

BIG SPRING SCHOOL DISTRICT

Newville, Pennsylvania

COMMITTEE OF THE WHOLE OF THE BOARD MEETING MINUTES

MONDAY, NOVEMBER 16, 2009

The Big Spring School District is an equal opportunity education institution and will not discriminate on the basis of race, color, national origin, sex, age, religion, and disability in its activities, programs, or employment practices as required by Title VI, Title IX, and Section 504. For information regarding civil rights or grievance procedures, or for information regarding services, activities, and facilities that are accessible to and usable by handicapped persons, contact the Superintendent of Schools, Title IX and Section 504 Coordinator, 45 Mt. Rock Road, Newville, PA 17241, at (717) 776-2412.

I. CALL TO ORDER

The Committee of the Whole of the Board of School Directors for the Big Spring School District met in the Big Spring High School Large Group Room, Room 140, at 7:00 P.M. with President Wilbur Wolf, Jr., presiding. Seven (7) directors present: Wilbur Wolf, Jr., President; William Swanson, Vice President; Robert Lee Barrick, Secretary; Terry Lopp, Treasurer; Sandra Rosenberry Deaver; Richard Norris; and William Piper.

Kingsley Blasco joined the meeting in progress at 7:14 P.M.

Richard Roush was absent.

Others in attendance: Richard Fry, Superintendent; Jeanne Temple, Assistant Superintendent; Kevin Roberts, Director of Curriculum/Instruction and Educational Technology; Richard E. Kerr, Jr., Business Manager; and Brenda Line, Board Minutes. Also present: Daniel Lehman and April Messenger.

II. PRESENTATION

Job Description Update – Mrs. Jeanne Temple, Assistant Superintendent

Mrs. Temple offered a PowerPoint presentation outlining steps the District is taking to ensure that all job descriptions are written in such a way that the position descriptions are in compliance with the Americans with Disabilities Act as follows:

A. ADA

The Americans with Disabilities Act of 1990 prohibits employers from discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

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II. PRESENTATION (Continued)

B. Who Has A Disability and What Are Reasonable Accommodations?

An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities.

Mr. Fry noted that there is a debatable list of "major life activities." The list grows, depending on the health clinician.

A qualified applicant or employee with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of a job. Reasonable accommodations may include but are not limited to the following:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities;
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials or policies, and providing qualified readers or interpreters;
- Adjustments or modifications provided by an employer to enable people with disabilities to enjoy equal employment opportunities.

Some examples of major life activities that could pertain to school districts include making accommodations for employees undergoing cancer treatment or requiring insulin injections. Other accommodations could be made for individuals with broken bones, hearing/vision impairment, lifting/bending/standing/walking restrictions, nutrition restrictions, concentration difficulties, etc.

C. Undue Hardship

The employer is required to make reasonable accommodations if it would not impose an *undue hardship* to the operation of the business.

Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as employer's size, financial resources, and the structure of the organization.

D. ADA – Amended

The Americans with Disabilities Act of 1990 was amended in 2009.

The amendment broadened the definition of *disability* to include an impairment that substantially limits one or more major life activities.

Under the amended ADA, the definition of *major life activities* is expanded to include sleeping, reading, thinking, and major bodily functions of the immune and reproductive system.

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II. PRESENTATION (Continued)

E. Implications

- *Reasonable accommodation* process has not changed.
- Employees must still be able to perform essential functions of the job.
- Focus on employee performance, not the underlying cause (focus on whether or not the employee is performing well and at the required level of performance, given the disability).
- Revise job qualifications and descriptions for employers.

Mr. Fry noted that it is imperative that the job descriptions be rewritten to reflect the changes in the ADA.

Mrs. Temple added that anything one does is now a "major life activity." Because of the amendment to ADA, the District now must accommodate for any major life activity of an employee. For example, the District would be required to make reasonable accommodations for persons with attention-deficit disorder and those with breathing difficulties while walking a flight of stairs. As long as it does not provide the District with an undue hardship, the District must make accommodations for the employee.

F. Job Descriptions

Mrs. Temple indicated that the administration is reviewing and rewriting all job descriptions for District employees to ensure that they each contain a description of the work environment, physical demands of the job, sensory abilities required, specific requirements (driver's license, certificates, etc.), holidays observed, rate of compensation, and general comment.

Mrs. Temple provided the members of the Board of School Directors with copies of a 10-page memorandum to Mr. Fry from Mrs. Temple dated November 12, 2009, regarding job descriptions for professional staff. Please refer to the attached document.

The attachment contains a checklist for rewriting job descriptions that include ADA language for the following employees: administrators, teacher/educational specialists (not including aides), and classified (instructional technology support only).

A checklist will be created and job descriptions will be rewritten for the remaining classified employees after the job descriptions for professional have been completed.

In response to a question from President Wolf, Mrs. Temple indicated that she is gathering guidance and additional information from several different sources in an effort to update the job descriptions appropriately.

President Wolf suggested that the District contact PSBA to determine if they can offer input on rewriting the job descriptions.

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II. PRESENTATION (Continued)

F. Job Descriptions (Continued)

Mr. Fry added that he believes the job descriptions for maintenance and custodial positions would be a little more difficult to write than the professional staff job descriptions, particularly related to the physical requirements for those jobs.

Mrs. Temple noted that the District would have to determine what reasonable accommodations could be made for employees. While some accommodations could be made easily, others could pose a challenge.

In response to a question from Director Norris, Mr. Fry indicated that classified staff members would be broken into many more categories than the professional staff. For example, specific requirements would be included for life skills aides that would not be included for the kindergarten aides.

Mrs. Temple indicated that instead of providing job descriptions for every position in the District, the administration would provide to the Board a checklist for the different categories of employees similar to this evening's attachment.

Mrs. Temple indicated that the checklist for professional staff would be included as an action item for the next Board meeting.

In response to a question from President Wolf, Mr. Fry responded that if an employee loses his/her driver's license, it would depend on the position whether or not the individual could remain employed. For example, some professional staff members would simply need a ride to and from work while others require a driver's license and a vehicle to travel among the District's buildings. Mr. Fry indicated that this could be an item worthy of including in the job descriptions for positions that require travel among District buildings.

Mrs. Temple thanked Mr. Kerr for his assistance in preparing the attached document.

III. PREVIEW OF THE AGENDA

A. October 19, 2009 Committee of the Whole of the Board Meeting Minutes

Mr. Fry indicated that the October 19, 2009 Committee of the Whole of the Board meeting minutes have been amended at Mr. Blasco's request.

B. Student Representatives

In response to a question from President Wolf, Mr. Fry indicated that Douglas Kennedy and Lauren Swartz would offer a report this evening as the student representatives to the Board of School Directors.

C. Flag Presentation

Mr. Fry indicated that immediately following the student report, a flag presentation would be made to the high school principal.

D. Combine and Address

President Wolf requested that the Board address XIII., NEW BUSINESS, A., PERSONNEL CONCERNS, Items A-1 through A-10, as a single action item.

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III. PREVIEW OF THE AGENDA (Continued)

D. District Property Found

Mr. Fry indicated that it has come to the administration's attention that the District may own property in the area adjacent to 2214, across the street from 2211 Pine Road.

Mr. Fry offered an aerial view of the property. Please refer to XIII., E., Lot on Pine Road, in this evening's regular Board minutes.

IV. BUDGET PROCESS

Mr. Kerr provided the members of the Board of Directors with copies of the following document prepared to aid in the upcoming budget process: BSSD 2009-2015 Five-Year Budget Expenditures and BSSD 2009-2015 Five-Year Budget Revenue dated November 16, 2009. Please refer the attached document.

Mr. Kerr reviewed the document and answered questions. The following items were noted:

A. Expenditures

1. The **percentages** in the brown box at the top are the factors used to determine the expenses listed in the appropriate year below the brown box.
2. **Account 230, the PSERS expenditure**, is one of the larger increases in the next few years. For 2009-2010, the PSERS expenditure of \$1.4 million is budgeted; however, the District would pay approximately \$800,000.00.

The 2012-2013 \$6 million PSERS estimated expenditure is the amount that would be paid before the State subsidy is calculated. The State subsidy would be accounted for in the revenue side of the budget.

The PSERS contribution is expected to increase even after 2015. Any data on the PSERS Web site is deemed as "unofficial" with regard to estimated increases in the school district contribution rate.

Mr. Blasco noted that the "person in charge of PSERS" stated a few days ago that the "State is going to save us all" with regard to PSERS contributions.

Mr. Wolf indicated that the State could only find the money to pay the money through additional taxation.

Mr. Barrick added that the PSERS governing entity created this problem in 1996 when they lowered the contribution rate drastically.

3. **Accounts 420 and 620** both have to do with utilities. Account 420 includes the expense for electricity used for lighting. Account 620 includes the expense for electricity used for heating, ventilation, and air conditioning as well as fossil fuels. Deregulation in January 2010 could cause an increase in these two items. Mr. Sample is working to ensure this line item remains as low as possible.

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IV. BUDGET PROCESS (Continued)

A. Expenditures (Continued)

4. The revenue line has been copied from Page 2 so that a comparison of expenditures and revenues could be made at the bottom of the expenditures column. These calculations were made using the assumption that the Board would approve the PSERS exceptions. Another variable that was used was 4.35 percent for the collective bargaining agreement for the first year and 4 percent for successive years. The collective bargaining agreement has yet to be negotiated.

B. Revenue

1. The **budget calculations** were made assuming the maximum allowable tax increase according to the Act 1 index adjusted for Big Spring. For PSERS, the District must come up with a PSERS index that is the amount the District must pay. There is no allowable exception for the Act 1 index times the PSERS amount that would be paid. The District must come up with that money from the General Fund Budget. That number in 2012-2013 would be approximately \$40,000.00. That is the amount for which the District would *not* be allowed to support by increasing taxes.
2. The **growth of one mill** has been calculated to be 1 to 2 percent per year. The 2010-2011 tax base growth is calculated at 2 percent based on the first warehouse tax payment; however, that tax is now being appealed by the warehouse owner. It is believed that the warehouse tax payment would be reduced to the common level ratio, and this line item in the revenue budget has been calculated using that common level ratio.
3. The **growth of a mill** has been calculated based on past growth. The District had been experiencing growth from 3 to 5 percent. Because of the state of the economy, this year the growth has been minimal. RBC uses 1 percent growth. Mr. Kerr used 2 percent for 2010-2011, hopeful that the warehouse and Sheetz revenue would help to sustain the growth of the mill, and 1.5 percent growth for the subsequent years.
4. The **index for 2010-2011** and beyond has been calculated at 3.8 percent. This figure would be adjusted each year based on the SAWW and the District's exceptions.
5. Mr. Blasco noted that the **earned income tax (EIT)** has been tracking nationally at a decrease of 40 percent.

Mr. Kerr indicated that he believes the EIT decrease in the Big Spring School District for this year would be a maximum of 10 percent.
6. The total **estimated mills to support the budget** are in boldface type under the yellow highlighting.
7. The "**exception mills**" highlighted in yellow include the PSERS exceptions. This line *does not* include the special education exceptions for which the District would more than likely qualify.

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IV. BUDGET PROCESS (Continued)

B. Revenue (Continued)

8. In response to a question from Director Blasco regarding a possible date the State might try to "make up for their part of **PSERS**," Mr. Kerr indicated that he has no way to determine this.
9. Mr. Fry indicated that rather than decreases in the **special education subsidy**, he predicts future decreases in the **basic education subsidy**.
10. If there were support legislatively, the State could take over the healthcare for school districts; however, there does not appear to be support legislatively at this time.

In response to a question from Director Blasco, Mr. Fry indicated that he agrees that it is possible that the State could try to negotiate for school districts to assume greater PSERS contributions if the State would assume the school districts' healthcare costs; however, Mr. Fry indicated that there would have to be a tremendous amount of negotiations for this to happen.

President Wolf added that it was his understanding that any statewide healthcare system would merely be a vehicle where school districts could purchase healthcare at a lower premium, theoretically.

Mr. Fry added that any legislation that he has seen provides a grace period for school districts that have high-performance healthcare consortiums; however, those districts would be required eventually to convert to the statewide healthcare that is run by a commission the State sets up comprised of "not necessarily School Board-friendly people."

11. **Account 7110**, basic instructional subsidy, has been level-funded in recent years with very little increase, and this trend is expected to continue.
12. **Account 7320** includes the rental and sinking fund payments, which would be monies coming back to the District from the State for subsidized construction projects.
13. **Accounts 7810 and 7820**, revenue from Social Security payments and revenue from retirement payments, include the PSERS contributions. The State pays 50 percent of this; however, this is an assumption because it is not known if the State would continue to pay this amount. At this time, it is mandated that the State pay this amount; however, that could still change.
14. The red numbers at the bottom of the revenue sheet show the District's **estimated deficit**.

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IV. BUDGET PROCESS (Continued)

B. Revenue (Continued)

15. Mr. Kerr suggested that the Finance **Committee meet with the administration** after Thanksgiving to begin the exception process. The Board must approve a preliminary "exception budget" by February 15, 2010, for the 2010-2011 budget.

Mr. Fry indicated that the District has "stayed out of the exception business" for the last couple years and followed the standard budget calendar; however, that is not possible for 2010-2011, and the administration strongly recommends that the Board consider taking the allowable exceptions in an effort to increase the millage rate greater than the Act 1 adjusted index of 3.8 percent to support the 2010-2011 budget.

The State's Act 1 index is 2.9 percent. Big Spring's adjusted index is 3.8 percent. Any granted exceptions would allow Big Spring to increase the millage rate more than 3.8 percent.

Mr. Kerr directed the Board to the numbers just above the line highlighted in yellow as well as the line highlighted in yellow on the revenue budget. Those two lines reflect the index mills and the exception mills that were used to prepare the budget projections.

16. In response to a question from President Wolf, Mr. Kerr confirmed that an increase of **nine-tenths of a mill** for 2010-2011 would amount to an increase of approximately **\$90.00** for a house valued at **\$100,000.00**.

IV. REAL ESTATE TAX COLLECTIONS & EARNED INCOME TAX COLLECTIONS

Mr. Kerr provided the members of the Board of School Directors with copies of a document outlining Real Estate Tax Collections (Monthly and Cumulative) and Earned Income Tax Collections (Monthly and Cumulative). Please refer to the attached document.

Mr. Kerr explained that he is proposing this format for the Board report regarding real estate tax and earned income tax collections for each meeting agenda. The document includes the current collections as well as a three-year history. The information would be the same as the information the Board currently receives; however, this is a more visual format and also provides historical data.

The Board members agreed that this format would be the preferred format.

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V. PLAINFIELD ELEMENTARY SCHOOL VIDEO PRESENTATION

Mr. Roberts offered a video presentation of the exterior of the proposed Plainfield Elementary School building. The presentation incorporated the recent changes that downsized the building from a three-deep school to a two-deep school.

Mr. Barrick reviewed the changes to the proposed building during this evening's regular Board meeting, Item XV., D., Buildings and Property Committee Report.

In response to a question from President Wolf, Mr. Fry indicated that he would investigate and provide information to Mr. Wolf regarding the trees and shrubbery required by West Pennsboro Township. Mr. Wolf indicated that he could offer specific recommendations for the plants.

IV. ADJOURNMENT

Motion by Norris, seconded by Lopp to adjourn to Executive Session to address personnel issues. Roll call vote: Voting Yes: Blasco, Deaver, Norris, Piper, Lopp, Barrick, Swanson, and Wolf. Motion carried unanimously.

The meeting was adjourned at 7:53 P.M.



Robert Lee Barrick, Secretary