

**BETHLEHEM AREA SCHOOL DISTRICT
BOARD HUMAN RESOURCES COMMITTEE MEETING
MINUTES
MONDAY, MAY 11, 2009**

Members of the Board Human Resources Committee met on Monday, May 11, 2009, in the Dining Room, at the Education Center. Present were the following school board members: Judith Dexter, Irene Follweiler, Dr. Craig Haytmanek, Charlene Koch, Loretta Leeson, Eugene McKeon, and Benjamin Tenaglia, III. Also in attendance were Assistant to the Superintendent for Finance Administration Stanley Majewski, Director of Special Education Richard Agretto, Assistant Superintendent for Curriculum and Instruction Mary Katona, Assistant Superintendent for Human Resources Thomas K. Washington, and Superintendent of Schools Dr. Joseph A. Lewis.

The meeting of the Board Human Resources Committee was called to order by Mrs. Irene Follweiler at 9:34 p.m.

COURTESY OF THE FLOOR – None

ADMISSION OF STUDENTS POLICY 201 – FIRST READING – Mr. Washington presented this policy regarding the admission of students into the Bethlehem Area School District. He stated that in January 2009, the Basic Educational Circular provided new guidelines regarding public school enrollment procedures. Because of the new laws, the changes and additions to the policy reflect entitlement for public education, acceptable proofs of residency, how to handle nonresidential children, immigration statuses, and home survey language.

Mrs. Follweiler asked the board if it was acceptable to put the policy for a second reading and maybe a final reading on May 18, 2009, at the Regular Board Meeting. The board agreed to put the policy on the agenda on May 18, 2009.

REVIEW OF TRANSPORTATION RFP QUOTES – Mr. Majewski announced that the district has received the RFP to review. He stated there were questions on how they were handling the equipment cost, so an additional request was sent to the contractors to have them resubmit their numbers because we could not compare them. He stated we are still in the process of waiting for those numbers from the contractors, and upon receiving those numbers, he will be able to do another analysis and present them to the board.

Mrs. Follweiler asked if it was individuals in the district who had questions or was it that there was a question on the quotes sent to RFP. Mr. Majewski answered that the two proposals that came in took two different positions on how to replace the equipment and were dramatically different. Mr. Majewski is providing the contractors with the BASD replacement schedule and asked them to resubmit the numbers based on our schedule. Mrs. Follweiler asked if the request was sent back to all or only to those who responded to the bid. Mr. Majewski confirmed it was only sent back to the two that had responded.

Mrs. Follweiler asked if there were any questions. She asked Mr. Majewski when does he expect a reply. Mr. Majewski answered some time this week, another analysis will be done, and he will keep the board informed.

Mr. McKeon asked if it would make the next finance meeting. Mr. Majewski stated he hopes so. Mrs. Koch asked if the district is expecting that these companies that bid on this will be supplying new busses. Dr. Lewis stated this was the part that was conflicting – how many years, how old are they, and what is the replacement scheduled. Between the district and the two companies, there was no consistency to compare the operation. Mr. Majewski stated that the bigger part of the problem was the significant difference in the way they were handling replacements. In the RFP, we indicated the first year was a pass,

but after that, we did not know of any bus that was more than ten years old. Where the approach they took to accomplish that was much, much different and made it very difficult for a fair comparison. He commented that with a proposal we just ask them, now we decided to define what their replacement schedule is going to be, and asked them to give us the numbers based on that.

Mrs. Koch asked about the replacement schedule and when the contract ends. Mr. Majewski answered that after five (5) years, the district would have to make a decision to either go out and get proposals again or make a decision to remain with private contractors.

Mr. McKeon spoke about the bottom line cost and equipment reconfiguration. Mr. Majewski said making a decision based upon the information sent in was unfair because of the way they were handling replacements. Mr. Majewski stated if we were going to replace any equipment on our schedule and have the equipment at a certain level – what would we do? So that even if the decision is made not to go with a contractor, the board will be provided with information and a replacement schedule we should be on, so you have a dollar amount there as well.

Mr. Tenaglia wanted to make it clear there is nothing in the budget for cost replacement. Mr. McKeon stated there is no room out of the reserve. Mr. Majewski stated the only way to replace busses would be through financing because it is neither in the budget nor in reserve for replacements.

Mrs. Follweiler asked if there were any questions.

ADMISSION OF STUDENTS POLICY 201 – SECOND READING – The second and maybe final reading will be placed on May 18, 2009, Regular Board Meeting agenda.

COURTESY OF THE FLOOR – None

OPEN FORUM – Mrs. Dexter queried about the student matter and asked Dr. Lewis if the situation had been resolved. Dr. Lewis stated the student expressed to Mr. Washington and himself that all his questions were answered satisfactory. The student still is thinking about whether he wants to speak to the board on the matter. Dr. Lewis asked him point blank if he was sure all his questions were answered. The discussion, which lasted about an hour, was regarding elections, and Mr. Washington certifies that the election was conducted properly, and the results are accurate.

Mrs. Dexter stated that in the last month two students have come to board officers outlying issues they felt needed to be addressed concerning building operations. She looked in our policies to see what is the procedure that a student should follow if the student has questions about the policy. She identified Policy 219, which is the student complaint process but did not find that complete process really fully addressed the kinds of issues that were raised. Mrs. Dexter read from Policy 219 found on the district website. She said neither student was alleging illegality but more dissatisfaction with policies and procedures that are in place. The students were asking what is their next step, and where do they go to look for this. She believes there is a gap in the policy. She looked in the public complaints, which is in the 900s and found it was more specific and had five steps. She would like someone to look at these policies, so that a draft of a student policy that would reflect what does a student do if a student wants to take a matter further than a building principal. She stated that a draft of the policy is needed whether it is duplicating the public complaint policy and/or just including students in the current one. Dr. Lewis stated he discussed this with Mr. Washington this afternoon that the current policy is unclear and needs to be reviewed. A complete policy with a complaint form that mirrors the general complaints will be brought to the board for review. Dr. Lewis also said that PSBA would be contacted to see if they have a student complaint form. Mrs. Follweiler asked if the board could look at the policy next month.

Mrs. Dexter stated two board members need to be appointed to a committee to meet with prospective interview candidates for the East Hills Middle School principal position. She recommended Mrs. Follweiler be one and another board member is needed. Mrs. Leeson asked if anybody else was interested. Dr. Lewis said it would be on May 19 at 10:30 a.m. for about two to three hours.

Mrs. Leeson asked about the procedure that includes the board in the interview process. Dr. Lewis replied that Mrs. Dexter brought him the minutes but could not ascertain what was decided. The final resolution was after all the debate that up to two board members would observe the process. The motion said up to two board members would be involved in the interviewing process of principals. Mrs. Leeson believes that it was in the executive session that it was discussed that the board would be involved from the beginning of the interview process. A general discussion was held regarding candidates, the budget, and level of board involvement in the interview process of administrators.

Dr. Haytmanek stated this was something he had a problem with from day one – the involvement of board members hiring personnel. He asked if this is common in other districts and feels this is totally inappropriate.

Mr. McKeon stated that the board ultimately hires everybody that crosses this threshold, but does not necessarily agree that the board has to be involved at the very beginning part of the interview process. Mr. McKeon disagrees just a little bit from the prospective that it is incumbent that we have the best-qualified individual take over a building, run it, and generate the most educational success in the district. Dr. Haytmanek asked in return why would he think that a board member is more qualified. Mr. McKeon responded that he understands it is just to observe not to vote.

Mrs. Dexter stated she has spoken with a number of board members in other districts to find out what rules their boards take in hiring administrators and it varies. She also has spoken with PSBA to find out their position regarding this matter. Mrs. Dexter indicated that her investigation into this topic occurred before the board's vote was made the first time the board discussed this on July 9, 2007. She said in some districts board members mostly do the hiring and that would tend to be in smaller districts. The larger the district gets the more likely it is that the board would delegate responsibilities to administrators to do these kinds of hiring. In most of the districts she spoke with, board members have some involvement and it varied whether it was at the first level, all the way through, or at the last level. Whether board members participate or not, it varied from level to level. She thinks that it is perfectly appropriate for board members to be involved in the process. She said this is something that was already decided and believes the minutes of July 9, 2007, reflect that the board would be involved from the first level, and in fact at that time, the board took a vote, and it was decided that there would be two board members. It was debated and decided how many and at what level. She agrees with Dr. Lewis that the minutes are somewhat foggy at the end. Mrs. Dexter clarifies in her view that it was decided two board members would be involved, and it would not be the same board members – it is who is available and who is interested in the particular appointment. She believes the minutes state that the board members would be silent and would only be observers in the process.

Dr. Lewis stated there would be discussions on planning tomorrow and bringing to the board recommendations, which are internal moves and would not constitute interviews. Mrs. Follweiler polled the board on the involvement level of the board. She asked does board involvement start at the initial process or at the finals. Dr. Haytmanek stated the board should have no involvement in the process.

Mr. Tenaglia thinks at the end is fine. Mrs. Koch thinks the board has no role in it. Mrs. Dexter stated it is not what the board wants to do it is what the minutes reflect. It was decided at a voting meeting involvement would be in the beginning and does not think the board can change that at this meeting.

Dr. Lewis stated he does not think the board did decide it was at the beginning and contended that the minutes are unclear. The resolution, as Dr. Lewis and Mrs. Dexter reviewed together, reads that the board will have up to two representatives observing the interview of principals.

Dr. Lewis thinks the best thing is to follow Mrs. Follweiler suggestion and let the board discuss it. Mrs. Leeson asked if the board could get the minutes. Mrs. Dexter asked if the tape could be transcribed. Dr. Lewis asked Mr. Majewski if the tape was available. Mr. Majewski stated tapes are only kept for six months and the minutes are the official record as the board approves them. Mrs. Follweiler suggested that this item be put on a voting meeting. Mrs. Leeson believes the board cannot revote and thinks it needs to be clarified what has been voted on. Dr. Lewis said the board could revote. Mrs. Leeson asked that clarification is made first on what was voted on initially. Dr. Lewis stated it would be virtually impossible looking at the minutes.

Mrs. Follweiler recommended that it be put in June's Human Resources agenda and asked if there were any objections. Mrs. Dexter said the board still needed to discuss this and asked if there were any other openings or scheduled interviews at the administration level. Dr. Lewis answered that he would know that tomorrow, but does not believe there are any interviews that will be scheduled.

Mrs. Dexter suggested a solicitor's opinion, and at the very minimum have the solicitor read the minutes.

Mrs. Follweiler asked what is the policy on campaigning on district property. Dr. Lewis replied that the district has a policy which states that it should not occur, and a solicitor's opinion given last April that said it recommends not enforcing the policy because of some possible constitutionality issues relative to freedom of speech/expression issues.

Dr. Lewis is aware that someone had a question regarding candidates distributing materials at one of the senior citizens' night and two administrators asked him about it. Dr. Lewis pointed out to them that according to the opinion he is not doing anything wrong, and it was permitted to continue. Dr. Lewis suggested that the current solicitor review the policy because there are a lot of concerns about the policy being in conflict with an opinion, and therefore, should our policy be changed or should a new opinion be issued. Dr. Lewis will speak to Don Spry to help resolve this matter.

Mrs. Leeson recalls that the opinion is that the district has control within the building, but outside of the building is where we do not necessarily have the right to withhold. We do not, at this time, allow political activity within the building or during activities, but we do allow it outside.

Mrs. Follweiler asked the question on leaving materials in teachers' mailboxes. Dr. Lewis (will not discuss specifics at this moment) stated the district has a situation where that has occurred in this election. He will be addressing the legality or illegality of it in executive session. He stated the indoor/outdoor question is still one that the district would want Mr. Spry to look at. Mrs. Leeson commented that whatever the policy is it has to be equal for all candidates.

Irene Follweiler adjourned the meeting at 10:04 p.m.

Minutes prepared by: _____
Nitza S. Yerger, Confidential Secretary to the Assistant Superintendent for Human Resources