC campus. This same type of program is offered with Temple University in Engineering. It is a significant saving over the state universities, Penn States, and private schools. Mrs. Thompson spoke about the Governor's budget and its impact on local districts. The LCCC budget increased 1.5% and districts' sponsorship has increased .8%. Mrs. Thompson pointed out that the sponsoring school districts actually own LCCC. She explained the funding that has the state, the college, and the student paying one-third of the tuition. Next year the per credit rate will be \$96/credit which is a slight increase from the \$94/credit as stated in the budget materials. The districts' share of the budget is derived from a formula involving the number of students from the district attending and the market valuation which means that the shares may be different for each district.

Motion by Earnshaw, Seconded by Rhodes  
RESOLVED, That the East Penn Board of School Directors approve the proposed Operating and Debt Service/Lease Budgets for the fiscal year 2012-13; and,

Be it further,



RESOLVED, That the East Penn Board of School Directors approve the proposed Capital Budget for the fiscal year 2012-13.

Mr. Earnshaw felt LCCC was an "educational gem" in the Lehigh Valley. He said they are controlling costs and at the same time investing in new programs and new opportunities for students to advance their education. Mr. Rhodes talked about the retraining for older students. He said he had attended courses and commended the staff and concluded that he was a big fan. Mrs. Thompson said there were a significant number of students who come back to the college to retrain for other careers.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Policano, Rhodes, Stolz-----8  
Abstention: Heid-----1

A copy of the Conflict of Interest Form for Ms. Heid is attached to the permanent minutes of this meeting.

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

1. District Update

Dr. Seidenberger noted that PDE has approved our PLANCON J documents listed later in the agenda under Business Operations. Mr. Glancy explained that PLANCON J is the normal end of the PLANCON process. This is the final actual cost of the projects. If there are any changes, the state will inform us if they owe us or we owe them additional money.

Dr. Seidenberger reported that PDE has approved the \$933,698 in exemptions that East Penn is eligible to use. The administration is looking at appropriations and revenues.

In other items, Dr. Seidenberger reported on the following items:

- The EHS Robotics Team, Steel Hornets, is headed to Missouri in April to compete in the World Championship Tournament. FIRST is a worldwide league with 1,500 teams and the Steel Hornets are one of 120 teams (top 8%) to be invited to compete in the competition. They received an invitation after finishing in 1st place at the New Jersey State Championships. Teacher John Bradley was nominated by the students and he received the Compass Award. Dr. Mirabella was thanked for finding funding.
- A new software program, Versa Tran, will be used for planning future bus routes. The data will be melded with Edulog.
- Dr. Seidenberger distributed a PSBA model resolution for increased state funding for K-12 public education.
- Dr. Seidenberger noted Band Director Bruce Denmead's resignation. He said he did not know of a harder working individual that serves our students. He develops a contagious spirit with the students that play in the band, the Jazz Ensemble, etc. He is consumed with East Penn's traditions and you watch a master at work and see how students respond to him. You can see the impact that he has on students. It will be very difficult to replace him. He has done remarkable things with the band and the Jazz Ensemble.

2. Personnel

Motion by Donches, Seconded by Heid

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

Resignation

-Bruce Denmead, Band Director/ Music Teacher at Emmaus HS, effective June 12, 2012 (Exhibit 1)

Mr. Earnshaw echoed the comments that were made by Dr. Seidenberger. He said two of his children had the privilege of being in the band and he could not say enough about the good that Mr. Denmead has done for the program. His children had a smooth transition because of their participation in band and the summer band camps. He created a feeling of community and family and brings a tremendous amount of energy. He jumps in the stands with the band and "waves his baton like a Samurai warrior." He is a fabulous teacher. He talked about how the pull out instruction has been great for the instrumentality of the students. Mr. Earnshaw concluded that Mr. Denmead will be greatly missed and he thanked him for his service to the district.

-Taylor Angel, Instructional Assistant, effective March 23, 2012 (Exhibit 2)

-Cinthya Tirado-Cruzado, Staff Assistant at Wescosville School, effective March 12, 2012 (Exhibit 3)

-Eileen Haag, Instructional Assistant, effective March 6, 2012 (Exhibit 4)

Income Protection Leave

Employee: Joseph Siekonic, Custodian  
Effective: March 19, 2012

Leave as Per Collective Bargaining Agreement

Employee: Kimberly Kneller, Science Teacher, Emmaus HS  
Effective: March 27, 2012-May 8, 2012

Employee: Melissa Sell, Gifted Education, Shoemaker/Jefferson Schools  
Effective: Extension to June 30, 2012

Appointment of Instructional Assistant

Name/Address: Cheryl McCarthy  
2149 Grandy Court, Macungie 18062  
Assignment: Eyer, Instructional Assistant  
Vacancy created by D. Hunger retirement and subsequent transfers  
Effective: March 13, 2012  
Salary: \$12.99/hour, 29 hours/week

Schedule B Advisors

See Exhibit 5

Additions to the List of 2011-12 Per Diem Substitutes

Amy Boneberger, Remedial Assistant  
Eileen Haag, Instructional/Staff Assistant  
Cinthya Tirado-Cruzado, Instructional/Staff Assistant  
Crystal Kistler, Food Services  
Christopher Chabot, Social Studies  
Kathryn Weiss, Earth/Space/General Science  
Theresa Oliveira, Elementary  
Barbara Borgioni, Early Childhood  
Michele Schupp, Instructional/Staff Assistant

Change in Employment

Employee: Margaret Skibinski  
From: Health Room Assistant, Jefferson/Eyer  
To: Health Room Assistant, Shoemaker School

Educational Conferences – Exhibit 6

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

Appointment of Full Time Substitute Teacher

Name/Address: Tracy Ann Merrill  
2587 Columbus Drive, Emmaus  
Education Level: B. S. Degree (1991)  
M. Ed. Degree (2008)  
Undergraduate School: Pennsylvania State University (1991)  
Graduate School: Lehigh University (2008)  
Assignment: Special Education, Lincoln School  
Opening created by L. Dunnette's death.  
Effective: March 8, 2012  
Certification: Instructional 1, Elementary, Special Education  
Experience: East Penn SD-Special Education per diem substitute  
Allentown SD-9/2009-8/6/2011  
East Penn SD-1/2009-6/2009  
Salary: \$45,185 (Year 1, Col. B)

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

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

5A. Term of Office/Commission for District Superintendent

Motion by Fuller, Seconded by Earnshaw

RESOLVED, That it is the intention of the East Penn Board of School Directors to retain Dr. Thomas L. Seidenberger, Superintendent of Schools, for a term of 5 years.

Reference: Public School Code of 1949, Section 1073 (b)

Mr. Earnshaw explained that since Dr. Seidenberger's contract would expire in about five months the Board is required by law to indicate that they will bargain in good faith and extend his contract for five years. This is neither a commitment for Dr. Seidenberger or the Board. He indicated his support of the motion.

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

6. Other Educational Entities

-Carbon Lehigh Intermediate Unit F. Fuller

1. 2012-13 General Operating Budget

Ms. Fuller indicated that this is the only budget that the districts approve and it is based on a formula developed by the PA Department of Education, subsidized by the WADM of school districts and the market value of the school district. There are a wide variety of programs that involve about 60 budgets. The IU provides programs that might be too costly or too difficult for one district to implement. The Executive Director has made a commitment to keep the budget within the index. Ms. Fuller indicated that it is a well-crafted budget and she was pleased to support it.

Motion by Fuller, Seconded by Heid  
RESOLVED, That the East Penn Board of School Directors approve the 2012-13 General Operating Budget of the Carbon Lehigh Intermediate Unit for the fiscal year July 1, 2012 to June 30, 2013.

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

2. 2012-13 Facilities Plan Committee Report – Exhibit 7

Motion by Fuller, Seconded by Donches  
RESOLVED, That the East Penn Board of School Directors approve the 2012-2013 Facilities Plan Committee Report that was adopted by the CLIU Facilities Plan Committee on January 27, 2012; and, in addition, the Board reaffirms its commitment to the original construct of the Facilities Planning, approved November 1, 1989, which consists of a series of prioritized inquiries to be considered in determining future locations of the CLIU and school district special education classes.

Ms. Fuller explained that this resolution is a result of the Hendricks vs. Gilhool class action suit. Students with special needs were not being treated in an equitable manner. This has guided the principles of providing a classroom for age-appropriate children within the least restrictive environment. The Planning Committee consists of 2 IU representatives, a representative from each school district, and a PDE representative. Ms. Fuller reviewed the needs for Lehigh County that are listed on Exhibit 7. In East Penn, they are closing one elementary life skills support program at Jefferson but will open one at Zephyr Elementary since more Whitehall than East Penn students are using this service.

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  
A. Earnshaw  
F. Fuller  
S. Rhodes

Ms. Heid congratulated Emmaus High School students Quaniesha Grant, Commercial Baking, and Kaitlyn Bennicoff, Food & Beverage Service, who will be moving on to District XI in the Skills USA Competition. Dr. Clyde Hornberger's resignation was officially adopted at their last JOC Meeting. She complimented Dr. Hornberger's service to LCTI and noted they welcomed Sandra Himes who is the new Executive Director.

1. 2012-13 General Fund & Academic Center Budget

Motion by Heid, Seconded by Stolz  
RESOLVED, That the East Penn Board of School Directors hereby authorize the expenditures of the Lehigh Career & Technical Institute for the General Fund Budget in the amount of \$23,097,730 and for the Academic Center Budget in the amount of \$1,374,290 for the period of July 1, 2012 through June 30, 2013.

Mr. Earnshaw said the budget was adopted by the Joint Operating Committee and now it is being sent on to the nine sponsoring school districts for adoption. At least 51% of the school directors in the county must vote "yes", over 50% of the Lehigh County Assessed Property Values as represented by the districts must approve it, and a majority of the school districts must vote in favor. As of their last meeting, three districts had voted on the budget. He further explained the formulas used to arrive at the budget numbers.

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

Mr. Ballard briefly highlighted the prevailing wage legislation (HB 1329), noting that it does not eliminate prevailing wage but does raise the limit considerably on what projects would have to bid on prevailing wage. This would not include new construction of a school but smaller projects that would not exceed \$180,000 as the limit. He urged board members to contact Representative Justin Simmons since this will be coming to the floor.

The budget hearings are ongoing. The education budget is not being received well by either side and almost everyone has a problem with it and is promising changes. The Governor did admit that he has lowered funds for education. The State Board of Education is looking at Keystone Exams. They are extending the graduation requirements to the 2015-16 school term. They are clarifying that the exams apply to charter and cyber schools. In the budget, there is movement to scale the exams back from ten to only three or four exams. Mr. Earnshaw asked how many other exams are in effect besides Algebra I. Dr. Seidenberger said there may be three. It was ascertained that this exam was a field test. Ms. Donches expressed concern that government and civics were not selected for the exams. Mr. Ballard responded that there are a lot of concerns about the keystones and their application. He said that any citizen can contact the State Board of Education to give their input. Dr. Seidenberger said one of the things that the state was trying to do was replace the PSSAs that deal with math, language arts/communication, English, and science as opposed to social studies. He said districts are still required to do those tests until the issue is resolved. Mr. Ballard noted that the following courses were removed from the Keystone Exams: geometry, algebra I, chemistry, American history, civics and government, and world history. Mr. Stolz said it would be a good thing if teachers did not have to teach to the tests established by politicians. He concluded that the legislators should take the tests to see if they could pass them and teachers should be to do their job in their own creative way as opposed to teaching to these high stake graduation tests. Mr. Bacher asked about current grade 8 students keeping the same graduation requirements and current grade 7 students having the new graduation requirements. He asked if that was because they did not have the graduation requirements in place and would keep pushing the date out further. Dr. Seidenberger would not venture a guess on the direction of the Keystone Exams but clarified that it must be a four year sequence.

#### 1. Resolution Supporting Prevailing Wage Reform

Mr. Bacher indicated that this is a resolution drafted by PSBA to be reviewed. it would raise the amount of a project from \$25,000 to \$180,000 and would be a way to save money and give more flexibility in construction and renovation projects.

Motion by Bacher, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the following resolution supporting the prevailing wage reform:

**WHEREAS**, in these challenging economic times, the Prevailing Wage Act places a costly mandate on our school districts and diverts valuable resources from our classrooms; and

**WHEREAS**, school districts must pay state-mandated prevailing wage rates for workers on every construction or renovation project in which estimates exceed \$25,000, a number that has not been adjusted for 50 years; and **WHEREAS**, these prevailing wage rates are not reflective of the actual wage rates in the local community, and have actually been shown, in numerous studies, to inflate the cost of construction projects by at least 10%, siphoning millions of taxpayer dollars from the classroom each year; and

**WHEREAS**, as Pennsylvania school districts spent over \$7 billion on reimbursable school construction and renovation projects bid over the last decade, if school districts were to save 10% of the construction costs on these projects, it would have saved Pennsylvania taxpayers over \$700 million on these projects alone; and

**WHEREAS**, as our school districts are facing reductions in education funding, declining local revenues, and increasing pension and special education costs, costly mandates such as prevailing wage limit a district's ability to direct these limited resources to our classrooms where they are needed most; and

**WHEREAS**, to ensure that we are giving our students the education they deserve, school districts and local taxpayers need relief from these mandates that provide no educational value to students and do nothing to promote increases in student achievement; and

**WHEREAS**, House Bill 1329, which provides a modest increase in the threshold at which school districts must pay prevailing wage on school construction and renovation projects and the addition of an inflation adjustment to this number, provides a good first step in giving districts the flexibility to save valuable dollars that can be spent in the classroom;

**NOW, THEREFORE, BE IT RESOLVED** that the East Penn School District directs its board of directors to urge their legislators to support prevailing wage reform, such as House Bill 1329, which will alleviate the burden of the Prevailing Wage Act on the district and give the district flexibility in determining how best to spend its limited resources; and

**BE IT FURTHER RESOLVED** that the East Penn School District will encourage its board of directors, and others, including parents, students and district taxpayers, to urge the Pennsylvania General Assembly to continue to take measures to further alleviate the burden the Prevailing Wage Act has on school districts.

Ms. Donches questioned the language in the second to the last paragraph. Mr. Bacher said in previous resolutions the President was directed to send a letter on behalf of the Board. Mr. Ballard said it was the way he understood the direction from the resolution.

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

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

## 2. Resolution for Neighborhood Improvement Zone

Mr. Stolz had originally proposed a motion and gave his approval to the motion that was being presented this evening. Mr. Stolz indicated that Senator Browne was the original architect of the NIZ legislation. Mr. Rhodes felt the mistake was not reviewing the legislation when it was proposed. He said he was reserving his judgment until he could see how it plays out and he would not be supporting the motion. Mr. Ballard said that no matter what happens to the money the district will not see it for at least nine months to a year. There are some townships involved with seeking whether they can take this to court as unconstitutional. Mr. Earnshaw asked if there was any clarification from Allentown about the impact. Mr. Glancy said the TCC solicitor sent questions to be answered and has not received a response. Mr. Earnshaw said if the way it has been reported is correct then it should have been subject to more vigorous debate. He said it has mushroomed and he wondered if the legislators understood the impact. He indicated he would support the resolution. Mr. Bacher said there should have been more debate before it was passed since it has wide ranging impact.

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors express its dissatisfaction and opposition to the Neighborhood Improvement Zone (NIZ) law passed with the concept of taking the Earned Income Tax dollars of East Penn residents employed in Allentown and then re-directing those tax dollars for possible use for a project in that Neighborhood Improvement Zone that benefits only the City of Allentown.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Stolz-----8

Nay: Rhodes-----1

## 8. Business Operations

### 1. Bill List Approval

Motion by Earnshaw, Seconded by Bacher

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

Disbursement of Funds – Exhibit 8

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from 33-2010 Series A General Obligation Bonds as listed on Exhibit 8.

Plancon J: Project Accounting Based on Final Costs – Exhibits 9-16

RESOLVED, That the following documents that have been reviewed and approved by the PA Department of Education be appended and entered into the minutes of the March 12, 2012 meeting of the East Penn Board of School Directors:

1736-Emmaus HS/District Administration Office (Additions/Alterations)-Exhibit 9  
2922-Emmaus HS (Additions/Alterations)-Exhibit 10  
2047-Wescosville Elementary School (Additions/Alterations) – Exhibit 11  
2283-Jefferson Elementary School (New Construction)-Exhibit 12  
2926-Shoemaker Elementary School (Additions/Alterations)-Exhibit 13  
1969-Lower Macungie MS (East Penn MS-New Construction)-Exhibit 14  
3134-Eyer MS (Additions/Alterations)-Exhibit 15  
2927-Alburtis Elementary School (New Construction)-Exhibit 16

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

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

### 2. Budget Book – 2012-2013

Mr. Ballard explained that the staff would be working to put together the 2012-13 Budget Book for distribution to the Board at the March 26 meeting. He said he wanted to hear from anyone who was proposing to have a change as to how the budget book or information is presented to the Board. Mr. Bacher asked for an example and was told it was on the web site and it is almost identical to every book presented in the 15 years that Mr. Ballard has been on the Board. Ms. Heid asked if she could have

until the end of the week to forward her suggestions. She will review her notes and forward comments by Wednesday. Mr. Ballard cautioned that if anything would need to be changed the staff needs to have it. Ms. Donches said she wanted the fund account, the functions, funding source, and the objects and instructional organization. Mr. Ballard asked her if she was aware that it was in the neighborhood of 3,899 items. She said it had to be put together that way anyhow. Mr. Ballard responded not in that way and called Business Manager Debbie Surdoval to come forth and explain. Mrs. Surdoval said individual line items are brought to the Business Office through the building principals and central office supervisors and that comes up to 3900 line accounts. The software program then compiles that information into the function/object reporting that is in the budget book. The object reports are then used to develop the category analysis. Mrs. Surdoval said it is much better to look at the summary categories. If there is a question about a certain category the administration can look into that line item. Ms. Donches talked about wanting the object codes such as 230, 240, 1100, 1200, etc. In answer to a question from Ms. Donches, Mrs. Surdoval indicated that the state format is what is in the budget book. Mr. Earnshaw said what he thought he was hearing is that she wanted the funding source for every line item in the budget. He explained that the district has several sources of funding and federal and state sources may be for very specific programs and reasons. Ms. Donches said she wanted as much detail as she could get. He said he had to know what she was asking for to see if it was a reasonable use of staff time. Mr. Earnshaw said if it is 20 minutes that would be reasonable; however, if it is 35 hours then it is unreasonable. Using the mathematics involved, Mr. Ballard said that if there are 3,899 items and if you allow for a one minute explanation for each of the 3,899 items, then that would be approximately 64 hours straight or 8 full working days. The Board is going to have to deal with policy issues, not saving \$1,000 here and there. He said if there is anything that is going to take a significant amount of staff time then it needs to be identified now and the Board is going to have to agree. Mr. Bacher requested that it be provided in the current format and then if there are questions about any of the categories the Board can get the detail rather than providing details for categories in which there is no interest. Mr. Ballard added that this a very busy season for the Business Office so requests have to be brought down to something reasonable. He said the challenge of asking for specifics is that you can quickly get into the realm of the unreasonable. Mr. Earnshaw shared his professional experience in comparing detailed information and compiling it into something reasonable, adding that the information that the Board has been presented is fully adequate. It is not the role of the Board to take apart individual expenses that is the job of the administrators. It was further discussed that if the Board is not satisfied with the process or the way the policy is being carried out then it is the Board's job to work with the Superintendent to correct these things. If someone has a legitimate concern after looking at the levels and trends then they can ask for more detailed information. Mr. Ballard said if there is anything anyone wants in the budget they should forward that information to Ms. Birdsell by the end of the week.

#### 9. Announcements

Monday, March 12	7:00 p.m.-Executive Session (Personnel, Negotiations, Legal Matters) 7:30 p.m.-Board Room
March 12-16	PSSA Reading & Math Exams
March 29, 30, 31 March 31	7:00 p.m.-Eyer Spring Musical, "Annie, Jr." 2:00 p.m.-Matinee
March 29, 30, 31 March 31	7:30 p.m.-LMMS Spring Musical "The Boys from Syracuse" 2:00 p.m.-Matinee

#### 10. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:45 p.m.

Cecilia R. Birdsell, Board Secretary

## 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: Marc S. Fisher, Esq., Worth, Magee & Fisher  
Treasurer: Lynn Glancy  
Board Secretary: Cecilia R. Birdsell  
Superintendent of Schools: Dr. Thomas L. Seidenberger

Press Present: Loretta Fenstermacher, East Penn Press Reporter  
Randy Kraft, WFMZ Online Reporter  
Jennifer Rodgers, Morning Call Reporter  
Jennifer Marangos, Emmaus.Patch.com Editor

### 2. Requests to Address the Board

Ms. Jennifer Taylor, 5047 Faith Circle, Wescosville read the attached letter describing her child's positive experience at Seven Generations Charter School.

### 3. Approval of Minutes

Motion by Heid, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors approve the minutes for the March 12, 2012 meeting.

This resolution was unanimously adopted by voice vote.

### 4. SGA Report - Student Government Association, EHS Report

SGA Representatives Cristen French & Shiv Joshi reported on the following student and school activities at Emmaus HS:

- Mr. Emmaus Tournament was held and Senior Tyler Behnke was selected.
- Junior students took the March PSSA's.
- EHS Alumni Corey Jones (Class of 2007) was featured as an "Awesome Alumni". Corey has become a successful actor in film and television and felt the EHS Drama Department prepared him well.
- ✓ EHS/LCTI students Quariesha Grant and Kaitlyn Bennicoff will be moving on to the District XI Skills USA Championship. Also, placing 3<sup>rd</sup> in the competition were Benjamin Uhl and Brandy O'Brien.
- ✓ Eleven students qualified for the National Merit Finalists.
- ✓ National Intent Letters were signed by student athletes.
- ✓ Senior Ball will be held on April 28 at the Palace Center; the After Ball Activities will take place at EHS.
- ✓ Junior Prom will be held on May 5 at EHS.
- ✓ The 2012 Scholastic Art and Writing Awards were held. Nearly 100,000 students participate in this activity. EHS art teachers choose the students who submit their work on the regional level. The work is judged according to originality, technical skill and emergence of personal vision or voice. Congratulations to students who received Gold Keys, Silver Keys, and Honorable Mention.
- ✓ EHS had the most students participating in the PA PMEA District 10 Chorus Festival. There were 19 seniors selected; 16 juniors; 6 sophomores; and 1 freshman.
- ✓ History Day was held at EHS on January 6. Winners competed in the Regional Competition held on March 3.
- ✓ The following teachers were nominated for the Hallowed Hornet Award: Kathryn Washer, Physics and Integrated Science Teacher, and Jason Geist, Mathematics Teacher. Faculty and staff members nominate colleagues who they think contribute to a positive and successful school environment.

Mr. Ballard thanked them for their report.

### 5. Report of the Superintendent of Schools-Dr. Thomas L. Seidenberger

#### 1. District Update

Dr. Seidenberger reported that orchestra teacher Connie Arnold has commissioned an orchestra piece celebrating the life of Benjamin Albro, a student who was killed in a car accident. He was a member of the orchestra since the 4th grade and they have hired a composer who will interview students and capture the essence of the student. The piece will be performed at the 2013 EHS Graduation, the year he would have graduated. They are involved in fund raising and anyone interested should contact Dr. Seidenberger.

Ross Cooper, a teacher at Willow Lane School, has been invited by Google developers to attend a special session in London. Last year he was selected as an Apple Distinguished Educator.

Dr. Seidenberger mentioned a lawsuit that was filed by PSEA on behalf of special education students in the Chester Upland SD. This involves the special ed costs for Chester Upland that were received from the state compared to what was paid out by the district. Referring to East Penn, he noted that the district received \$7,800 from the state for special education students compared with the \$17,613 being paid out. East Penn is paying in excess of \$9,000 for special education. The Education Committee has heard from the Auditor General about the funding for cyber charter schools. He referred to a recent memo from the PA School Funding Campaign to the members of the PA General Assembly regarding the state budget. He concluded that there is a lot of concern state wide.

Dr. Seidenberger reported on the second Instructional Rounds day of observations at Emmaus HS. The next day is scheduled for some time in April at a middle school. It was another exceptional day of defining how problem solving is taking place in East Penn. He thanked Dr. Torma, Linda Pekarik, and Kristen Campbell for their leadership.

Middle school students participated in the Regional PJAS Science Fair on February 25. He thanked Mr. DiRado for providing the results that indicate: LMMS had 80 students participate with 50 first place winners; 27 second place winners, and 3 third place winners; and, Eyer MS had 61 students participate with 44 first place winners, 16 second place winners and 1 third place winner. There were 16 students from LMMS that received a special award and 16 students from Eyer MS. Dr. Seidenberger thanked the teachers and students for their efforts. The state competition will be held at Penn State on May 13-15.

Dr. Seidenberger reported that he had served on a panel with senior citizens at Northampton County Community College. Also on the panel was Attorney Bruce Davis a local radio announcer. There were about 75 participants and he received a very positive response. Dr. Seidenberger will be meeting with the District Senior Citizens Advisory Committee tomorrow at 10:00 a.m. Mr. Davis was invited since he is a Lower Macungie resident. A meeting with local real estate agents is being scheduled for April.

Dr. Seidenberger called attention to the booklet that was compiled with all the activities in which students are involved in the community. The booklet will be distributed to libraries and other public venues.

## 2. Personnel

Motion by Rhodes, Seconded by Fuller

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

-Beth Alcaro, Administrative Assistant at Emmaus HS, effective March 20, 2012 (Exhibit 1)

-Deborah Janney, School Nurse at Willow Lane School, effective June 30, 2012 (Exhibit 2)

-Cathy Venusto, Tech Assistant, effective April 3, 2012 (Exhibit 3)

-Chad Werkheiser, Instructional Assistant at Emmaus HS, effective immediately (Exhibit 4)

### Compensated Professional Leave

Employee:	Virginia Coleman, Art Teacher Emmaus HS
Effective:	2012-13 School
Purpose:	Pursue Course Work at The Art Institute of Charleston, SC
Reference:	Board Policy 438.1-Compensated Professional Leaves

### General Leave of Absence – Board Policy 539, General Leave

Employee:	Diane Kehm, Staff Assistant Shoemaker School
Effective:	March 26, 2012-March 25, 2013

### Income Protection

Employee:	Shannon Fraser, French/Spanish Teacher Emmaus HS/Eyer MS
Effective:	March 9, 2012

### Leave as Per Collective Bargaining Agreement

Employee:	Tammy Nassry, Special Education Teacher Emmaus HS
Effective:	March 30, 2012-May 11, 2012

### Health Room Assistant Appointment

Name/Address:	Melanie Miller 7283 Snowberry Court, Macungie 18062
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Effective: February 28, 2012  
 Assignment: Lincoln School (Vacancy created by L. Waters resignation)  
 Salary: \$18.22/hr., 29 hrs./wk.

Additions to the 2011-12 List of Per Diem Substitutes

Meghan Dunton, Elementary  
 Joan Timalonis, Health Room Assistant  
 Sherri DeFrain, Elementary  
 Lucsita Rivera-Woolard, Instructional/Staff Assistant

Katelyn Christian, Elementary  
 Shannon Griffels, Art

Change in Assignments for School Psychologists

Employee	From	To
Lori Rose	Lincoln/Macungie	Jefferson/Lincoln
Mark Neth	Jefferson	Wescosville
Mary Kay Naunas	Shoemaker	Macungie/Shoemaker

Educational Conferences – Exhibit 5

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

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

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

6. Facilities

1. Authorization for Engineering Services

Motion by Earnshaw, Seconded by Rhodes

RESOLVED, That the East Penn Board of School Directors authorize Liberty Engineering, Inc., 7535 Windsor Drive, Suite B-203, Allentown to complete the following engineering services on the projects listed below:

Additional Storage Not to Exceed \$5,000 plus reimbursable expenses (Exhibit 6)

District-Wide Sidewalk & Asphalt Paving Repair Not to Exceed \$8,800 plus reimbursable expenses (Exhibit 7)

Note: Agreements have been reviewed by the solicitor.

Authorization for Engineering Services for Lincoln and Lower Macungie MS Window Replacements

RESOLVED, That the East Penn Board of School Directors authorize Spillman Farmer, 1720 Spillman Drive, Bethlehem to provide architectural and engineering services for the project listed below and as described in Exhibits 9 and 10.

Lincoln Elementary School Window Replacements (Exhibit 9) Not to exceed \$12,500 plus reimbursable expenses at cost

Lower Macungie MS Window Replacements (Exhibit 10) Not to exceed \$5,000 plus reimbursable expenses at cost

Note: Agreements have been reviewed by the solicitor.

In answer to a question from Ms. Heid, Mr. Glancy said the additional storage buildings will be built on the side of Jefferson and in the back parking lot of the high school. Ms. Donches asked about the number of square feet for the buildings. Mr. Glancy said one will be 15 ft. x 15 ft. and the other will be 20 ft. x 20 ft., depending on the design process and the restriction of space.

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

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

2. Authorization for Engineering Services for Emmaus HS Pool Dehumidification Unit Upgrades-Exhibit 8

Motion by Rhodes, Seconded by Stolz

RESOLVED,

That the East Penn Board of School Directors authorize Entech Engineering, Inc., 4 South Fourth Street, Reading, PA to provide documents for bidding and construction for repairs and upgrades of the pool dehumidification unit and other system conditions and reduce the concentration of chloramines that exist at the pool surface and as outlined in Exhibit 8.

Cost not to exceed \$22,650

Note:

Agreements have been reviewed by the solicitor.

Mr. Earnshaw pointed out an editorial change in one of the dates on page 2 of the contract. Mr. Glancy said it was reviewed with the company and will be corrected. Mr. Bacher noted that the Schedule had the correct date of March 27. Ms. Heid asked about the cost coming out of the 2011-12 capital account and the 2012-13 capital projects. Mr. Glancy indicated that the capital projects would roll forth into the school year. Mr. Ballard noted these are proceeds from bond issues.

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

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

6. Legislative

C. Ballard

Mr. Ballard reported that there have been hearings on the budget but there is nothing definite. He noted that there are several bills of interest in the Senate, noting changes in the Right to Know provisions, changes in the superintendents' contract provisions, and special education funding formula changes. He said legislators should know of the discrepancies and the fact that taxpayers are subsidizing others schools, specifically cyber charter schools, and they do not have the same degree of control as in the public schools plus there is great difficulty in getting information. Mr. Earnshaw said one of the problems is the management companies that are hired by cyber charter schools.

The House has been quiet but there is a bill regarding economic furloughs. Mr. Ballard explained that the current School Code prohibits furloughing teachers for economic reasons. This would require a change by the Legislature. There are now two competing bills trying to address property tax relief. One bill has the county deciding a referendum on replacing sales tax and there would be an option by the school district to impose an Earned Income Tax or personal income tax to reduce property tax. The other bill attempts to raise the state sales tax from 6% to 7% with fewer exemptions and raising the state income tax. Also included would be the funds from gambling. By doing this, the state would be able to collect at least 8 million dollars of the 9 million dollars of the current property tax allocations by the state. Mr. Ballard noted that property tax would not be totally eliminated by this bill. It would allow taxes for the purpose of paying off bonds for construction. Mr. Earnshaw said he is always concerned about replacing property tax. Referring to 2009-10 Funding Sources produced by the Department of Education, he noted that East Penn appeared to be 462 out of 500 schools districts when looking at the average daily membership. There are only 38 districts that receive fewer dollars than East Penn. He questioned the logic of coming up with a funding formula. Mr. Stolz said the second bill discussed was introduced by Representative Cox.

7. Business Operations

Dr. Seidenberger distributed the 2012-13 Budget Book to the board members. The budget does include the allowable amount for exceptions. He cautioned that the numbers will change throughout the budget process. The revenues are more aggressive and optimistic this year. The appropriations have been adjusted by approximately 1 million dollars. The administration is looking at non-traditional areas such as benefit packages, including tuition reimbursement; however, the tuition reimbursement account has decreased because of the lower cost of online courses. They are also looking at some creative ways to look at special education expenditures. There have been very few retirements this year so the salary differentials will be minimal this year. He said for the 2013-14 school year they will be looking at transportation unless something is done with the Governor's block grant. They will be looking at Central Bucks and how they defunded transportation. Another area that may be reviewed is the student information package. In response to a question from Ms. Donches, Dr. Seidenberger said that eSchoolPlus and Pentamation have the elements of student information that must be kept on file. Mr. Ballard emphasized that this is the first look at the budget. Dr. Seidenberger said there have been 2 million dollars in cuts since the preliminary budget. Last year was the first time that the district spent less than the previous year. Mr. Bacher asked what assumptions had been made concerning state revenues. Dr. Seidenberger said that they adjusted downward but it is too early to say at this point. Mr. Ballard again pointed out that this is a preliminary look. He noted that this is similar to what has been compiled in the past few years. The budget analysis will take place at the April 23 Board Meeting. It was ascertained that student transportation is around 6.5 million dollars which includes both public and nonpublic schools. Dr. Seidenberger said unless there is movement on the block grant then they will have to look at how transportation is being funded. Mr. Bacher asked if nonpublic transportation would change if the district makes cuts to the public transportation. Mr. Ballard said if the district does not provide transportation for their own students we would not have to provide it for nonpublic schools, except in the area of special education students. Mr. Earnshaw pointed out that there are a lot of benefits (environmental as well as convenience) by having public transportation, adding that it is definitely something the district will have to go slowly on.

1. Approval of Bill List

Motion by Earnshaw, Seconded by Rhodes

RESOLVED,

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

Mr. Stolz questioned the bill for the PSBA Insurance Trust for \$4,164.15. It was ascertained that this was the BUCs program that had been approved by the Board at a previous meeting (January 23, 2012).

This resolution was duly adopted by the following voice vote:

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

2. Treasurer Report

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the Treasurer's Report be approved.

EnerNOC Demand Response – E-Power Demand Response – Exhibit 11

RESOLVED, That the East Penn Board of School Directors approve Attachment B-1, EnerNOC Demand Response-E Power Demand Response program as described in Exhibit 11.

Fund Disbursements – Exhibit 12

RESOLVED, That the East Penn Board of School Directors authorize the disbarment of funds from GOB 33-2010-Series A as described in Exhibit 12.

Approval of the Response & Correction Action Plan – Auditor General –Exhibit 13

RESOLVED, That the East Penn Board approve the response and corrective action plan to the Auditor Generals' Performance Audit Report for fiscal years ending June 30, 2007 and 2008 as submitted to Ms. Connie Derr on March 9, 2010.

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

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

3. Other Items

Mr. Stolz said he had questions from parents about the recent articles dealing with pink slime in ground meat and asked if East Penn cafeterias used these products. Mr. Glancy said he would look into it. (Secretary's Note: Upon checking with the cafeteria staff, it was found that the East Penn School District did not use any beef products with Lean Finely Textured Beef (LFTB) or "Pink Slime" in them this school year. Also, they will not order any beef products that include LFTB in any future year.)

Mr. Earnshaw announced that tomorrow at LCTI the Assistant Secretary of the US Department of Education and the Director of the Office of Vocational and Adult Education will be visiting the campuses of LCCC and LCTI. On Thursday at LCCC, there is a press conference as part of the signing of the Articulation Agreement with Bloomsburg, LCTI and LCCC to offer an Applied Science Technology Bachelor's Degree Program. A student can earn a Bachelor's Degree through Bloomsburg in a three year period without leaving the campus. It is the first of its kind in the state and will be extremely economical for the student.

Ms. Donches thanked Dr. Seidenberger and Mr. Glancy for accommodating her request for the 2011-12 budget. It was noted that Mrs. Surdoval produced the information. Ms. Donches said she was curious about certain items and appreciated having the detail. She felt she would be better able to ask questions. She also appreciated the transparency. Mr. Ballard reminded her that with 3,889 items the Board cannot afford a minute an item.

8. Announcements

Monday, March 26	7:00 p.m.-Executive Session (Real Estate & Litigation)
	7:30 p.m.-Board Meeting
Week of March 26	Kindergarten Registration (See Web Site)
March 29, 30, 31	7:00 p.m.-Eyer Spring Musical, "Annie, Jr."
March 31	2:00 p.m.-Matinee
March 29, 30, 31	7:30 p.m.-LMMS Spring Musical "The Boys from Syracuse"
March 31	2:00 p.m.-Matinee
April 5, 6, 9	Spring Break
April 23	7:30 p.m. – Board Meeting

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned, upon motion, at 8:35 p.m.

Cecilia R. Birdsell, Board Secretary

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

Treasurer: Lynn Glancy

Board Secretary: Cecilia R. Birdsell

Assistant Superintendent: Dr. Denise Torma

Press Present: Tyler Martin, East Penn Press Reporter  
Jennifer Marangos, Emmaus.Patch.com Editor  
Randy Kraft, WFMZ on line Reporter  
Precious Petty, Express Times Reporter  
Kelly Martin, Morning Call Reporter

### 2. Requests to Address the Board

Rob Hamill, 1500 Little Lehigh Drive, N., Emmaus alleged that the budget process appeared to be a complete mess. He claimed the district needed a Budget & Finance Committee to see what the district is spending its money on. He claimed that Ms. Donches was told she could not ask questions about the budget and that the people managing the budget are taking control of it. He criticized the board members for voting against a 0% increase budget. He asserted that the Board did not know what it was spending district money on, citing the increasing pension costs. He talked about the budget tripling since he was on the Board, adding there had not been that much student growth. He said a Budget & Finance Committee should be set up so the Board could understand the budget and not keep raising taxes.

Mr. Jim Rossignuolo, 1520 Shasta Lane, Macungie, read the attached statement regarding the budget and increasing taxes.

Carol Bettler, 6022 Fairway Lane, Wescosville expressed concern about the elementary class sizes. She indicated that there are 30 plus students and requested that additional teachers be hired to reduce the class sizes.

Julie Kibelbek, 435 Beechwood Street, Emmaus wanted the Board to demonstrate their support for high quality education by supporting the Superintendent's proposed budget. She thanked those members who voted in the past to preserve high quality education. She spoke about the benefits of a public education, including school districts, community college, or a state supported university. She added that a good public education prepares the work force to compete globally, raises the standard of living, and drives innovation and research. She said it is fundamentally unfair to give future generations less than what we ourselves received. She concluded that she is a supporter of public education and would support a reasonable tax increase.

Claire Kowalchick, 2980 Keystone Avenue, Emmaus thanked the Directors of the Board for their work. She noted that East Penn rates in the top 7% of school districts in the state in schools for return on educational investment. Last year the administration and Board reduced the budget from 4.6% to 1.8%. She noted that the Board is faced with balancing the needs of the children with the needs of the community. She felt the Board had done a good job of balancing those needs. Compared to what is taking place in other districts, East Penn has come through being relatively unscathed. She did criticize the fact that a gifted education teacher had been put in the classroom last year. She felt that enrichment is gone and is not happening. She said every child in the district deserves to be educated to his/her full

potential. She said she knew there were some who wanted to see a 0% increase and she spoke about the positive aspects of physical activity and how it correlates with learning as well as the arts. She touched on grants, librarians, and teachers' salaries. She was here in the spirit of community and compromise. She did not support a 0% tax increase because it is not fair, it is not balanced, and it did not illustrate coming together.

### 3. Approval of Minutes

Motion by Rhodes, Seconded by Earnshaw

RESOLVED, That the East Penn Board of School Directors approve the minutes for the April 23, 2012 Board Meeting with the following editorial changes:

Page 5, Paragraph 2, Line 5: Referring to East Penn's cyber charter school...Changed to East Penn's cyber school.

Page 6, Vote changed for following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors end debate.

This motion was defeated by the following roll call vote:

Aye: Earnshaw, Donches, **Fuller**, Policano, Stolz-----5

Nay: Ballard, Bacher, Heid, Rhodes-----4

Ms. Fuller was incorrectly listed as a "nay."

Mr. Stolz indicated that on Page 6, Mr. Earnshaw had stated 1.8 million dollars, not 1.9. Mr. Earnshaw indicated that he had actually stated the amount as 1.98 million dollars and later referred to it as 2 million dollars.

Corrections have been made to the permanent minutes of this meeting.

This resolution was unanimously adopted by voice vote.

### 4. Seven Generations Charter School – Charter Renewal Resolution (Exhibit 1)

Motion by Fuller, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors renew the charter for Seven Generations Charter School from September 8, 2012 and ending on September 7, 2017 with the contingents listed in Exhibit 1.

Mr. Earnshaw thanked Dr. Seidenberger and his administrative team for the thorough job they had done with the report. There were things that were pleasing and displeasing. He commented that the original Board did not follow open meetings act protocol by not having minutes for meetings, hiring individuals, and entering into lease agreements and contracts without any minutes. They have since rectified these issues. He was glad the Board would be approving the charter with stipulations that will improve their program. Mr. Earnshaw said he would support the charter. Ms. Donches thanked the staff for their work. She talked about her positive personal experience with the school, adding that she attended Seven Generations' Board of Trustees meetings, adding that there were dedicated trustees and amazing parents and community supporters for the charter school. The fact that the students made AYP right away was a true testament to the determination, the enthusiasm, and the teamwork exhibited. She felt education was opportunity and opportunity opens the world for each child. She said it is truly freedom when a parent has the opportunity to register a child in the school atmosphere that they feel a child will best thrive and be prepared for the future. She said she could be sad when she senses competition between East Penn schools and Seven Gen but she thinks of competition in the true sense of the word – driving each school to the best and that is a good thing. She was encouraged by the plans from Dr. Seidenberger and Mrs. Phiel and their teams for cooperation for the future. She felt that learning best

practices from each other could only lead to better opportunities and education for the students. She indicated her support for the renewal of the charter. Mr. Ballard said he expressed reservations as to whether or not the curriculum of Seven Generations, as advertised in their application, will prepare seventh and eighth graders to make the transition to Emmaus High School. The stipulations will go a long way in clarifying the development of their curriculum. He will support the renewal since there is no legal basis for any other option.

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

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

5. Report of the Superintendent – Dr. Torma, Assistant Superintendent, reported in Dr. Thomas L. Seidenberger's absence.

Assistant Superintendent Dr. Denise Torma reported on the following school activities:

- Emmaus High Teams Place First and Second at Envirothon

Ms. Fuller relayed her experience with volunteering for the Envirothon in the room where students were tested. She said it was interesting to see the teams come and go and as they left they were asked if there were any questions. The only students who had questions were the ones from Emmaus High School who wanted to know the answers. She said it was interesting to see.

2012 marks 15th consecutive year that Emmaus High School places first in annual Lehigh County environmental competition.

- EHS writers for "The Stinger" received a national award for a story on teen domestic violence.
  - Won second place and two new iPads for EHS's newsroom in the Pennsylvania Coalition Against Domestic Violence's statewide contest to spread awareness about domestic violence.
- East Penn schools participate in the Autism Walk every year under the Company Heading: East Penn Cares. East Penn Cares is #1 in the Top Fundraising Companies for Walk Now For Autism Speaks - Lehigh Valley. Between the registered schools, East Penn has raised a total of \$16,720.
- EHS recently held their 2<sup>nd</sup> NCAA National Letter of Intent Signing. The student-athletes signed a Letter of Intent to continue their education and athletic career at a Division I or Division II university.

In addition to the five (5) student-athletes named, 20 additional members of the Class of 2012 signed in February. This brings the total number to 25 student-athletes, with an average GPA of 3.21, earning in excess of \$2.1 million in scholarship or grant-in-aid.

- The Emmaus High School production of "Guys & Dolls" garnered 12 Freddy nominations.
- Emmaus High School placed second in the State History Day Contest. Caroline Smith will represent Emmaus High School at National History Day Competition in Washington D.C. in June. Mr. Bacher noted that each of the middle schools also had first place winners in the competition and will be moving on to the national competition.
- EHS Robotics Team placed 12<sup>th</sup> in the nation at the World Championships in Missouri in April.

1. Personnel

Motion by Earnshaw, Seconded by Rhodes

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

Retirements/Resignations

- Ray Oswald, English Teacher at Emmaus HS, effective June 30, 2012 (Exhibit 2)
- Richard Mondschein, Mathematics Teacher at Emmaus HS, effective June 30, 2012 (Exhibit 3)
- Carol Lynn Harakal, Mathematics Teacher at Emmaus HS, effective June 30, 2012 (Exhibit 4)
- John Burger, Grade 2 Teacher at Willow Lane School, effective June 30, 2012 (Exhibit 5)
- Anne Sloane, Guidance Counselor at LMMS, effective July 3, 2012 (Exhibit 6)
- Sandra Drexinger, Administrative Assistant at Eyer MS, effective June 30, 2012 (Exhibit 7)
- Betty Schrader, Administrative Assistant at Wescosville School, effective June 30, 2012 (Exhibit 8)
- Danna Feigenbaum, Grade 5 Teacher at Willow Lane School, effective June 30, 2012 (Exhibit 9)
- Melissa Sell, Elementary Gifted teacher, effective (Exhibit 10)
- Terry Hillegass, Custodian at Macungie School, effective July 19, 2012 (Exhibit 11)
- April Peischl, Remedial Assistant, effective May 3, 2012 (Exhibit 12)
- Risa Roth, Instructional Assistant at Emmaus HS, effective May 11, 2012 (Exhibit 13)
- Christine Butz, Instructional Assistant at Emmaus HS, effective May 1, 2012 (Exhibit 14)
- Laura Fainor, Staff Assistant at Emmaus HS, effective May 11, 2012 (Exhibit 15)

Leaves as Per Collective Bargaining Agreement

<u>Employee</u>	<u>Effective</u>
Linda Williams, ESL Teacher, Shoemaker/Wescosville	June 4-September 21, 2012

General Leave of Absence, Board Policy 539

Ellen Martin, Grade 1 Teacher, Wescosville	2012-13 School Year
Catherine Oehmke, Staff Assistant	May 4, 2012-May 3, 2013

Income Protection

Erica Petrella, Grade 5 Teacher, Wescosville	May 31, 2012
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Compensated Professional Development Leave

Employee:	Jayne Espenshade Business Education Teacher, Emmaus HS
Effective:	2012-13 School Year
Reference:	Board Policy 438.1, Compensated Professional Leaves

Appointment of Custodian

Name/Address:	Nathan Amato 47 S. Church Street, Macungie
Assignment:	LMMS, Tuesday-Saturday, Second Shift Vacancy created by death of J. M. Girard and subsequent transfers

Effective: May 15, 2012  
Salary: \$18.62/hr., 40 hrs./wk.

Appointment of Instructional Staff/Assistants

Name/Address	Assignment	Salary
Connie Knerr Rambo 6421 Carmel Drive, Macungie	Inst. Assistant, Shoemaker Vacancy created by E. Haag resignation	\$12.99/hr., 29 hrs./wk.
Michele Rodriguez 6057 Makala Ct, Germansville	Inst. Assistant, Emmaus HS Vacancy created by T. Angel resignation	\$12.99/hr., 29 hrs./wk.
Jennifer Scott 1574 Longfellow Pl, Bethlehem	Inst. Assistant, Emmaus HS Vacancy created by C. Werkheiser resignation	\$12.99/hr., 29 hrs./wk.

Effective: May 15, 2012

Appointment of PT Food Service Assistant

Arielle Pierog 3802 Churchview St, Vacancy created by L. Schilling resignation	Eyer MS Emmaus	\$14.96/hr., 22.5 hrs./wk.
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Appointment of Summer School Teachers – Emmaus HS & Eyer MS

See Exhibits 16 & 17

Extended School Year Staff

See Exhibit 18

Change in Employment Status

Employee	From	To
Ron Wetzel Effective: May 15, 2012	Night Foreman, Wescosville	Alburtis, Second Shift
Allan Bennicoff	LMMS, Second Shift	Wescosville, Night Foreman
Michael Leverington	LMMS, Tuesday-Saturday	LMMS, Second Shift
Amy Bower Food Service, Shoemaker	2 hrs./day	3.75 hrs./day

Educational/Professional Development Conferences – Exhibit 19

That the East Penn Board of School Directors authorizes the estimated expenses for the individuals attending the Educational/Professional Development Conferences listed on Exhibit 19.

Emmaus High School Class of 2012 (Exhibit 21)



RESOLVED, That the East Penn Board of School Directors approve the 2012 list of Emmaus High School seniors, noting only those who meet the graduation requirements will be graduated.

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

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

2. Athletic Trainers Services Agreement – Emmaus HS & Middle Schools (Exhibit 20)

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors approve the Athletic Trainers Services Agreement as described in Exhibit 19.

Note: This Agreement has been reviewed by the Solicitor.

Mr. Ballard noted a change in Page 1, Paragraph one under AGREEMENT that “OAA will make available **2 qualified athletic trainers** to provide the services described in paragraph 2(a) hereof for the sports team practices and inter scholastic athletic events described in Exhibit A (“Covered Practices/Events”) for the school year set forth in Exhibit A (“School Year”). Mr. Bacher suggested that the date in the contract be updated to reflect the date of this meeting. Ms. Donches mentioned that although the increases are not high from year to year a five year contract seems lengthy.

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

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

6. Second Reading: Revision – Board Policy 250, Bullying (Exhibit 22)

Note: All districts are required, by CIPA (**Children's Internet Protection Act of 1999**) to remove the word “may” from their Internet Safety Policy (Bullying Policy). All schools are required to teach Internet Safety starting in the school year 2012/2013.

Any changes should be submitted to the Board Secretary. A recommendation for adoption will be presented at the June 11 Board Meeting.

7. Legislative

C. Ballard

Mr. Ballard noted that the Legislature is still working on the budget. This week the Senate Appropriations Committee amended and unanimously approved a 2012-13 state budget plan. The amended version was then passed by the Senate and the bill is now in the House for consideration, where additional changes are expected to be made. The bill is currently in the House Appropriations Committee. It has been suggested that additional funding for the ABG could be included by the House when the bill moves to that chamber. There are some bills regarding property taxes in committee that deal with casino revenue and increases and broadening of the sales tax or state income tax.

1. 2012 PSBA Bylaws Change Proposal – Amended Subsection 4.E

Motion by Ballard, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors approve the proposal for the change in the PSBA Bylaws as stated below and that the revision be submitted to the PSBA By Laws Committee for consideration:

Current Language Section 4. Election, E

Persons who have not been slated for an office by the Nominating Committee **AND** who seek to be considered as a candidate for **AN** office of the Association may file a nominating petition not later than July 10 for an office of the Association in accordance

with the following provisions:

New subsection 4.E.8

**8) Candidates nominated by petition need not have submitted an expression of interest (subsection A), nor have been interviewed by the Nominating Committee (subsection B), nor not slated for office.**

Mr. Ballard explained the process that has been used by PSBA and the change that would allow the nomination of officers and the board of directors by petition so the membership could vote. The change must be voted on by the Board and submitted to PSBA. Mr. Earnshaw talked about the voting process at the state conference and the low voter turnout both at the conference and by absentee ballot.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes-----8

Abstention: Stolz-----1

Mr. Stolz reported that he had been talking to new Representative Ryan McKenzie who did not think the 30% charter school reimbursement to school districts would be restored. Even though Mr. Stolz supports charter schools like the Governor and Legislature, he did feel that the state should live up to its legislative commitment to districts and restore the reimbursement.

8. Business Operations

1. Bill List Approval

Motion by Donches, Seconded by Fuller

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.

Parent/Guardian Transportation Contracts

RESOLVED, That the East Penn Board of School Directors approve the following Parent/Guardian Transportation Contracts:

Parent: Angela Tyson  
742 E. Tioga Street, Allentown  
Effective: March 12, 2012-April 11, 2012  
Reimbursement: 5.8 miles-Emmaus HS  
12.1 miles-LMMS  
22.1 miles per trip twice daily  
\$.555/mile

Parent: Lisa Marie Kern  
84 Commanche Drive, Auburn  
Effective: April 16-June 12, 2012  
Reimbursement: 16.6 miles-EHS  
\$.555/mile

Disbursement of Funds – Exhibit 23

RESOLVED, That the East Penn Board of School Directors authorize the disbursement of funds from 33-2010 Series A GOB as listed on Exhibit 23.

These resolutions were duly adopted by the following roll call votes:  
Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes, Stolz—9

2. Informational: General School Supplies and Computer Supplies (Exhibit 24)

9. 2012-13 East Penn School District Budget

Mr. Stolz proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn Board of School Directors shall not vote on a proposed final budget until all budgetary suggestions are heard from any member of the Board who wishes to bring a proposal forward.

Mr. Stolz said it was his understanding that there were several members of the Board who may wish to propose alternatives and he wanted to be sure that they would be heard. He wanted to be sure that Ms. Donches who had a presentation would be heard. Mr. Earnshaw said that on the debates on any matter every member of the Board is entitled to participate and debate. Also, at any time any member of the Board can call for an end of debate and, if it is adopted by a 2/3 vote, debate is ended. He said during his tenure on the Board he had not seen a time when someone was shouted down who had feedback or comments. Mr. Earnshaw concluded that it was an irrelevant motion. Mr. Stolz said Mr. Policano was prevented from making a presentation. Mr. Earnshaw, who was the Board President at the time, explained that Mr. Policano was not allowed to put his presentation up on a screen but he was allowed to make comments during the budget debate. Mr. Bacher asked about the process and Mr. Ballard explained that normally there is a motion put on the floor so there can be a discussion and it can be amended during the discussion.

The motion was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----5

Aye: Donches, Heid, Policano, Stolz-----4

1. 2012-13 Proposed Final Budget Adoption for East Penn School District/Senior Citizens Real Estate Tax Rebate Program

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors adopt the proposed final 2012/13 budget in the amount of \$125,195,028 with the following tax levies:

47.02 mills on the assessed valuation of real estate

0.5% (.005) Act 511 Earned Income Tax

1.0% Act 511 Real Estate Transfer Tax

be it further

RESOLVED, That the East Penn Board of School Directors continue the Senior Citizens Real Estate Tax Rebate Program for the 2012-13 year with the income eligibility guidelines to be established at final budget adoption.

Mr. Ballard announced that the information that was distributed by Ms. Donches immediately before the Board Meeting and has not been produced or validated by the East Penn staff, adding that this is the first time that the board members and staff are seeing this information.

Assistant Superintendent Dr. Denise Torma said the budget being proposed represents a 1.89% increase to the tax rate. After tonight's vote the proposed final budget will be available for public review for 30 days on the district's website as well as at the Emmaus Public Library and the Lower Macungie

Public Library. The budget is scheduled for final adoption at the June 25 Board Meeting since by law a final budget must be in place by June 30.

Dr. Torma asked the following fundamental questions and then asked for a show of hands from the Board on who would agree with these statements:

Question #1 - If the Auditor General has identified that school districts are overpaying cyber charter schools by 86 million dollars, how many of you believe the Governor and Legislature should fix this fiscal mess? All board members raised their hands.

Questions #2 - How many of you believe the Governor and Legislature should live up to the promises of the Charter School Law and reimburse school districts up to 30% of their tuition payments? All board members raised their hands.

Dr. Torma indicated that \$375,000 represents excess payments to cyber charters schools and the district is losing approximately \$701,000 since the elimination of the 30% state reimbursement. This is a total impact of \$1,076,000. The budget process begins with the Board Policies that are found in the Budget Book and are part of the Board Policy Manual on the web site. The administrative process starts in September and involves administrators and staff members throughout the district. She asked that the staff who have worked on the budget and were in the audience to stand. She thanked them for their dedication to this work. The preliminary budget was adopted in January with a 3.2% increase that has been reduced to a 1.89% increase. The administration will continue to work on the budget and try to reduce it to the 1.7% index or lower until final adoption on June 25. The district applied for exceptions and the Superintendent held one-on-one meetings with the administrative staff. The budget book was prepared and distributed at the March 26 Board Meeting and the staff continued to make adjustments and refinements. There have been updates to the Board and the Superintendent has asked for any input from the Board. As directed and confirmed by the Board, the Superintendent makes the recommendations to the Board. A budget update was sent to the Board on May 10 and in that update the Superintendent asked for any input from board members and received none although he received some questions. As part of the presentation, Dr. Torma read the following list of items that Dr. Seidenberger had included as part of his legacy to the district:

- Downsized teaching, administrative, and support staff
- Consolidated staff positions
- Increased sports activity fees
- Changing LMES into a profit center
- Energy savings (traditional and non-traditional)
- Energy consortiums
- LEED – Silver Level
- Cutting down on paper and copying
- Benefited from Bond Refinancing
- Get capital project bids that saved a lot of money
- Cut down on cell phones
- Purchased vans to cut out using First Student busses
- Cut technology after all the department did to save money
- Cut Pupil Services
- Growing the ACCESS fund balance
- Required Special Education into using ACCESS
- Required staff to complete tons of paperwork for ACCESS Funds
- Implemented a cyber high school to offer a quality product and save money
- Cut Curriculum budget
- Cut Staff Development budget
- Cut Personnel Office budget
- Cut Operations and Maintenance budget
- Cut out the 8% reserve account for principals' budgets
- Cut the Athletic budget

- Using the Stimulus funds for one-time expenditures
- Implemented fee for Driver Training portion of Driver's Education
- \$200 charge (Simulator & Behind the Wheel)
- Cut out Jump Start program for kids who need remedial help
- Cut out summer band camps
- Reduced line item for tuition reimbursement
- Initiated Annual spending cut-offs
- Increased fee for summer school
- Cut back field trips
- Cut back textbooks
- Eliminated paper report cards and the annual school calendar
- Looking into some limited non-intrusive advertising
- Employee wage freeze
- Renegotiated contracts with employees
- Renegotiated contracts with operational and service vendors
- Saved one day of costs for transportation by opening school during a strike
- Joint purchasing when the price is better
- Health consortium
- Use of fund balance and RFP to curb increases
- Reduce appropriations for health retirements benefits
- More teachers at the high school teaching 6 periods
- Increase facility use fees
- Decrease in out of district placements for discipline cases
- Cut nursing supplies
- Reduced Superintendent and Assistant to the Superintendent budgets
- Reduced Community Liaison budget
- Save on paper through Moodle and Google Docs
- Converted New business department software to save money and time
- Eliminated the substitute caller
- Cut down on file servers
- Cut down on wires in the classrooms
- One big spending freeze in 2010-2011
- Eliminated outdated software for Business and Curriculum offices
- Using fund balance to control tax increases
- Asking the Business Office and Director of Operations to pursue Plancon J reimbursements
- Put in new lights and sensors in several schools
- Helped to get the track for half the price
- Can't fund more grade level teams at the middle schools to finish redistricting plan
- Increased class size

Dr. Torma reviewed Dr. Seidenberger's experiences in his former districts - Brick Township, NJ, Connecticut, and Pennsylvania.

Dr. Torma said the Superintendent should have been asked "What is missing from this budget." According to Dr. Seidenberger, no one asked him "Where is the district going educationally?" There are good things happening but the district is mostly treading water and hoping that more students do not move in. Currently looking at the district, the following items were listed:

- All existing academic and instructional programs in place
- Purchasing some new text books
- Instructional Rounds and Instructional Practice (problem-solving model)
- Student Portfolios
- Moodle 2
- Buy some new I-pads for experimentation in all levels
- New automated call-out system with new parent features
- Some limited work on e-books

- Building based staff development is now the norm
- Work on Common Core Standards and K-12 articulation
- Some limited work on hybrid education
- Continue with STEM
- Purchase more robotic kits for elementary and middle schools
- Continue to find ways to save money

Dr. Seidenberger would like to create a magnet schools in East Penn and make the former Kindergarten Center a STEM school, but the district is unable to follow these initiatives because of the budget/charter school costs.

Dr. Torma asked the question about what is a budget and described it in the following terms:

- A proclamation of how we invest in our children;
- Displays our value system and our collective beliefs;
- Demonstrates how we treat our most valuable resource
- Protects property values
- Value added for all citizens

Dr. Torma announced that the East Penn School District has been selected by the National School Boards Association to host a 2013 Technology Leadership Network site visit. NSBA visits classrooms where curriculum goals drive technology decisions and educators will be descending from all over the United States to see first-hand how East Penn initiatives and programs advance student learning. The visits provide an opportunity for attendees to understand how the technology decisions support the district's overall education vision and what it takes to make that vision come to life. The site visits also highlight board leadership and the essential policies needed to support such innovation. East Penn was chosen due to the district's innovation and technology advancements in the following areas:

- Moodle as a Virtual Learning Environment
- Open Source free mobile apps (Google Docs, Moodle, ePals, Mahara) for laptops, ipods, and ipads
- Digital Portfolios (Mahara)
- Online Professional Development via Moodle
- Infrastructure (wireless, Interactive Whiteboards, Projectors)
- Ipods in ESL
- Remote software installs across the network (Firefox, flash, adobe, etc.)
- Website, Intranet Project database, green initiatives (green report cards, emergency system)

Director of Operations Lynn Glancy reviewed some of the highlights of the budget, noting that they are trying to get as close to or below the 1.7% index. He noted that the current millage is at 46.15 and the Act 1 index is 1.7% representing 0.7845 mills. The district did apply for exceptions that totaled \$933,698 or 0.5608 mills or a 1.21% increase. Taking the exceptions into consideration, the increase allowed is 1.3453 mills or a 2.91% increase. The 2012-13 proposed final budget only uses 0.87 mills or 1.89% increase. He reviewed the history of East Penn's millage increases under the Act 1 index, noting that the district either was at the allowed index increase or below. Mr. Glancy reviewed the changes in the budget from the January preliminary budget to the proposed final budget. A copy of this information is attached to the minutes of this meeting.

Business Manager Debra Surdoval reported that the earnings on investments are as depressed as they were last year. In 2000-01, the total earnings on investments were \$1,307,062 and in 2011-12, the earnings are only \$126,381. The Interim Real Estate Tax collections are way behind and as of the end of April the interims amount to \$247,030 as compared to 2010-11 when they amounted to \$374,233. Mrs. Surdoval explained that the Interim Real Estate Tax has varied over the years, pointing out in 2000-01, in April the amount was \$664,421 while in 2005-06, the interims amounted to \$2,065,352 (highest point). There is some optimism that this may pick up next year. Reviewing the Real Estate Transfer Tax revenue, she said at the end of April the transfer tax amounts to \$627,954. In 2006-07, the maximum was

\$2,062,629 at the end of April. The cuts proposed by the administration have been reviewed by Dr. Torma. Mrs. Surdoval did mention that transportation has been eliminated for the Willow Lane possible walkers. The Budget-to-Budget increases are reflected in benefits (mainly PSERS), salaries, Charter School funding, student transportation and other schools, including a new program started this year for autistic students. The tax impact for the median homestead assessment is \$66,800 and for the tax increase at proposed 2012-13 rate prior to Act 1 Homestead reduction is \$58.12 for the year, which equals \$.16 per day. Reviewing the senior citizen tax rebates, Mrs. Surdoval reported that East Penn gave 400 people a total of \$171,447.66 in rebates for an average rebate of \$428.62/person.

In summary, Mrs. Surdoval noted that although local revenues are down, there are some positive signs being seen by realtors and township officials and a study of Lehigh Valley businesses indicates they are planning to spend more and hire more employees in the next six months. State revenues may change over the next few weeks and, if there is a possible restoration of the ABG funds, that could amount to an additional \$214,817. The budget is still evolving and the administration will continue to monitor line items and revenues and make adjustments to keep taxes as low as possible without cutting programs. She emphasized that the budget this evening is not the final budget. Mrs. Surdoval thanked the staff for taking a pay freeze last year and for making concessions for next year. She said the process has taken place without acrimony and she thanked people for their understanding, patience and professionalism.

Through the use of a series of graphs showing historical trends in revenue vs. expenditures, ending uncommitted fund balance, difference between budgeted and actual fund balance, Ms. Donches presented her personal budget proposals for the 2012-13 district budget. She said it is also her response to people asking her why taxes go up each year and where does the money go. The three proposals that she outlined would give taxpayers a substantial tax cut; a modest tax cut, or eliminate the proposed tax increase. She indicated that these scenarios did not contain any cuts in staff, programs, extracurricular activities, athletics, transportation, or budgetary reserves, also included in her list of no cuts were charter schools. Ms. Donches was suggesting that the Plancon Reimbursement be committed to offset the 2013-14 PSERS increase. Her budget would maintain all of the administration's projected revenues and expenditures for 2012-13. Ms. Donches maintained that the only thing cut would be taxes. In reviewing her information, she noted that all budgetary amounts are directly from the administration or previous public filings with PA Department of Education, unless otherwise noted.

Proposed Budget #1 would offer a tax cut of about 6 million dollars or a 3.75 mill cut; the 5.8 million dollar Budgetary Reserve remains; and the 1.25 million dollars in Plancon reimbursement would be saved in a committed fund to offset pension contribution increases in 2013-14. Proposed Budget #2 would offer a tax cut of 3 million dollars or a 2 mill tax cut; the 5.8 million dollar Budgetary Reserve remains; the 3 million dollar excess would be retained to offset future tax increases; and the 1.25 million dollars in Plancon reimbursement would be saved in a committed fund to offset pension contribution increases in 2012-14. Proposed Budget #3 would offer a no tax increase; the 5.8 million dollars in Budgetary Reserve remains; and the 1.25 million dollars in Plancon reimbursement would be saved in a committed fund to offset pension contribution increases in 2013-14. She claimed that taxpayers have been over taxed and the money could have been circulated in East Penn. She said the taxpayers could have put the money in their own retirement fund, put it toward their own children's college fund, or to fix their own homes. Ms. Donches said that whenever the money accumulates it should be returned to the taxpayers. She did support financing the Budgetary Reserve. She said Dr. Torma mentioned a lot of cuts but there is an excess each year along with a tax increase. She asked that the administration consider her proposals.

Mr. Earnshaw called attention to the revised budget proposal that includes a 1.89% real estate tax increase with the exceptions approved by PDE. He explained how Fund Balance is derived at the end of the year, noting that money becomes available in the next budget year to appropriate for expenditures. The factors that may affect the Fund Balance could include unexpected increases in revenue and in controlling costs. At no time is the Board taking money from the taxpayers, noting that this year there was a spending freeze by the administration. Mr. Earnshaw explained that the projected revenue is \$115,173,526 while the projected expenditures are \$119,233,360. He said that means that

the district is not taxing the taxpayers to cover the expenditures of the school district. The administration has recommended that the Fund Balance be spent down by over 4 million dollars. It would leave the district with a Fund Balance of slightly under 6 million dollars. Mr. Earnshaw illustrated how spending down the Fund Balance could leave the district with insufficient funds in the future. He said, assuming there is no inflation or increases in expenditures, there would need to be a 2 million dollar increase in the 2014-15 school year. Referring to Proposed Budget #3, the district would be required to take out an additional 1.25 million dollars in addition to the 4 million dollars already being spent from Fund Balance. The district would then be out of money for the 2013-14 budget year and then in 2014-15 the taxpayers would be looking at a 4 million dollar increase. He said the law would not allow a tax increase of that size and it would be exceptionally unfair to the taxpayers. The district would be putting itself in the position that it could hope to have better revenues in the future and would be able to control spending if the Legislature does not approve additional mandates. It is an attractive option to not have a tax increase but it is not doable at this point. Mr. Earnshaw pointed out that the Pension Plan is a state mandated program where the district cannot opt out. This has got to happen in the Legislature. He talked about athletics and extracurricular activities providing a level of engagement for students who may drop out. The cost to the taxpayers is quite modest in comparison to the dropout rate. He commented on the suggestion that students who live in a three mile radius should walk to school. Mr. Earnshaw pointed out that there are state regulations on how far a child may walk. Students can walk up to 1.5 miles, unless there is an unsafe path and then we are required to provide transportation for the students. In this budget, there is no funding for hiring additional teachers. There will be higher class sizes for future years. Mr. Earnshaw thanked the administration for their diligent work and for continuing to work on the budget.

Ms. Heid said she, too, appreciated everything the district had done with reducing the budget. She said the only thing that she was concerned about was the beginning committed Fund Balance. Rather than using the 1.2 million dollars in Plancon reimbursement for the pension costs, she felt it should be used to give a tax decrease. If the funds are used for pension costs, it is not going for students but to support a pension program that is unsustainable. She said while the funds came in at one time and are arguably one time funds, it is taxpayers' money that came in over time. She felt it should be given back to the taxpayers. She understood the concept of one time money and the pension increases, but she felt that the Fund Balance was being understated and has been for several years. She talked about the increases compounding over the years, it is not just \$58.12. She proposed the following amendment to the motion on the floor:

Motion by Heid, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors use the \$1,250,294 million dollars of Plancon reimbursement to decrease taxes for the 2012-13 budget instead of earmarking it for the pension increase in 2013-14.

Ms. Fuller indicated that she would not support this amendment because the Plancon funds will pay a bill that will be due in the future. She said the minimal amount of tax savings will long be forgotten. She would rather have the funds for future expenditures. The \$58.12 is the cost for a median household.

Mr. Bacher said he had a problem with the amendment as well as reserving the Plancon reimbursement for a one-time expense. He said both scenarios are using one-time funds for ongoing expenses. He would prefer to use it for one-time expenses in the current budget or use it for the pension and spread it out over a number of years. There are approximately six years of high debt payments but after that time the debt service drops to about half. He would not support the amendment.

Ms. Donches said that although her budget plans show the funds being used to offset the pensions she would be willing to use the Plancon funds to reduce taxes. Mr. Policano supported the motion. He said the Plancon funds were like a rebate and the rebate comes from taxes. He felt the people should get the money back in the form of a tax reduction.

Mr. Stolz indicated his support for both Ms. Donches' model and the motion by Ms. Heid. He felt the Legislature might pass some measure to mitigate the pension problem as they did before. He said last year there was a wage freeze that helped the district and for which he was grateful to the employees.



He felt that it was not about the \$58.12 but it is about respecting the taxpayer and the increases every year. He thought there should be a tax break and it could be done without cutting programs. He said spending more each year and raising taxes is not the answer for education but getting costs under control is. He commented that no one on the Board is against education but there are some who are against tax increases. The increases in Fund Balance show a clear trend. Mr. Stolz said the Board has the opportunity to return money to the taxpayers or simply not raise taxes. He asked for support of the motion.

Mr. Ballard reiterated his belief that one-time money should be used for one-time expenses. He gave his revenue analysis regarding the revenue and expenses. He talked about depleting or adding to the savings. It is dangerous to talk about reducing taxes with one-time funds because you are not reducing expenses by that amount or increasing the revenue. The next year the revenue stream has very little change and expenses change and go up because of inflation. Every year unless something turns up in revenue – taxes have to be raised because even if you do the exact same thing from year to year expenses will increase. He talked about how inflation impacts the resources and commodities used. He talked about how Act 1 has inhibited the ability of school districts to make up revenue shortfalls. Districts are limited by the index. The district gets about 60% of its revenue from property taxes. He mentioned that other districts in the Lehigh Valley have added a PSERS amelioration fund to shield taxpayers from the increases and cautioned against thinking that cutting taxes was a quick and easy thing to do. He would not support the motion.

Mr. Stolz said that board members opposing this motion are missing the point that these funds are not district funds but taxpayers' money. He claimed that taxpayers are going from year to year without salary increases and everything is definitely going up and they cannot do it anymore. Mr. Stolz felt it was time to give the taxpayers a break. He talked about putting pressure on Harrisburg to do the right thing. He is comfortable with a referendum claiming that the taxpayers would do the right thing for the children. He concluded that the district has the money and does not need to raise taxes.

Ms. Fuller called the question, seconded by Mr. Bacher.

Motion by Fuller, Seconded by Bacher  
RESOLVED, That the question be called.

There was a question about parliamentary procedure so a recess was called from 9:45 p.m. to 9:50 p.m.

Solicitor Fisher advised that a roll call vote be taken to end debate. This requires a 2/3 vote of the Board.

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

Aye: Bacher, Donches, Fuller, Heid, Rhodes, Policano-----6  
Nay: Ballard, Earnshaw, Stolz-----3

Solicitor Fisher restated the amended motion to use the Plancon reimbursement:

Motion by Heid, Seconded by Stolz

RESOLVED, That the East Penn Board of School Directors use the \$1,250,294 million dollars of Plancon reimbursement to decrease taxes for the 2012-13 budget instead of earmarking it for the pension increase in 2013-14.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Donches, Earnshaw, Fuller, Rhodes-----6  
Aye: Heid, Policano, Stolz-----3

The Board then returned to the original motion.

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors adopt the proposed final 2012/13 budget in the amount of \$125,195,028 with the following tax levies:

47.02 mills on the assessed valuation of real estate

0.5% (.005) Act 511 Earned Income Tax

1.0% Act 511 Real Estate Transfer Tax

be it further

RESOLVED, That the East Penn Board of School Directors continue the Senior Citizens Real Estate Tax Rebate Program for the 2012-13 year with the income eligibility guidelines to be established at final budget adoption.

Mr. Earnshaw started to speak when Mr. Bacher raised a Point of Order regarding the practice of having everyone speak before a board member starts a second round of debate. Due to the complexity of the meeting, Mr. Ballard said he was starting the discussion anew. Mr. Earnshaw talked about using the entire Plancon for a rebate and Mr. Bacher raised an interesting concept because of the way the debt service has been structured. He felt the administration should take that idea under consideration. There was a question about whether the Board needed to take action on the committed funds. Business Manager Debra Surdoval indicated that the Board would have to take action on a committed fund; however, the district can submit the budget to the state as proposed. It can be shown as a committed fund balance without actually committing the funds by the Board. The Board will have to decide when the funds should be used or to revoke the commitment. Mr. Earnshaw said he would support the proposed final budget.

Mr. Bacher and Mr. Ballard discussed the process to direct the administration to take a look at spreading the 1.2 million dollars over several years. Mr. Bacher said he wished he would have had more time to review Ms. Donches personal proposal before having to speak on it and pointed out some errors in the chart illustrating the difference between budgeted and actual fund balance. He also saw a discrepancy with the Historical Trends (Ending Fund Balance Breakdown) that was explained as over taxing taxpayers. Mr. Bacher said Proposed Budgets #1 and #2 said it could be done and not affect programs this year but in future years it would have a detrimental impact. He thought that the goal of a zero tax increase was a worthy goal and he was hoping the district could get as close as possible to that goal. He said talk about uncontrolled spending is not consistent with the data. If the retirement increase is taken out, the budget increase is less than the rate of inflation. Mr. Bacher said in getting from the original budget to the 5/14 budget, there have been additional cuts. He pointed out that it was a reduction of 2 teachers and one remedial assistant. He felt there needs to be a balance in the cutting. A balanced budget not only balances revenues and expenditures but also balances the needs and the pain on the various constituencies in the district. He indicated his support.

Mr. Bacher shared his personal conversation with former Representative Doug Reichley on the pension issue. He said things could be done for future recipients but nothing could be done about current benefits. He said it is a contract with state employees and the only way that can change is if the state declares bankruptcy. The only way to get rid of the problem is to pay off the debt in 20 years or address the pensions of existing state employees. It is unlikely that the state will pass a resolution of zero pensions for anyone. He believed that the pension rate would still go up to 20% or above to pay off the existing liability. He said he did not see a plan to get to something that affects the escalating cost. In addition to cuts, the administration mentioned that kindergarten enrollment has increased by 80 students and it still has not been determined if that is good marketing or more students coming in that have to be educated. Mr. Bacher questioned having over 22 students in a kindergarten class. This could be at least two teachers. He felt it was prudent budget practice to aim for the low end of the range then be conservative in the estimates so there are no surprises in the end. Mr. Bacher said he would support the budget.

Mr. Ballard addressed the pension issue by explaining that it is a Supreme Court decision that held that the present pension arrangements with state employees are a contract and the state cannot void any contract in midstream. The only possibility to decrease the payments is to go to a defined budget combination with a defined contribution for all new hires. It does not take care of anyone retiring in the next few years. He concluded unless the Supreme Court makes another ruling or the Legislature declares bankruptcy there is nothing that can be done.

Mr. Ballard said he was disappointed in getting Ms. Donches' material this evening because if it had been received earlier some of the misunderstandings in the material could have been avoided. The budget is an estimate of both revenue and expenditures and there are uncertainties in both. There are many extraneous events that can take place that impact the budget. Mr. Ballard pointed out that the worst case is to have an overly optimistic budget and then find out that the revenues have gone down or expenses have increased. He said trying to claim that there is 6 million dollars for tax relief is bogus. He said he gives high marks to the administration for keeping controls on both the revenue and expenditures. Again, trying to claim the funds are there for tax relief is leading the taxpayers on. Mr. Ballard continued to expand on the revenue stream concept and the budgeting practices that are used. He concluded that if you want less tax then you have to accept less service. He said the staff is paid to advocate for education and it is not their business to make cuts that harm education. If the Board feels it is the will of the community, then it is up to the Board to tell the administration what to cut. He cautioned about thinking there are easy ways to do this or that there are hidden funds or simple cuts because it is not true.

Ms. Donches differed with Mr. Ballard's assessment. She said that they agree that the revenues are higher than usual and expenditures are lower than revenues. They agree there is a 5% budgetary reserve and a six million dollar "bucket of money" that is there for transitions. She said if the district never dips into the budgetary reserve then why would the district have a reserve and then still keep the moneys on top of the reserve, claiming they are used for a tax offset. Mr. Stolz asked Ms. Donches if she wanted to amend the motion. He also commented on the administration asking for political positions without actually voting. He said he would not take part in any hand votes. He talked about the various scenarios that were mentioned about raising taxes and noted that the budget could go to a referendum and then be voted up or down. He was perfectly comfortable with that process. He proposed the following motion:

Motion by Stolz, Seconded by Donches

RESOLVED, That the East Penn School Board of School Directors amend the Motion, as follows:

To spend down the Fund Balance by an additional 1.45 million dollars:

To use the 1.2 million dollars of Plancon reimbursement to offset the future 5 million dollars in construction; and,

\$50,294 set aside in a committed fund to begin web casting the School Board Meetings

Ms. Donches felt it was a viable plan and the district has the money to reduce excess budgets, and take a prudent look at construction for the future. There have been motions to web cast and many other school districts are live streaming meetings. Mr. Bacher said he did not know if the projected numbers in Ms. Donches' proposal are accurate and, if they are, the Fund Balance dropped a little over one million dollars from last year to this year. He said that means we are spending more than we are bringing in in revenues. In general, he agrees with the principle that if the Fund Balance is too high then it should be returned but the difference is that he felt it was fiscally irresponsible to return it all at one time. It is reasonable for the Fund Balance to be off one million dollars. He felt there were ways to do better on the current budget and he did not think that what was proposed is fiscally responsible.

Mr. Earnshaw proposed the motion to end debate, seconded by Ms. Fuller.

Motion by Earnshaw, Seconded by Fuller

RESOLVED, That the East Penn Board of School Directors end debate.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Nay: Donches, Policano, Stolz-----3

The Board then voted on the proposal introduced by Mr. Stolz.

This resolution was defeated by the following roll call vote:

Nay: Bacher, Ballard, Earnshaw, Fuller, Heid, Rhodes-----6

Aye: Donches, Policano, Stolz-----3

The Board returned to the original motion. Mr. Earnshaw moved to end debate, seconded by Ms. Heid.

Motion by Earnshaw, Seconded by Heid

RESOLVED, That the East Penn Board of School Directors end debate on the original motion.

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

Aye: Bacher, Ballard, Donches, Earnshaw, Fuller, Heid, Policano, Rhodes-----8

Nay: Stolz-----1

The Board returned to the original motion.

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

Aye: Bacher, Ballard, Earnshaw, Fuller, Rhodes-----5

Nay: Donches, Heid, Policano, Stolz-----4

2. *Real Estate Tax Universal Installment Payment Plan Resolution*

Motion by Earnshaw, Seconded by Bacher

RESOLVED, by the Board of School Directors of East Penn School District, that a plan is adopted providing an option for installment payment of real estate taxes for all taxpayers pursuant to the Taxpayer Relief Act, 53 P.S. § 6926.1502, as follows:

**Real Estate Tax Universal Installment Payment Plan**

(installment payment available for all taxpayers)

For the real estate tax levied by the School District, other than interim real estate tax, taxpayers may elect an installment payment option under the following rules:

1. **Installment payment dates.** A taxpayer electing the installment payment option may pay the real estate tax in three (3) equal installment payments of one-third (1/3) of the full tax amount. The installments are due on or before August 10, October 10, and December 10 of the year in which the tax is levied. Any installment not paid in full by these dates is delinquent.

2. **Taxpayer election of installment payment option.** Payment of the first installment in full by August 10 will constitute taxpayer election to pay tax in installments. Installment payment is permitted only if the taxpayer elects by paying the first installment payment in full by August 10. If the taxpayer fails to meet this requirement, the full amount of the real estate tax is due on or before October 31, and the real estate tax is delinquent if not paid in full on or before October 31.

3. No discount. No discount applies to installment payments.
4. Penalty on delinquent installments. If a taxpayer makes the first installment payment by August 10 and fails to pay in full any subsequent installment by the installment due date, the installment not paid by the due date is delinquent, and a penalty will be added to the tax in the amount of ten percent (10%) of the amount of the installment not paid by the installment due date, without regard to any partial payment of the installment.
5. Option available for all property. Any taxpayer may elect installment payment.
6. Ineligibility. A taxpayer who is delinquent by more than ten (10) days on two (2) installment payments is ineligible for the installment payment option in the following school fiscal year.
7. This plan will become effective July 1, 2012 and will continue in effect thereafter for real estate taxes levied for the school year beginning July 1, 2012 and for real estate taxes levied for future years, until amended or repealed.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the East Penn Board of School Directors.

Attest

Signed:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

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

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

### 3. Appointment of Treasurer

Motion by Earnshaw, Seconded by Bacher

RESOLVED, That the East Penn Board of School Directors appoint Lynn A. Glancy as Treasurer for a term effective July 1, 2012 to June 30, 2013; and that he be directed to perform such duties as are appropriate for the position in accordance with the Public School Code of 1949, as amended, Section 436-443; that he shall implement federal, state and local policies and regulations at the direction of the Board of School Directors and the Superintendent of Schools; and, that the Treasurer's bond be set at \$500,000 to be paid by the East Penn School District.

Mr. Earnshaw thanked Mr. Glancy for his service as Treasurer.

### Designation of 2012-13 Depositories

RESOLVED, That, in accordance with Section 621, PA Public School Code of 1949, the East Penn Board of School Directors designate the following depositories for the funds of the East Penn School District for the 2012-2013 fiscal year; and that said depositories furnish a bond in an amount equal to 120% of the highest balance or comply with Act 72 of 1971 of the Pennsylvania Legislature, such bond amounts to include the amount provided by federal insurance:

Citizens Bank

Embassy Bank  
First Niagara Financial Group  
First Star Savings Bank (ESSA Bank & Trust)  
Lafayette/Ambassador Bank (Fulton Financial)  
M & T Bank  
National Penn Bank  
PA Treasury/Invest Trust  
PA Local Government Investment Trust  
Quakertown National Bank  
Sovereign Bank  
TD Bank  
US Bank Corporate Trust Services  
Wells Fargo Bank

Mr. Ballard suggested that there may be an institution that should be removed.

Authorization to participate in contracts issued by the Department of General Services for the 2012-13 year

WHEREAS, Act 57 of May 15, 1998 permits local public procurement units to participate in those contracts for supplies, services, or construction entered into by the Department of General Services (SGS) that are made available to local public procurement units . A "local public procurement unit" is defined as any political subdivision, public authority, education, health, or other institution; and to the extent provided by law, any other entity, including a council of governments or an area government; non-profit fire, rescue, or ambulance company; and any nonprofit corporation operating a charitable hospital be it

RESOLVED, That the East Penn School District hereby requests authorization to participate in DGS's contracts for the procurement of supplies, services or construction, subject to the following conditions:

1. That the East Penn School District agrees to be bound by such contract terms and conditions DGS may prescribe.
2. That the East Penn School District agrees to be responsible for payment directly to the contractor under each contract for those supplies, services or construction ordered by the local public procurement unit.

Authorization to participate in joint purchasing for the 2012-13 year

WHEREAS, The General Assembly of the Commonwealth of Pennsylvania has enacted an act known as the "Cooperative Purchasing Act, Act 31 of July 1971, and;

WHEREAS, Act 31 of 1971 permits local governments to purchase materials, supplies, and equipment from purchase contracts of the Commonwealth of Pennsylvania;

be it

RESOLVED, That the East Penn School District hereby requests authorization to participate in purchase contracts of the Carbon Lehigh Intermediate Unit, Lehigh Career & Technical Institute, U.S. Communities, Keystone Purchasing Network, Pennsylvania Education Joint Purchasing Council, National BuyBoard, PENNCON, and PEPPM.

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

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

Ms. Heid indicated she would not be attending the May 23 LCTI meeting and Ms. Donches had volunteered to attend in her place.

10. Announcements

Monday, May 14	6:30 p.m.-Executive Session (Legal; Personnel)
	7:30 p.m.-Board Meeting
May 15	7:00 p.m.-Eyer Chorus Concert
	7:00 p.m.-LMMS Band & Orchestra Spring Concert
May 16	7:00 p.m.-Shoemaker Open House
	7:00 p.m.-Willow Lane Spring Concert
May 18	4:00 p.m.-Macungie Spring Festival
May 31	7:00 P.M.-EHS Senior Academic Awards
June 1	7:30-9:30 p.m.-EHS Annual Art Show
June 11	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 10:50 p.m.

Cecilia R. Birdsell  
Board Secretary