

**BETHLEHEM AREA SCHOOL DISTRICT
BOARD HUMAN RESOURCES COMMITTEE MEETING
MINUTES
TUESDAY, JANUARY 19, 2010**

Members of the Board Human Resources Committee met on Tuesday, January 19, 2010, in the Dining Room, at the Education Center. Present were the following school board members: William Burkhardt, Michele Cann, Judith Dexter, Michael Faccinnetto, Irene Follweiler, Loretta Leeson, Eugene McKeon, and Aurea Ortiz. Also in attendance were Director of Student Services Dr. Dean M. Donaher, Director of Facilities and Operations Scott T. Gilliland, Assistant to the Superintendent for Finance and Administration Stacey M. Gober, Assistant Superintendent for Human Resources Thomas K. Washington, and Interim Superintendent of Schools Dr. Thomas E. Persing.

The meeting of the Board Human Resources Committee was called to order by Mrs. Irene Follweiler at 8:11 p.m.

COURTESY OF THE FLOOR – None

Mr. Washington mentioned that in the November Regular Board Meeting there was a brief reading of the policies listed on tonight's agenda.

BOARD POLICY 006 – MEETINGS – THIRD Reading – Mr. Washington stated there was a change requested on page eleven, section two. The language added was "committee meetings will contain pre and post courtesy of the floor items." Also we wanted to put in "pertaining to agenda items only," but the solicitor recommended that we add the other piece *or matters of concern which are or may be before the board*. This is the language the policy has been amended by. Any questions?

Mrs. Leeson stated she would like to just make the recommendation of putting *or matters of concern which are before the board* not *or may be* because she thinks it leaves it far too broad. Mrs. Follweiler believes that was part of the solicitor's changing of the wording as per the Sunshine Act. Mrs. Leeson replied no we are not required to; we can limit it to agenda items only. Mrs. Follweiler petitioned to get a consensus from the board.

Mr. Washington wanted to make sure the board received a letter from Solicitor Don Spry dated November 3, 2009, it does say *which are or may be before the board*.

Mrs. Leeson said the reason initially in wanting to look at changing the language in this particular policy was to make sure that the committee meetings had the opportunity and the time to focus on the work of the committee and to allow for any type of input on the work of the committee. There have been previously lengthy courtesies of the floor on items that were not pertaining to anything that was going on that evening during the committee, so that is why she was concerned with *or may be before the board*.

Mrs. Follweiler thought that at one point in time, it was said that the first courtesy of the floor would be to agenda items, and the second courtesy of the floor to enter any matters of concern on that subject. For example, for curriculum it would be a curriculum concerns. Mrs. Leeson said that was for the Regular Board Meetings.

Mrs. Follweiler took a consensus of the board on *are* vs. *or may be*, keep it as it stands right now suggested by the solicitor on November 3, 2009, or change it and strike the *or may be*.

Mr. Faccinnetto: Just are.

Mrs. Cann: Asked where is it covered what happens at the Regular Board Meetings? Mrs. Follweiler answered that it is in a different set of paragraphs. Mrs. Cann just wanted to see what is done there. Mr. Washington directed Mrs. Cann to section five on page four – Regular Board Meetings.

Mrs. Follweiler suggested that it is not put on the agenda for the next Regular Board Meeting, but to review it and look for these items they believe were there.

Mrs. Dexter asked for the copy of the solicitor's opinion about the changes and provide it to all board members. She commented that there are three new board members who did not have the opportunity in November to read that opinion. Mr. Washington confirmed the letter was sent to them.

Mrs. Follweiler stated that Ms. Ortiz suggested that we move Policy 006 to the February Human Resources Committee Meeting for further discussion. She asked if this is the will of the board.

Mr. Washington confirmed with the board on bringing back the policy in February and adding to the Regular Board Meeting the same language. He asked the board if they were clear what is wanted in the language.

Mrs. Leeson believes that the board had already agreed on language for the Regular Board Meeting, and believes it was agenda items only at the first courtesy of the floor and the second courtesy of the floor was basically open to anything because at the Regular Board Meetings anyone from the public who has an issue, the board felt should be able to bring it forth. If she is also correct, she thinks the board had agreed on all that language and thinks that this language was what was being changed.

Mrs. Follweiler continued the consensus of the board:

Mrs. Leeson: Are

Mr. Faccinnetto: Are

Mrs. Cann: I favor the Regular Board Meeting way. After the board is done with the agenda items and if people want to talk about other things, then that is fine.

Mr. Burkhardt: Like what she said.

Mrs. Dexter: Like what Mr. Burkhardt said.

Ms. Ortiz: Like what she said.

Mrs. Follweiler believes that is what the board had done for the committee meetings and the Regular Board Meetings. The first courtesy of the floor was for agenda items so that the public could let the board know what they felt about things that were coming up, get the work moving and done, and then discuss other matters.

Mr. Faccinnetto has no problem with that. Mrs. Leeson asked if committee meetings though would be limited to the committee topic area, is that correct? She also stated the post would be limited to the committee topic area, and that committees meet to discuss their areas.

Mrs. Dexter's understanding is that the district solicitor disagrees with it, and thinks his proposed language is to cover that area. Mr. Washington commented the only thing that the solicitor is saying is that basically by law at any point the public should be able to address the school board on any topic. Mr. Washington read the memo to the board where the solicitor sites all the numbers behind it "*...provides that residences or tax payers of the district have the right to comment on matters of concern, official actions, or deliberate which or may be before the board prior to taking official action.* In light of this statute, I recommend the board amend to the following..." Mr. Washington thinks this change will make the policy compliant with the law. Mrs. Dexter requested that we should find out with the solicitor if the district is still in compliance if it is changed to the way the board likes it. If it is okay that the board addresses only agenda items in the beginning and then any item at the end, has the district then met the requirements of the Sunshine Law? If it has met the requirements, then the board can consider what is being done now. If not, then the board has to, in my view, defer to the solicitor's recommendation. Mr. McKeon asked if it is any item in the post as opposed to committee specific? Mrs. Dexter's question

to the solicitor is if the district allows only issues that are on the agenda for the committee and allows the second courtesy of the floor to be for any item that may be of concern or may or may not be before the board, has the district met the requirements of the Sunshine Law. Mrs. Leeson asked if it would be all right with the board if she asks the district solicitor to be prepared to answer this question next week at the Regular Board Meeting while he is there and the board could perhaps ask some questions. Mrs. Follweiler asked if it was okay with everyone. The board agreed.

BOARD POLICY 601 – FISCAL OBJECTIVES – THIRD READING – Mr. Washington indicated this was language that was recommended and revisions have been made. Mr. McKeon referred to the delegation of responsibility and asked if it should be title specific for this district or in general. Mr. Washington replied it is the title of the person holding that position in this district. Mr. McKeon pointed out paragraph one in section three, the title needs to be changed since it is the same person. Mrs. Follweiler commented that the director of business affairs title needs to be updated to assistant to the superintendent for finance and administration. Mr. Washington will correct this.

BOARD POLICY 616 – PAYMENT OF BILLS – THIRD READING – Mr. Washington indicated that some modifications to the language have been made. Mr. McKeon also pointed out the same thing with the title change. Mrs. Cann stated when the board originally talked about this section, it was discussed putting a maximum dollar amount in connection with number one with the change. She also stated this is meant for things that are regularly ordered on a monthly basis and/or quarterly basis. Those items come in, the bills come in, it is paid within 30 days, and the district gets a 10% off or whatever, so whatever is the typical amount that is what the board was thinking of. It should not be used to ever, whether inadvertently or personally, pay something that is out of the ordinary that the board would want to see. Just because it has on it “discount if you pay in advance,” that should not be a justification to pay a bill out of the normal course. She thinks the way the board was going to solve that was to put in a maximum dollar amount, and that amount would be something that would include for the most part amounts in normal course. That way the district would not get into things that really do not belong there simply because there was a discount period. Mr. Washington recalls having this discussion, but does not recall an actual amount. Mrs. Cann likes the language other than adding something like “any payments made under this subsection one should not exceed...” Mr. Washington stated he did not know if the business office has any idea of a way to calculate what amount that might be.

Mrs. Gober stated generally speaking the kinds of items that she would process under this type of discretion could be anything that would be, as the board indicated, ongoing or customary that the board would see on a monthly recurring basis, or it could be something that the board already previously approved. As an example, the district has a construction project that it is ongoing, the board has already approved the agreement or the contract with the particular trade, and the business office has the opportunity to pay that or need to pay that because of some circumstance – the bill was delayed because it was being researched, it was an extended period of time before all of the approvals were in effect, and the contractor needs to be paid between board meetings. The board has already approved that vendor’s contract, so in that case the business office could pay that invoice, approve it, and ratify it on the following month’s billing. The other situation where she might see doing something under item number one, and it could be a large dollar amount item that she has done before is, as an example, when the district would have a large technology initiative and over the summer when the district is purchasing large bulks of computers for the September start. The board could be looking at \$100,000 worth of hardware. If the district takes advantage of the 2% discount, that can be sizable and to the district’s financial advantage to do so; however, again more than likely that purchase order had been something the board would have had knowledge about in advance so it would not be a surprise when the board saw that bill. Although the business office would have paid it, prior to the board approving the bills to pay, it is not going to be part of the norm. Normally monthly bills can wait until each monthly board meeting, and that is generally the practice.

Mrs. Dexter was not sure if Mrs. Gober knew that the board was looking for language to be responsive to a certain problem area the district had gotten into. One of the areas was the White and Williams bill that was subject to the auditor general. Mrs. Dexter drafted some language, and does not know if it works for the board rather than a dollar amount. She suggested that the district use this language or a modification of it. She said it would be inserted under number three or actually be number four either way, but it states *In the event that any bill, contract, or service is the subject of controversy known to the director of business affairs (assistant to the superintendent for finance and administration) or if any bills submitted exceed the budgeted or contract amount, the payment of such item prior to board of approval is prohibited.* Mrs. Dexter added that Mrs. Gober would have to come to the board and inform the board that this bill came in and it is \$5,000 or \$500 over, and ask do you want it paid or get a direction from the board. She suggested having no dollar amount, but if Mrs. Gober knows there is a controversy or question about it, it is then brought to the board's attention. Mrs. Dexter used the technology example that Mrs. Gober gave: The district contracted for \$100,000, and a bill is received for \$108,000. That is an immediate controversy in her view unless Mrs. Gober can get them to knock off the \$8,000.

Mrs. Gober stated when she looks at an issue that is controversial in nature in any situation, she will not go there. She just will not process that bill in advance because she does not ever want to release that check and have the board deny payment, and then have to figure out how to get that money back. She is just not going to do that; that is not within her purview. However, she thinks that it is risky to say in any dollar amount because there could be something as simple as shipping charges that would be something discretionary that should be approved in the normal course of business. She also said that perhaps it is, without having Mrs. Dexter's language and really reading it and just going off her recollection of what she spoke of, perhaps maybe a percentage increase. If perhaps it says, if the invoice or contracted fees are 10% or 15% above the agreed upon value of, it would require consent of the board. Mrs. Gober does not know that she likes the rigid dollar amount.

Mrs. Dexter said she will send Mrs. Gober the language so she can look at it. Mrs. Dexter thinks 10% is reasonable because that accounts for shipping charges or a minuscule overage. She also stated that is not the kind of bill the board has ever fussed about. It is really, the one the board is talking about, a bill of two to three times what was budgeted.

Mrs. Gober thinks she understands the basis of Mrs. Dexter's concern; however, she commented that the district cannot fix the average situation with a sledgehammer in every consistent application of language, so the districts needs to be careful that it does not in some way prohibit the daily operations that could at some point cost the district financially because the business office was not able to act in an administratively appropriate fashion, and then that is the ability of the board to come back and have the recourse again to herself in the same way what happened to the superintendent or whoever is providing that authorization or justification back and forth. Mrs. Dexter will send Mrs. Gober the language since she is new to this. She knows what the board's goal and objective is, and she can look it over and give the board feedback if it is a sledgehammer.

Mrs. Leeson recommended to get rid of number one all together and go to number two. She said most of the district contracts are not dollar specific, for example, paper. The board sets a price for paper, gasoline, heating, or something like that. Those are not items that the district is going to get caught in. The board sets the price as needed, Mrs. Gober pays it, and the board sees the payments as they go. Even in the situation where there might be shipping charges that would be above and beyond. First of all, the board might consider that as part of the contract anyway. Let us just say there is a slight overage, the district could still pay the majority amount and even if there was a small amount left that had to come to the board that month before it was being paid. Getting into language, she thinks the board is tripping themselves up trying to get it into language on verify if it discounted, etc. Currently with the type of technology the district has available, it is really not that difficult to even get a consensus from the board

via email or phone calls if it was an emergency situation.

Mr. Burkhardt is worried that the board is trying to legislate what was abuse of power or abuse of position. That could happen no matter what is legislated, no matter what is put in writing if there is somebody that feels that they are entitled to act above the law. He just does not want to see the board get hung up on language, if it can be worked out fine let us do it or let us not. He also thinks the whole issue is really because of a very unsettling situation that had occurred.

Mr. McKeon gave an example – you have bid out work, \$100,000 is what you agreed to, and it comes in at \$110,000. You may have... Mrs. Follweiler intervened and said there is no dollar amount that could be paid over the agreed upon amount. Mr. McKeon responded that he expected the same thing, and that is his point. If it comes in significantly higher, the board is not going to recognize that accrued expense until it is investigated to find out if it is valid, so it should not appear in any of the reports until after. If it gets on there, it is because it has run through its blessing. He also stated now you can play devil's advocate, and that is what happened the last time. He likes the idea of a percentage override. Anything within a reasonable percentage of the agreed upon price before the flag comes up that the board has to approve it. He likes the wording Mrs. Dexter has. It is kind of gentle, which is what the board wants.

Mrs. Cann recalled that Mrs. Leeson made that same suggestion when the board talked about this before with Mr. Majewski, and he said that there are things in number one that would not normally be defined as contracts, contractors or anything else, and the Pennsylvania compliant government laws would be like charter school payments. Mrs. Leeson commented that the board approves those. Mrs. Cann said they are not done without something like this or a blanket. Mrs. Cann asked Mrs. Gober if she thinks there is a need for a section one.

Mrs. Gober replied that she had similar language to this in the past and had to use it far and few times with the exception of the utility bills that are covered below. In number one, a specific example that she could think of when there is a large sizable technology purchase, which the district wanted to take advantage of the amount of what that 2% equated to. The other time she can think of as a specific example could have been a penalty on an invoice that had been stuck in an approval loop, as an example, maybe it was related to a packing slip in an order delivered to a building that did not have summer staff to check those orders in and process it through the loop. The bill did not come to the office until September, but it was delivered in July as an example, and the vendor now is calling in saying they will be applying a 10% penalty because it was not paid on time. If it is a normal operating-type of order that would not be the subject of a question, those are the kinds of things where she would have used discretion in item number one. She could not think of anything that really jumps to mind that for the most part cannot wait for once a month. Because generally when she is doing language for contracts, she will if at all possible try to get the 45-day payment window included. Most of the time, the contractor understands that districts are subject to board approval, once a month meetings, and they are fine with that. If that would be a deviation or a variant that would be on an individual basis, then it would have to be talked about.

Mrs. Cann again stated so then maybe number one is not needed, and that kind of exception is not needed to conduct business. Mrs. Gober replied not on a day-to-day basis, but she cannot tell the board that that circumstance would not come into play periodically over time. She thinks that there is a financial advantage for the administration to be able to have the discretion to save overall dollars. That is the objective of item number one neither for convenience nor for legal purposes. In her mind, it is to ultimately save the district dollars in terms of a discount or avoidance of a penalty. That is the primary reason she would exercise discretion in a situation as item number one.

Mrs. Follweiler suggested that Mrs. Dexter forward her language that she recommended to Mrs. Gober so she can review it and see what she feels would be worth incorporating into this policy and then

bring it back next month for review. Is that acceptable to the board? The board agreed.

BOARD POLICY 706 – PROPERTY RECORDS – THIRD READING – Mr. Washington indicated the language was added regarding loss of property. The language *losses shall be promptly reported to the board, law enforcement, insurance and/or any other relevant bodies*. He indicated Mrs. Leeson gave him the language to insert. Mrs. Dexter stated it needed to be a little more specific at the bottom where it talks about “losses shall be promptly reported to the board...” She would like to add, *generally no later than the next scheduled committee meeting or Regular Board Meeting*. She thinks “promptly” is a loose term that has been played with and prompt to some people is within 30 days and/or within 30 years. That is one of the things the board struggled with the laptop loss. Prompt needs to be defined by whatever is decided 30, 45, or 60 days. The district potentially could lose insurance reimbursement if the district does not meet prompt deadlines. She wants to see the language tighten on that.

Mrs. Gober added her only concern about that “prompt” is that it is defined by would be meeting – meaning the responsibility in a particular manner. She added that prompt is based on the timing of her notification, so although the loss happened, for example on January 1, if the notification does not come to her office until February 1, she does not consider that prompt notification. However, she could notify the board on February 2, and it is prompt from the date of her receipt, so she does not know how that blends into the board’s date. Mrs. Dexter added that then opens up the question as to who the policy might apply to because let us say that the director of technology becomes aware of 50 computers that have been lost, it would be her understanding that this policy would also apply to that director of technology to report the losses. This really does not specify only that Mrs. Gober is the one to report losses. Mrs. Dexter stated she obviously would assume that if Mrs. Gober is aware of losses that she would do that, but should that director of technology or director of music has an instrument stolen be under duty to report it to Mrs. Gober promptly within a time. Maybe the board needs to look at that issue and add something in there unless Mrs. Gober has a good policy, idea, or guidelines that she would like the board to see. The board needs to define what does prompt mean because the district had a problem with this. The reason the board is reviewing these policies is to try to tighten up what went wrong before.

Dr. Persing stated further just so the board knows for their information, since he arrived here he has instructed anybody in charge of any equipment that has any knowledge whatsoever to pass that information concerning a loss, a theft, or anything else immediately to him through the principal or supervisor, and the principal or supervisor is obligated to immediately contact the insurance through the business office and also make a call to the police. That is the procedure set, and then immediately after that Ms. Mickolay will send out the information to the board.

Mrs. Leeson asked if prompt could be changed to immediate. Mrs. Follweiler agreed with Mrs. Dexter that it needs to be defined. Dr. Persing thinks everybody is talking about...if an individual such as the head of technology or principal knows in fact that something has been done improperly (theft or loss) and not report that to the superintendent or whoever the new superintendent will be – right now it is him, it is his obligation when that comes in to reprimand that person because they should have sent that to him immediately. He confirmed that this is the guideline that is in place. If it is not followed, then it is his/her tail. Mrs. Dexter asked that maybe the board should defer this policy as the administration revises the language so that Dr. Persing’s directive is added.

Mr. Washington asked if *immediately* would change it to what we are looking for. As soon as you have knowledge of it, your job is to report it. The minute you have knowledge of it, you should report it. Mrs. Follweiler added that immediately could be 10 o’clock at night and somebody thinks that means they have to get up and send an email out. Mrs. Dexter suggested within two business days.

Mrs. Cann stated the board should consider first who is this directed to, because if that is kind of implied

in the content then (she read number four) to her it implies that the board is talking about losses discovered during the annual inventory and not loss on a continuing basis. She is thinking the additional sentence should have its own number.

Mr. Washington asked Mrs. Leeson what she was thinking when she prompted the change to the policy? Mrs. Leeson replied she was thinking...in response to the auditor general's report when the board said that it would take action on the report, this was one of the board's actions that the losses were not reported for over a year. Under no circumstances would that be considered prompt or immediate, so losses shall be promptly reported to the board. She also stated that quite frankly after that then action should be taken when it is not promptly reported. Prompt immediate to her tells the story. She is not going to quiver over 10 o'clock at night or 7 o'clock in the morning. One year is not prompt.

Mr. Washington confirmed they were all on the same page; prompt is as soon as you have knowledge you report it. Mrs. Leeson said he could put *As soon as you have knowledge of it, it should be reported*. She does not feel that the board should be holding anyone accountable for something they do not have knowledge of. If the business office was not informed, then they should not be held accountable but the individual who was informed. She also said the board has been getting that information promptly, immediately however you want to call it from the administration right now. That was her intent with this policy.

Mrs. Gober asked if it is suffice to say that losses shall be promptly, upon receipt of knowledge, reported to the board. She thinks that is the concern that as soon as we know the board knows.

Mr. McKeon stated that this property records comes under Mrs. Gober's responsibility. He also said in all honesty, that is where the other laptops should have sat from a responsibility respective, so he understands it in looking for clarity as to at what point does the reporting chain start, and where does it end. Dr. Persing has addressed it – you tell me as soon as possible and then I will forward that information to whoever on the need to know basis.

Mrs. Follweiler commented that there are varied opinions here. She polled the board on going back for another look at the policy, or is it acceptable as it stands to go on the agenda for next week:

LL: Ok

MF: Perfect

MC: No

WB: No problem with it.

JD: Not ready

AO: I do not have a problem with it.

EM: Ok

IF: Majority takes it to the agenda.

BOARD POLICY 707 – LEASES – THIRD READING – Mr. Washington presented this policy and indicated it needed some major work and in front of the board is the attempt to do that. There were a lot of things added to it, and he is sure the board probably has a lot of questions.

Mrs. Cann thinks it is perfect and well done. Mrs. Follweiler pointed out she thinks there is a repeat of language on page three, first paragraph of Class II, *IRS 501(c) determination*...then in the second paragraph it says non-profit status must be 501(c). She asked if that was not the same. What is not repeated about that? Mr. Washington replied qualifications for the class. A discussion was held. Mrs. Dexter said a category is not really specified by having a copy of the 501(c) and agrees with Mrs. Follweiler.

Mrs. Leeson commented that the district had community recreation organizations primarily for the students of the Bethlehem Area School District. She asked how does that differ from the district youth athletic programs in Class IA. Dr. Donaher answered Class IA would be more aligned to the Bethlehem

Bull Dogs and Class II Community Service Groups. He said they are looking more at specific boys and girls clubs, organizations that are not based in athletics. For example model airplanes club, they want to rent the field to fly their model airplanes – that is a recreation not an athletic activity.

Mr. Burkhardt asked if the board was making it more difficult for the district residence to use their facilities, or is it simply cleaning up inconsistencies. He is not personally in favor of making it harder for the district people to use their schools. He also indicated that this is a massive document and assumes the principals are the ones that are going to end up having to police this because that is where people will go to ask to use a classroom, the gym, or the pool. Mr. Gilliland agreed with Mr. Burkhardt, and he thinks that was, and does not speak for everyone, the mission before. Mr. Gilliland added just to explain this there is a whole list of things. He asked Mr. Burkhardt if he was aware that Mr. Richardson had sent some documentation and also Mr. Gilliland was keeping notes. He also indicated that this policy has been revised about three times to begin with, and what they tried to do was address some of the concerns that were before them. It was noted about the Boys and Girls Scouts. He knows one of the concerns was this latest rendition of the policy made it very difficult for Boys and Girls Scouts to use the district's pool for example, so they tried to put them in a group, which would basically assist them in having more access to the facilities. In addition, he thinks one of the other big things in here is that there was a lot of concern about the camps that had been sponsored by groups. They tried to really clarify that as well. Mr. Burkhardt asked to be walked through this. He noted on page three, there is a 1C group that means that the class 1B schedule will be applied. The custodial and site manager fees will be charged. That means if Block Watch is meeting at Liberty High School in a classroom, they have to pay a fee. Dr. Donaher answered only if that is during a time when there is no one there. If there is already a custodian on duty because it is on a Tuesday evening, then that is fine, but if they were to meet on a Saturday or Sunday afternoon and there is no one scheduled, and the district needs to employ someone then that is different. Mr. Burkhardt stated so a principal can no longer open the door. Mr. Gilliland directed him to the fee schedule; Class I fee has no rental charge. Mr. Burkhardt is thinking of the smaller groups. The big groups like camp they need to be regulated. Mrs. Follweiler said as long as the building is open, but if somebody is opening the building especially for that group then that is defined.

Mr. McKeon stated some of the behavior or what caused this in his view is bringing in more revenue into the district instead of controlling expenses and that does not sit with these gentlemen. That caused this whole thing the board was not looking at one point. The district was looking at charging them for a custodial and a site manager as opposed to some formula hybrid of that, and it was definitely going to impact the youth organizations in one of its original form. So it has been modified and soften a little bit. He is glad to see the boys and girls scouts because that seemed to be a piece of the community that was being slated.

Mrs. Leeson does have an issue with the Auditorium Sound Equipment on the Attachment Fee Schedule – her question is on number four, it was struck *All Bethlehem Area School District Stadium...* and changed to *The district reserves the right to require the hiring...* She asked if someone is renting district facilities, is it saying that the district is going to provide all personnel, for example, Bethlehem Catholic rents for the football games, is the district going to provide all personnel, and are they going to pay for it? She thinks that is different then what the district has been doing, is that correct? Mr. Gilliland responded that Sam Senneca has hired the personnel, and they have paid for it. He also said, Sam has worked or might have served as a site manager. Mrs. Leeson asked about reps, everyone they choose for their game, ticket takers, etc. Mr. Gilliland answered he was not sure about the reps. He said the interest is that the district has its key people there to insure that they are there watching out for the facility. Mrs. Leeson asked if the same is done for camps. Mr. Gilliland said for athletic camps he thinks in a different way because he thinks the district sets up regarding site managers. It is asked that there would be a site manager sometimes at those camps. Dr. Donaher thinks what this is getting at is that it is saying that as a district if it is felt based upon the number of people that may be at the event that there is a need for additional

personnel that the district would then require it. The district would not hire the people. The district would just say that in this event we would reserve the right to kind of set that limit. Mrs. Leeson stated no it says that the district will. The district reserves the right to require hire. Dr. Donaher replied not that the district would hire, but require them to hire. For example, BECA plays Easton there is going to be a lot of people both teams are undefeated, the district may say, "normally you have five police officers, you need seven at this game because there are going to be many more people than might be anticipated." The district would not hire the police that would still be up to BECA to hire those police and pay for them.

Mr. McKeon gave an example, on a given Friday night when BECA plays, they would be the only ones, the district would have its electrician as part of the process, but not necessary the ticket takers. He thinks the ticket takers are volunteers from parents from BECA. Anything that is for the infrastructure then the district would hire. Dr. Donaher confirmed it is easier for them to get our electrician because the person knows the process.

Mrs. Follweiler directed them to page two, under Class IA. The lettering has to change *f* to *e*. She asked why was *Any organization that charges admission is...* struck out if there is a charge to join a camp? Dr. Donaher replied that it is under Class IA because some of these district-based youth athletic programs if they are running a basketball game and they charge the people to come in and watch, that gets them out of a Class IA into a Class III. They were taken out, so they can still charge and generate funds to pay us for the half price they are being charged.

Mrs. Follweiler pointed out on page three that the 501(c) receipt is looked into. Mrs. Dexter wants to know if it has to be verified, have copy, or both. Mr. McKeon asked for a determination of 501(c).

Mrs. Follweiler asked what does a camp fall under? Mr. Washington answered Class IV. Mrs. Follweiler asked what did YMCA fall under? Dr. Donaher replied same as Class II. Mrs. Follweiler asked who determines it? Mrs. Leeson asked what makes Class IV? Seventy-five percent district renters. Why is it? Mr. Follweiler asked that the camp Class I category profit organization Class IV be defined. Dr. Donaher stated perhaps Class III has less than 75% kids that are Bethlehem residents. Mrs. Follweiler commented about other camps and students from our school district signing up. They are making the profit making them a Class III. Dr. Donaher stated no it would be Class IV. Mrs. Follweiler added that the district has no determination on what they are charging. They can be charging \$1,000 per kid. Mr. McKeon said the issue is how the monies collected are being spent.

Mrs. Leeson asked if they checked other districts? Dr. Donaher said they do not charge. Camps are related to athletics, and are run by a head coach or assistant coach. There is no fee. Whatever they generate in profit is for fund. Mrs. Leeson asked how many districts were contacted? Dr. Donaher confirmed five.

Mr. Burkhardt asked why if it has less than 75% it has a fee? Mrs. Follweiler said an outside person wants to use our facilities to run a camp. Dr. Donaher added a camp for profit might need a field. Mr. Burkhardt said we could say no. Dr. Donaher said then the district loses revenue. Mr. Gilliland stated if a booster group runs a camp, that would be a district-sponsored activity and money goes back into that. Why would we charge these groups? Using money to benefit the students vs. somebody who wants to run a camp. Mrs. Follweiler would like the policy to be brought back next month. She asked the board to email Mr. Washington, Mr. Gilliland, and Dr. Donaher with any word changes and/or suggestions. Mrs. Leeson asked if we were to have a safety program like CPR or lifeguard, would there be a charge for the program? What qualifies? Dr. Donaher asked who would run the safety program? Mrs. Leeson said American Red Cross. Dr. Donaher said this does not apply. Mrs. Follweiler stated there are so many. If they are a Class I no charge, if they are a Class II charge \$25. Mrs. Cann added what you pay, depends on who you are.

Mrs. Leeson thinks the district should just have the community use the facilities at district cost. If it is a noncommunity and a noncommunity is defined by less than 75% of our community members, it goes to a rental fee. Mrs. Follweiler added that the problem is that in some cases the district is not charging a cost. Dr. Donaher confirmed that is where the district runs into problems like with the Little Hurricanes. A lot of the times, they use our facilities during the week when the custodian is there and that is not the problem, but then they play their games on Saturdays when there is not custodian there, so therefore, a custodian has to be hired to come in and the whole idea is the district pays half if Little Hurricanes pay half based upon their situation as verses them paying the full price. That is when they had the meeting with Dr. Lewis. They also charge and the other thing is that they also charge parents to belong to these organizations. They are already saying then that they have to charge parents on top of that for additional cost related to the use of the building on Saturdays or whenever they say it would be prohibited.

Mrs. Leeson stressed that the board has been cutting programs because the district does not have funds and yet the district is supporting programs and paying for programs that are not part of our school and yet the board is cutting its own programs. Dr. Donaher stated that most of the programs the district is supporting like the Little Hurricanes and Little Patriots are grade levels where the district does not have elementary basketball teams and they do, so the district is trying to support them to provide that feeder system for the middle and high school teams.

Mrs. Follweiler indicated the board came full circle. People who are using the facilities may use them at the district's cost. If the building is open, there is no charge. If the building has to be open, then there is a charge. She was in favor of that the first time.

Mr. Washington also added that this started in January of last year. Mrs. Follweiler asked him to bring it back next month, and the board agreed. Mr. Washington asked the board to clarify what they want him to bring back because he has heard different directions. He asked the board if they wanted him to modify it? Mrs. Cann indicated the only thing that she knew that needs changing is the 501(c). Mrs. Follweiler said there were a couple of minor things that she caught like lettering. A lot has been added to that, and she does not recall the board having gone over it. Mr. Washington said anything that is in bold was added as part of people from the public coming to the podium talking about camps, etc.

Mrs. Follweiler commented that personally she would go back and find the proposed changes the board had a year ago. She was happy with that one. She thinks it sounded like Mrs. Leeson was happy with that one and Mr. Burkhardt. She does not know if the board wants to bring that document forward again so that everyone who did not see it has an opportunity to see it, and the board can review it. How does everyone feel about that?

Mrs. Leeson said personally she is not going to support this policy as it is being developed because in good conscious she really cannot support programs outside of the district when she cannot support programs within the district. She believes that what the district should be doing is just basically the buildings are available to the community at the district cost period and anyone beyond the community is charged.

Mr. Faccinetto said free to the boy scouts, and everybody else should pay. He also said he knows a lot of time and effort has been put into this, but it just seems so difficult that anybody can just twist it to make their organization qualify to be free. He would like to see what was talked about last year. People pay taxes; they should be able to use the building though he does not know and has no opinion.

Mrs. Cann stated it is very easy to think that this is a simple concept, but for all the times that the board has talked about this and so many discussions, it is revealed that it is not simple at all. All the things that people want to support or not support or support in part. She thinks this document is reflective of what

the district's recessions were and support given to various organizations and what the board wanted the school district to be about. What role the district wanted to play in the community, what role the district wanted to play in the organizations that are feeder programs and everything else. In order to reflect it properly, it had to be done this way. She guesses just because she remembers all the discussions, this does not seem confusing to her because it makes perfect sense and it is exactly what was said.

Mr. Burkhardt said it is too complicated. Mrs. Dexter thinks it is complicated for the most part. As for the policy, she would clarify the area of 501(c) and make the changes that were suggested. She really thinks it is still not clear about what is a camp if it is less than 75% of our school district. She thinks it needs to be defined. She does not mind looking at what was done a year ago because she does not have the recollection of what it was, so she would look at that. Otherwise, she is ready to vote with this with the changes that were talked about. Ms. Ortiz said she would like to see the one that was discussed last year. In order to compare because she has not seen it, so she just cannot say.

Mr. McKeon does not disagree that the district picks up the cost when you are outside of the normal work cycle. My problem is that there was feather-betting going on with the site managers on Saturdays and/or Sundays. When the site manager would show up, a lot of stuff was janitorial related and all of a sudden the site manager disappeared. Then he would hear through the grapevine or through the vegetable isle that the individual put in for ten hours and people only saw him for two. Custodian absolutely, he understands that because he actually does more site managing. He has seen in some of the elementary schools, [custodians] chasing kids down the hall in areas they do not belong. They are supposed to be in the gym, and they are out. Little kids are running the halls, and he takes them back to their area. Mr. McKeon also is concerned about what the district allows to make up the cost. Mr. Washington stated back a year ago, it was really a simple policy. He recalls one of the reasons this discussion was started was because the district started looking at custodial fees and that is what generated the start of this discussion because the district was paying a lot of fees to custodians in over time. Mrs. Follweiler added that Mr. Washington brought at that point in time the policy to the board to add a charge for using a facility on a Saturday. At the time her personal opinion was, while she understands they are feeder programs to the district, which is extra far and above the usage of the building opening it on a Saturday. Now if somebody is implementing the policy poorly by collecting funds that are not really being... that is a different thing. She asked if the first proposed changes could be found because there have been changes in a year. She indicated that the board has uncovered that the board has \$170,000 of food services that are not being paid. The board uncovered that there were people perhaps not fulfilling the duties of what their assignment was. The board has more budget constraints than before. She thinks it needs to be looked at. It was a lot simpler. She stated that maybe this wording needs to be added, but she thinks if the board has the two together it might help. Mr. Washington said he would search for it.

Mr. Gilliland asked if this is within the scope of what the board wants to do, or is it because there was a public outcry? Mrs. Follweiler stated none of this was there last year. Mrs. Follweiler added that the outcry there was because the policy in place was not being implemented. It was being twisted. Mrs. Cann thinks that if the approach of who the organization is and not what they are doing defines the process. The district does not need to define a camp, but define the organization. She added it depends on who is running the camp, not what is a camp. What does it matter if it is 75% or 100%? Does not matter who is coming to it; it is who is running the camp. Because the rest of this policy is based on whom the organization is. Why would camp be any different? Dr. Donaher thinks it is used because one person said camp and right away the thought was of what some of our coaches run and yet now the district is getting some of these requests from like the Ray Guys of the world who want to come in and run a camp. They use that word, but it really is a full-profit program that is opened to a lot of different kids. The original idea of what the district would consider to be one of our camps that is run by one of our coaches for the boys basketball team, or kids that are interested in basketball. That would fall under the school's booster club, and then they

would fill the camps. People were concerned where is the money going, how much of it is coming back to the booster club, and how much is the coach. An audit was done on some of the camps last year, and discovered that there was a specific camp that took in a lot of money, but paid out a lot of money in guest coaches and people that go in. Some of that is when guest coaches are brought in, more kids want to come to the camp because they want to be with that coach. Those coaches were paid a stipend to come in for a day or two days during that camp. That is where the district wanted a little more fiscal control or at least oversight to see it and get a feel for where the money was going and not just kind of allowing these things to mushroom from year to year.

Mrs. Cann asked Dr. Donaher if he is saying it cannot be based on how you treat camps, and not what organization is running the camp. Dr. Donaher replied they are if one of the athletic booster clubs is running it, then they are Class I. They still have to do the paperwork, but if it is not where they do not have the 75%. He thinks her comment too about who is running the camp, as an example, this kid coming from New Hampshire and running a ski camp and yet the kids are from Bethlehem. Does that make it okay? Well that is for profit that is not being run by the Freedom High School ski team. Mrs. Cann stated then all it matters is who is running it. She said she would take out that percentage. Dr. Donaher agreed.

AGENDA ITEMS FOR JANUARY 25, 2010, REGULAR BOARD MEETING:

BOARD POLICY 006 – MEETINGS – FOURTH READING – This item will not be added to the Regular Board Meeting on January 25, 2010. The policy will be brought back for a fourth reading in February.

BOARD POLICY 601 – FISCAL OBJECTIVES – FOURTH READING – The fourth final reading will be placed on January 25, 2010, Regular Board Meeting agenda.

BOARD POLICY 616 – PAYMENT OF BILLS – FOURTH READING – This item will not be added to the Regular Board Meeting on January 25, 2010. The policy will be brought back for a fourth reading in February.

BOARD POLICY 706 – PROPERTY RECORDS – FOURTH READING – The fourth final reading will be placed on January 25, 2010, Regular Board Meeting agenda.

Mrs. Dexter said I just want to mention that I am going to motion at the voting meeting to amend Policy 706, so no one is surprised. I feel very strongly that we have to define what is promptness so we can think about what we want to do. There will be a motion to amend.

BOARD POLICY 707 – LEASES – FOURTH READING – This item will not be added to the Regular Board Meeting on January 25, 2010. The policy will be brought back for a fourth reading in February.

MEMORANDUM OF UNDERSTANDING – SECTION 125 – Mr. Washington referred to the MOU that was sent to the board. He said it is an explanation and part of the tax shelter. He indicated that a tax shelter already exists, except it is not being done with the medical premium. That piece is now being added for dependent care and the medical care types of things. The Union had the understanding that it was going to include the medical premium, so it is being added in. The start date is July 1, 2010, which would be the start of the next school year. Also putting the tax premiums as a part of the 125 shelter. Mr. McKeon asked if it is a payroll deduction? Mr. Washington answered yes. It reduces your taxable income. Mr. McKeon asked if it has any impact on the district? Mr. Washington indicated there is no impact on the district and actually the district would save on the FICA piece. Mr. Follweiler asked the board if there were any objections to having it on the agenda on January 25, 2010, Regular Board Meeting agenda. The Board had no objections.

OPEN FORUM – Mrs. Follweiler had several things to report on the superintendent search. First off, she received in the mail today by the district the advertisement that the superintendent search firm has started to send to different school districts and anyone who sends an interested in application. She has a handful of them she can pass them around. So they are out and advertising. The search firm has also advertised in the PSBA booklet. A very, very short advertisement goes in the PSBA basically says Bethlehem Area School District is looking for a superintendent. Bethlehem Area School District is the 6th largest school district in the Commonwealth of Pennsylvania. It is very limited information. It is basically what you see in a newspaper article. This [brochure] is much more extensive, and this is available to anyone who knows anybody who might be interested in a candidate. It is very informative about the district and what the district is looking for. She expressed that it is very exciting and will pass them around for every one to look at. She also got a call just on her way here from Dr. Scott, and he wanted her to know that (just in the brief time since the PSBA little blurb was published and Dr. Scott, Dr. Vantine and Dr. Persing attended a convention this week) the buzz is out there. Dr. Scott has told her that he has received seven inquiries towards an application. She stated what that means, of course, is that someone has called and said please send me an application. Nobody knows anything about these candidates as of yet. They just asked for the application. Nobody knows if they will follow through, but that is very positive feedback.

Mrs. Follweiler continued with her update and informed the board that the focus groups have met. The school-based focus groups met mostly in December. The community focus groups had very good attendance. The one focus group had approximately 25 people signed up and attended. The second focus group had approximately 30 signed up and attended. Dr. Vantine felt that everything went very well. He was very happy with input from the group. She did not have any written feedback yet. The minutes from the groups are being typed. Dr. Scott and Dr. Vantine were at this convention so the community group was done last Monday, and they went away Tuesday so they are still working on those minutes. She did check today, and Dr. Scott assures her that the minutes will be available for those who attended the community groups by the end of this week. They will be sent to those people to review and come back. There were some corrections when they did that same process with some of the school-based groups, so once they get all of the input from all the stakeholders they will then have it available for the board. The questions that were added at the community groups and all stakeholders group were the same three questions that have been posted on our website. It is under the superintendent search button. This way anybody who was unavailable for the meetings can go to the website. She personally looked for it today, and she also asked Mrs. Clymer if she could please assist her in talking to IT. She asked if they can move it out of the superintendent search box to a more prominent place on the website for at least a week's time to make it easier for people to spot it. She asked her if she can help me talk to the IT folks about moving it, but it is there under the superintendent search button. If you click on that and you want to fill it out as a community member, you need to register just as though if you were attending the meetings: name, address, telephone numbers so that the board knows these are legitimate inquiries from people. However, the email goes directly to Dr. Scott. It does not go through anyone at the district. He will get the information directly; it will not come to the district.

Mrs. Follweiler informed the board of the next step with PA Solution that she just discussed is that they will compile the information and share it with the board. These advertisements indicate that there is a date of March 9 to have the application inquiries in by. The board will have a little bit of time where there will be no activity as far as that goes. She did ask Dr. Scott if he felt that he and Dr. Vantine could attend the February Human Resources Committee Meeting, so that the board can get a further update and talk about the next step. He is available; he just has to talk to Dr. Vantine. She will get back to the other board members, and talk to Mr. Washington to see what the agenda looks like or set up a separate date for that so in February the board will be talking to the search group. She also had emailed everyone that a partial payment request was received from them. If no one has any objections, she is going to ask Ms. Mickolay if payment can be submitted through the business office, so that it is on our payment schedule for vote on Monday. She asked the board if there were any objections to that bill? There were no objections. The

amount is less than half or \$8,000. Contract gave amount, but no payment schedule.

Mrs. Follweiler requested a consensus of the board. She would like to propose adding to the website the estimated superintendent phase that was given to them in the proposal. It indicates that phase one, which is preparation for the search was three to six weeks. Phase two, the actual search seven to ten weeks. Phase three, screening and selection four to six weeks. Then it details the activities that would go under each one of those phases. She will pass that around for everybody to refresh their memory and if there is no objections, she will add that to the section on the website so that anyone can look up and see what the next step is. That is what she had in her notes for the update. Does anybody have questions?

Mrs. Cann asked if they are advertising out of state? How are they using those brochures? What do they do with them? Mrs. Follweiler said, as she understood it from when they came and they gave their original presentation, the brochures go out to every school district in the commonwealth so that any current superintendent would get it. They are going nationwide. That was part of the original discussion when they were hired, and the district made it clear that it wanted them to go nationwide. They did talk about targeting districts where they know of people that may be interested and qualify to handle a district this size. Anyone that sends in an inquiry for an application will get a copy of the brochure. Mrs. Cann asked if they advertise in the NSBA magazine? Mrs. Follweiler said if she remembers correctly from when they interviewed all of the different search firms, they used a number of trade magazines she did not remember NSBA specifically so she can ask them. They specifically stated to her the PSBA. They blurted off magazines when they were interviewing the search firm and said this is what is used. She said she can have them send her a listing of it. Dr. Persing commented it is usually the National Administrators Association, and they have a magazine it is usually NSBA, PSBA, and also the business official magazine. Also the IUs have a network, but they have not only within PA but also nationwide. They probably will also go and advertise or attend American Administrators Association meeting. There is a national meeting in February. That is generally what they do also Education Weekly. Mrs. Follweiler will have them send her a list. They did tell the board the names in their interview process.

Mrs. Leeson stated the time frame that Mrs. Follweiler said the board has is what might be called the downtime, but if she recalls correctly once it gets started, it starts with a fury, and she believes that there are a lot of other things going on in the district during that same time frame. She is wondering if a meeting could possibly be set up where the board might be able to begin writing some of the questions and then perhaps tweak the questions after we get our responses. An example being if the district wanted sixteen questions, she thinks the board can probably write twelve of them beforehand and at least get started on that. Secondly, she knows they are going to come back to the board and give a report on each of the focus groups along with the written material, and she is wondering if it will be worth while to try to set the date and perhaps speaking with them first and maybe next week speaking to the board and perhaps trying to set a date for when the board can get that information and secondly write up some questions. As the board knows, once things start rolling it gets hard to find dates in our calendar. It is easier to get them now. Mrs. Follweiler agrees, and that is kind of why she wanted them to come to next month's meeting, which is February 8 to let the board know where they stand. She feels the report of the focus groups is important to have before the board starts the questions. Because the information coming from the focus groups is of course going to give the board the feedback that is needed to know what additional questions the board may have. She has no problem with looking into the future and looking in February/March. Mrs. Leeson suggested getting dates for February now instead of letting February go. Mrs. Follweiler stated that Dr. Vantine is out of town until the end of this week, so Dr. Scott was going to get back to her with their availabilities. She will get both their availabilities before Monday's meeting and compare it to the board's availability.

Mrs. Dexter would like to see more information posted on the website for the public about the process that is being chosen to use. She knows there is a presentation. There was additional information other than

what is circulating regarding their proposal, and she would like to see the district post that proposal if in fact that is the process the board is going to use beginning to end. It was her understanding that the district was. She thinks that anyone from the public who wants to know whether they are going to be able to be in on the final round of interviews that the board has talked about two to three candidates meeting the public. They will be able to look at the website and see whether or not. She thinks it is less important whether it is going to happen the first week of April or the third week of April, but more important to know is that there is an opportunity. She thinks that the district ought to indicate on there if they are going to be allowed to post questions or submit questions. The district needs to provide information to people about what process is going to be used not just an approximate timeline. She thinks the timeline that they have there is a little more definitive than what has already been posted, but the district might even be able to be more precise and instead of just saying three to five weeks this is what is going to happen now. Apply it to the actual calendar because the board knows that the goal is to have someone in place July 1. Have an offer out by early April. The board knows this, so why the board cannot come up with some information and place it on the website for all the world to see. Mrs. Follweiler said the date she is suggesting are what she has on the website now. She put dates to those weeks. Now they are very broad, she could now add March 9 as the cut off date for applicants, but the date on the website are December/January: meet the focus group, which is exactly what they did. February/March: collect applications, which is exactly what they are doing. She does not feel comfortable saying March 1 because the board is not tied to a date. She believes the information she put on the website gives those eight buckets. She can go back and review her notes, or the board can review the notes, and she could put closer dates but she has dates on the website now.

Mrs. Leeson wanted to compliment Mrs. Follweiler. She thinks Mrs. Follweiler has been doing a wonderful, wonderful job with this task and this is a large job. She knows Mrs. Follweiler is doing most of it on her own, so she just wanted to thank her for all the work she is doing. Mrs. Leeson told Mrs. Follweiler that she has really done an outstanding job, and she appreciates her coming and giving the board reports, suggesting the updates to the web, telling the board exactly where they should be going and what they should be doing.

Mrs. Follweiler will send to the board tomorrow her notes from this meeting along from Mrs. Dexter's comments and try to fulfill more than what she has on the website. She has dates on there now, so she will perhaps move forward. Mrs. Dexter asked if the board can talk more about whether more can be posted about the process? Mrs. Follweiler went through the proposal, and what she has is what she believes Dr. Scott and Dr. Vantine consider to be the process that they proposed to the board. There is a lot of other information in the proposal, which she can easily take a consensus to see what if all of this the board would like on there. Not all of it is items that the board has addressed yet. There are items that they proposed and their last sentence is "note confidentiality in the superintendent's search is imperative." She does not see any of this as giving out names or things like that, but also as much as she wants the public to fair in on the process and she is all for that, she also does not want to have any hint of any of the board's negotiation potential with any candidates on the web because then the board no longer has a negotiations stance. She thinks she needs a consensus of the board on how and what information falls on that fine line. Mrs. Follweiler asked if everyone would like to review the actual... she said the proposal includes information about what they have done in other districts. That is a level of confidentiality that she does not believe belongs on the website. It has names and address of people that they posted as references. Mrs. Dexter said maybe what should be done as a board is refine those parts of the process that are coming forth that can be posted. Mrs. Dexter suggested that could do that right now. This is not a difficult task. Mrs. Dexter thinks as a board they know what they are going to do, but over and over again she is asked what is going to be the public level of participation. Will the public be able to ask questions? Will the public all be able to come or only one representative from different organizations? She does not think that these should be secrets. Mrs. Leeson thinks what Mrs. Dexter is talking about is the very, very end of this entire process, and she does not think there has been any discussion as a board. Mrs. Leeson

personally would prefer to have our consultants with the board to discuss that process, the people the district is paying to get their input before making a decision. She is also concerned that the process as it might normally fall out, might be a two or two to three candidates. The board does not know that right now. The board does not know what the process is going to be when it falls out. The board can have one candidate or no candidates and going back to ground zero. She thinks it is really hard to be putting down this is what the district is going to do when the board has no idea what type of candidates are even going to apply or where the district is going. Mrs. Leeson expressed she would really be uncomfortable setting a process, putting on the website, without the consultants here to give the board some recommendations.

Mrs. Follweiler thinks Mrs. Dexter brings up a good point that the district does need, which was what she thought she was doing with giving the information that was in the proposal and inviting the consultants to come to our next Human Resources Committee Meeting. She also thinks Mrs. Leeson is right. The board has not discussed a lot of what is going to happen down the road, and Mrs. Dexter's point of course maybe the board should. Mrs. Follweiler polled the board whether they want to have that discussion now or schedule it for the February meeting when perhaps the consultants are with them.

AO: When the consultants are with us.

EM: That is fine

LL: Consultants are with us

MF: Yeah

MC: I would like to do something like that but I would not know exactly what it is that we are going to do until we talk to them. I rather talk to them first and then put something out that is accurate then.

WB: Yeah I do.

JD: I think we are way overdue for posting what our process is. If what I am hearing from the board is, I think we have not decided yet then we ought to do it February 8.

Mrs. Follweiler thinks the process itself is that the board hired the search firm, they met with the focus groups, they are now advertising, the board is going to get applicants, and then at that point the board still needs to discuss further with the consultant. She then stated if the board wants to have a step-by-step process, she thinks the board needs to do that. She also indicated that they have not had this type of consultants. The board interviewed them, and they hired them. The board let the consultants tell them what they believe the board should be doing which is what they have done. She felt personally that they needed to finish with all the focus groups and get that input along with our board input before they can develop further on the process. Because the board could have decided in the beginning that they wanted to interview no less than four candidates and that was part of the process, then the board finds out from the focus group meetings that that was unacceptable or their feeling was that if the district does not have five candidates... Mrs. Follweiler felt the board needed more input from the consultants and the focus groups before a process can be developed, but she will be happy to put the process that the consultants gave the board and schedule that meeting on our agenda for February 8 or at another time if they are unavailable.

COURTESY OF THE FLOOR – John Reynolds, 1106 Linden Street, Bethlehem, PA. Mr. Reynolds teaches at Moravian College and is the chairperson of the Children's Coalition of Lehigh Valley. He has had four students graduate from Liberty, and his youngest is currently there. A lot of what he was curious about, the board just addressed in Mrs. Follweiler's report. He was part of the focus group that was here, and is going to be brief. He also wanted to express his appreciation in observing all the work that the board does, it has been a very long day, and all the details the board has to tend to are certainly demanding.

Mr. Reynolds came here to urge the board to include in the process some type of public participation, and there are a variety of ways that could be done. One of the things and he does not want to anticipate what the board is going to get from the consultant, but one of the things that came up clearly in the focus

groups that he was in was that there is a real positive function for getting people from the community involved in the actual interview process. He has been involved in these things. He had served a four-year term on the Moravian College Board of Trustees and had been in search for two presidents at Moravian, so he has a sense of the legal, judiciary, and ethical responsibility that the board has. He said it is the board's decision who gets hired, so any public participation should not be perceived as either trying to usurp or trap authority or even to share it, but to support it.

One of the things that came out clearly from the focus groups is the question of the strengths of the school district. One of those strengths is the involvement and concern of the people in the school district; so one of the things that are useful for the board to think about is in getting the candidates the board wants. Part of this is to have people from this district who are not employed by the district, not part of the board, but the general community actually goes forth to meet the individual and show the enthusiasm interest that I saw. He thinks the consultants saw this in the focus groups as well. There is a functional benefit in the sense to help use the public to do the recruitment, but there is another general point that he thinks is really important for the district's benefit both in the recruitment of the superintendent but beyond that.

Mr. Reynolds stated that from his observation from living here for 30 years and having all these children in the district and also being involved in advocacy on public policy around education issues with Children's Coalition, one thing that Bethlehem has is a real resource that benefits significantly that say Allentown does not have, is the configuration of the suburban, center, and Southside. There is a very wide variety of needs that have to be met in a very demanding way. The superintendent is one that is going to be the face of the district in integrating these competing or sometimes complementary interests. In that regard, there is a lot of talented insight in the community that would benefit and form the process beyond the focus groups.

He spoke what he is thinking about, he is going to use a little bit of variety for his discipline, is that if it turned out what might be called organizational intelligence – how an organization could make good sound rational decisions, it needs to be tuned in to its environment, so one of the terms that he uses (He teaches a course in public administration) talks about boundary spanning techniques – finding ways to move information from out there into this room in front of the board. That could be a very important thing in the recruitment of the superintendent. The focus groups are a part of that, but a more formal opportunity to be actually involved in the interview process would be a very valuable thing for the board to learn not just about what is going on in the district in relation to the interest of the superintendent, but the type of things that might help the board build some alliances, build some networks, build some bridges, build some communication, and get people who the board will then perhaps get to know them the first time and will get to know the board members and the whole process better, and situate an ongoing level of communication that could be established and nurtured.

He also stated that the board knows much better than anyone else in the city what stresses and dynamics, caused the problems of the district, have been for the past couple years around financial interests and all that sort of things. There is other interests. There is interest of diversity. There is interest of suburban vs. center city schools. There is interest in the Southside. All those things are there that have to be continually integrated. In that regard, he thinks there is a very real and deep residue of support for the school district, but there is also a lot of anger and anxiety where to include a formal component for the public in the interview process is a really good step to begin to build up and reconstruct some of the type of relationships the district needs.

Once it gets started it is going to take off, and the board is going to have a whole lot of things to do in a short time, so along with writing questions and that sort of thing there are various ways that can be done. It does not have to be an open public forum. Particular points of view could be recruited, for example, if this organization is a group of citizens and they would come forth with two quick suggestions, then

somebody from Just Born, somebody from the library, those type of people, from the institutions, from the hospitals, from the chamber of commerce, from the Bethlehem Historical Society, etc. Whatever it is people who have a real stake in the community could be asked to participate in a way that could be really orderly, can meet any requirements for confidentiality, and be really productive both in terms of the search and for the benefits that might be produced by having a public participation.

He asked the board as they plan their process to please consider finding a way to have members of the public participate in the process in a formal way in each of the interviews. Last thing he will say about that is as the board plans the actual dates of the visits here, if this is going to work, it needs to be attended to now because the people like yourselves are busy and are going to have to plan their schedules around the visits for the candidates to be here, so it would be prudent to try and identify those people early rather later. He states that is why he came tonight, and he appreciates learning as much as he has about the process and all the work that the board members are doing. Please consider having us as part of the process.

Mrs. Follweiler stated some of that does have to be an open public process, but the board has been getting the solicitor to give them his opinion just to make sure they are staying on that timeline.

Mary Lou Hatcher, 929 Prospect Avenue, Bethlehem. She began by saying that like John, she put four young people through Liberty High School; unlike John she just cannot possibly talk about that. She thinks the board should request that he come to the next meeting at courtesy of the floor speak at the beginning of the meeting. She just wanted to say, because she knows the board has not heard the report from the focus groups yet, a little bit about the spirit of the one that she attended, which was the one that John attended which was a fabulous thing to be a part of.

She indicated there was a lot of comradity and good will. It was really encouraging for her to see people who maybe had different first priorities say, "well this is mine, I see what you are saying" and that is important. She stated another part of that, a lot of courteous behavior and a lot of concern about the kinds of things the board has been struggling with. How you keep kids first and be physically responsible, how to be fair about all different kinds of kids, and what does diversity mean in a place as diverse as we are in all sorts of way. It was really inspiring, and there were folks like John there, also representation from Lehigh University, parents, some students, high school students who really represented their age level in a very substantive thoughtful way, they really thought about what they wanted to say, they were very clear about it. She thought the board would like to know that there was this kind of inspiring vocals. In their focus groups, the search folks might say, "you know some folks are rising to the top" that could be real resources for the board to help think about building capacity. Not to tell you what to do, not to make decisions, but to have a sort of increase in the board's capacity to get lots and lots of takes on the situation.

She also wanted to share some concerns. It concerned her that she met with a focus group on January 7, 2010, and still has not gotten feedback from them. They said, "they took all of our email addresses, we are going to send out what you said, we are going to ask you to respond to that for accuracy or additional thoughts." Still has not seen it. What was said? It was a long time ago now, so that is a concern of hers. She was really happy to hear that things are going to be pulled a little more out or the request is going to be made to pull things out of that mold. The web makes it easier for folks to see where do I go to see...oh there is a survey here of three questions, I can respond to. Too raise the visibility. In looking at other school districts, someone found one where on the home webpage, there was a huge spot light that blinks that says, "Exciting Event, New Superintendent Needed, Check Here, Click Here, Do this, Get Involved." Kind of build sense of community involvement. This is our whole process.

She thinks there is a lot of good will in this district. She recalls when there was talk about moving

Nitschmann, there were two town hall meetings. Close to a hundred people met twice at two different sites, so two hundred people per building attended. There were not quite sixty from our entire district, come and meet about the superintendent search. She says it was a good turn out, but in terms of who we are, and a district this large, it was not lot of folks. Everything that folks have said about trying to define the process in how community people will be invited and how things will get communicated. She hopes that the summaries of the focus groups both from the district and community will be also on the website for folks to see. She added that it is inspiring so it does not need to be hidden. It is really inspiring to see how much can you get. She wanted to say thanks like John did for all the board's hard work, and she knows that it is not easy. She stated do not go at it alone. We want to help.

OPEN FORUM – None

Irene Follweiler adjourned the meeting at 10:19 p.m.

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