

**COLONIAL SCHOOL DISTRICT
PLYMOUTH MEETING, PA 19462
MINUTES, MARCH 16, 2000**

President Kessler convened the general meeting of the Colonial Board of School Directors at 8:05 p.m. in the Board Room of Colonial Elementary School on March 16, 2000.

Board Members Present: Stuart Kessler, Marc Orlow, Robert Carroll, Gary Johnson, Hugh Lipshutz, Robert O'Neill, Jack Pinheiro and Thomas Yunker.

Board Members Absent: Thomas Marchozzi.

Also Attending: Dr. Stanley Durtan, Superintendent; R. Scott Klinger, Assistant to the Superintendent for Administrative Services and Personnel; Dr. Ann Stormes, Director of Educational Services; James M. Bell, Director of Support Services/Board Secretary; Joseph P. Bickleman, Director of Financial Services/Treasurer; Fred Shipman, Director of Pupil Services; Jeffrey T. Sultanik, Esq., Solicitor; Patricia Campbell, Principal - PWHS; Brian Gallagher, President – CEA; Carol Bucci and Susan McMahon, teachers; Allan Dovberg, President, Colonial United Taxpayers, Domeninick Cosentino; Lynne Dugan; Don and Dianne Heebner; Scott Helfand; and Joe Montemayor.

Mr. Kessler led the Pledge of Allegiance and introduced Susan McMahon, sponsor of Students Against Destructive Decisions (SADD). Mr. Kessler and Ms. McMahon presented certificates of achievement to local business establishments for their support of the PWHS SADD program. A complete list of recipients is attached to these minutes as Attachment #1.

Minutes: Mr. Kessler directed Board attention to the minutes of the Work Session of 02/14/00, the Buildings & Grounds Committee Meetings of 02/16/00 and 02/29/00, and the General Meeting of 02/17/00, as shown in Enclosures #1 through #4. Mr. Pinheiro moved and Mr. O'Neill seconded a motion to approve the minutes, as amended. On a roll vote, all voted in favor. The motion was carried.

Financial Reports: Mr. Kessler noted that the following financial reports were on the agenda for Board consideration: The Budget Transfers for March 2000; the Bond Fund Report, Capital Projects Report and Capital Reserve Fund Report, the Outstanding Investment Report, the Cash Flow Summary, the Comparison of Taxes Collected, the Real Estate Tax Escrow Report, and the Reconciliation of Cash Accounts for the month ending 2/29/00; the Budget Analysis of 03/06/00; and the Treasurer's Report for the month ending 02/29/00, as shown in Enclosures #5 through #15. Board members raised several questions concerning the manner in which Mr. Bickleman reflected reimbursement of the operating budget for consultant fees chargeable to the bond fund and to the merit pay initiative. Following some discussion, the Board provided additional guidance to Mr. Bickleman on how the fees should be charged. Mr. Johnson moved and Mr. Orlow seconded a motion to approve the financial reports subject to the adjustments directed by the Board.

Public Comments on the Agenda: None

Budget Report: Mr. Orlow summarized the Buildings & Grounds Committee's preliminary review of the proposed budgets for building maintenance, custodial and designated administrative services and for proposed facilities projects for the 2000-01 school year. He noted that the committee was still in the process of reviewing the proposed budget figures but reported that funding for projects for the coming year was up approximately 28% over the current year. Mr. Orlow reported that the committee would be looking closely at which projects addressed safety and security issues and which might be purely cosmetic. He briefly recapped some areas of increased expenditures in administrative, custodial and grounds services ranging from a four percent rise for copy services to a twelve percent increase for grounds equipment because of the proposed purchase of a new heavy-duty dump truck. He also highlighted personnel proposals first mentioned in the personnel budget presentation the previous month. Mr. Orlow received confirmation that fuel and heating oil were under multi-year contracts and were not affected by the recent rise in energy prices. He also noted that the B&G Committee was looking into energy costs for contracted work during the construction of the high school science wing.

Mr. O'Neill provided a brief recap of progress underway in the Finance Committee. He noted that committee members would be reviewing funding data provided by Mr. Bickleman and working to put the preliminary spending plan together based on the information provided in committee reports on various components of the district's annual budget.

Old Business: Mr. Kessler directed Board attention to the proposed 2000-01 school calendar. Dr. Durtan briefly summarized the key points in the calendar. Classes would begin on 08/28/00 and end on 06/08/01. The basic structure of the schedule was very similar to what it had been in recent years. It contained 185 student days (184 days for students at the high school), 192 teacher days and a full spring break. Mr. Johnson moved and Mr. Carroll seconded a motion to approve the calendar as presented in Enclosure #16. On a roll call vote, all voted in favor. The motion was carried.

Mr. Kessler asked for Board comment on the proposed financing for the proposed elementary technology upgrade. Mr. Yunker reported that the Curriculum Committee had reviewed the options. He reminded the board members that they had already approved the first phase of the upgrade and that funding for the remainder of the project was then under consideration. He reported that the committee was recommending borrowing the balance from the bond fund and then reimbursing the bond fund from the operating budget. Mr. Yunker felt that, if the district got an early start, the installation of new technology at Conshohocken and Colonial Elementary Schools could occur late this school year and at the remainder of the elementary schools in the coming year. Dr. Durtan noted that the district had used the current system for nine years and had gotten the full value of its investment. In response to Board queries, he indicated that he could no longer envision

the district's elementary programs without the technology component. Mr. Carroll asked if the investment had resulted in an improvement in learning. Dr. Durtan reported that teachers felt that it had but acknowledged that the district had not conducted a controlled study because it did not want to create a test group without access to the technology. Dr. Lipshutz asked if the committee had discussed the disposal of the existing technology. Mr. Yunker replied that it had not but was willing to listen to options. Mr. Yunker moved and Mr. Johnson seconded a motion to finance the technology upgrades by borrowing from bond proceeds and repaying the bond fund from the district's operating budget. On a roll call vote, all voted in favor. The motion was carried.

Correspondence: Mr. Kessler referred to seven items of correspondence that were on the agenda for the meeting, including Enclosures #18 through #22 and #42. He recognized Mr. Shipman who introduced Ms. Bucci, a life skills teacher at the middle school. Ms. Bucci outlined a program funded by a mini-grant from the Colonial Foundation for Educational Innovation and designed to bolster the self-esteem of adolescent girls. She reported that the grant was being used to purchase literature with heroines with whom the girls could relate. She also responded to a Board comment about an earlier life skills mini-grant program by inviting members of the Board and the foundation to *Dazzlers Diner* on 06/01/00 for this year's feast planned, prepared and served by middle school students. Ms. Bucci thanked the foundation for its continued support.

Mr. Kessler asked Dr. Durtan to recap briefly parking concerns raised in a letter from Dr. Dombrow, a local resident, and his efforts to look for short-term solutions to the issues raised. Dr. Durtan summarized his comments the previous Monday and then reported on his contacts with local township officials. He advised that Chief Zolko felt that lifting the parking ban along Germantown Pike would raise serious safety concerns. He also reported that Dr. Dombrow had been surprised and pleased by the steps that the district would be taking to increase parking on the WFIL Tract and at the site of the present high school tennis courts. Dr. Durtan noted that the district was taking the parking issues seriously. He reported that he would look into additional parking along Colonial Drive but noted that early reports indicated that opening the drive to parking would raise many of the same safety issues as parking along Germantown Pike. He noted that the district might look into restricted off-campus parking for September.

Mr. Kessler asked Mr. Pinheiro to recap his comments from the work session the previous Monday about the annual budgets of the Montgomery County Intermediate Unit. Mr. Pinheiro did so, then he moved and Mr. Johnson seconded a motion to approve the four I.U. budgets for fiscal year 2000-01, as shown in Enclosure #19. On a roll call vote, all voted in favor. The motion was carried. Mr. Bell first circulated and then collected from all board members the individual ballots required by the state.

No Board action was necessary on correspondence from the state on the district's single audit report or on CEA comments on the 2000-01 calendar. Mr. Kessler acknowledged correspondence from district resident Janet Lentz on the Million Mom March, an event focused on gun safety. Mr. Kessler indicated that the Board supported the goals of the

event but would not take formal action to endorse it. He asked Dr. Durtan to convey the Board's position to Mrs. Lentz.

Mr. Kessler deferred consideration of a request from Nicholas A. Colafella, Democratic Chairman of the House Education Committee requesting support of a proposed educational funding system. He noted that the correspondence had been received late and that the Board had not yet had an opportunity to review it. Dr. Durtan advised that it had been submitted because of on-going Board interest in funding and the state subsidy, issues that Mr. Kessler might wish to raise with the PSBA Board. Mr. Kessler reported that he would ask the PSBA Board to look into enhanced assistance to school boards in the area of collective bargaining. Mr. Carroll noted interest in other districts in increased state funding for special education in urban schools.

Superintendent's Report: Dr. Durtan briefly recapped his Superintendent's Report, as shown in Enclosures #23 through #25. He noted that the report had not changed since he had presented at the work session the previous Monday. Mr. O'Neill moved and Mr. Carroll seconded a motion to approve the three enclosures as presented. On a roll call vote, all voted in favor. The motion was carried.

Student Board Representatives Report: None. Board members expressed some concern that neither the representatives nor their alternates were in attendance. They asked Dr. Durtan to check to see that procedures were in place to notify alternates if the primary representatives were unable to be present at the meeting. Mr. Carroll took the opportunity to remind the Board and the audience on hand and at home of *The Music Man*, the spring musical being performed at the high school that week.

New Business: Mr. Kessler referred board members to a series of Board Policies being considered under second reading. Mr. Kessler briefly reviewed the process for adopting Board Policies. Dr. Lipshutz moved and Mr. Yunker seconded a motion to adopt on second reading Board Policy #234, Possession of Weapons Prohibited, as shown in Enclosure #26. Board members noted that the definition of weapon included articles not normally considered as weapons if the intent to use them as weapons was clear or could reasonably be inferred. Dr. Lipshutz reported that the policy gave administrators some flexibility in applying it. On a roll call vote, all voted in favor. The motion was carried.

Mr. O'Neill moved and Mr. Orlow seconded a motion to approve on second reading Policy #003 – Board Functions and to delete two former policies #003 and #003.1, which the new policy would replace. Mr. Carroll sought, and Mr. Kessler provided, a brief explanation of why the new policy required a two-thirds affirmative vote of the entire Board to suspend a policy. On a roll call vote, all voted in favor. The motion was carried.

Mr. Johnson moved and Mr. O'Neill seconded a motion to amend on second reading Policy #227.1 – Activities Code of Ethics. Dr. Durtan noted that Mr. Marchozzi had forwarded a letter outlining his feeling on the matter before the Board and had asked to include it in the minutes of the meeting. (His comments are attached to the minutes as Attachment

#2.) Board members raised a number of issues raised in a handout prepared by the Community Relations Committee. Many of the comments centered on the issue of penalizing students who participated in activities and not penalizing those who chose not to participate in activities. Mr. Sultanik addressed this issue when he responded to queries from board members on what penalties the district could levy on students who did not follow the district's rules. Mr. Sultanik noted that the district could broaden its rules of conduct to include what occurred off campus. He reiterated his earlier position that activities were a student privilege and not a right, and that students could be excluded from activities for failure to follow district rules and regulations. Mr. Sultanik also reported, however, that students had a right to an education and could not easily be denied that right. He answered a query about random drug testing by stating that case law clearly supported the testing of athletes but was far less clear about testing students not participating in sports. Board members discussed but did not reach a consensus on time limits on offences. They did reach a consensus on approving what was currently on the agenda, primarily a revision of the penalties for a third offence. On a roll call vote, all voted in favor. The motion was carried.

Mr. Kessler next directed Board attention to two other policy issues being presented on first reading: Policy #311, #411, #511, and #911 – Firearms, Ammunition and Other Weapons and Policy #116 – Tutorial Instruction. Mr. Sultanik noted that Policy #311, #411, #511 and #911 did not include guidelines and that the guidelines could be handled through administrative regulations. He also noted that the district had the right to control its facilities. Mr. Pinheiro urged that the set of policies be widely circulated once it was adopted on second reading. Mr. Sultanik responded to concerns from board members about district liability under the policy by reminding them that the district was protected by the Torts Claims Act and that the policy did not represent a liability issue. Mr. Pinheiro moved and Mr. Johnson seconded a motion to approve this set of policies on first reading. On a roll call vote, all voted in favor. The motion was carried.

Mr. Orlow moved and Dr. Lipshutz seconded a motion to approve Policy #116 – Tutorial Instruction on first reading. Dr. Durtan noted that the policy did not represent a change in practice but involved communicating that practice to all concerned. He also reported that summer school was not covered under the terms of the policy. On a roll call vote, all voted in favor. The motion was carried.

Mr. Kessler directed Board attention to two trip requests on the agenda for Board consideration. See Enclosures #33 and #34. Dr. Durtan again noted that the Board would only be endorsing the educational value if it approved the trip to Mexico. He also indicated that the district did not mandate a particular ratio of chaperones to students on such trips but that it usually averaged about 1 chaperone to 10 students. Dr. Durtan responded to questions about class coverage for the teacher accompanying the FBLA students to state competitions and indicated that arrangements would be made to secure a substitute. He noted that the students attending FBLA competition would be treated like those attending the DECA competition and would be required to make up missed work. Mr. Johnson

moved and Mr. O'Neill seconded a motion to approve the trip requests as presented. On roll call vote, all voted in favor. The motion was carried.

Mr. Kessler reported that bids for a nine-passenger school van and locker replacement in the east wing of the high school were on the agenda for Board action. The bids were discussed on the preceding Monday. Mr. Orlow moved and Mr. O'Neill seconded a motion to approve the bids as shown in Enclosures #35 and #43. On roll call vote, all voted in favor. The motion was carried.

Solicitor's Report: Mr. Sultanik recommended the approval of a tax settlement with Delpen Corporation for 1997, 1998 and 1999 at \$3,070,00.00, \$3,100,000.00, and \$3,480,000.00 respectively. Mr. Kessler announced his intention to vote against the settlement because he felt that the Board had not received sufficient information to decide the issue on its merits. Mr. Pinheiro moved and Mr. O'Neill seconded a motion to approve the settlement as presented. On roll call vote, all but Mr. Kessler voted in favor. Mr. Kessler voted in opposition. The motion was carried.

Committee Reports: Intermediate Unit: No Report.

CMCAVTS: Mr. Yunker announce that the Joint Operating Committee had approved the vo-tech budget for the coming school year and that it would be coming before the Board for action at the April meeting. He noted that the Boards of two of the three member districts and 14 of 21 members would have to vote to approve the budget for it to pass. Mr. Yunker provided a brief highlight of the budget, noting that contributions from the three sending districts would rise approximately \$245,000.00 and that Colonial's contribution would be \$192,000.00, based on a three-year average enrollment. Mr. Yunker reported that the cost per student would be \$6,750.00. He also noted that adult education would be operating at a slight loss. He indicated that the Joint Committee was hoping that the hiring of a new Adult Education Director would have a positive impact on program funding in the future, and he encouraged community residents to take a look at the adult education options offered at the school.

Personnel: Mr. Pinheiro announced that the committee had met the previous Monday and would be meeting again the following Thursday.

Finance: Mr. O'Neill advised that final budget adoption was scheduled for 06/22/00. He anticipated that the committee would be meeting twice before adoption of the preliminary budget.

Curriculum and Program: Mr. Yunker reported that the committee had last met to discuss technology initiatives and the proposed foreign language lab at the high school.

Building & Grounds/Transportation: Mr. Orlow reported that the owner of the WFIL Tract had withdrawn preliminary objections to the district's condemnation of the property. He stated that the time had come for the district to pay just compensation for the

property and take possession. Mr. Orlow moved and Mr. Johnson seconded a motion to approve the resolution shown in Enclosure #24. On a roll call vote, all voted in favor. The motion was carried.

Mr. Orlow provided an update on the work being done by E. I. Associates on the development of the WFIL Tract. He indicated that he was very impressed with the work that the firm had done to update and improve upon earlier design drawings for the two softball fields, four soccer fields, eight tennis courts, additional parking facilities and walking paths to be built on the property. He noted that project plans also called for rerouting a portion of Colonial Drive, upgrading parking in front of Colonial Elementary School and adding parking at the high school on the site of the present tennis courts, as well as some re-use of the existing building on the tract. Mr. Orlow reported that the estimated \$1,784,000.00 price tag for the project, minus the building upgrade, was in line with what had been earmarked earlier for the project in the bond. He noted that E. I. Associates was working on an aggressive timetable to get the tennis courts ready for the fall season and at least one of the soccer fields ready for the girl's program in the spring of 2000. Mr. Sultanik advised the Board that it had a contract with the firm and did not take any other formal action to proceed with the project. Mr. Kessler had questions about the placement of track-related facilities, the orientation of the parking facilities and the uses to which the building on site would be put. Mr. Orlow reported that all of these areas were still under discussion and that board members had time to review and provide input on them. Dr. Lipshutz raised questions about the cross easement rights requested by the township. Following discussion about the need for the easements, Mr. Johnson moved and Mr. Pinheiro seconded a motion to approve the easement rights, subject to the solicitor's and architect's review and confirmation of the need to grant them. On a roll call vote. All voted in favor. The motion was carried.

Community Relations Committee: Following up on discussion at the work session the previous Monday, Mr. Johnson moved and Mr. Orlow seconded a motion to approve Massey Powell Enterprises, Inc. as a public relations strategist to the district effective 04/01/00. On a roll call vote, all voted in favor. The motion was carried.

Legislative: Mr. Carroll reported briefly on legislative initiatives related to oversight of PIAA and activity related to special education funding, the commonwealth's sizable surplus and potential increases in education subsidies.

Public Comments: Mr. Dovberg provided a final update on Technology 2000. He reported that this year's program was scheduled for Saturday, March 25th from 10:00 a.m. to 3:00 p.m. at Wissahickon Middle School. He encouraged board members, administrators, students and their families, and the general public to attend to see the fine work being done by students in local schools.

Mr. Dovberg sought and received confirmation that Mr. Marchozzi's letter on the activities code of ethics would be included in the minutes of the meeting. He also asked Mr. Sultanik if sports were part of a thorough and efficient education. Mr. Sultanik responded that

there was no case law addressing the subject and that sports programs, as well as many other programs and services offered by many public schools in the commonwealth, were matters decided by local districts. He stated his belief that sports were not a part of a thorough and efficient education. Mr. Dovberg expressed concern that the committee established by the Board to look into the opportunities and challenges offered by Act 50 had not met in a long time. He noted that the Board had indicated at a town meeting in January that the ad hoc committee would soon be meeting. He asked that Mr. Kessler require the Finance Committee Chair to schedule and announce a meeting in the immediate future so that the committee could move forward with the work assigned to it by the Board.

Mr. Gallagher complimented SADD on its fine work and noted that the district's weapons policies made good common sense. He also welcomed the update on telephone plans at Conshohocken Elementary School, thanked the Board for considering the input of the CEA on the school calendar for 2000-01, and wished that a full-day in-service day had been scheduled for all schools and not just the high school.

There being no further business before the Board, Mr. Kessler adjourned the meeting at 10:40 p.m.

Respectfully submitted,

James M. Bell
Board Secretary