

NORTHERN LEHIGH SCHOOL DISTRICT
Regular School Board Meeting
Monday, October 11, 2021
Northern Lehigh Middle School
Auditorium
7:00 P.M.



PURPOSE The regular meeting of the Northern Lehigh Board of School Directors was called to order by the Vice President, Mr. Robin T. Distler, at 7:02 p.m. on Monday, October 11, 2021, in the Northern Lehigh Middle School Auditorium.

ROLL CALL Members present: Mr. Robin T. Distler, Mr. Mathias J. Green, Jr., Mrs. Michelle M. Heckman, Mrs. Gale N. Husack, Mr. Robert J. Keegan, Jr., Mrs. Donna M. Kulp, and Mrs. Michele L. Martineau (7)

Members Absent: Mr. Robert L. Kern, Jr., Mr. Gary S. Fedorcha (2)

Non-members present: Mr. Matthew Link, Dr. Tania Stoker, Mr. Terry Ahner (Times News), Mr. Todd Breiner, Ms. Paige Craddock (Sr. Rep.), Mr. Greg Derr, Ms. Danielle Dougherty (Jr. Rep.), Mrs. Michele Dotta, Mrs. Rhonda Frantz, Mr. David Hauser, Mr. Eric Hill, Mr. Eugene Marks, Mrs. Sherri Molitoris, Atty. Kristine Roddick, Mr. James Schnyderite, and Mr. Michael Strohl

VISITORS Approximately twelve visitors attended the meeting and ninety-five visitors viewed the meeting.

PUBLIC COMMENT Mr. Distler read a statement regarding public comment at board meetings. There was no public comment for the beginning of the meeting.

APPROVE MINUTES Mrs. Martineau made a motion, which was seconded by Mrs. Heckman, that the minutes of the regular board meeting held on September 13, 2021, be approved and ordered filed.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

SPECIAL BOARD REPORTS Carbon Lehigh Intermediate Unit - No report.

Lehigh Career and Technical Institute - No report.

Legislative Report - No report.

Lehigh Carbon Community College - No report.

Committee Reports and/or Meetings:

Minutes of the Education/Policy Committee Meeting held on October 4, 2021, were distributed.

Minutes of the Extra and Co-Curricular Committee Meeting held on October 4, 2021, were distributed.

Minutes of the Technology/Buildings and Grounds Committee Meeting held on October 4, 2021, were distributed.

Minutes of the Finance Committee Meeting held on October 6, 2021, were distributed.

Student Representatives to the Board Report - Ms. Paige Craddock reported that so far, field hockey is six and eight, tonight is their senior night. Football is four and three. Girls' soccer won tonight and are ten and zero and boys' soccer is one and six. Homecoming - hallway decorating is occurring from October 4th until tonight. The winner of the competition will be announced at the pep rally. There's going to be prizes depending on who's first, last. Homecoming spirit week is the 8th through 15th. There is pajama day, jersey, Hawaiian, preppy, and blue lightning day. The bonfire will be on the 14th. Set up will be at 5:00 and the event begins at 6:00. There are six businesses and four clubs so far. Head coaches for the fall sports will announce their teams. The pep rally will be during block four

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on Friday, the 15th. The cheerleaders will run it and it will be held at the stadium and the court will be announced. Also, the name of our new bulldog mascot will also be announced. The parade will be Friday at 6:00. Ms. Danielle Dougherty reported that the Homecoming football game will begin at 7:00 against Pen Argyl on Friday, October 15th. At halftime, the king and queen of the Homecoming court will be crowned. Our 2020 king and queen, Julia Wanamaker and Joey Abidelli, we've been in contact with them, and they'll be crowning this year's king and queen as well as attending the dance. Student council is selling extra Homecoming shirts at the game. Also, student council members are collecting money at the game for the Susan G. Komen Fund. The Homecoming Dance is on Saturday, October 16th, from 4:00 to 7:00, not the traditional 7:00 to 10:00, so that they could be outside at the stadium and masks are optional while you're outside at the dance. Student council, we've gotten two tents as well as a large dance floor in hopes of making the dance really nice since we haven't had one since 2019 and hoping to have the dance rain or shine. SADD Red Ribbon Week is going to be from October 25th to the 29th.

Mr. Nicholas Sander and student council members gave a student council update. Mr. Sander introduced Paige Craddock as the president, Danielle Dougherty as the secretary, Maddie Mack as treasurer and a junior council member. Mr. Sander reported that it is going to be a year of kind of coming back together. Last year, the student council was very active; they also had to really adapt things for the times. They are working with the Marines in Allentown for Toys for Tots and will be working with the Freiden's church for the Adopt-a-Family program. Our holiday season every year is all about charity, giving back to the community. It's one of the most important times of year for our students as well as the community. Hopefully they can get back to Peters Elementary and act as teacher's aides one day before the holiday break. A little bit closer, on October 21st they will be hosting a blood drive. It is held twice a year and this is the fall drive. It will be held at the high school gymnasium from 8:00 to 1:00. They are asking that people pre-register for the blood drive.

Solicitor's Report - Attorney Kristine Roddick reported on a new case that came down from the middle district Pennsylvania. The court denied a motion for an injunction to not enforce a mask mandate. Parents argued that they have a 14th Amendment constitutional right to raise their children as they see fit. The court agreed but determined that that right was not unlimited and parents can't interfere with the government's public health efforts during a global pandemic. They argued that the mask order violates their property, students' properties rights to public education and the court disagreed. The mask mandate does not prevent students from attending school. Parents argued that it violates their due process rights. The court disagreed. They said that where there is a valid state order such as the Department of Health, there is no requirement for school districts to hold a public meeting to obtain input on whether or not to consider following law. And, the parents argued that the mask mandate violates students rights to association under the first amendment and the court said no. The mask mandate doesn't limit or prevent students from gathering or associating with each other. So, that was supposed to come down and in the middle of September it did get deferred. The court issued that decision on September 30th.

Assistant Superintendent's Report - Dr. Stoker reported on the ESSER Grants. The board members and public had a handout to review. In an effort to keep stakeholders informed about our ESSER grants, we continue to take feedback from individuals and groups through various committees and reports on spending each month, at board meetings. Since last report, we have resubmitted both the ESSER II and ESSER III grants as per change requests from PDE and also to provide more detail on how we are using the funds. As of last month, our allocations for ESSER II and ESSER III totaled 4.4 million dollars. As per the eGrant system, more recently our ESSER II allocation has decreased by \$4,000 and our ESSER III allocation has increased at \$2,000, which has changed our learning loss requirement to \$590,156. Overall, it is a \$2,080 dollar decrease in our ESSER grants. PDE has not yet provided an explanation as to why these values have changed. To date, we have \$9,649 in the ESSER II grant and \$473,226 in the ESSER III grant that is still undetermined as far as spending. We have until September 30th of 2023 and 2024 respectively to spend the monies. Additionally, last month we reported that we received an ESSER III B allocation of \$229,342. We are continuing to determine how that grant will be spent in the areas of learning loss; social, emotional, mental health supports for staff and students; after school programs and summer enrichments. That grant must be submitted by the end of November but we are hoping to finalize that by the end of October, if

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possible. More detailed information on the ESSER grants can be found in the PowerPoint presentations that are posted each month on the web page. The second report this evening is the PA Future Ready Index. During the PA Future Ready Index preview that was recently released to district administration, we reviewed rates of regular attendance, career standards benchmark, and graduation data. Regular attendance is calculated for any student who has enrolled for 90 or more school days and students who were present for 90 percent of those days that they were enrolled are considered to have attended regularly. At Northern Lehigh, all of our schools were in the blue which means that we exceeded statewide goals or in the green which means that we either met the statewide or interim target for the overall population. Peters had a 92.4%, Slatington had a 94.4%, the middle school had 93.4% and the high school 87.8% for regular attendance. The career standards benchmark is based upon the number of students who have submitted the required pieces of evidence of college and career evidence that our students work on in their classes K through 12. That evidence is collected in grade bands and reported in grades 5, 8, and 11. She's happy to report that again, our schools were in the blue or green for this measure with Slatington at 100%, the middle school at 99.1%, and the high school at 98.2%. The last indicator to discuss is graduation. This is defined by the number of students in the cohort who graduated with a high school diploma. When we say cohort, the students who come in 9th grade, would graduate in four years from the time that they enter 9th grade. At the high school, 91.1% of our students graduated in 4 years. While overall scores were very positive, there were some concerns in the data at the high school level for some of our subgroups with regards to attendance, career standards, and graduation. Specifically, our economically disadvantaged students, students with IEP's, and Hispanic students scored lower. We will be diving deeper into that data at the individual levels to determine the appropriate action to take to improve those scores. Results discussed here tonight will become public through the Future Ready PA Index site soon and then will be shared out again in more detail when we do our annual data presentation for the board and public later this school year. The date on that is still undetermined based upon the release of the rest of the data

Superintendent's Report - Mr. Link introduced Mrs. Alyssa Wingenfield to discuss a potential middle school kitchen renovation project. Mrs. Wingenfield is from the McClure Company who you may recall has done previous energy savings work and renovations in the school district over the last two to three years. Mrs. Wingenfield introduced herself. A handout was given to the board. She has been with the company almost 15 years. Mrs. Wingenfield gave background information about McClure. They are a 68 year old construction firm headquartered in Harrisburg and they specialize in K-12 energy projects. In those projects, they have to guarantee a return on investment in two separate ways. First, they have to guarantee project costs, meaning no change orders or any errors or omissions by our engineers. Second, they have to guarantee the performance or the energy savings, any shortfalls McClure is responsible for the difference. They have worked with the district in the past. They've done lighting, HVAC projects, roofing projects, and most recently the high school science classroom renovations. Tonight, she's going to talk about the middle school kitchen upgrades for the board consideration. This conversation started over the summer where they walked through the kitchen with the kitchen staff and the administration and got a firsthand look at some of the challenges of the middle school kitchen. Since then, they've done engineering surveys and also met with administration to review designs. What they saw during these walk-throughs and through the interviews with the staff is that the existing equipment is at end of life. Some of the kitchen food service equipment is original to the buildings, like 1950 vintage. They also saw the HVAC is the only equipment in the district that has not had the HVAC addressed. So, it's close to 30 years old and in need of replacement. They also met with the district to discuss the desire to use ESSER funding for this project and use this project to find ways to space staff better so that they have more room and can spread apart to help mitigate the risk of Covid-19 spread. Other goals of this project is to really update the food service equipment and the HVAC systems. We want to look at reconfiguring the serving lines to improve the flow. We want to improve the space functionality where we can. And, if financially viable, do cosmetic upgrades. Mrs. Wingenfield went over three options for consideration tonight. Option 1 is the lowest cost option with option 3 being the most expensive and option 2 is somewhere in between. The first option is upgrading the kitchen food service equipment. Really taking a look at any kitchen equipment that's at end of life. If not the equipment is not used by the kitchen staff, we do not recommend replacing it, things like potato peelers, mixers, and steam equipment do not need to be replaced. Then working with your staff to come up with what the new

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equipment should be based on usage. The walk-in cooler is original and we are recommending replacing it. Putting in a higher ceiling so they have more storage space for refrigerated items. Also adding new countertops displays at each of the point-of-sale stations. Option 2 adds HVAC upgrades. They recommend air conditioning the kitchen area, currently it's heating only. Staff says it doesn't really heat in the winter time very well. The heating equipment is in good shape, so they recommend recommissioning those with new controls that they can more effectively. They also recommend installing a new makeup air unit to provide fresh air to the space and replacing two kitchen hood fans. Recommending in this option to reconfigure the serving line and add new concession windows and then also doing some minor cosmetic upgrades. The third option is an entire renovation of the middle school kitchen including a reconfiguration. So, reconfiguring a serving line, all of everything talked about in options 1 and 2 but then also removing the bathroom, putting in a new storage space, moving the washer and dryer out of the office, adding some lockers and making that a true office, and then a full cosmetic upgrade of the flooring, paint and ceilings. The project financials are budgets at this point and they are completely turnkey. So, this includes all the engineering permits, construction, and final commissioning and treatment. In the first option, you're looking at a project around \$336,000 to do just kitchen equipment upgrades. Option 2, this is adding in the HVAC systems, the reconfiguring of the serving line, adding concessions windows, that we're showing a range of \$531,000 to \$759,000. The third option, if you would do a full renovation, is \$931,000. The next step with this project, if these numbers and scope of work make sense to you and you want to move to the next step, there's specific rules when it comes to Federal grant funds and doing energy projects. So, there's basically four rules. One, you have to go out for a request for proposals. You have to take competitive responses and those responses have to contain a cost component. When you get those responses, you also need a written scoring matrix to score the candidates but those projects can be awarded on best value, not necessarily local. So, what we recommend for next steps is over the next month and a half you go out for a request for proposals, you would get the responses back and then grade them. Then you would reward them at your December 6th meeting. And, why that's important is because kitchen equipment has an extremely long lead time. Some are over 20 weeks. So, the sooner you can get that project approved and the contract executed, you can then procure that major equipment and make sure it is on site between the construction window of June 2022 and August 2022. Mr. Green commented that he's looking at the ESSER grant spending and this would be totally ESSER's money? Dr. Stoker commented that yes, that is correct. Mr. Green asked which number is currently in the grant. Dr. Stoker commented that it is up to \$750,000 in ESSER II. Mrs. Kulp commented that it's a pretty large range. Are you basing that on current projects that you have? Mrs. Wingenfield commented that it's based on current construction projects. Mr. Distler asked about the meaning of a little bit of life in the current equipment. Does that mean we're going to have to be replacing them in the near future? Mrs. Wingenfield commented that some of the equipment is from the 1990's and they may need a coil so they expect them to have a longer life. Mrs. Heckman commented that in any of the current project schedules that we have, some of our ongoing capital projects, does the middle school HVAC appear on a schedule anywhere? Mrs. Wingenfield commented that the middle school HVAC was addressed in 2018. The kitchen was taken out of that design. So, the majority of the middle school is brand new. It was just the kitchen that wasn't done in 2000. The new equipment will also have bipolar ionization. That will be transferred over and then any equipment that is brand new that doesn't have it, will get it. Mr. Link commented that this will be agenda item J., listed under the Financials section of the agenda this evening.

Mr. Link gave the board the opportunity to ask any questions or provide any feedback on the proposed District Goals for the 2021-2022 school year. They are in your packet and they were shared out with you as a draft at the end of last week. If you are familiar with the SMART goal template we've been using that goal template since 2018. At the bottom of each goal is the actual proposed goal. Some of these will look very similar to last year. Things like ongoing professional development, ongoing work towards culture and climate and some of them are more granular this year when it comes to things like the use of technology for instructional purposes as well as achievement and growth. These are also on the agenda this evening under New Business.

**Executive
Session**

An executive session was held at 6:30 p.m. at the Middle School Library for the purpose of personnel and legal items.

PERSONNEL Mrs. Kulp made a motion, which was seconded by Mr. Keegan, that the Board of Education approves the following personnel items:

Mr. Link acknowledged Mrs. Maria VanNorman for her years of service at the high school. She has been an integral part of our English Language Arts department at the high school and was also one of the key players in getting the CFES essential skills curriculum and work off the ground two years ago. We wish her the best in moving forward in her retirement.

Resignation/
Retirement
M.
VanNorman With regret, accept the retirement resignation of Maria VanNorman from her position as English Language Arts Teacher at the Northern Lehigh High School, effective October 21, 2021. Mrs. VanNorman will be retiring from the Northern Lehigh School District, after 6 years of service.

K. Garrison Accept the resignation of Kristin Garrison from her position as Cafeteria/Hall Monitor at Peters Elementary, effective September 26, 2021.

E. Katona Accept the resignation of Erika Katona from her position as Instructional Paraprofessional at the Middle School, effective October 1, 2021.

H. Rainey Accept the resignation of Holly Rainey from her position as Cafeteria/Hall Monitor at Peters Elementary, effective October 4, 2021.

N. Barthol Accept the resignation of Nicole Barthol from her position as Instructional Paraprofessional at Slatington Elementary, effective October 1, 2021.

J. Eckroth Accept the resignation of Jessica Eckroth from her position as Cook's Helper at the Middle School, effective September 28, 2021.

K. Miller
Mallory Accept the resignation of Karie Miller Mallory from her position as Permanent District Substitute effective September 30, 2021.

Appointment
Non-
Instructional Kristin Garrison*
Assignment: Cook's Helper
Salary: \$13.50/hour for the 2021-2022 school year
Effective: September 27, 2021
***60 Working Day Probationary Period**

Lisa Hunt*
Assignment: Instructional Paraprofessional
Salary: \$15.45/hour
Effective: October 5, 2021
***60 Working Day Probationary Period**

Holly Rainey*
Assignment: Cook's Helper
Salary: \$13.50/hour for the 2021-2022 school year
Effective: October 5, 2021
***60 Working Day Probationary Period**

Jessica Eckroth*
Assignment: Cafeteria/Hall Monitor - Peters Elementary
Salary: \$13.87/hour
Effective: October 4, 2021
***60 Working Day Probationary Period**

PERSONNEL
(cont.)

Nicole Kaercher* **

Assignment: Instructional Paraprofessional
 Salary: \$15.45/hour
 Effective: November 1, 2021

*60 Working Day Probationary Period

** Pending verification of missing personnel file items

Jennifer Figueroa* **

Assignment: Instructional Paraprofessional (Funded through ESSER)
 Salary: \$15.45/hour
 Effective: October 18, 2021

*60 Working Day Probationary Period

** Pending verification of missing personnel file items

Appointment
Instructional

Karie Miller Mallory

Long Term Substitute

Assignment: High School English Teacher

Salary: \$51,750 (Step 1 Bachelors on the 2021-2022 CBA Salary Schedule - prorated)

Effective: August 26, 2021

Termination Date: End of the 2021-2022 school year

Substitutes
Non-
Instructional

Motion to appoint the following individual as substitute paraprofessional for the 2021-2022 school year at the 2021-2022 substitute rate as approved on the Supplemental Personnel Salary Schedule:

Erika Katona

Family
Medical
Leave

Approve the request of employee #1140 to take a medical leave of absence beginning on or about October 25, 2021, for their own medical reasons. Employee is requesting to use accumulated sick days. Upon exhaustion of eligible days, employee is requesting family medical leave. Employee plans to return to their position upon release from their physician.

Approve the request of employee #7270 to take a medical leave of absence for the birth of a child, beginning on or about February 23, 2022. Employee is requesting to use accumulated sick days. Upon exhaustion of eligible days, employee is requesting a family medical leave. Employee plans to return to her position at the beginning of the 2022-2023 school year.

Co-Curricular
Appointments
2021-2022

Matthew Davis

Academic Challenge Eight Advisor

\$501

Michele Brown

SE Yearbook (shared stipend)

\$325

Jessica Jones

SE Yearbook (shared stipend)

\$325

Matthew Egan

Assistant Boys' Basketball Coach

\$5136

Permanent
Substitute

Approve the following individuals as District Wide permanent substitute teacher for the 2021-2022 school year. They will be paid a daily per diem rate of \$150.00 and will receive district health benefits according to the Affordable Care Act regulations with co-payment amounts equivalent to that of district personnel.

Stephanie Gustafson

Co-Curricular
Volunteers
2021-2022

Jacob Waylen

Boys' Basketball Coach

PERSONNEL**(cont.)**

Termination of Employment Approve the termination of employment of Employee #7402 from their position of Cook's Helper, effective October 11, 2021.

Termination of Employment Approve the termination of employment of Employee #7259 from their position of Cook's Helper, effective October 11, 2021.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

POLICY

Mrs. Martineau made a motion, which was seconded by Mrs. Husack, that the Board of Education approves the following policy items:

Board Policy First Reading Approve school board policy #122 - Extracurricular Activities – Programs, as presented after first reading.

Approve school board policy #123 - Interscholastic Athletics – Programs, as presented after first reading.

Approve school board policy #123.2 - Sudden Cardiac Arrest – Programs, as presented after first reading.

Board Policy Second Reading Approve school board policy #006 - Meetings - Local Board Procedures, as presented after the second reading.

Approve school board policy #006.1 - Attendance Via Electronic Communication (Previously Use of Teleconferencing) - Local Board Procedures, as presented after the second reading.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

**CONFER-
ENCES**

Mr. Green made a motion, which was seconded by Mrs. Heckman, that the Board of Education approves the following conference items:

S. Molitoris A/CAPA Sherri Molitoris – A/CAPA Annual Conference – October 27-29, 2021 – The Hotel Hershey - Hershey, PA – Registration: \$425.00; Lodging: \$594.00; Travel: \$86.24 – Total Approximate Cost: \$1,105.24 – Funding: Business Office Budget

T. Stubits PETE & C Tamara Stubits - Pennsylvania Education Technology Expo & Conference (PETE & C) - February 7-8, 2022 - Hershey Lodge - Hershey, PA - Registration: \$210.00; Lodging: \$195.36; Meals: \$50; Travel: \$90.16 - Total Approximate Cost: \$545.52 - Funding: Assistant Superintendent's Professional Development Budget

B. Dunham PETE & C Blasia Dunham - Pennsylvania Education Technology Expo & Conference (PETE & C) - February 7-8, 2022 - Hershey Lodge - Hershey, PA - Registration: \$210.00; Meals: \$50 - Total Approximate Cost: 260.00 - Funding: Assistant Superintendent's Professional Development Budget

S. Molitoris PASPA Sherri Molitoris - 36th Annual PASPA Conference - February 23-25, 2022 - Eden Resort - Lancaster, PA - Registration: \$495.00; Lodging: \$272.96; Travel: 88.48; Meals: \$50.00 - Total Approximate Cost: \$906.44 - Funding: Business Office Budget

**CONFER-
ENCES**
(cont.)

J. Butz
SHAPE

Jennifer Butz - SHAPE PA 100th Annual State Conference - November 11-12, 2021 - Seven Springs Resort - Champion, PA - Lodging: \$154.29 - Total Approximate Cost: \$154.29 - Funding: Assistant Superintendent's Professional Development Budget

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

**CURRIC-
ULUM AND
INSTRUCTION**

Mrs. Kulp made a motion, which was seconded by Mrs. Martineau, that the Board of Education approves the following curriculum and instruction items:

Lehigh
Learning
Academy

Approve to authorize proper officials to enter into an agreement between the Northern Lehigh School District and Lehigh Learning Academy for the purpose of furnishing regular education or special education programs for the students for the 2021-2022 school year.

edInsight
Agreement

As per the recommendation of the administration, the Education/Policy Committee, and Finance Committee, approve to authorize proper officials to enter into an agreement with edInsight at a cost of \$10,450 per year for three years, funding through the ESSER grant.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

**NEW
BUSINESS**

Mrs. Martineau made a motion, which was seconded by Mr. Keegan, that the Board of Education approves the following new business item:

District Goals
2021-2022

Approve the Northern Lehigh School District Goals for the 2021-2022 school year as presented in the Superintendent's Report.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

FINANCIAL

Mrs. Husack made a motion, which was seconded by Mr. Green, that the Board of Education approves the following financial items:

Financial
Reports

Approve the Following Financial Reports:

1. NLHS Student Activities Account month of September 2021 (Unaudited) NLHS Student
2. Activities Account month of September 2021 (Unaudited)

Payment of
Bills

Approve the Following List of Bills:

1. General Fund months of September & October, 2021
2. Cafeteria Fund months of September & October, 2021

Abatement/
Exonerations

Approve abatement/exoneration requests of per capita taxes, for the residents that fall within the guidelines, as presented.

FINANCIAL**(cont.)**

- Slatington Public Library Approve to release the \$5,000.00 donation to the Slatington Public Library that is budgeted in the 2021-2022 school year.
- Portnoff Law RESOLVED, the Board of Education approves the addendum to the agreement with Portnoff Law Associates, Ltd. to be the delinquent real estate tax collector for the 2022 tax year.
- Statewide Tax Recovery Approve the appointment of Statewide Tax Recovery as the delinquent per capita tax collector for the 2022 tax year.
- Westmoreland I.U. As per the recommendation of the administration and the Finance Committee, approve to authorize proper officials to enter into an agreement between the Northern Lehigh School District and Westmoreland Intermediate Unit, for the purposes of providing compliance software and Fraud Check Services, which would meet all compliance requirements by PDE, at a yearly cost of \$500.00.
- HP Laptop Purchase As per the recommendation from the administration and Technology/Buildings and Grounds Committee, approve the purchase of 30 HP Laptop LCD replacement parts at a cost of \$4,950.00, funding through the ESSER Grant.
- HP Elitebook Purchase As per the recommendation from the administration and Technology/Buildings and Grounds Committee, approve the purchase of 5 HP EliteBook 830 G8 Laptops, 5 LG Monitors, 5 HP USB Docks, and 5 DisplayPort cables at a cost of \$12,025.55, funding through the ESSER Grant.
- RFP NLMS Kitchen Per the recommendation of administration and the Technology/Building and Grounds Committee, approve the solicitation of proposals for a potential Guaranteed Energy Savings Agreement to upgrade the Middle School Kitchen.

Mrs. Husack asked if Item J. was just the proposal to ask for a request, correct? Mr. Link commented, correct, the agenda item this evening is to approve administration to move forward with posting a request for proposals so contractors and outside companies can put in their best guess at doing the kitchen middle school project. Once those are all in and reviewed, administration will give a report back to the school board as to whether they want to approve the project with that contractor and move forward.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

LEGAL

Mr. Keegan made a motion, which was seconded by Mrs. Kulp that the Board of Education approves the following legal items:

Expulsion Hearing Waiver Approvals The Board agrees to expulsion hearing waiver for Student #2690231. Student and guardian have agreed to waive their right to a formal expulsion hearing in front of the School Board and have also agreed to disciplinary action outlined in the waiver.

The Board agrees to expulsion hearing waiver for Student #2690204. Student and guardian have agreed to waive their right to a formal expulsion hearing in front of the School Board and have also agreed to disciplinary action outlined in the waiver.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

**INFOR-
MATION**

Minutes of the Carbon Lehigh Intermediate Unit 21 Board of Directors meetings held on August 16, 2021.

Minutes of the Lehigh Carbon Community College Board of Trustees meeting held on August 5, 2021.

Minutes of the Lehigh Career & Technical Institute Joint Operating Committee meeting held on August 25, 2021.

**RECOG-
NITION
OF
GUESTS**

Mr. Distler recognized Mr. Chad Christman.

Mr. Chad Christman, there's a couple of agenda items here and non-agenda items. I'll try to not go back and forth as much as possible, I'll try to keep it short and sweet. In the very beginning of the meeting you had recited a line that I've become familiar with in making sure that we maintain decency and civility towards each other and I respect that and extend that. However, how the meeting ended last time did not feel like that was reciprocated towards us parents who still had questions and you guys, as a whole, abruptly ended the meeting while there were still questions and concerns about the legality of the orders. I understand in the very beginning you gave your report about how the courts have deemed that it is constitutional for these masking orders and mandates. But, those are still not definite answers yet and they're still pending legal action. I'd also like to remind you all, last year during the hype of the pandemic there were multiple lawsuits filed against the state, and the Department of Health and Governor Tom Wolf on behalf of Taste of Sicily and Seven Sides. They sued the state and they won. Every single one of their cases, fines and warnings and threats, were dismissed. Every single one of them. Not a single dollar. Not a single fine. Not a single injunction, anything. They stayed open, they refused to close. They defied everything the Governor ordered them to do because it is indeed an unlawful order. I understand that's up to interpretation depending on what judge and what jurisdiction you ask, I understand that. I don't envy you guys because it puts you guys in a tough spot because you guys are under extremely pressure situations between teacher unions, threatening letters from the Department of Health, Department of State, we understand that. It's a very sticky situation to be in. We just want you guys to stand up for us, do what's right. Also, in regards to our current school district policies with exposures, it seems there's a lot of confusion and it almost seems to vary school to school and case by case. There's been instances where you get an exposure within five days if you're symptom free you get a negative test, you can return. But if you're in exposure to a close family members you've got to add another 10 to 14 days on top of that. You could have a child who was positive, completely recovered, goes back to school before a person who's exposed within the household. This stuff doesn't make any sense. Doesn't make any sense at all. Some clarification on the exact procedure would be great. Also, in regards to the recent proposal for the kitchen update that we want to do here at the middle school. I'm all for updating, remodeling, coming to the turn of the century, I'm all for it, I love it. However, we're currently serving our kids Dominoes and Subway. How is renovating a kitchen, barely being used, gonna help these kids get an actual meal versus Dominoes and Subway? I just think there needs to be a little bit more discussion about that and how we're handling that versus the current situation. Thank you for your time.

Mr. Eric King, I forget exactly which meeting it was during the spring, but we spent an unbelievable amount of time discussing water bottles during the ESSER funding grants and bubbler machines to fill these water bottles. We're now halfway through, if not further through, the first marking period of the school year and I'm curious if there is any update with that, what the status is. As we all know, one of the main reasons school boards are dismissive about defying the Governor's mandates and so forth about masks is because they're afraid they're going to lose funding for things. Here now we have the funding, we were promised water bottles, our kids are still told to bring their own water bottles into school every day. We're stuck with mask mandates and where did that money go for water bottles and bubbler stations to fill these water bottles. We have no updates. We haven't heard anything about that going forward. Meanwhile, our kids are stuck wearing masks because you guys are scared of losing the funding. That's all I had. I was curious if somebody has any kind of explanation as to what happened with that or what the status is of that.

RECOGNITION OF GUESTS (cont.)

Mr. Link commented that initially when we were looking at water bottles, they were going to be close to \$20,000 for children K to 12. We are looking for other vendors to provide a different type of water bottle so we can use that money for water bottles but also have money to put towards other projects.

Mr. Link announced that there was one statement to be read that was received via the NLSD email. Mrs. Husack read the statement.

Statement from Justin Jachowicz - Received today at 10:43 a.m. - Another month goes by and our school board and superintendent are still discriminating against and not allowing maskless speakers into the meetings. The rest of the state continues on with life while people attend fall festivals, amusement parks, high school sporting events and college and professional games with 50,000 plus fans but we cannot have a group of 50 people sit in a large auditorium without masks. Absolutely absurd. I emailed Mr. Link and our school board on October 1 with these specific questions: Where are the studies, data and evidence to show masks, specifically cloth masks, prevent the spread of COVID-19? Where are the studies, data and evidence to show that COVID-19 spreads through schools, including data from the PA Department of Health contact tracing. These are questions I have asked since the beginning of the pandemic and have not received any response or attempts at responses from Mr. Link or anyone on the school board. Now that we are back to bowing to King, I mean Governor Wolf, and have implemented his rogue Department of Health mandate, I have asked additional questions. What quantitative metric needs to be achieved for masks to be optional at NLSD? Where is the data that shows masks are working to prevent the spread of COVID-19 since being implemented on 9/7/2021 compared to being mask optional prior to that point? How long will you force students to miss in-person education for 10-20 days in a row when there is no State of Emergency or quarantine requirement anywhere else in the state of Pennsylvania? How long will Northern Lehigh School District waste countless hours of manpower from high level administrators and school nurses to conduct contact tracing within the school, when it is not the responsibility or expertise of these people to do so? Since I have not received even an acknowledgement of my email from anyone, please answer these questions in front of the public. It is the job of Mr. Link and the school board to respond to the questions from the public and if they do not do so in a timely manner, they can be petitioned to be removed from their position in a court of law. Please confirm that this email was received and will be read at the meeting tonight.

Mr. Link commented that if it is the will of the board, he can respond to these questions this evening. The board agreed.

Mr. Link commented that the first question where are the studies, data and evidence to show masks, specifically cloth masks, prevent the spread of COVID-19. That information has been asked and answered. It's been in the NLSD board approved Health and Safety Plan since approved early this year. It's in the FAQ links within that plan. Where are the studies, data and evidence to show that the COVID-19 spreads through schools including data from the PA Department of Health contact tracing. Again, same answer. They are within the FAQ links of the approved NLSD Health and Safety Plan. What quantitative metric needs to be achieved for masks to be optional at NLSD? There is no quantitative metric. It is an order which we are bound to uphold. It will only be considered to remove it when the order is lifted. Where is the data that shows masks are working to prevent the spread of COVID-19 since being implemented on 9/7/2021 compared to being mask optional prior to that point? All district-wide data is reported on the district website. It is updated at the end of each day, usually between 3:30 and 4:30 p.m. How long will you force students to miss in-person education for 10-20 days in a row when there is no State of Emergency or quarantine requirement anywhere else in the state of Pennsylvania? Again, as long as the NLSD Health and Safety Plan is in place and those timelines are scripted in that plan. How long will Northern Lehigh School District waste countless hours of manpower from high level administrators and school nurses to conduct contact tracing within the school, when it is not the responsibility or expertise of these people to do so? Again, as long as the NLSD Health and Safety Plan is in place.

Mr. Distler asked if there was anything from the board. Mrs. Heckman asked Mr. Link to explain what a Right-to-Know request is? When a community member or actually anyone, it doesn't have to be a community member, sends in a request to our Right-to-Know Officer, which is myself, for information

RECOGNITION OF GUESTS (cont.)

related to school district operations, communications, budgeting, anything like that. We have to consider that request. We have to respond within five days whether we need additional time to consider that request which is an additional 30 days. I will defer to our solicitor in a minute. An additional 30 days added onto the end of the original five. We have to let the requestor know whether we're going to provide that information or not. What the cost is if we choose to charge the requester and then provide that information. No response means that we are declining the requester's request for information. Attorney Roddick commented that Mr. Link hit the key points. And, if we deny that request, and our denials need to be based upon the Pennsylvania Right-to-Know Act which sets forth exceptions. Pretty much the default is everything is producible unless it falls within certain enumerated exceptions in the Right-to-Know law. If we would deny a request based upon our interpretation of the law, then the requester has the ability to appeal to the Office of Open Records and then they will review the request, review our response, and make a decision. If they determine that we need to produce it or not produce it, either party then can appeal that decision to the Pennsylvania Commonwealth Court. Mr. Keegan commented that it's his understanding, tell him if he's wrong, it refers to documentation that exists. It does not refer to administration or anyone within the district creating documents of data based on questions about information that is not already \ documented. Attorney Roddick commented, you are correct. Mrs. Martineau commented when you said costs, what are those, what are considered the costs of it and who is responsible for that. Mr. Link commented the actual cost is the cost of the actual paper. I believe we are allowed to charge even for costs such as ink cartridges and things like that but he deferred to Attorney Roddick. So, historically here in Northern Lehigh School District and as long as he has been here, we have not charged anyone who requested for Right-to-Know information or documents, any of those costs. That's the actual monetary cost. Some of them, we can have the information made readily available within the initial five days. Some of them will take 35 days depending on the volume of information that is requested and people that we have or do not have available to gather and organize that information and then review that information. Mrs. Heckman asked Mr. Link what was the most recent Right-to-Know request that we received. Mr. Link commented the the most recent Right-to-Know request came in a little over a month ago from Mr. Justin Jackowicz. Mrs. Heckman asked if that was the same Justin Jackowicz that submitted the letter that the secretary read. Mr. Link commented that he believes that it is. Mrs. Heckman asked how long did it take for us to respond to that request. Mr. Link commented that he'd have to go back and check his notes. He believes his administrative assistant was close to 15 hours, Mr. Hill was close to 4 hours and then his work directly involved with it was 8 hours. Then from there, we had one of our legal representatives, one of our attorneys from the King Spry law firm, also reviewed for any redaction that needed to occur. Mr. Distler asked if we changed anything. Mr. Link commented no. Mrs. Heckman asked what would you say is the total amount of hours collectively spent on that request. Mr. Link commented 27 hours. Mrs. Heckman asked what would you say is the estimated cost of fulfilling that request. Mr. Link commented that the actual cost is the cost of the paper. Mrs. Heckman said she meant manpower. Mr. Link commented that the manpower cost would be the amount of hours for each of those individuals times their salaries and benefits rate per hour and he wasn't comfortable making an estimate on that until he would actually sit down to figure it out. Mrs. Heckman asked how many pages did the request end up being when it was finally printed. What was the total amount of pages provided? Mr. Link commented the initial bundle of paper was probably 2,500 to 3,000 pages. The ones that actually fell within the parameters of the request minus any redactions that need to occur, he believes were around 1,400 pages. Mrs. Martineau asked Mr. Link to address the allegation that you haven't responded to, acknowledged any of these emails. That's not what I know you to be like so I was curious as to why. Mr. Link commented that any questions that were previously answered, I would not respond again.

**ADJOURN-
MENT**

Mr. Keegan made a motion, which was seconded by Mrs. Martineua, that the regular meeting of the Northern Lehigh School District Board of School Directors adjourned at 7:57 p.m.

YEA: Mr. Distler, Mr. Green, Mrs. Heckman, Mrs. Husack, Mr. Keegan, Mrs. Kulp and Mrs. Martineau (7)

ABS: Mr. Kern and Mr. Fedorcha (2)
Motion carried.

Respectfully submitted,

Gale N. Husack
Secretary

ATTEST: _____ President
Gary S. Fedorcha