

WEST CHESTER AREA SCHOOL BOARD—**Meeting of March 23, 2020**

Due to the coronavirus and the mandated shutdown of the Commonwealth, the West Chester Area School Board met virtually via ZOOM. The meeting began at 7:00 p.m. Mr. McCune, Board President, called the meeting to order and led the Pledge of Allegiance.

~~~~~

**Roll Call**

**Members Present:** Mr. Bevilacqua, Ms. Chester, Mr. Durnell, Mr. Gallen, Dr. Herrmann, Mr. McCune, Dr. Shaw, Mr. Spackman, Mrs. Tiernan.

**Members Absent:**

~~~~~

Approval of March 23, 2020 Meeting Agenda

BOARD ACTION: It was moved by Ms. Chester and seconded by Dr. Shaw to approve the March 23, 2020 meeting agenda.

On roll call vote, all members present voted “aye.” Motion carried 9-0.

~~~~~

**Public Comments on Agenda Items**

There were no public comments on agenda items.

~~~~~

Approval of Resolution C-1, Waiver of Board Policy

West Chester Area School District

Resolution C-1 of 2020

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

March 23, 2020

WHEREAS, on March 13, 2020, the Governor issued an order closing schools through and including March 27, 2020, and

WHEREAS, on March 19, 2020, the Governor issued an order prohibiting the operation of businesses that are not life sustaining until further notice; and

WHEREAS, state and federal authorities are issuing updated information, daily in regard to COVID-19; and

WHEREAS, it is anticipated that the West Chester Area School District (“School District”) may have to take action that ordinarily can only be authorized by the Board of School Directors (“School Board”); and

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

WHEREAS, Section 407 of the Public School Code permits the School Board to adopt reasonable rules and regulations; and

WHEREAS, Board Policy 003 permits the School Board, upon majority vote, to suspend at any time the operation of a School Board procedure and policy; and

WHEREAS, public school board meetings may be delayed or cancelled or otherwise interfered with due to the COVID-19 emergency.

NOW, THEREFORE, this 23rd day of March, 2020, be it resolved, by the Board of School Directors for the West Chester Area School District that:

1. During the period of time when the School District’s schools are closed as required by law, portions of Board Policy 006.1 which limit the ability of the School Board to conduct electronic meetings are suspended.

2. During the period of time when the School District’s schools are closed as required by law, all policies of the School Board and Administrative Guidelines are hereby suspended: (a) to the extent they are inconsistent with what is required by law; (b) if reasonably necessary to protect the health and safety of students or employees, or (c) they would unnecessarily impede what is required by law.

3. For purposes of this Resolution, “required by law” shall mean a mandate or prohibition that compels the School District to act or refrain from acting and that has been stated by the Governor of the Commonwealth, including his senior staff, the Pennsylvania Secretary of Education, including his senior staff, or the federal government, as an order or requirement, whether or not that statement is enforceable in a court of law. This may include, but is not limited to, executive orders, proclamations, court orders, waivers, temporary regulations, guidance documents and other like documents and statements.

ATTEST:

WEST CHESTER AREA SCHOOL BOARD

Secretary By: _____
President

BOARD ACTION: It was moved by Ms. Chester and seconded by Mr. Spackman to approve Resolution C-1, Waiver of Board Policy.

On roll call vote, all members present voted “aye.” Motion carried 9-0.

~~~~~

**Approval of Resolution C-2, Emergency Declaration and Ratification**

West Chester Area School District

Resolution C-2 of 2020

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

WHEREAS, on March 13, 2020, the Governor issued an order closing schools through and including March 27, 2020, and

WHEREAS, on March 19, 2020, the Governor issued an order prohibiting the operation of businesses that are not life sustaining until further notice; and

WHEREAS, state and federal authorities are issuing updated information, daily in regard to COVID-19; and

WHEREAS, it is anticipated that the West Chester Area School District (“School District”) may have to take action that ordinarily can only be authorized by the Board of School Directors (“School Board”); and

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

WHEREAS, Section 407 of the Public School Code permits the School Board to adopt reasonable rules and regulations; and

WHEREAS, section 520.1 of the School Code provides the following in the case of a declared emergency by the School Board;

(a) Whenever an emergency shall arise which the board of school directors of any school district in the performance of its duties could not anticipate or foresee, and which emergency shall result in any such school district being unable to provide for the attendance of all pupils during the prescribed length of school days, number of days per week, or usual hours of classes, it shall be found as a fact by the school directors of any school district and so recorded on the minutes of a regular or special meeting of such board and certified to the Superintendent of Public Instruction, and such board of school directors, subject to the approval of the Superintendent of Public Instruction, shall have power to put into operation in such school district any one or more of the temporary provisions hereinafter provided for, but in no event shall such temporary provisions remain in effect for a period of more than four years after they are first put into effect.

(b) Subject to the foregoing provisions, any board of school directors may:

(1) Keep the schools of the district in session such days and number of days per week as they shall deem necessary or desirable, but the provisions of this act requiring a minimum of one hundred eighty (180) session days as a school year shall not be affected thereby.

(2) Reduce the length of time of daily instruction for various courses and classes.

(c) Any school district, by invoking the powers herein granted, shall not thereby forfeit its right to reimbursement by the Commonwealth or other State-aid as otherwise provided for by this act.

24 P.S. § 5-520.1; and

WHEREAS, section 687 of the School Code provides the following with regard to budgets and spending in times of emergency:

The board of school directors may, during any fiscal year, make additional appropriations or increase existing appropriations to meet emergencies, such as epidemics, floods, fires, or other catastrophes, or to provide for the payment for rental under leases or contracts to lease from the State Public School Building Authority or any municipality authority entered into subsequent to the date of the adoption of the budget. The funds therefor shall be provided from unexpended balances in existing appropriations, from unappropriated revenue, if any, or from temporary loans. Such temporary loans, when made, shall be approved by a two-thirds vote of the board of school directors.

24 P.S. § 6-687; and

WHEREAS, Board Policy 610 states that : “...emergencies may occur when imminent danger exists to persons or property or continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action. Bidding decisions in the event of such emergencies shall be made in accordance with existing legal requirements.”

NOW, THEREFORE, this 23<sup>rd</sup> day of March, 2020, be it resolved, by the Board of School Directors for the West Chester Area School District that:

4. The School Board hereby declares an emergency retroactive to the opening of business on Monday, March 16, 2020, in consideration of the Governor’s Proclamation and his order on March 13, 2020, closing all schools in the Commonwealth.

5. This state of emergency shall continue for so long as the closing of schools is required by law.

6. During the state of emergency, the Superintendent, the Assistant Superintendent, the Director of Business Affairs, and the Director of Human Resources (“Emergency Team”) shall have all power and authority necessary to ensure that the School District acts or refrains from acting as may be required by law. The Emergency Team includes any designees of its members.

7. During the period of time the School District’s schools are closed as may be required by law:

- a. The Superintendent shall determine (1) which employees must report to work, (2) which employees must work remotely and (3) which employees will be excused from working; and
- b. The Superintendent shall determine whether any instructional services will be provided and the nature of such instructional services; provided, however, that no such instructional services shall be required before

potential consequences are evaluated and under any applicable law, collective bargaining agreements and individual contracts;

- c. The Director of Business Affairs shall make such payments as may be required by law or that are, in the reasonable discretion of the Director of Business Affairs, to be in the best interest of the School District even if not previously approved by the School Board; provided, however, that the payments are otherwise legal, within the budget of the School District and reported to the School Board for ratification at the first available public meeting; and
- d. The Emergency Team shall keep the School Board advised of actions being taken in accordance with the powers granted in this Resolution and shall include such actions in the agenda of the next regular school board meeting for ratification by the Board of School Directors.

8. The School Board finds as facts: (a) that this emergency is an emergency that the School Board was unable to foresee as contemplated in section 520.1 of the School Code, 24 P.S. §5-520.1; and (b) that the School District may not be able to provide for the attendance of all pupils during the prescribed length of days or the usual hours of classes as generally required under applicable law;

9. Having found the facts as required by section 520.1 of the School Code and as stated in paragraph 5 of this Resolution, the Board Secretary is required to ensure that this Resolution is recorded in the minutes of this meeting and the Emergency Team is directed to certify these matters to the Commonwealth Secretary of Education, in accordance with section 520.1 of the School Code or other direction as may be provided by the Secretary of Education, and shall seek maximum authority for the operation of the School District under applicable law.

10. The School Board hereby ratifies, the actions taken by the Emergency Team and other School District Administrators as a result of the state of emergency from the commencement of the state of emergency to the date of this Resolution. This specifically includes emergency purchasing and payments by the Director of Business Affairs.

11. For purposes of this Resolution, "required by law" shall mean a mandate or prohibition that compels the School District to act or refrain from acting and that has been stated by the Governor of the Commonwealth, including his senior staff, the Pennsylvania Secretary of Education, including his senior staff, or the federal government, as an order or requirement, whether or not that statement is enforceable in a court of law. This may include, but is not limited to, executive orders, proclamations, court orders, waivers, temporary regulations, guidance documents and other like documents and statements.

ATTEST:

WEST CHESTER AREA SCHOOL BOARD

\_\_\_\_\_  
Secretary By: \_\_\_\_\_  
President

**BOARD ACTION:** It was moved by Dr. Shaw and seconded by Mr. Durnell to approve Resolution C-2, Emergency Declaration and Ratification.

**On roll call vote, all members present voted “aye.” Motion carried 9-0.**

~~~~~

Approval of Resolution C-3, Acknowledgement of Teachers Pay

West Chester Area School District

Resolution C-3 of 2020

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

WHEREAS, on March 13, 2020, the Governor issued an order closing schools through and including March 27, 2020, and

WHEREAS, on March 19, 2020, the Governor issued an order prohibiting the operation of businesses that are not life sustaining until further notice; and

WHEREAS, state and federal authorities are issuing updated information, daily in regard to COVID-19; and

WHEREAS, it is anticipated that the West Chester Area School District (“School District”) may have to take action that ordinarily can only be authorized by the Board of School Directors (“School Board”); and

March 23, 2020

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

WHEREAS, the School District's schools will be closed from March 16, 2020 through and including March 27, 2020.

WHEREAS, section 1153 of the School Code provides the following with regard to continuation of wages to teachers:

When a board of school directors is compelled to close any school or schools on account of contagious disease, the destruction or damage of the school building by fire or other causes, the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged. Whenever a teacher is prevented from following his or her occupation as a teacher, during any period of the school term, for any of the reasons in this section specified, the school district shall be liable for the salary of such teacher for such period, at the rate of compensation stipulated in the contract between the district and the teacher, in addition to the time actually occupied in teaching by such teacher.

24 P.S. § 11-1153.

NOW, THEREFORE, this 23rd day of March, 2020, be it resolved, by the Board of School Directors for the West Chester Area School District that:

12. The School Board acknowledges Section 1153 and shall comply with the same, unless otherwise required by law. However, no payment shall be withheld if required by law before potential consequences are evaluated under applicable law and the collective bargaining agreement.

13. For purposes of this Resolution, "required by law" shall mean a mandate or prohibition that compels the School District to act or refrain from acting and that has been stated by the Governor of the Commonwealth, including his senior staff, the Pennsylvania Secretary of Education, including his senior staff, or the federal government, as an order or requirement, whether or not that statement is enforceable in a court of law. This may include, but is not limited to, executive orders, proclamations, court orders, waivers, temporary regulations, guidance documents and other like documents and statements.

ATTEST:

WEST CHESTER AREA SCHOOL
BOARD

Secretary By: _____
President

BOARD ACTION: It was moved by Mr. Gallen and seconded by Dr. Herrmann to approve the Resolution C-3, Acknowledgement of Teachers Pay.

On roll call vote, all members present voted “aye.” Motion carried 9-0.

~~~~~

**Approval of Resolution C-4, Service Support Professionals**

West Chester Area School District

Resolution C-4 of 2020

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

WHEREAS, on March 13, 2020, the Governor issued an order closing schools through and including March 27, 2020, and

WHEREAS, on March 19, 2020, the Governor issued an order prohibiting the operation of businesses that are not life sustaining until further notice; and

WHEREAS, state and federal authorities are issuing updated information daily in regard to COVID-19; and

WHEREAS, it is anticipated that the West Chester Area School District (“School District”) may have to take action that ordinarily can only be authorized by the Board of School Directors (“School Board”); and

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

March 23, 2020

WHEREAS, by Resolution C-2 of 2020, the School Board declared a state of emergency beginning on March 16, 2020 until the School District's schools are reopened in accordance with law.

WHEREAS, the School District's schools will be closed from March 16, 2020 through and including March 27, 2020 (the "Period").

WHEREAS, the School District and the West Chester Service Support Professionals ("ESPA-PSEA") have entered into a collective bargaining agreement ("Agreement") that addresses working conditions and other matters for the time period beginning July 1, 2019 and concluding on June 30, 2024; and

WHEREAS, due to mandatory school closures, the District has directed members of the ESPA-PSEA not to report to work for all or some of their regularly scheduled hours during the Period.

NOW, THEREFORE, this 23<sup>rd</sup> day of March, 2020, be it resolved, by the Board of School Directors for the West Chester Area School District that:

14. The School Board adopts the Memorandum of Understanding attached hereto and marked as Exhibit "A".

15. The School Board directs the Director of Business Affairs and the Director of Human Resources to ensure payments, consistent with the Memorandum of Understanding, are dispersed.

16. Should the Governor or other governmental authority direct the closure of the School District's schools beyond the Period, the School Board authorizes the Emergency Team as set forth in Resolution C-2 of 2020 to enter into further discussion and/or a memorandum of understanding with ESPA-PSEA should it be in the best interest of the School District to do so, and is permitted by law. The Emergency Team shall remain in communications with the School Board and the School Board shall ratify any actions that may be taken at its next public meeting.

ATTEST:

WEST CHESTER AREA SCHOOL BOARD

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
President

**BOARD ACTION:** It was moved by Mrs. Tiernan and seconded by Mr. Bevilacqua to approve Resolution C-4, Service Support Professionals.

**On roll call vote, all members present voted "aye." Motion carried 9-0.**

~~~~~

Approval of Memorandum of Understanding, Service Support Professionals

Exhibit "A"
Service Support Professionals
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is entered into on this **23rd** of **March, 2020** by and between the West Chester Area School District ("School District") and the West Chester Service Support Professionals ("ESPA- PSEA").

Recitals

WHEREAS the School District and the ESPA-PSEA have entered into a collective bargaining agreement ("Agreement") that addresses working conditions and other matters for the time period beginning on July 1, 2019 and concluding on June 30, 2024; and

WHEREAS, the School District has been required to close its schools by the Governor of the Commonwealth for the period beginning March 16, 2020 through and including March 27, 2020 (the "Period").

WHEREAS, as a result of the closures, the District has directed members of the ESPA-PSEA ("Members") not to report to work for all or some of their regularly scheduled hours for the Period.

NOW, THEREFORE, the District and ESPA-PSEA agree as follows:

1. For the Period, the School District shall pay the regular rates of pay as set forth in Article VIII of the Agreement, as modified herein, to the Members for all of their regularly scheduled hours, even if the Members are not directed to report for work for all or some of their regularly scheduled hours during the Period.

2. Section 8.06 of the Agreement shall be amended to read as follows:

Any employee called into work in an emergency will be paid a minimum of three hours at the applicable rate. Notwithstanding the foregoing, during the Period this provision will not apply, provided the employee is called in during their regularly scheduled hours.

3. The MOU shall be retroactive to 12:00 AM on Monday, March 16, 2020 and shall automatically terminate at 11:59 p.m. on Friday March 27, 2020. Paragraph 4 shall survive the termination of this MOU.

4. At no time will this MOU be regarded as precedent-setting or a past practice.

WEST CHESTER AREA
SCHOOL DISTRICT

WEST CHESTER SERVICE
SUPPORT PROFESSIONALS (ESPA-
PSEA)

BY: _____
School Board President

BY: _____
Association President

ATTEST:

Board Secretary

ATTEST:

Date: _____
March 23, 2020

Date: _____

BOARD ACTION: It was moved by Mr. Durnell and seconded by Ms. Chester to approve the Memorandum of Understanding, Service Support Professionals

On roll call vote, all members present voted “aye.” Motion carried 9-0.

~~~~~

**Approval of Resolution C-5, Education Support Professionals**

West Chester Area School District

Resolution C-5 of 2020

WHEREAS, on March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency due to COVID-19; and

WHEREAS, the Proclamation included the following provision:

I hereby authorize the Secretary of the Pennsylvania Department of Education, in his sole discretion, to suspend or waive any provision of law or regulation which the Pennsylvania Department of Education is authorized by law to administer or enforce, for such length of time as may be necessary to respond to this emergency.

and;

WHEREAS, on March 13, 2020, the Governor issued an order closing schools through and including March 27, 2020, and

WHEREAS, on March 19, 2020, the Governor issued an order prohibiting the operation of businesses that are not life sustaining until further notice; and

March 23, 2020

WHEREAS, state and federal authorities are issuing updated information daily in regard to COVID-19; and

WHEREAS, it is anticipated that the West Chester Area School District (“School District”) may have to take action that ordinarily can only be authorized by the Board of School Directors (“School Board”); and

WHEREAS, the law allows for flexibility in operations of government institutions and agencies in times of emergency; and

WHEREAS, by Resolution C-2 of 2020, the School Board declared a state of emergency beginning on March 16, 2020 until the School District’s schools are reopened in accordance with law.

WHEREAS, the School District’s schools will be closed from March 16, 2020 through and including March 27, 2020 (the “Period”).

WHEREAS, the School District and the West Chester Area Education Support Professionals Association (“ESPA-PSEA-NEA”) have entered into a collective bargaining agreement (“Agreement”) that addresses working conditions and other matters for the time period beginning July 1, 2019 and concluding on June 30, 2024; and

WHEREAS, due to mandatory school closures, the District has directed members of the ESPA-PSEA-NEA not to report to work for all or some of their regularly scheduled hours during the Period.

NOW, THEREFORE, this 23<sup>rd</sup> day of March, 2020, be it resolved, by the Board of School Directors for the West Chester Area School District that:

17. The School Board adopts the Memorandum of Understanding attached hereto and marked as Exhibit “A”.

18. The School Board directs the Director of Business Affairs and the Director of Human Resources to ensure payments, consistent with the Memorandum of Understanding, are dispersed.

19. Should the Governor or other governmental authority direct the closure of the School District’s schools beyond the Period, the School Board authorizes the Emergency Team as set forth in Resolution C-2 of 2020 to enter into further discussion and/or a memorandum of understanding with ESPA-PSEA-NEA should it be in the best interest of the School District to do so, and is permitted by law. The Emergency Team shall remain in communications with the School Board and the School Board shall ratify any actions that may be taken at its next public meeting.

ATTEST:

WEST CHESTER AREA SCHOOL BOARD

By:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

**BOARD ACTION:** It was moved by Ms. Chester and seconded by Mr. Spackman to approve Resolution C-5, Education Support Professionals.

**On roll call vote, all members present voted “aye.” Motion carried 9-0.**

~~~~~

Approval of Memorandum of Understanding, Education Support Professionals

**Exhibit “A”
Education Support Professionals
MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (“MOU”) is entered into on this **23rd** of **March, 2020** by and between the West Chester Area School District (“School District”) and the West Chester Area Education Support Professionals Association (“ESPA- PSEA-NEA”).

Recitals

WHEREAS the School District and the ESPA-PSEA-NEA have entered into a collective bargaining agreement (“Agreement”) that addresses working conditions and other matters for the time period beginning on July 1, 2019 and concluding on June 30, 2024; and

WHEREAS, the School District has been required to close its schools by the Governor of the Commonwealth for the period beginning March 16, 2020 through and including March 27, 2020 (the “Period”).

WHEREAS, as a result of the closures, the School District has directed members of the ESPA-PSEA-NEA (“Members”) not to report to work for all or some of their regularly scheduled hours for the Period.

NOW, THEREFORE, the School District and ESPA-PSEA-NEA agree as follows:

1. For the Period, the School District shall pay the regular rates of pay, as set forth in Addendum A of the Agreement, to the Members for all of their regularly scheduled hours, even if the Members are not directed to report for work for all or some of their regularly scheduled hours during the Period.

2. Even though the Members are receiving payment for the Period, no portion of the Period shall constitute student days, professional days, full contracted work days, or otherwise be considered as part of the work year for purposes of Article XV.
3. When the School District is permitted to reopen schools and directs the Members to report to work, the hourly rates of pay identified in Addendum A for the Members who are 10 month employees (“10 Month Members”) will be adjusted downward for the remainder of the 2019-2020 school year to credit the School District for all payments made to each 10 Month Member during the Period. Notwithstanding the foregoing, in no event will the adjustment cause a 10 Month Member to receive a rate of pay less than state or federal law minimum wage requirements for time worked.

Example: Pursuant to Addendum A, a 10 Month Member is scheduled to be paid \$10/hour for work to be performed under a 40 hour work week (i.e., 8 hours of scheduled work per day).. During the Period, the 10 Month Member received gross compensation in the sum of \$800. When school reopens and the School District directs the 10 Month Member to report to work, in this example it is anticipated that there will be 50 student days remaining. In this example, the 10 Month Member’s regular rate of pay will be decreased from \$10/hour to \$8/hour for the remainder of the 2019-2020 school year, as shown in the below example calculation:

$$50 \text{ days} \times 8 \text{ hours} \times \$10 = \$4000$$

$$\$4000 - \$800 = \$3200$$

$$\$3200 / 50 / 8 = \$8/\text{hour} - \text{the new hourly rate}$$

4. The MOU shall be retroactive to 12:00 AM on Monday, March 16, 2020 and shall automatically terminate at 11:59 p.m. on Friday March 27, 2020. Paragraphs 2, 3 and 5 shall survive the termination of this MOU.
5. At no time will this MOU be regarded as precedent-setting or a past practice.

WEST CHESTER AREA
SCHOOL DISTRICT

WEST CHESTER SERVICE SUPPORT
PROFESSIONALS (ESPA-PSEA)

BY: _____
School Board President

BY: _____
Association President

ATTEST:

Board Secretary

ATTEST:

Date: _____

Date: _____

BOARD ACTION: It was moved by Mrs. Tiernan and seconded by Mr. Gallen to approve the Memorandum of Understanding, Education Support Professionals.

On roll call vote, all members present voted “aye.” Motion carried 9-0.

~~~~~

**Approval of February 24, 2020 Board Minutes**

**BOARD ACTION:** It was moved by Ms. Chester and seconded by Dr. Herrmann to approve the minutes of the February 24, 2020 School Board Meeting.

**On roll call vote, all members present voted “aye.” Motion carried 9-0.**

~~~~~

Mr. McCune announced that the Board met in Executive Session on Thursday, March 12th regarding a student matter and Thursday, March 19th regarding a student matter.

~~~~~

**Approval of Personnel Recommendations—Dr. Ulmer**

|    |                                                                                                                                                                |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I. | Removal from Payroll                                                                                                                                           |
| a. | Resignations                                                                                                                                                   |
| 1. | Terquail Adderton, 1.0 2 <sup>nd</sup> Shift Custodian at Rustin HS, effective 3/11/20.                                                                        |
| b. | Retirements                                                                                                                                                    |
| 1. | Marilyn Bolz, 1.0 Paraprofessional at Glen Acres ES, effective last day of the 2019-2020 school year. 20 Years of Service.                                     |
| 2. | Judy Czop, 1.0 Family Consumer Science Teacher at Rustin HS, effective last day of the 2019-2020 school year. 17 Years of Service.                             |
| 3. | Theresa DeVault, 1.0 Spanish Teacher at Stetson MS, effective last day of the 2019-2020 school year. 34 Years of Service.                                      |
| 4. | Debra Dinsmore, 1.0 Teacher on Assignment at Spellman Education Center, effective last day of the 2019-2020 school year. 29 Years of Service.                  |
| 5. | Jonathan Heisman, 1.0 Physical Education/Health Teacher at .6 East HS/.4 Stetson MS, effective the last day of the 2019-2020 school year. 35 Years of Service. |
| 6. | Jill Laverty, 1.0 Math Teacher at Stetson MS, effective last day of the 2019-2020 school year. 22 Years of Service.                                            |
| 7. | Angela McCullough, 1.0 Grade 2 Teacher at Fern Hill ES, effective last day of the 2019-2020 school year. 27 Years of Service.                                  |
| 8. | Ronald Nagy, 1.0 Science Teacher at Henderson HS, effective last day of the 2019-2020 school year. 22 Years of Service.                                        |

|            |                                                 |                                                                                                                                                |
|------------|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>II.</b> | <b>Additions to Payroll</b>                     |                                                                                                                                                |
| a.         | Professional Staff: Contract - None             |                                                                                                                                                |
| b.         | Professional Staff: Long Term Substitute - None |                                                                                                                                                |
| c.         | Administrative Staff: Contract – None           |                                                                                                                                                |
| d.         | Support Staff: Non Bargaining - None            |                                                                                                                                                |
| e.         | Support Staff: Contract                         |                                                                                                                                                |
| 1.         | Susan Alloway                                   |                                                                                                                                                |
|            | Placement                                       | 1.0 Library Assistant at .5 East Bradford ES/.5 Exton ES, 7 hrs./day, 5 days/week, 182 days/year, effective 3/23/20, Group 2, Step 5, \$16.74. |
| f.         | Support Staff: Substitute - None                |                                                                                                                                                |

|             |                         |             |                                      |                                             |                       |               |
|-------------|-------------------------|-------------|--------------------------------------|---------------------------------------------|-----------------------|---------------|
| <b>III.</b> | <b>Personnel Events</b> |             |                                      |                                             |                       |               |
| a.          | Status Change           |             |                                      |                                             |                       |               |
|             | <b>Name</b>             | <b>Type</b> | <b>From</b>                          | <b>To</b>                                   | <b>Effective Date</b> | <b>Salary</b> |
| 1.          | April McCoy             | Support     | 1.0 Transportation Technician at SEC | 1.0 Assistant Transportation Manager at SEC | 2/26/20               | \$57,546      |

|    |               |              |                                                     |                                                                                          |                       |
|----|---------------|--------------|-----------------------------------------------------|------------------------------------------------------------------------------------------|-----------------------|
| b. | Transfer      |              |                                                     |                                                                                          |                       |
|    | <b>Name</b>   | <b>Type</b>  | <b>From</b>                                         | <b>To</b>                                                                                | <b>Effective Date</b> |
| 1. | Milton Scholl | Professional | .6 Math at East HS/.4 Computer Science at Fugett MS | .4 Math at East HS/.4 Computer Science at Fugett MS/.2 Cyber Intro to Programming at EHS | 8/24/20               |

|            |                        |                                       |                       |                    |
|------------|------------------------|---------------------------------------|-----------------------|--------------------|
| <b>IV.</b> | <b>Personnel Leave</b> |                                       |                       |                    |
| a.         | Sabbatical Leave       |                                       |                       |                    |
|            | <b>Name</b>            | <b>Position</b>                       | <b>Effective Date</b> | <b>Ending Date</b> |
| 1.         | Clare Mulloy           | 1.0 Grade 4 Teacher at East Goshen ES | 8/24/20               | 6/17/21            |
| b.         | Unpaid Leave - None    |                                       |                       |                    |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                          |                          |                         |                             |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------|-----------------------------|
| V.  | Additional Information                                                                                                                                                                                                                                                                                                                                                                                                   |                          |                         |                             |
| 1.  | Sandra Godin's start date was 3/11/20.                                                                                                                                                                                                                                                                                                                                                                                   |                          |                         |                             |
| 2.  | Hubert Lamptey's start date was 3/16/20.                                                                                                                                                                                                                                                                                                                                                                                 |                          |                         |                             |
| 3.  | Heather Meluskey's start date was 3/9/20.                                                                                                                                                                                                                                                                                                                                                                                |                          |                         |                             |
| 4.  | Renee Rodriguez, retiring at the end of the 2019-2020 school year, will have 30 years of service.                                                                                                                                                                                                                                                                                                                        |                          |                         |                             |
| 5.  | In accordance with the PA State Auditors recommendation, the following list of drivers, employed by our transportation contractors Krapf's and On the Go Kids, require School Board approval. The credentials and security clearances for each of these drivers has been verified to be in compliance with our transportation carrier contracts and have been vetted through the WCASD Transportation Office (see list). |                          |                         |                             |
| 6.  | Sandra Godin's start date was 3/11/20.                                                                                                                                                                                                                                                                                                                                                                                   |                          |                         |                             |
| 7.  | In accordance with the PA State Auditors recommendation, the following list of drivers, employed by our transportation contractors Krapf's and On the Go Kids, require School Board approval. The credentials and security clearances for each of these drivers has been verified to be in compliance with our transportation carrier contracts and have been vetted through the WCASD Transportation Office (see list). |                          |                         |                             |
|     | <b>KRAPF'S</b>                                                                                                                                                                                                                                                                                                                                                                                                           |                          |                         |                             |
|     | <b><u>Bus #</u></b>                                                                                                                                                                                                                                                                                                                                                                                                      | <b><u>First Name</u></b> | <b><u>Last Name</u></b> | <b><u>Drivers/Aides</u></b> |
|     | 87                                                                                                                                                                                                                                                                                                                                                                                                                       | Regine                   | Strey                   | Driver                      |
|     | Trip                                                                                                                                                                                                                                                                                                                                                                                                                     | Roger                    | McAllister              | Driver                      |
|     | <b><u>ON THE GO KIDS</u></b>                                                                                                                                                                                                                                                                                                                                                                                             |                          |                         |                             |
|     | <b><u>Bus #</u></b>                                                                                                                                                                                                                                                                                                                                                                                                      | <b><u>First Name</u></b> | <b><u>Last Name</u></b> | <b><u>Drivers/Aides</u></b> |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Marguerite               | Doan                    | Aide                        |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Yolanda                  | Stratton                | Aide                        |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Johana                   | Kruse                   | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Morgan                   | Hufford                 | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Janevia                  | Washington              | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Ashley                   | Silvestri               | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Barbara                  | Kerns                   | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Dorothy                  | Buchert                 | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Hannah                   | Davies                  | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Richard                  | Mahnke                  | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Ardis                    | Yocum                   | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Ellanore                 | Hurd                    | Aide                        |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Andrew                   | Garver                  | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Helen                    | Christensen             | Driver                      |
|     | Sub                                                                                                                                                                                                                                                                                                                                                                                                                      | Laurie                   | Traband                 | Driver                      |
| VI. | Supplemental Contracts                                                                                                                                                                                                                                                                                                                                                                                                   |                          |                         |                             |

| Last Name                 | First Name | Location | Season | Step | % of Contract | Total Contract | Position Title             |
|---------------------------|------------|----------|--------|------|---------------|----------------|----------------------------|
| <b>'19-'20 Additions:</b> |            |          |        |      |               |                |                            |
| Baitinger                 | Tyler      | EHS      | Spring | 1    | 50.00%        | \$1,848.00     | Asst. Boys Track Coach     |
| Boyer                     | Kathleen   | HHS      | Spring | 1    | 100.00%       | \$3,696.00     | Asst. Boys Track Coach     |
| Cini                      | Alanna     | EHS      | Spring | 1    | 100.00%       | \$3,696.00     | Asst. Girls Lacrosse Coach |
| Dudley                    | Bruce      | PMS      | Spring | 4    | 100.00%       | \$2,576.00     | Asst. Softball Coach       |
| McGeehan                  | Beverly    | HHS      | Spring | 4    | 100.00%       | \$4,416.00     | Asst. Boys Tennis Coach    |
| Swindler                  | Braedon    | EHS      | Spring | 1    | 50.00%        | \$1,848.00     | Asst. Boys Track Coach     |
| <b>Removals:</b>          |            |          |        |      |               |                |                            |
| Nardeni                   | Domenic    | EHS      | Spring | 1    | 60.00%        | \$2,217.60     | Asst. Baseball Coach       |
| <b>Adjustments:</b>       |            |          |        |      |               |                |                            |
| Chambers, Paul            |            | RHS      | Spring | 5    | 200.00%       | \$2,286.00     | Spring Intramurals         |

**BOARD ACTION:** It was moved by Dr. Herrmann and seconded by Mr. Spackman to approve the Personnel Recommendations as presented.

**On roll call vote, all members present voted “aye.” Motion carried 9-0.**

~~~~~

Approval of Consent Agenda

Education

1. Approval of the following Study/Excursion trip(s):
 - East HS Chamber Choir – Lansdale, PA – Thur-Sat 2/27-2/29/20
 - Rustin HS 10-12 Choir – Lansdale, PA – Thur-Sat 2/27-2/29/20
 - East HS Wrestling – Souderton, PA – Fri-Sat 2/28-2/29/20
 - East HS Indoor Track – State College, PA – Sat-Sun 2/29-3/1/20
 - Rustin HS Indoor Track – State College, PA – Sat-Sun 2/29-3/1/20
 - East HS Wrestling – Hershey, PA – Wed-Sat 3/4-3/7/20
 - East HS Swimming – Lewisburg, PA – Tue-Fri 3/10-3/13/20
 - East HS Boys Lacrosse – Washington, DC – Fri-Sun 4/24-4/26/20
2. Approval of Revised Policy 222 – Smoking, Tobacco, and Vaping Products-Students (*formerly known as Tobacco/Nicotine*), First Reading
3. Approval of Revised Policy 227 – Controlled Substances/Paraphernalia, First Reading

Pupil Services

1. Approval of one (1) Special Education Settlement Agreement

Personnel

Property & Finance

1. Approval of Change Orders - Renovations and Additions to East Goshen Elementary School and Exton Elementary School

East Goshen Elementary School:

GC-023S	Add egress door per Township.	\$ 9,315.56
GC-024S	Replace door seals with silicone bulb seals.	\$ 504.13
GC-025S	Remove, replace wood bulkhead with metal stud, drywall.	\$ 2,051.15
GC-026S	Deduct cost to repair LG pipe damaged by site contractor.	-\$ 1,763.00
GC-027S	Deduct cost for PC to raise 3 drains on 2 nd floor.	-\$ 688.00
GC-028S	Deduct cost of WCASD purchased Fritz tile.	-\$118,531.41
GC-029S	Provide and install thresholds at building expansions.	\$ 4,340.19
GC-030S	Deduct costs for EC to repair damaged site lighting.	-\$ 1,912.66
GC-031S	Deduct costs for EC to run new wires in stair tower 2.	-\$ 947.79
PC-005	Repair broken plumbing lines damaged by GC sub.	\$ 1,763.00
PC-006	Provide additional ball valves on domestic lines in toilet room 113A.	\$ 428.00
PC-007	Raise 3 drains in 2 nd floor B gang toilet rooms.	\$ 688.00
PC-008	Relocate plumbing piping to allow for duct in plumbing chase.	\$ 5,590.00
PC-009	Deduct cost for light fixture damaged by sprinkler sub.	-\$ 913.37
PC-010	Deduct cost of light fixture damaged by water.	-\$ 913.37
EC-025	Furnish and install 3 additional fire alarm pulls.	-\$3,861.00
EC-026	Additional emergency generator re-start costs.	\$ 1,044.52
EC-027	Replace lighting fixture damaged by sprinkler sub.	\$ 913.37
EC-028	Repair damaged UG lighting conduit, wiring.	\$ 1,912.66
EC-029	Run new wires to light fixture in stair tower #2.	\$ 947.79
EC-030	Run new wires to fire alarm.	\$ 931.71
EC-031	Add outlet, conduit for emergency communications system.	\$ 1,184.06
EC-032	Replace light fixture damaged by water.	\$ 913.37
EC-033	Troubleshoot and repair existing outlet	\$ 229.48
EC-034	Replace outlet and wiring damaged by steel install.	\$ 483.71
EC-035	Replace specified IT cabinet with larger one.	\$ 2,382.28
EC-036	Repair, replace conduits in gym damaged by steel sub.	\$ 939.49
EC-037	Repair damaged lighting circuit.	\$ 976.08

March 23, 2020

EC-038	Repair damaged wiring crushed by masonry work.	\$ 1,904.24
EC-039	Repair gym lobby door access control wiring.	\$ 943.09
EC-040	Relocate conduits in elevator control room.	\$ 1,485.04
MC-004	Additional crane charge for chiller as roofing area not ready.	\$ 1,954.92
MC-005	Add valves to better isolate HVAC equipment.	\$20,488.98
MC-006	Change of installed work due to change in elevator manufacturer.	\$ 1,032.55

Exton Elementary School:

SC-012	Repair Bio-infiltration area.	\$ 2,250.00
--------	-------------------------------	-------------

Exton Elementary Additional Classrooms:

GC-006	Enlarge roof drain sumps and repair at existing roof.	\$ 6,425.00
PC-001	Adjust and repair existing sanitary line at new addition.	\$ 912.78
EC-001	Add IDF rack, fiber line to MDF, re-route cables.	\$ 12,400.00
EC-002	Provide emergency power to IDF rack from Rm. C-032.	\$ 650.00

2. Approval of Revised Policy 220 – Student Expression/Distribution and Posting of Materials, Second Reading
3. Approval of New Administrative Guideline 220AG1 – Guidelines - Student Expression/Distribution and Posting of Materials, Second Reading
4. Approval of Revised Policy 913 – Nonschool Organizations/Groups/Individuals, Second Reading
5. Approval of Revised Administrative Guideline 913AG1 – Guidelines - Nonschool Organizations/Groups/Individuals, Second Reading
6. Approval of Revised Policy 913.2 Distribution or Posting by Nonschool Organizations, Groups, or Individuals (formerly known as Flyer Distribution), Second Reading
7. Approval of Renewal Amendment to the Healthcare Benefit Consulting Agreement with Gallagher Benefits Services, Inc
8. Approval of Contract Award for Replacement of Roof Top HVAC Units at East Goshen Elementary School to the lowest responsible bidder, JBM Mechanical, in the amount of \$173,000
9. Approval of Change Order – Exton Elementary School Sinkhole Remediation for DiRocco Brothers in the amount of \$62,920

Other Reports

Other Business

1. Approval of School Board Treasurer’s Report and Statement of Disbursements Summary Schedule for the Period of February 1, 2020 to February 29, 2020

WEST CHESTER AREA SCHOOL DISTRICT

MARCH 23, 2020
STATEMENT OF DISBURSEMENTS SUMMARY
FOR THE PERIOD FEBRUARY 1, 2020 - FEBRUARY 29, 2020

GENERAL FUND DISBURSEMENTS		14,405,312.37
includes		
Technology,		
Federal Programs and any Special		
State Funds		
BILLS PAID	14,405,312.37	
INVESTMENTS		0.00
CAPITAL RESERVE FUND		256,368.11
CAPITAL PROJECTS FUND		1,071,338.17
SPECIAL REVENUE - Athletics		16,307.00
TRUST FUNDS		11,720.00
CAFETERIA		697,136.50
STUDENT ACTIVITY FUND DISBURSEMENTS		55,731.01
TRUST AND AGENCY FUND DISBURSEMENTS		<u>37,780.03</u>
TOTAL DISBURSEMENTS		<u><u>16,551,693.19</u></u>

NOTE: A copy of the details of the above disbursements is
available for review from the Board Secretary.

2. Approval of the February 29, 2020 Financial Report

BOARD ACTION: It was moved by Mrs. Tiernan and seconded by Ms. Chester to approve the Consent Agenda Items.

On roll call vote to approve the above Consent Agenda Items, all members present voted "aye." Motion carried 9-0.

~~~~~

**Comments from Residents**

There were no comment from residents.

~~~~~

Mr. McCune read the following quote, "Success is not final; failure is not fatal: It is the courage to continue that counts." ~ Winston Churchill

~~~~~

**Adjournment:**

**BOARD ACTION:** On motion by Ms. Chester, seconded by Mr. Spackman, the Board, on voice vote, agreed to adjourn at 7:38 p.m.

---

Board Secretary