

MEMORANDUM

January 16, 2009

TO : Board of School Directors

FROM : Dr. Joseph A. Lewis, Superintendent of Schools

SUBJECT : Lehigh Valley Dual Language Charter School

I wanted to bring the board up-to-date on misinformation that has been clarified relative to the submission of the Lehigh Valley Dual Language (LVDL) Charter School application. Dr. Donaher, Mr. Majewski, and I spoke to Sis Obed Torres-Cordero on Thursday, January 15, 2009, and it was determined that not only was the application turned in on time, but there were 12 copies submitted according to the Charter School Law. If you recall, that was at the precise time Mr. Majewski was out for an entire week for medical reasons.

Nonetheless, the law requires that the copies be submitted unbound, with an ample number for all board members, the secretary of the board, and the superintendent. Apparently not all copies made it up to Dr. Donaher's office in one batch. However, we did receive multiple copies in the superintendent's office that had been part of the original batch delivered by Mr. Torres-Cordero. Therefore, we wanted to verify that these were submitted on time, in the proper order, and in the correct number.

Most importantly, over the last two days, Dr. Donaher and I have been dialoguing with officials from the LVDL Charter School about reducing the initial size or delaying implementation. We have come to an agreement to defer the charter request at this time with the provisions that BASD and LVDL explore possible collaborative opportunities. Those areas where collaboration could exist are far too numerous to list in this memorandum, and in many cases, not yet conceived. Some of those possible areas include: site, support programs, professional development, purchasing, Internet services, etc. In essence, a collaborative would benefit the LVDL through economies of scale, purchasing power, and BASD expertise. A collaborative would benefit the district in that we would charge a reasonable fee for service that could in fact offset some of the expense of our legally required per student pay out to a charter. Also, if the program design permits BASD to reduce professional staff because of the concentration of students served, the district could recoup additional dollars.

Simply stated, collaboration will never be totally budget neutral, but can yield benefits and cost savings to both organizations. I will explain in greater detail at our next meeting, and ask for board support of a continued dialogue.

Please note that our schedule for **Tuesday, January 20, 2009**, will be adjusted as the Charter School Hearing is being cancelled. The schedule for Tuesday evening is listed below with Executive Session being moved up to 6:00 p.m. rather than at the end of the evening. The district's website has been changed, but the listing in the newspaper could not be changed at this late date per the newspaper guidelines.

6:00 p.m. Executive Session
6:30 p.m. Board Curriculum Committee Meeting
8:00 p.m. Board Human Resources Committee Meeting

JAL:dml

pc: Mr. Majewski
Mr. Washington

Mrs. Katona
Dr. Donaher

Mr. Torres-Cordero
Dr. Kurtzman

Board Secretary
Solicitor

BETHLEHEM AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS
SPECIAL MEETING

JANUARY 12, 2009

A Special Meeting of the Board of School Directors of the Bethlehem Area School District was held on Monday, January 12, 2009, at 6:32 p.m. in the Dining Room at the Education Center, 1516 Sycamore Street, Bethlehem, Pennsylvania.

SPECIAL
MEETING

The Board Secretary called the roll:

MEMBERS
PRESENT

Members present: Directors Cann, Dexter, Follweiler, Koch, McKeon, Tenaglia, and Leeson – 7

Members absent: Directors Amato and Haytmanek – 2

Others present: Dr. Joseph A. Lewis, Superintendent of Schools; Stanley J. Majewski, Jr., Board Secretary; administrators, members of the press, and other interested citizens and staff members.

OTHERS
PRESENT

At this point in the meeting, the Pledge of Allegiance was recited.

PLEDGE OF
ALLEGIANCE

President Leeson requested that the audience observe a moment of silent meditation.

SILENT
MEDITATION

President Leeson reported that an executive session of the Board of School directors was held this evening dealing with personnel issues.

EXECUTIVE
SESSION

President Leeson stated she received notification from the City of Bethlehem, that they passed the LERTA (Local Economic Revitalization Tax Assistance) and she had copies available for review.

PRESIDENT'S
COMMUNICATIONS/
UNFINISHED
BUSINESS

She announced that Intermediate Unit 13 – Lancaster, sent out information on PVASS (Pennsylvania Value Added Assessment System) and how to interpret it. She noted that the information was available for review.

She stated that the EPLC (Education Policy and Leadership Center) was again running their leadership training program, which was on their breakfast series.

President Leeson said they received the annual report from the Bethlehem Partnership and pointed out that it had been a very successful healthcare partnership. She added that the report was available for review.

President Leeson stated that they received information on a new charter school application and understood the meeting was scheduled for next week.

Dr. Lewis responded that by law they had to follow a timeline from the date of receipt.

President Leeson said that they received it on November 14, 2008, but she wondered why the board just got it on January 9.

Dr. Lewis replied that Dr. Donaher did not actually get it at his desk on November 14. He said that, apparently, it was delivered to Mr. Majewski's office in general and until he had it and had the opportunity to review it and establish a timeline, it did not get to his desk in complete copy until later. He added that it came during the holiday and they did not get it until after Thanksgiving. He said that it took some time to go through it and it needed to be complete. It was their obligation to advise the applicant of where it was not complete.

President Leeson stated that she noticed that it was addressed to her and also copied to the board, which was dated November 14.

Dr. Lewis replied that those were not provided and that they made the copies. He asked Dr. Donaher for confirmation that they received one set.

Dr. Donaher replied that he believed three copies were received.

President Leeson stated that it read, "In addition to your original, we have prepared a copy for each school board member, Superintendent Joseph Lewis, and the board secretary.

Dr. Lewis stated that it was not accurate.

President Leeson said that it was in the enclosed transmittal letter.

Dr. Lewis stated that in fairness to them, they submitted a box and it needed to be organized, which was handled by Dr. Donaher's office.

President Leeson believed they previously went through the process almost four times involving the Lehigh Valley Charter School for the Performing Arts, and with the Vitalistic Therapeutic Charter School.

Director Koch recalled that they had two different presentations. She noted that the first one was turned down and the second one had a better chance, but they still did not vote for it.

President Leeson said that she believed that each one was a very lengthy process and they knew about it far in advance, having several hearings.

Director Koch stated that she did not have the booklet with her, but she said

there were at least two hearings scheduled.

President Leeson stated there was one scheduled for January 20 and one on March 9. She recalled that the hearings were very extensive, taking the entire evening. She thought that administration reviewed everything and advised the board ahead of time.

Dr. Lewis stated that they could schedule more, but they were obligated by a timeline to hold at least one hearing, which was scheduled. They wanted discussion after the first one was held and to schedule others before March 9. He asked Dr. Donaher if there was a 60 or 90-day requirement for verification. He recalled that they had 45 days to hold the first hearing.

Dr. Donaher added that from the first hearing to the vote was at least 45 days.

Dr. Lewis stated that it was a total of 90 days. He explained that it could be not greater than, but not less than, so that was why they scheduled one for March 9. He said they could have multiple prior hearings and if they were not satisfied that it met the standards which they could endorse, they could ask for other public input and still vote to deny the charter on March 9. He added that there was a timeline for an automatic appeal to the Charter Appeal Board and noted that their experience has been that they were approved.

President Leeson stated that she recalled the process as taking a considerable amount of time and was concerned if they would have the available time to do the process as was necessary. She recalled the previous process involving a few evenings.

Director Koch elaborated on the process, explaining that the applicants had to clarify certain areas and then return for another meeting. She added that they returned one more time before they were ready to actually vote. She expressed her strong concern with the consideration of budget cuts and then the addition of another few million to have another charter school. Her concern was that the district did not have the money to pay for the schools and if the state wanted to sign off on the schools, then the state should pay for them. She questioned why United Way was at the top of the submitted booklet and asked if the organization was endorsing it in some way.

Dr. Lewis replied that it was his understanding that the United Way funded their seed grant for the development of the charter.

Director Koch questioned if in fact, they would be paying for some of it.

Dr. Lewis replied that it was his understanding that a small grant given for the exploration.

Director Koch asked if the small grant indicated an endorsement.

Dr. Lewis responded that he could not speak for them.

Dr. Donaher added that he did not know if one could take it as an endorsement but rather might have been a competitive grant, which had fallen under different categories. He thought that they would have to question the United Way as to the grant category and did it show a sign of endorsement.

Director Koch said that her reasoning was that one of the previous applicants was a community college adjunct professor and was using the logo of the community college. She said that the college was not endorsing that charter school. Director Koch stated that it was not right to use a large organization to attempt to give an impression that they might be endorsing something.

Dr. Lewis stated that he was no longer on the board but he would make an inquiry.

Director Dexter asked if it was their obligation as a school district to organize and duplicate the volume of information on the charter school.

Dr. Lewis replied that there was ambiguity in the law about duplication, but it was their obligation to advise the applicant of missing items.

Director Dexter said that she understood about the advisement regarding missing items and further inquired about the organization of duplication of the documents. She asked if the school district placed the tabs on the documents.

Dr. Lewis responded that they did it because they felt the board would better process it. He said that they were not obligated to do it but they chose to because they wanted the board to have a point of reference. He noted that his office along with Dr. Donaher's office worked together on creating it rather than giving them a Xerox® box full of paper for review. He concluded that it was a lengthy document.

President Leeson stated that the agenda did not show the first Courtesy of the Floor, which was pointed out earlier today by Director Follweiler. She asked Dr. Lewis if it could take place before the Superintendent's Report.

Dr. Lewis agreed.

President Leeson offered courtesy of the floor to visitors. Speakers are asked to come to the podium, stating their name and address. Public comment in the first session is limited to 30 minutes. Speakers are limited to three minutes each. The board requests that, when possible, all individuals supporting a like position on a topic select a speaker to present their views to avoid repetition. If that is not possible, all are welcome to speak. As per school board policy, generally, speakers are limited to taxpayers, residents, or employees of this school district. At the conclusion of the regular school board meeting, another block of time will be allocated for public comment. At that time, the same rules will apply. It is asked that speakers observe proper decorum, without

COURTESY OF THE
FLOOR TO
VISITORS

JANUARY 12, 2009

personal attacks towards a specific individual or individuals.
It is not the custom for the board to enter into a dialogue at these meetings about concerns. However, the board does listen with care to issues raised. Speakers will receive responses, in some form, by the administration.

No one wished to address the Board of School Directors.

Dr. Lewis announced that he had no report this evening.

SUPERINTENDENT'S
REPORT

Dr. Lewis presented the following recommendations of the administration:

DR. LEWIS
PRESENTS

January 12, 2009

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1. *Approval of Liberty High School Prom Proposal*

INFORMATION:

The administration received a request from the senior and junior classes at Liberty High School proposing the same prom event that was held in 2008 on a yacht that sails around Manhattan from Hoboken, New Jersey. The proposed date is Friday, May 15, 2009. The board was apprised of this information in a memorandum dated November 7, 2008.

RECOMMENDATION:

That the Board of School Directors approves the recommendation submitted for the 2009 Liberty Prom.

President Leeson stated that she understood that in order for the activity to take place, the students needed to be back at the school at 4:00 – 4:30 in the afternoon and were also required to be at school that day. She thought that it would be impossible for the students to be in school and then expect them to return at that time for the prom. She requested a review by administration.

Dr. Lewis replied that they already reviewed the situation and discussed it with Mrs. Durante, who felt there was not a need (for early dismissal).

Director Tenaglia stated that he thought there was a 12:30 p.m. proposed dismissal.

Mrs. Durante stated that a few people approached her about leaving school early. She said that they did not have a post-prom party last year. She noted that the benefit of the prom being held on the yacht was that it did allow a specific of time for the students to be dropped off and also that they had to be picked up at the end of the night. She had strong concerns and fears if the students basically had the free day. She thought they would open up the possibility that something could happen. It was a tight schedule and she thought that administration was very flexible compared to last year and probably too flexible. Mrs. Durante said that the more she thought about it, the more she wanted the student to be in school. She pointed out that they were on corrective action so she had trouble with giving anyone more time off than necessary. She believed the prom was a traditional social event, but at the same time, she wanted them in school.

President Leeson replied that she would agree with Mrs. Durante's request.

The administration's recommendations 1 and 2 were considered together.

2. *Field Trip Attendance*

RECOMMENDATION:

That the following overnight student trips for students and staff be approved:

January 15-17, 2009 (2 Freedom High School Students and 2 Liberty High School Students) Pennsylvania Music Educators Association (PMEA) District 10 Chorus Center Valley, Pennsylvania	\$300.00
January 28-31, 2009 (4 Freedom High School Students and 6 Liberty High School Students) Pennsylvania Music Educators Association (PMEA) District Band Festival Laureldale, Pennsylvania	272.00

Directors Dexter and McKeon moved the administration's recommendations.
The question was called with roll call as follows: Yea, Directors Tenaglia,
Cann, Dexter, Follweiler, Koch, McKeon and Leeson – 7.

ROLL CALL
RECOMMENDATIONS –
1 and 2

The motion to pass recommendations 1 and 2 passed 7 – 0.

The administration's recommendations 1 and 2 were considered together.

JANUARY 12, 2009

President Leeson announced that there was no new business to address.

NEW AND
MISCELLANEOUS
BUSINESS

No one wished to address the Board of School Directors.

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THE FLOOR TO
VISITORS

Directors Dexter and Tenaglia moved to adjourn the meeting, which was carried by voice vote. The meeting adjourned at 6:50 p.m.

ADJOURNMENT

Attest,

Stanley J. Majewski, Jr.
Board Secretary

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