

On September 14, 2020, the Work Session of the Board of School Directors of the Spring-Ford Area School District was called to order at 7:30 p.m. in the cafeteria of the Spring-Ford High School with the following in attendance:

Region I: Wendy Earle, Linda C. Fazzini and Dr. Margaret D. Wright

Region II: Clinton L. Jackson and David R. Shafer

Region III: Thomas J. DiBello and Christina F. Melton

Presiding Officer: Colleen Zasowski

Assistant Superintendent: Robert W. Rizzo

Chief Financial Officer: James D. Fink

Solicitor: Mark Fitzgerald, Esq.

Student Reps.: Eshika Seth

The Board Secretary, Diane Fern, participated in the meeting virtually.

ANNOUNCEMENTS

Mrs. Zasowski reminded the public of the process for the meeting and for making public comments at the beginning and end of the meeting.

I. PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY

Chief Boyer advised that there were nine members of the public outside with a copy of a current court order regarding the government restrictions on public attendance and he was questioning whether they should be let in or not. Mark Fitzgerald advised that the Federal District Court for the Western District of Pennsylvania issued an order today specific to a series of Governor Wolf's various orders from May-July surrounding stay-at-home, business restrictions and gathering restrictions. He stated that the plaintiffs included a number of counties with the lead county being Butler County, PA. He advised that the decision was a broad rebuke of the Governor's orders specific to violations of the First Amendment, Equal Protection and the like but the order is binding only on a third of the state and essentially on the Western District. Mr. Fitzgerald stated that he suspects that this will likely be appealed to the Third Circuit and if they uphold the decision then we have a situation where we will have to comply with the Third Circuit. He advised the board that at this point, based on all of the moving targets, the only thing that is binding on us is that order by the Governor and the decision by the Western District is not.

Mr. DiBello asked Chief Boyer if there were only 9 people outside and Chief Boyer replied he has not counted them himself but his understanding is that there are 9. Mr. DiBello made a motion to allow all 9 people in and Mrs. Zasowski stated that she would recommend we get to the maximum of 25 and cap it so however many we have in the cafeteria the remaining portion to take us up to 25 can be permitted to enter. Mr. DiBello restated his motion to allow the 9 people in and Mr. Jackson seconded it. There was a roll call vote with Mr. Shafer, Mr. Jackson and Mr. DiBello voting yes.

Mrs. Zasowski, Mrs. Melton, Mrs. Fazzini, Ms. Sullivan, Mrs. Earle and Dr. Wright voting no. The motion did not pass by a vote of 3-6.

David Bellaire, Collegeville, commented that as part of going back to school effort, parents and guardians need to understand the procedures and steps the school district is taking to prevent the spread of COVID-19 while students are on premise in school. He stated that documenting these procedures and preventative steps is an easy task and felt that the document could be shared so that all of the parents know what is being done to prevent it. Mr. Bellaire added that this could also help parents and encourage them to bring their kids to school. He felt that stating that the CDC guidelines are being followed is not enough and that parents need to know exactly what is being done so they can be more comfortable with sending their kids to school. Mr. Bellaire stated that by having people more comfortable with sending their kids will increase the number wanting to participate. He stressed the importance of this being done.

Mary Jo Mcnamara, Royersford, questioned why the project management discussion is number 8 and the last thing on the agenda tonight when it is the most important thing and that she felt many of the community felt this way. She commended the Ad-Hoc Committee meeting saying she felt it went very well and stated that the ability to have the interaction among the community without restrictions was a really positive experience.

II. PRESENTATION

Mr. Krakower, Special Education Supervisor, provided a PowerPoint presentation on an update for the reopening plan for special needs students. He advised that today was the first day of in-person instruction for special needs students in low incidence classrooms with 114 students in attendance out of the 166 students in these classes. He acknowledged the teachers, instructional assistants, administration, food service personnel, transportation staff and building secretarial staff for all their efforts in making the return of these students possible. He advised how happy the students were to return to school today. Mr. Krakower spoke about the next phase for in-person programming and instruction for special needs students and provided the timeline for a tiered approach for the return of the different grade levels for supplemental and itinerant students. Mr. Krakower discussed the considerations that need to be addressed for the return of special needs students which included staffing, technology needs, transportation, gloves and sneeze guards. He explained what a typical day of in-person instruction will look like for special needs students returning to the building and added that some instruction will be contingent upon staffing. Mr. Krakower spoke about the next steps which included surveying parents of special needs students, addressing staffing needs, transportation needs, communication with parents, assessing/evaluating programming and making adjustments as necessary, and the consideration of students with 504 plans and English Language Learners.

Board Members asked questions concerning the status on the backlog of evaluations previously reported and it was advised that the board had approved additional psychological funding but that one of the limitations is that every district in the Commonwealth is facing the same type of backlog issues so the availability of psychologists is limited. It was felt that now that the district psychologists are once again able to test students that they be given time and the progress being made on those evaluations still needing to be completed be monitored. The board also asked about the assistance being provided to those students in a study hall that takes place when they would normally be in their regular education classes. Mr. Krakower replied that their regular education class would be a virtual class and that the staff in the study

hall may be able to provide some assistance but were mainly there in a supervisory role.

A. Update on the Return to School for Students with Special Needs.

III. BOARD AND COMMITTEE REPORTS

Extracurricular **David Shafer** **1st Tues. 7:30 p.m.**

Mr. Shafer reported on the Extracurricular Committee meeting that took place on September 1, 2020. The minutes from this meeting will be posted on the district-wide website once approved at the committee level.

There was board discussion on the anticipated passing of House Bill 2787 which would permit spectators at district extracurricular events.

Mr. DiBello made a motion to allow a minimum of 2 tickets per participant to be given to all students involved in the activity. Tickets will be distributed evenly amongst all students, contingent upon House Bill 2787 becoming law. Mr. Shafer seconded the motion. The motion passed 9-0.

The floor was opened for public comment.

Hope Bodenschatz, Royersford, stated that on September 2nd Governor Wolf changed his guidance on spectators removing the ban on spectators saying it was now normal gathering requirements which would be 25 indoors and 250 outdoors up to 50% of capacity. She commented that even if the bill does not become law we could still have up to 250 people present at an outdoor event. She asked if the solicitor had a commentary on this as it is her understanding that we should be able to have some level of spectators at most events. She added that she knows football is a bigger event but for the other sports that play in the stadium there should be ample room with a max of 250 for students to receive tickets even if the bill does not pass. Mr. Fitzgerald replied that the limit of 250 and 25-person limit for outdoor and indoor is applicable to athletics as it stands right now. He stated that the problem has been if we use the example of football you have to take players, trainers, coaches, referees and anybody else affiliated with the activity then you are at about 240 of the 250 maximum so it does not leave any sort of wiggle room for fan participation. He added that this is what resulted in the bill which he explained as if you have a stadium of 5,000 and you could put possibly 20% capacity in there then that would alleviate the fan issue particularly in the sport of football. He stated that with other sports you technically would not have this issue but with some sports you would get to the max of 250 pretty quickly. Ms. Bodenschatz stated that with a crowded soccer match at the most you will top out at about 150 people including all of the players, coaches and 2 parents each. Mr. Fitzgerald commented that the Olympic sports will be minimally affected by this and that this is for those sports that take a lot of people in order to make the sport work.

Ad Hoc **Thomas DiBello** **As Needed**

Mr. DiBello reported on the Ad Hoc Committee meeting that took place on September 10, 2020. The minutes from this meeting will be posted on the district-wide website once approved at the committee level.

Mrs. Fazzini commented on the need for the district to focus on improving communication to meet the current situation in order to create an honest and transparent culture in which the staff and administration can report all of the obstacle to the board quickly and effectively

without fear, blame and criticism which only makes them feel undermined, unsupported and not valued for a lot of hard work they are doing endlessly to try and recreate this educational model. Mrs. Fazzini was not sure if this should go to a committee to try and develop some better system for quickly communicating.

Discussion took place on Mrs. Fazzini's comments with suggestions being made to hold board meetings on a weekly basis and sending important information via email to board members as things come up rather than waiting and putting all of the information in the Friday weekly memo. Mrs. Zasowski indicated that she will take this issue for discussion at the Community Relations Committee meeting and expressed that some of the problem may be solved by the recent change with moving the work session up to the 2nd week of the month thereby not having too long of a gap in between board meetings.

Finance

Thomas DiBello

2nd Tues. 6:30 p.m.

Mr. DiBello reported on the Finance Committee meeting that took place on September 8, 2020. The minutes from this meeting will be posted on the district-wide website once approved at the committee level.

Property

Clinton Jackson

2nd Tues. 7:30 p.m.

Mr. Jackson reported on the Property Committee meeting that took place on September 8, 2020. The minutes from this meeting will be posted on the district-wide website once approved at the committee level.

Asst. Superintendent Rpt. Robert Rizzo

Mr. Rizzo reported that September 8 was the first student day and although virtual teachers and students were happy to be together for another exciting yet very different experience this year. He expressed thanks on behalf of himself, Dr. Goodin and the entire Leadership Team to the staff for all of their hard work in getting ready for the school year. He advised that today was the first in-person day for some of the students in the low incidence classrooms and that it was wonderful to see students and staff reunited and excited to be with each other. Mr. Rizzo provided an update on Social Emotional Learning saying that the building leaders engaged staff in activities of their choosing. He added that the SEL Task Force had developed a website of resources, worked on consistent language and implementation throughout the district, began developing opportunities for wellness days and engaging students in personal and meaningful ways during the first week of school. He thanked the SEL Task Force for volunteering their time throughout the summer to build these resources and opportunities. Mr. Rizzo advised that after much deliberation it was determined that it would be best to postpone back-to-school nights until such time as the students return to the buildings. He stated that additional information will follow. Mr. Rizzo provided an enrollment update showing the comparison to last year at this time. He reported on the enrollment for Spring-Ford Cyber Learning. He spoke about the return to school family survey and provided the results of the responses received over the past 3 days which indicated an approximate 65% response rate. The overall results as of now indicate 73.3% of families prefer to return to in-person learning and 26.7% prefer to return to either virtual or cyber learning.

Dr. Goodin thanked the parents in the community for their quick response to the survey saying that this survey information will give him the data that he and his administrative team needs to move forward with the planning. He added that they are looking into how to provide a virtual option for those families that choose, at this time, not to not have their child return to in-person learning and with this information they can continue this work. He also advised parents on where on the website they can find the templates for the reopening plan that were submitted to PDE.

Mr. Rizzo addressed an earlier question regarding the potential for an earlier start to the tiered return for the special needs students by providing background on all of the steps that need to be put in place for a successful return including transportation, personnel, physical space needs, and obtaining survey results from special needs families. He also advised that the special education supervisors are in contact with their peers in other districts in order to make sure we are in alignment with what is being done elsewhere and have found that in many cases we are ahead of what other districts are putting in place. Mr. Rizzo indicated that this is something we cannot get wrong and we have to nail it so the return should not be rushed as it takes time to make sure we do it right.

Mr. DiBello commended the administration, teachers and everyone involved with getting school started last week. He stated that there seems to be a lot of confusion with what the instruction model is for Wednesdays and Mr. Rizzo provided an explanation of the weekly instructional schedule but added that teachers have been given the flexibility to structure their own lesson plans as they would normally have done in the normal classroom setting. He stated that he understands there is still some confusion over this virtual instruction schedule but that we are all working through this together. It was suggested that there needs to be clarification and communication regarding this from the district. Mr. Rizzo expressed that the confusion was duly noted and added that it was the second day of school and that the district was working on many various aspects assisting both students and teachers. He stated that the district will provide clearer details to students and families. Mr. DiBello commented that he fully supports, understands and advise anyone that he spoke with that it was the first week of school. He stated that he is bringing this up tonight just to express the one concern that he heard from many people and also so that he can have a clearer picture as he also has confusion over the Wednesday schedule. Dr. Goodin indicated that this can be done and added that he will be meeting with the administrative team on this and will make sure that attendance is being documented on Wednesdays. Mr. DiBello made the suggestion that administration, when working on an opening strategy and possibly focus on bringing back the K-4 grade students as they ride their own busses and are self-contained in the buildings. He stated that working through the cafeteria and providing lunches would need to be done. He asked administration what it would take to do this and how long that would take. Mr. Jackson advised that the Property Committee has addressed the layout for every school. Mrs. Fazzini added that she is a big fan of the phased in approach and stated that possibly administration cannot answer this tonight but could take it under consideration and bring information back to the board. Dr. Goodin responded that the survey results were highly important and this data was needed in order to proceed with planning. Discussion took place on the potential timeline for developing plans for the return of students. Dr. Goodin was asked to provide an update at the next meeting in two weeks for the potential plan and timeline for the return of elementary students to schools.

Solicitor's Report **Mark Fitzgerald**
There was no report.

IV. MINUTES

There were no questions or comments.

- A. Administration recommends approval of the August 3, 2020 Special Board Meeting minutes. **(Attachment A1)**

V. PERSONNEL

Mr. Jackson asked about Item H wondering why this was on the agenda as he thought the board had already approved the contracts. Mr. Shafer stated that there were three new contracts that had not been previously approved so this motion was for their approval.

A. Resignations

1. **Kathleen Cox**; Software Specialist, District Office. Effective: November 13, 2020.
2. **Jane E. Ehnot**; Field Hockey Coach-8th Grade. Effective: September 11, 2020.
3. **Heather L. Giovagnoli**; Asst. Cross Country Coach-HS. Effective: August 19, 2020.
4. **Elena M. Kinney**; Music Teacher, Upper Providence Elementary School, for the purpose of retirement. Effective: January 6, 2021.
5. **Michele L. Konnick**; English Teacher, Senior High School, for the purpose of retirement. Effective: September 1, 2020.
6. **John A. Kraynak**; Asst. Cross Country Coach-HS. Effective: August 20, 2020.
7. **Deborah E. Malack**; Instructional Assistant, Upper Providence Elementary School. Effective: August 27, 2020.
8. **Marian E. Polto**; Instructional Assistant, Evans Elementary School, for the purpose of retirement. Effective: October 1, 2020.
9. **Christine N. Wike**; Reading Olympics, Oaks Elementary School. Effective: August 31, 2020.

B. Temporary Professional Staff

1. **Kathryn A. Beer**; .5 Part-Time Kindergarten Teacher, Limerick Elementary School, replacing Lauren M. Rose who had a change of assignment. Compensation has been set at B, Step 1, \$25,000.00 prorated with benefits per the professional agreement. Effective: September 4, 2020.

C. Professional Staff

1. **Jayne R. Sherman**; Elementary Teacher, 5/6 Grade Center, replacing Joann N. Sibley who retired. Compensation has been set at M, Step 3, \$52,750.00 prorated with benefits per the professional agreement. Effective: To be determined.

D. Support Staff

1. **Debbie L. Boland**; Instructional Assistant, Upper Providence Elementary School, replacing Katie T. Kennedy who had a change of assignment. Compensation has been set at \$16.36/hour with benefits per the Instructional Assistants' Benefit Summary. (Previously Board approved in August. Correction in hourly rate.) Effective: September 1, 2020.
2. **Kathleen M. Kwiej**; Instructional Assistant, Upper Providence Elementary School, replacing Suzann B. Bani who resigned. Compensation has been set at \$17.36/hour with benefits per the Instructional Assistants' Benefit Summary. Effective: September 14, 2020.
3. **Wendy S. Landes**; Instructional Assistant, Evans Elementary School, replacing Robert St. Ledger who resigned. Compensation has been set at \$17.36/hour with

benefits per the Instructional Assistants' Benefit Summary. Effective: To be determined.

4. **Michael A. Moyano**; Instructional Assistant, 7th Grade Center, replacing Brooke S. Shiflet who resigned. Compensation has been set at \$17.36/hour with benefits per the Instructional Assistants' Benefit Summary. Effective: September 9, 2020.
5. **Charlene D. Strange**; Instructional Assistant, Brooke Elementary School, replacing Cristin M. Arbaugh who resigned. Compensation has been set at \$17.36/hour with benefits per the Instructional Assistants' Benefit Summary. Effective: September 17, 2020.

E. Change of Status

1. **Tammy L. Baumeister**; Part-Time (.50) Title I Teacher, Royersford Elementary School, to Full Time Title I Teacher, Royersford Elementary School. Compensation has been set at M Step 4, \$54,673.00 with benefits per the Professional Agreement. Effective: September 1, 2020. Salary and benefits funded 100% through Title I.
2. **John C. Chomyn, Jr.**; Maintenance III to Maintenance II, Maintenance and Operations Department. Compensation has been set at \$27.43/hour with benefits per the Maintenance Benefit Summary. Effective: September 9, 2020.

F. Tenure Status

The individuals listed below have completed three (3) years of satisfactory service as temporary professional employees and are, therefore, entitled to tenure status:

1. **Hannah DeAngelis**
2. **Katelyn A. Sperring**

G. Administration recommends approval **Resolution #2020-27** terminating employee #08430 as presented.

H. Administration recommends approval of the attached extra-curricular contracts for the 2020-2021 school year. Payments of extra-curricular stipends shall be contingent upon the reopening of schools and the ability as determined by the Administration to provide such extra-curricular offerings to students consistent with CDC guidelines and guidelines from the Commonwealth of Pennsylvania. The district reserves the right to prorate or not pay stipends in the event of a school closure, school modification, and/or discontinuation of the activity due to pandemic or other events surrounding the pandemic.
(Attachment A2)

VI. FINANCE

Mr. Jackson asked Mr. Fitzgerald to provide an update on Item E and Mr. Fitzgerald replied that he will get the analysis on this from his associate Mr. Comer who assisted Mr. Fink with this and will provide the board with an update on that information.

A. Administration recommends approval for next month's payroll, taxes, all benefits, transportation contracts, IU contracts, Vo-Tech payments, debt service payments, utility bills, maintenance agreements, copier leases, equipment maintenance, federal grants, insurance, and discounted invoices.

B. Checks:

1. <u>General Fund Checks</u>	
Check No. 211482 – 211573	\$ 782,512.26
2. <u>Food Service Checks</u>	
Check No. 1965 – 1974	\$ 1,656.16
3. <u>Capital Reserve Checks</u>	
Check No. 2089 – 2090	\$ 70,358.22
4. <u>General Fund, Food Service, & Capital Reserve and Projects ACHs</u>	
ACH 202100230 – 202100336	\$1,880,605.02
5. <u>Wires</u>	
202000022 – 202000030	\$1,642,604.29

C. The following monthly Board reports are submitted for your approval:

- Skyward Reports
 - Check Register (General Fund, Food Service, Capital Reserve, Capital Projects, Scholarships and Wires)
 - ACH Check Register (General Fund, Food Service, Capital Reserve, and Capital Projects)
 - Wires Register (General Fund, Food Service, Capital Reserve, and Capital Projects)

D. Administration recommends approval of the following independent contracts:

1. **CCRN Educational & Behavioral Support Services – Coatesville, PA.**
Provide educational and behavioral support services during the 2020-2021 school year for a special needs student as per the IEP. Funding will be paid from the Special Education Budget and shall not exceed \$38,610.00.

E. The Board of School Directors authorizes Fox Rothschild LLP to enter into an agreement for the property located at 1840 Ridge Pike (Condo F) in Upper Providence Township and further identified as tax parcel No. 61-00-04420-00-1 setting the assessment of the property at \$1,602,250 for tax year 2020 (school tax year 2020-21) and setting the assessment of the property at \$1,524,250 for tax year 2021 (school tax year 2021-22) and for each subsequent tax year until a change in the property's assessment pursuant to applicable law.

VII. OTHER BUSINESS

Mrs. Melton asked about Item A and requested that the actual plan be attached to the agenda for next week's meeting rather than a link to the document in order to provide version control as she is sure there will be additional changes coming. Mrs. Melton asked about Item C wondering if routes that are currently in process, such as those students currently attending the Western Center, were included as part of the listing the board received and Mr. Fitzgerald replied that all routes are embedded in the listing, which must be approved for auditing purposed, but some routes that may be in place today that may potentially change once all students return to school can certainly be changed.

Mr. DiBello asked if the routes change throughout the year is it required to show a record that the board received updated routes or an updated list of bus drivers and Mr. Fitzgerald replied no and that it can be modified to state that this is subject to change from time to time and that records and routes are available for inspection.

- A. Administration recommends approval of the “Revised” PDE mandated Athletic and Marching Band Health & Safety Plans of the Spring-Ford Area School District for the 2020-2021 school year originally approved at the June 22, 2020 Board Meeting and posted on the district’s website. The plan proposed herein shall serve as local guidelines for the return to activity for athletics including the marching band following the COVID-19 closure. Revisions appear in red and are a result of the Athletic Department and Marching Band making the transition from voluntary open gyms/workouts to in-season practices and competitions. Click the link below to view the plan.

<https://resources.finalsite.net/images/v1599856228/springford/gccbvjszxsahnkszymtu/Athletic-BandHealthandSafetyPlanIn-seasonMASTERCOPY9-11.pdf>

- B. The Spring-Ford Board of School Directors acknowledges receipt of the updated listing of school bus drivers for the 2020-2021 school year effective August/September 2020 as presented.
- C. The Spring-Ford Board of School Directors acknowledges receipt and gives approval for the Spring-Ford Area School District’s transportation routes for the 2020-2021 school year as presented.
- D. The following policies are submitted as a second reading for approval at this month’s Board Meeting:
 - 1. Policy #103 – PROGRAMS: Discrimination/Title IX Sexual Harassment Affecting Students **(Attachment A3)**
 - 2. Policy #104 – PROGRAMS: Discrimination/Title IX Sexual Harassment Affecting Staff **(Attachment A4)**

VIII. DISCUSSION ITEM

Mrs. Zasowski stated that her understanding of the need for project management services from the discussions at the Property Committee and Ad-Hoc Committee is to pull the moving parts together. She asked Dr. Goodin for his recommendation and that of his teams in terms of spending money and hiring a project manager to help execute a plan to get back to school. Dr. Goodin said yes and in discussions with his team today, they would prefer that the board not wait until the 28th to act on this. He stated that he would prefer that they act now so that we can get rolling with this as we have a lot of things cooking right now and he feels this will also help the community to see something like this right now. Mr. Jackson raised the point that at the Property Committee meeting this was recommended to be an action item for tonight. Mrs. Zasowski explained the reasoning for moving it to a discussion item. Mrs. Melton asked if the contract had been received and reviewed and stated that she had not seen the contract and did not know what type of cost we were talking about. Dr. Goodin replied that this would fall under professional services. Mr. Jackson advised that the cost was \$8,100.00 and stated that the company was already under contract with the district. Mr. Shafer and Mrs. Fazzini voiced their agreement with moving forward with this.

Mrs. Melton made a motion to move forward with project management for the reopening plan. Mr. Shafer seconded the motion.

The floor was opened up for board comment.

Mr. Jackson stated that he felt this was one of the smartest moves they have made in awhile and that it will be of great benefit across the board for all stakeholders. He stated that for \$8,100.00 it should not even be a discussion.

The floor was opened up for public comment. There were no comments on this motion.

The motion passed 9-0.

A. Project Management Services

IX. BOARD COMMENT

Mr. Shafer thanked Dr. Goodin and his staff for their courage to continue this work and also agreeing to getting down to making a plan to begin bringing the elementary kids back.

Mrs. Fazzini shared that she has had a lot of outpouring from parents who were very happy with the virtual program over this short weeks' time. She added that the comments had come from parents of students in a wide range of grades. She read part of an email she had received from a parent of 4 students. The parent spoke highly of the teachers that her children are working with and applauded all of their efforts. Mrs. Fazzini acknowledged that her own child is having a fabulous virtual experience and she wanted to personally thank the teachers, administration, the technology department, the curriculum department and everybody involved.

Mrs. Zasowski stated that it has been a rewarding experience for a number of people she heard from but of course there are going to be some glitches and some bumps in the road but that is to be expected as it is only been a couple of days. She added that she thinks the rollout has been amazingly smooth and much better than the Google Classroom last year. Mrs. Zasowski said she is very pleased with Canvas and how it is working at this point. She commented that she asked Mrs. Fern to reach out to all of the Board Members about doing a board retreat as she feels after this very difficult time they have all been travelling through together they begin to think a little bit harder, reflect a little bit more on their own behaviors and language with each other and discuss conflict management style. She added that there have been a lot of people complaining that there is a lot of bickering and they can go back and say they are debating but it is hard when there are people who are huffing and puffing. Mrs. Zasowski stated that the bickering back and forth and the bantering is probably not the best way of going about something. She stated that she would be willing to try this as they are going to be together for awhile and will go through more things over time. She advised that there were two dates that were proposed and she does not know that they worked for everyone so there is a third date now which is the first Saturday of November. She asked the Board Members to respond to Mrs. Fern on their availability on this November date and stated that she would like to have as many people as possible to make this a rewarding experience for all. Mrs. Zasowski advised that through her contacts with the other board members in the area she is learning that the Montgomery County and Chester County websites have lots of information that is being shared at their board meetings. She asked if Dr. Goodin could try again to see if we can get the Montgomery County public officials to see if it is possible for them to come out to a board meeting and talk to everyone. She added that she felt that part of the whole planning piece is to establish

what our whole threshold is on the metrics. Dr. Goodin advised that he had reached out to them today.

X. PUBLIC TO BE HEARD

Mary Jo Mcnamara, Royersford, stated that the special needs presentation was fabulous and she thanked the supervisors for providing things like next steps, tasks, challenges, risks and all of the things people are looking for with regards to reopening. She added that they even provided an expanded scope including 504 plans and ELLs. Ms. Mcnamara said that she thinks having students in class with the teacher while the teacher is present was a great idea and asked why not compel the teachers of special needs students to be in the school this way if there is a special needs student that has a class with a teacher then that teacher is there even if they have to do it virtually while in the classroom. She felt that communication needed to be addressed and feels that it was missed a little bit. Ms. Mcnamara advised that what she heard in the Ad-Hoc Committee meeting this week was that there were a lot of ideas that were flown around specifically to curriculum and the public does not know what the Curriculum Committee looked at as some things mentioned were block learning, scattering the classrooms and scattering the hallway times and she believes that this is the kind of communication that is needed. She expressed that she did not know why they did not let 9 people into the room tonight and she feels this is one of the places where we take 2 steps backwards and you are establishing distrust in the board. Ms. Mcnamara commented that there are 42 business days left until November 12th and there are blockers of capacity, staffing, transportation, PPE including maintenance, hygiene, ventilation and nursing which this allows 10 business days for each one of these things to be resolved. She stated that she did not know how this was going to happen and added that Mr. Rizzo sounded like we had it all planned out with his excellent report which sounded really good. She expressed hope that we would not see K-4 back in school on November 12th and everyone else having to wait. She said she was really anxious to hear what he and Dr. Goodin come up with for trying to look at the details for all of the elementary schools.

Olga O'Donnell, Oaks, stated that she agreed with Mrs. Fazzini's earlier comment that the lack of communication can sometimes make parents feel very frantic and just knowing that plans are under way goes a long way to alleviating a lot of that frantic state. She expressed hope that everyone takes that to heart. She thanked Dr. Goodin for pointing out where the Health and Safety information resides on the website. Ms. O'Donnell stated that she is the parent of a child with an IEP and she appreciates the presentation that was made tonight about the plans and the tentative nature of the plans but the one thing that still strikes her is that fundamentally it is not quite in-person instruction as it is virtual instruction with in-person support. She stated that these two things are not quite the same thing as there are kids with IEPs including her son do not get a whole lot out of Zoom even if they are technically present. Ms. O'Donnell commented that the question of whether this kind of education is appropriate for kids like that is still very much an outstanding question. She added that we can bring these kids in but if all they are going to do is sit in front of a computer which is what they are doing at home then there is still a very big question as to the adequacy of that kind of educational environment. She felt it was a good start to say that if there is time leftover for the teacher to engage more in-person with these kids at the end of a lesson then that will be available but she wanted to just put out there that this is just a start and not the end all be all. Ms. O'Donnell suggested that some thought be given to building time in for direct in-person small group instruction as a supplement to virtual learning and in particular the kids who are just not going to get a whole lot out of sitting in front of Zoom relative to a typical normal multi-sensory classroom experience. She requested that if there is an Ad-Hoc Committee of parents to make plans for reopening if there could be an Ad-Hoc Subcommittee of parent of kids with special needs as one of the things that was frustrating

to her is that there were red, yellow and green plans earlier on and then there were special ed plans as sort of a second tier second track plan which is very frustrating because she does not want her child viewed as a second class citizen at Spring-Ford. She asked if the Ad-Hoc Committee could have a special sub-committee dedicated specifically to the needs of special ed kids so that this planning can be more on the same track as the planning for everyone else.

Lyndsie Olenoski, Phoenixville, asked that when Dr. Goodin or Mr. Rizzo makes their presentation in two weeks' time that a couple points are clarified; one being if her child is forced to quarantine, not because he tested positive but because he was in proximity to someone else, how he will receive an education at home as she knows this can happen but would like to know the education he is going to receive. She questioned how the district planned to enforce people being honest about their potential COVID exposure. Ms. Olenoski said she knows already that in some of these sports clubs in the area that parents have knowingly sent their child to practice when they were exposed and then that child has tested positive later which then has a domino effect. She added that in the case of school it would be more students who have to quarantine, potentially bus drivers and teachers. She felt that these were really important points that they need to understand what the district is going to do to make sure that parents are behaving appropriately and being honest in the situations within their homes and therefore lessening the exposure potential. Ms. Olenoski advised that she had a really great first week with her kids and they are really happy to be even part of school so kudos to their teachers and she really, really appreciates it and hopes that the district continues to move forward positively.

Joseph Sollazzo, Limerick, stated that he wanted to go back to the survey results and that there was a 65% response rate which was phenomenal to have over 5,000 families responding. He added that out of those responses 73% want to have kids in person with teachers and he felt that this was sort of thrown to the wayside to focus on the minority responses which need to be addressed and he is in favor of this. He commented that it was frustrating to hear it go back to how do we make everybody happy rather than focus on the majority of the students and the majority of student's needs. Mr. Sollazzo said he is happy to hear that a lot of kids had great first weeks at school but his kids not as much as they are struggling a bit with the technology and feel a little disconnected from their friends. He stated that Dr. Goodin has reopening plans in yellow and green as his team worked all summer on those pieces. He added that we are in a moderate spread right now for the community and his understanding is that we could be in hybrid tomorrow. He felt that we needed to be more focused on moving forward and stop using that four-letter word plan as much and just get into the doing pieces.

Gabrielle Deardorff, Royersford, commented that there were themes that came up today such as confidence and trust building and she stated that she wants and has gained more confidence in the school board making the correct decisions and following the correct data. She added that when meetings continually question state mandates, masks, social distancing and bizarre conspiracy theories it concerns her with regards to that confidence and trust staying. Ms. Deardorff stated that the administration, the school board, the parents, the grandparents and the children all did amazing last week and she is proud of what we have all done together because they have all spent a lot of time on this. She added that this will never compare to normal school, it will never be the same but everybody has been amazing and supportive with a sense of community and pride in what we have put out there. Ms. Deardorff stated that when the board goes through their different committee reports, as someone new to following school board meetings, she finds it very hard to follow all of the numbers and facts as they are talking very fast without any PowerPoints. She referenced the Finance Committee where there are a lot of numbers spoken about and said she could not follow because she did not have anything to look at and the same

applied to the survey results. She stated that it would be more helpful going forward as we are in this virtual setting to have some graphics behind some of the committee updates.

Sarah Danouras, Royersford, commented that one shortcoming of the survey she felt should be considered is that the directions preceding the survey did not indicate that a virtual option would be available or that it would be developed and only families who selected no on the first question were given the second question which asked whether the family would choose cyber or want a live virtual option. She added that she knows many people who did not answer the survey at all rather sending an email because they had unanswered questions about the procedures that would be in place. Ms. Danouras added that she also knows many people who answered yes that they would send their students back to school essentially as a placeholder for the data collection kind of with the idea that the district would develop a plan that would accommodate the most students. She stated that she just wants everyone to be aware of some of the thought processes behind the answers to the survey and thinks that if they were to commit to offering a live virtual option after the buildings reopen they will find that many families will choose that option. Ms. Danouras expressed her concerns over the survey being a Google form and stated that with future surveys, especially if it is a binding one, that they please use Skyward so that the results are valid as was done with the bussing and transportation survey. She asked that there be much less debate about the calendar date to return to school as it has been debated and debated and it was decided as November 12th. She agreed with Mrs. Zasowski that more consideration needed to be given to the necessary public health metrics so leave the date alone, plan out the logistics and in the meantime observe and learn from the Special Education Department as they implement their phased plan. She expressed thanks to all of the teachers especially at Brooke Elementary as everyone has done a fantastic job implementing this first week of school and she hoped that we can move forward getting even better with it.

Jill Schadler, Royersford, commented that she was glad to hear Mr. Rizzo and Dr. Goodin for the first time in months sound positive. She stated that she is baffled that it took this long to simply send one question, not a survey, task out for parents to provide the data to make you feel more positive in their planning and she felt this was a good step in this meeting but it was done a little bit too late. She suggested that the board develop some type of pre-meeting in order to better align on topics such as the budget rather than taking up time in this forum and the public's time on those items where they have questions, disagreeing or perhaps misunderstandings with each other. She advised that she will be sending an email in question format as she went to the Ad-Hoc meeting and was told that it was not the forum and the board meeting was but yet she has never heard a direct question answered in the board meeting. Ms. Schadler stated that her comment and question will be directed to two specific board members, Ms. Sullivan and Mrs. Earle, that she will be sending an email to asking them based on the presentation of the special education low incident student department, which was fabulous and demonstrated a well thought out and organized approach, could each of them please respond with why they have not spoken up or specifically asked the administration for a similar type plan in any of the board meetings since July.

Michael Lebieczinski, Royersford, thanked Mr. Rizzo for presenting the parent survey results very timely and informative. He stated that it was gratifying to hear that a super majority of parents in the district have made a rational fact and science-based decision concerning the education of their children. He added that these latest results completely dispelled the notion that the first survey sent out was not accurate and to the contrary the new survey shows that parent's choice was under-represented in the first survey. He said he was glad to see that the survey situation is now corrected and the board did not fall for the temptation to delay the survey as some had advocated. Mr. Lebieczinski said he found

it sad to see that the board did not heed the clear guidance provided by the parents in the first survey and wasted weeks in endless debate as in the absence of sorely needed data. He commented that he cannot count on his fingers how many times he heard Dr. Goodin positively refer to now having the data which was great. He provided a quick update on the senior pre-tailgate saying it was held safely and not a single COVID case, infection, hospitalization or death resulted. He stated that this is yet another in the growing list of fears which have consistently not come to fruition and frankly there are just too many to count at this point. He expressed hope that at some point we will stop ignoring the readily available data and facts. Mr. Lebiezinski said that Mr. DiBello has frequently referred to the Montgomery County site which is a great resource and realize that history has proven your fears to be unfounded, irrational and potentially harmful to our children. He commented that he found it comical that six members of the board would make a distinction between the Federal Court's Eastern and Western District of Pennsylvania to prevent parents from attending the board meeting I person. He read, for the record, a portion of Judge Stickman's order today so that the Spring-Ford Community understands the judge's order; "the court holds and declares that the congregate gathering limits imposed by the Governor's mitigation orders violate the right of assembly enshrined in the first amendment and that the stay-at-home order business closure components of the Governor's order violate the due process clause of the 14th amendment and equally violate the equal protection clause of the 14th. The court closed this opinion as it began recognizing that defendant's actions in issue here were undertaken with good intention of addressing public health emergency but even in an emergency the authority of government is not unfettered. The liberties protected by the constitution are not fair-weather freedoms in place when times are good be able to be simply cast aside in times of trouble. There is no question that the country has faced emergencies of every sort but the solution to a national crisis can never be permitted to supersede a commitment to individual liberty that stands as a foundation of the American experiment. The constitution cannot accept the concept of a new normal where the basic liberties of the people can be subordinated to open-ended emergency mitigation measures. Rather, the constitution sets certain lines that may not be crossed even in an emergency".

Alonna Johnson, Royersford, stated that she is the parent of a kindergartner in Mrs. McClary's class and said she is amazed that as a teacher she can keep the little guys focused and positive about school but she is doing is as it sounds like are all of the teachers. She felt the board should be ashamed of themselves as this is the third time that she has heard them discount their administrative team, teachers and the work they have put into trying to get to the finish line that you've given them only to change where the finish line is and you give them a new task. Ms. Johnson stated that tonight Mr. Krakower was very clear when you asked if pushing the date for bringing just a small portion of the population back would cause indigestion then Mr. Rizzo was even more clear about his feelings on it and then you decided instead of doing that you said let's bring back all of K-4 earlier and in two weeks give us a plan for that. She commented that one of the community members said there are 42 business days left before November 11th but for some reason they all think that we can bring back K-4 before that time. She expressed that she feels they bullied Dr. Goodin into agreeing to get them that plan and she is ashamed for them.

XI. ADJOURNMENT

Mrs. Melton made a motion to adjourn and Mrs. Fazzini seconded it. The motion passed 9-0. The meeting adjourned at 10:46 p.m.

Respectfully submitted

Diane M. Fern
School Board Secretary

PUBLIC COMMENTS SUBMITTED DURING BOARD MEETING 09-14-2020

Erica Hermans, Monday 9/14/2020 10:57 PM

Erica Hermans
204 Abbey Drive

In board policy it states, "each employee and board member shall be responsible to maintain standards of conduct that avoid conflicts of interest or the appearance of conflicts of interest."

I am bringing this up because at the ad hoc meeting, it was stressed that board members are not controlled by any special interest group. I have turned a blind eye to a lot of the things that has been posted on the private Council facebook page by our board members, but I have to call out the hypocrisy saying you aren't controlled and then engaging in direct conversation to make inferences on your colleagues lack of qualifications in a private Facebook page, which represents only small handful of constituents that you were elected to serve. Specifically, I am referencing Mr. DiBello's written comments and insinuation that his peer, Diane Sullivan, is not qualified to be on the board. It was written on the private back-to-school page, downplaying Sullivan's qualifications compared to McGonigle. I have shared this with Diane. This is not reasonable; this behavior is beneath an elected official.

At the Ad Hoc meeting (and like tonight) someone in public comment came after Ms. Fazzini and Ms. Sullivan, and that conversation was rightfully shut down. Why is it different on a private Facebook group? If I, as an employee of a large financial organization, were to go on social media and engage only with a specific group of clients with a specific goal, and not all of my clients, I would be terminated. And for the record, I will take Ms. Sullivan, an assistant director at GSK vaccines, on our board during a pandemic.

To Dr. Goodin, Mr. Fitzgerald, whomever it may concern: I highly recommend the district adopt a Social Media policy, and if you have one, enforce it. Being part of a private Facebook page, whether you choose to comment or not, geared toward a small minority of families with a stated agenda is a demonstrated lack of judgment and poor decision-making on the part of any board member. I'm sure it feels good to be regularly praised by these special interest groups, but a board member should be above this obvious manipulation and free of the appearance of conflicts of interest. Every large organization has a social media policy. And given the questionable behavior of some members on Facebook, and at times, a possible violation of Sunshine Laws, I believe a Social Media Policy is essential to protect the district and should be implemented.

Thank you.

On August 3, 2020 the Special Board Meeting of the Board of School Directors of the Spring-Ford Area School District was called to order at 7:30 p.m. in the cafeteria of the Spring-Ford High School with the following in attendance:

Region I: Wendy Earle, Linda C. Fazzini and Dr. Margaret D. Wright
Region II: Clinton L. Jackson and David R. Shafer
Region III: Thomas J. DiBello and Christina F. Melton
Presiding Officer: Colleen Zasowski
Assistant Superintendent: Robert W. Rizzo
Chief Financial Officer: James D. Fink
Solicitor: Mark Fitzgerald, Esq.
Student Reps.: Eshika Seth

The following Board Member arrived late: **Diane C. Sullivan (arrived at 8:30 p.m.)**

ANNOUNCEMENTS

Mrs. Zasowski reminded everyone of the purpose for this special board meeting and the process for public comments.

- I. **PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY** This comment only section will be capped at a time limit of **60 minutes** with each speaker being allotted **2 minutes** to comment on an agenda item only. If time does not permit you to comment, you can email your comments to BoardComment@spring-ford.net and your comments will be reviewed and included in the official board meeting minutes. (The purpose of this is to allow the Board to move onto the voting section of the meeting.)

Mr. DiBello asked how many people were waiting outside and Chief Boyer replied approximately 15. Mr. DiBello made a motion to allow those people outside to come into the meeting, without their signs and under the order that they socially distance and are not disruptive. Mr. Jackson seconded it. Discussion took place on the 25 person cap for indoor group meetings as ordered by Governor Wolf. The motion did not pass by a vote of 2-6 with Mr. Shafer, Dr. Wright, Mrs. Zasowski, Mrs. Melton, Mrs. Fazzini and Ms. Earle voting no.

Roland Olsen, Collegeville, expressed his frustration with last week's vote to open in red as he felt that there was no representation from the Board or Dr. Goodin and zero debate prior to the vote taking place. He felt that the Board was not acting on behalf of the parents and students. Mr. Olsen informed the Board that a parent and student group was forming called SF Community Back-in-School Council. He invited the Board, administration and teachers to participate in this group. He also advised that they will be inviting local business leaders and institutions that have operated successfully against COVID. Mr. Olsen stated that the mission is to put the district back in school as soon as possible for anyone who wants to attend along with

the teachers who want to be there. He read a list of items the council would like to see done which included immediately approving fall extracurriculars, ordering PPE items as required by staff, protective shields for bus drivers, an opportunity to select administrators and teachers to serve on the council and an opportunity to meet weekly with the Board and administration. Mr. Olsen read the Board's Code of Ethics and stated that they are asking that an agenda item be added for tonight's meeting for approval of the Board of Council's requests.

Mrs. Zasowski responded saying she is speaking as one Board Member saying they have been transparent in the decision making process and they have involved the public input, debate and deliberation. She stated that they will stick to the process and move forward with the outcome hoping to get everyone back to school as soon as possible.

Mary Jo Mcnamara, Royersford, commented that the Board voted 9-0 against in-person schooling with zero debate and no one defended their position with any facts or data and no stated justification. She stated that she would like to understand the factual information upon which each Board Member made their decision. She asked that they provide the survey results to the public. Ms. Mcnamara asked what impact rising drug and alcohol abuse, suicide and mental illness had on the Board's vote. She added that she felt they collectively took a group of students that were at no risk and now put them at risk. She commented that the Board's primary mission is to serve the student body and they have made a decision to keep the students out of school in direct contrast to the many health organizations opening plans for fall. She felt that it was fear based decisions which led them to where they are now.

Alicia Terrizzi, Pottstown, commented that she did not agree with the red plan instructional learning for grades 7-12 as it was basically two 45 minute sessions each week with their teacher and she did not feel this would set the kids up for success. She felt that as a teacher she would want to have contact with her students every single day. Ms. Terrizzi suggested that teachers record their live sessions so that students who want to do class on their own time can do that. She asked for reconsideration on the amount of live time teachers will have with their students during the daily schedule. She asked that fall sports are not cancelled especially for the seniors.

Bryon Jones, Limerick, encouraged the Board to look closely at the schedule outlined for students in grades 7-12 as they will only be receiving two 45 minute sessions of live instruction weekly for each subject and stated that this is not enough. He commented that for those 7 and 8 grade students taking algebra and introductory foreign language classes, two weekly sessions is inadequate to prepare the students for subsequent forces that build upon the foundation of concepts learned in these classes. Mr. Jones stated that he also thinks about the juniors and seniors taking AP classes with the hope of passing AP Exams for college credit and stated that 90 minutes per week of live instruction would put our students at a significant disadvantage compared to other districts that will be offering in-person instruction or five days per week of virtual instruction. Mr. Jones expressed his lack of confidence in the administration's ability to manage through this pandemic and felt the Board needed to step in and insist on live instruction for students in grades 7-12 mirror what would occur if students were physically in the classroom. He stated that he supports the administration's recommendation to approve the extracurricular contracts but did not feel they should be contingent on the opening of the buildings.

Meg Kyle, Collegeville, commented that according to the sample schedule sent out by the district, grades 7-12 were only receiving 45 minutes of instruction 2 times per week per class

and she felt this was very limited synchronous instruction. She also stated that at grade 6 the schedule shows 45 minutes per day per subject. She expressed hope that the schedule for grades 7-12 can be reevaluated. Ms. Kyle commented that she felt the district definitely needed to bring back sports and added that kids need a safe space to be able to participate in clubs, activities and sports which she felt the district has the means to do this in a safe environment. She stated that she hoped the Board would agree with the PIAA's determination to hold sports as planned. Ms. Kyle indicated that she had looked at sample schedules posted by neighboring districts and those schedules had a lot more time dedicated to synchronous live learning and she felt the district will be doing the students a disservice by not providing enough synchronous learning in grades 7-12.

Joy Crowle, Collegeville, stated that she felt the district wasted 4 months of planning due to someone allowing the purchase of PPE supplies to fall through even after a Board member asked if this was covered. She felt that grant money should not have been used to purchase PPE supplies if it was a must-have for schools to in the green and yellow phase. She added that there should not be any reason why students and teachers should not be online for a normal day with students seeing teachers and teachers seeing students. Ms. Crowle asked why there was no instruction on Fridays and felt that students were not going to be receiving the education that Spring-Ford is known for. She felt that other districts were getting this right and asked that the district go back and get a virtual online live plan that benefits the students and gives the taxpayers what they are paying for.

Liz Flad, Limerick, commented that they are talking about extracurriculars but band is not an extracurricular but rather a major that students chose to be in now and possible in college. She felt it was much more important than some other clubs such as chess. Ms. Flad stated that there are parents who offered to chip in on items needed to hold band such as a porta-potty so that students can participate and practice outside which is where they should be.

Jill Schadler, Royersford, stated that she has listened to every Board Meeting and parent comments and felt compelled to call in on the lack of a plan she has heard to date as well as the proposed schedule for grades 7-12. She commented that she did not feel there was a vote at the last meeting as there was no choice for the Board to make other than the one they did and therefore parents were left with no choice. Ms. Schadler advised that she reviewed the schedule for her 8th grade students and found they would be receiving 1/3 the teacher interaction compared to what they would get if they were in school and expressed concern that her children who are good students would become poor students. She stated that she is even more concerned for parents of students who struggle and questioned what may happen to them with 1/3 of interaction time. She asked that the Board step up, step in and push the school's administration on a plan for virtual instruction that will look much more productive for students.

Phil Rush, Royersford, commented that he was surprised at how little synchronous platform instruction is being provided and said he agrees with many of the speaker that this needs to be improved. He encouraged the Board to allow extracurriculars to continue and felt that it was sad that the district was opening in the red phase. Mr. Rush stated that he was blindsided last week with the vote and felt that he needed his voice to be heard.

Kate Doyle, Collegeville, stated that by opening the school year in a 100% virtual settling the district was ensuring the safety of not just students but also the dedicated teachers and staff.

She commented that last week there was discussion on teachers being allowed in the buildings and stated that she felt it was useful to allow teachers who prefer to work in their classroom during the school day in the virtual setting she felt that it should not be required. Ms. Doyle asked that the teachers and staff be trusted to do their job effectively from the location of their choice as some are in a high-risk category and others may have at-risk family members who should avoid contact with others as much as possible. She added that requiring staff to attend in-person only compounds already complicated child care issues.

Kim Huston, Royersford, stated that she would have hoped that before a decision was made last week on how the district was planning to open, that the Board and administration would have shared the survey results. She expressed her hope that this information will be made public. She commented that she also hoped that parents would have been given a choice based upon these results. Ms. Huston stated that since the district is now in red due to a lack of cleaning supplies she is confused as to how 6th grade can have more hours of live instruction which is 3 hours per day plus when you add in the teacher's daily office hours is 4 hours per day when the schedule for 7-12 only provides 10 ½ hours per week with Fridays pretty much being a day off. She questioned how students who take honors or AP courses are supposed to learn the same amount of material as other kids in other districts without being given the live instruction. She stated that the only option right now is to send her kids to a private school. She pointed out that Norristown is able to provide 5 days of synchronous learning for their block scheduled classes and said she does not understand why Spring-Ford cannot provide more synchronous hours of instruction. She asked that the Board and administration go back and revisit their decision on the proposed red schedule for grades 7-12.

Hope Bodenschatz, Royersford, urged the Board to follow Dr. Goodin's recommendation to open school in the red phase and still allow for extracurriculars. She stated that many club programs are successfully running and with precautions being taken there have been no issues. Ms. Bodenschatz added that many athletes work a lot harder at their academics in order to keep their athletic eligibility and she felt that by removing athletics would remove their motivation for academics. She stated that both Governor Wolf and PIAA have stated that athletics could proceed under certain guidelines. She asked the Board to consider that for the seniors there is no next year and these students have already been impacted by the lack of ability to take SATs, tour college campuses, attend open houses as well as the cancellation of athletic recruiting events in addition to losing their first year as a senior and homecoming events. She asked the Board to keep in mind the mental well-being of students is greatly impacted by extracurriculars. Ms. Bodenschatz pointed out that since the district will be opening in the red phase students would not have any interaction with anyone outside of their teams so there is not a concern that a student would contract the virus at a game and then be around the student body the next day in school. She added that since sports are voluntary any parent who is not comfortable can choose to not have their child participate. She stated that her understanding is that we are starting in red due to not being ready to start school on-time and needing the first quarter to finish preparing so it should not be a problem with continuing athletics as they have been ongoing without issue up to this point.

Christine Grines, Royersford, asked where the survey results were and felt that the public had a right to understand what those survey results were. She spoke of Dr. Fauci and his statement that schools and college campuses should be okay to open as long as we proceed with caution. She stated that there are two big reasons why schools should go back in person and they are that students need the psychological and nutritional benefits of being in school and parents may

have to dramatically modify their work schedule. Ms. Grimes asked what the district will do to reassure the public that it is moving towards the green phase and that this is sincerely the goal as she does not get this impression from anyone on the Board. She spoke of the senior class missing out on so much and stated that this is their year and this is it. She suggested that if one class could be brought back to school to do this the right way then the seniors should be allowed to come back. Ms. Grimes added that SATs are scheduled for August and September and stated that they darn well better happen as the superintendent and the Board have the ability to make it happen.

Brittany Mik, Schwenksville, stated that out of respect for the students and staff, it should not be a requirement but an option for teachers to teach virtually from their classrooms. Ms. Mik said that many staff members are parents themselves either in this district or in surrounding districts that have also made the decision to return virtually which puts them in a desperate situation of trying to figure out child care options while also ensuring that their own children are getting all they can from their virtual education. She felt that if going into a brick and mortar school was a requirement many teachers will be requesting the emergency family and medical leave which is part of the Family's First Coronavirus Response Act. Ms. Mik stated that having a lot of teachers out on leave will leave Spring-Ford with the responsibility and cost of finding available substitutes as well as the job of training them on Canvas which will be a detriment to the students. She added that students need to be taught by the outstanding staff who rose back up in March and took on the task of virtual teaching. She stated that while most teachers would prefer to teach from their classrooms, they should be given the option to choose from where they will virtually teach. She commented that the only goal should be to provide consistency to the students and this will only happen if the students are taught by the incredible Spring-Ford staff.

Jeanette Teets, Schwenksville, asked for clarification on why the term soft-red opening was being used as the county is not in red but in green. She stated that she believes there should be appropriate precautions taken. Ms. Teets commented that she felt parents had the right to know what the survey results were. She added that she is considered an essential worker as a health care worker and as such she needs to show up and do her job. She stated that she understands that everybody has child care issues but school was to open in August and she is unsure why that clarification all of a sudden is creating a problem for everyone. Ms. Teets added that she feels sports is essential as well as band and all extracurricular activities in all of the children's lives. She stated that practices are taking place now, other leagues are playing games, parents are abiding by the rules, socially distancing and wearing masks and she feels that all of the parents would make tons of accommodations so that the children can get back to some normalcy. She asked that the Board not underestimate the impact this has on the mental health of all of the children. Ms. Teets urged the Board to read the science and the regulations from the CDC to familiarize themselves with the facts as we are in green.

Ruth Hanson, Schwenksville, commented that when Governor Wolf announced his strategy for reopening Pennsylvania, he sent out very specific metrics that each region would require to move from red to yellow to green. She asked what milestones must be met for the district to move from red to yellow to green. She stated that what she heard at the last meeting was that the district would open in red and see how it goes but she felt that there should be specific milestones. Ms. Hanson asked what it would take for Spring-Ford staff and teachers to be comfortable interacting with the children. She asked that specific measurable goals be provided that when met will allow us to move out of the red phase. She stated that students and families have

a right to know when they can expect a better educational experience and not be left in limbo indefinitely. She reiterated a request to provide in-person instruction to at least the special needs students at the very beginning of the year or at the very earliest time possible.

II. PRESENTATIONS

Dr. Murray, gave update on red plan which included changes made from last week's meeting. She advised that an Operations Team was set up to operationalize the red plan. Dr. Murray reported that the contract with Canvas was finalized and spoke of the professional development that will be provided for teachers which included the option for a flex-day. Dr. Murray provided information and an update on the status of the deployment of district devices and advised that students in grades 7-12 will receive a district deployed device while students in grades K-6 will receive one on an as-needed basis. She reported that individual buildings were developing schedules for student supply distribution including textbooks. Dr. Murray next spoke of supporting students social-emotional needs and advised that weekly meetings were taking place with the SEL Task Force as well as weekly subcommittee meetings. Dr. Murray presented on the integration of Spring-Ford's existing curriculum into the Canvas Learning Management System. She showed samples of the daily school schedule for grades K-4, 5-6 and 7-12. Dr. Murray reported that at the secondary level instruction will occur every day for every class with live instruction occurring 2 times per week as families prefer live lessons over recorded lessons. Dr. Murray also advised that the schedule for live instruction will be adjusted to accommodate those students who attend the Western Center.

Ms. Sullivan arrived at 8:30 p.m.

The Board expressed their overall appreciation for the revisions made since last week's but felt that there was a need for more synchronous learning, the ability for teachers to use their lesson plans and determine when synchronous learning would occur and when asynchronous learning would take place, the adjustment in the schedule to accommodate the Western Center students and a schedule more in line with what a normal in-school day schedule looks like. A request was made to post the Chromebook specs online so that parents could choose to purchase their own Chromebook for their students if they preferred. The Board all agreed that no one wants to keep students out of school and the goal would be to get them back in school as soon and as safely as possible.

A. Dr. Kelly Murray to provide an Update on the Red Plan Implementation.

Mr. Krakower stated that the district will continue to provide special education services including instruction and related services as outlined in their IEP for all students regardless of the mode of instruction. He advised that the direction is moving towards in-person instruction beginning with low incidence classrooms which included full-time learning support/life skills K-12, full-time autistic support K-12, full-time emotional support K-12 and full-time multi-disability K-12. He stated that these classrooms include 170 students and roughly 150 staff members. Mr. Krakower commented that the next steps would be to survey parents of all special education students to get a gage on what families would like in-person instruction and services and which families would prefer remote instruction and services. Mr. Krakower stated that a determination will need be made as a result of the survey on staffing, transportation and food service needs. He advised that all other special education students who are not in the low incidence classrooms will receive virtual instruction via the Canvas platform, be provided with live sessions using Zoom/MS Teams, be supported virtually by instructional assistants and receive related services via Zoom/MS Teams. He added that they

will continue to assess the feasibility of in-person programming. Mr. Krakower provided the expectations for the general education teachers, special education teachers and gifted education teachers. Mr. Krakower explained the services that the instructional assistants will provide to support student needs. He informed the Board that related services such as counseling, hearing services, occupational therapy, physical therapy, speech and vision therapy will be provided either via live sessions or virtually in accordance with the student's IEP. Mr. Krakower reported on the community based instruction and work-based programs. He advised that all IEP and GIEP meetings will be held virtually via Zoom or phone conference. Evaluations and re-evaluations will be conducted and he provided the health and safety protocols for those evaluations to be conducted with school psychologists contacting families to arrange the testing sessions. Mr. Krakower reported that the next steps are to review the parent survey information, provide ongoing communication with parents, continue to assess and evaluate programming and make changes where necessary and continue to explore the feasibility of bringing students with IEPs into school buildings following health and safety guidelines. Mr. Krakower advised that since March the special education supervisors have been participating in weekly meetings with the MCIU and all of the special education supervisors throughout the county and those meetings are currently continuing on an every other week basis.

The Board expressed their support of bringing the low incidence classroom students back into school and asked what support would be needed to deal with the backlog for evaluations and re-evaluations that were not able to be completed since schools closed back on March 12th plus those new evaluations for the upcoming school year. Mr. Krakower replied that they will be looking at the psychologist's logs and there may be a need for additional psychologists to be brought in to help with this backlog. The Board advised that if additional support is needed that the request should be made sooner rather than later.

- B. **Mrs. Katie Davis** and **Mr. David Krakower**, Special Education Supervisors, to provide an Update on the Special Education Program for the 2020-2021 school year.

III. **PERSONNEL**

Mr. Shafer made a motion to approve Item A and Mrs. Earle seconded it.

Discussion took place on whether the Board was ready to make decisions on all of the listed contracts. Concern was expressed over the PIAA's decision to not permit spectators at the athletic events and some of the comments from parents that they intend to ignore these and attend their child's events anyway. It was reported that the Governor's office would be coming out with additional guidelines and that PIAA was planning on meeting again this week as well. The Board spoke about security and determined that this was something the district will need to work out. A request was made to separate the fall contracts from the year-round contracts in the list of extracurricular contracts since not all contracts will run if students are not in school. A proposal was made to approve the contracts so that administration can begin planning effectively for those activities that will take place. Mr. Shafer urged the Board not to get into the details of every contract as that administration should do that. He advised the Board that he will report monthly on this since he chairs the Extracurricular Committee.

The motion passed 9-0.

- A. The Board approved the attached listing of 2020-2021 extra-curricular contracts for the fall season and those full year extra-curricular activities as specified. Payments of extra-curricular stipends shall be contingent upon the reopening of schools and the ability as determined by the Administration to provide such extracurricular offerings to students consistent with CDC guidelines and guidelines from the Commonwealth of Pennsylvania. The district reserves the right to prorate or not pay stipends in the event of a school closure, school modification, and/or discontinuation of the activity due to pandemic or other events surrounding the pandemic. **(Attachment A1)**

IV. FINANCE

Mrs. Earle made a motion to approve Item A and Mrs. Fazzini seconded it.

Mrs. Zasowski stated that since it was rumored that the district did not open due to the lack of PPE supplies she would like Chief Boyer to comment on the PPE supplies on hand. He provided an overview of those supplies on hand, those that need to be ordered and those expected to be received this week. He advised that all other supplies will be purchased on an as-needed basis. Chief Boyer stated that purchase orders for any other items still to be purchased are ready to go once the grant money is awarded. He reported that the district has been notified that the grant money has been allocated but they are not advising on when it will be received.

Mrs. Zasowski asked Mr. Rizzo to comment on the other reasons for the district choosing to open in red and debunk the opinion that it was due to the lack of PPE supplies. Mr. Rizzo provided an overview of the concerns that exist due to the number of students and staff which would limit the ability for social distancing in classrooms, cafeterias and hallways.

Mr. Jackson asked about the reference on the grant application for outsource cleaning as well as technology related expenses and wondered what they were for. Mr. Hunter explained that the outsource cleaning was for additional classroom and cafeteria cleaning support from Interstate Maintenance. Chief Boyer explained that the technology related expenses were for Zoom licensing, Kajeet cards, and data cards that were going to be covered through the grant as COVID related expenses.

Mr. DiBello questioned why all of these items related to the grant were being included when the Board had only requested a motion for PPE items. He also requested that the motion read "not to exceed" \$423,796.00. Mr. Fink explained that the grant funds need to be spent by October 31st but the listing can certainly be edited to order some items as-needed with the oversight on the spending of the grant money being handled by the Finance Committee.

The motion passed 9-0.

- A. The Board rescinded the Board restriction imposed on 7/20/2020 requiring the administration to suspend the purchase of grant funded PPE and other supplies necessary to reopen onsite instruction until receipt of the grant funding. The total amount of grant funds is \$423,796.00. The list of items to be purchased is attached and shall not exceed \$423,796.00. This is an unbudgeted expenditure and will be initially funded from the Unassigned Fund Balance and reimbursed by the grant funding when received. **(Attachment A2)**

V. DISCUSSION ITEMS

A. Planning for the Return of Students

Mrs. Zasowski felt that this topic was addressed during Dr. Murray's presentation and that the Board provided direction for some modifications to be looked at and additional information will be provided as we move forward. A question was raised regarding SAT tests in the fall and it was reported that as long as Collegeboard is planning on holding the tests then Spring-Ford will as well.

Mr. DiBello spoke about having a strategy to be in place for the return of students and the need to have two teams; one focused on the start of school year and the other that will put a strategy, a target and a schedule in place for returning the students back into schools.

Mrs. Fazzini stated that she would like to see the district focus on the higher risk special education students first, then possibly K-2 with other grades folding in following that.

Mr. Rizzo reference the Operations Committee that Dr. Murray spoke of saying this is exactly their purpose, to get everyone back in while making sure all our I's are dotted and our T's are crossed. He added that Mr. Krakower also spoke of the work being done to get the special education population back into the buildings and Mr. Shafer indicated that he would be reporting to the Board on the return of extracurricular activities.

Mr. DiBello stated that he wanted to make sure that part of the planning would include that if parents are not comfortable with sending their students back to school that we would give them the option of having their child attend virtually. Mr. Rizzo asked for clarification on whether Mr. DiBello was referring to the cyber school option and he replied no. Mr. Rizzo indicated that administration would have to look further in to how a virtual option would work if students return to school and parents do not want to send their child or enroll them in Spring-Ford Cyber Learning.

Mrs. Melton suggested that possibly someone from the Montgomery County Department of Health to come and speak at the next board meeting to help provide some guidance on moving to the next step for the return of students as well as steps to take if someone tests positive for COVID.

Discussion took place on whether a target for the return of students to school should be set and the possible impact if the target must be moved since we may not have any control over factors affecting that target.

B. Return of Professional Staff and Support Staff

Mrs. Zasowski asked Mr. Fitzgerald if a motion could be added to the agenda regarding the return of professional and support staff and Mr. Fitzgerald advised that if there was a motion and a second then it can be added.

Mr. DiBello stated that with regards to all of the discussion that has taken place tonight it would make sense to start with staff returning to classrooms and getting everything lined up as this will help us move quicker to get to the target. Mrs. Zasowski agreed saying it would create the continuity and sense of routine of getting back to the business of school.

Mrs. Zasowski made a motion to have the Professional Staff provide instruction at the beginning of the 2020-2021 school year from within the school buildings that they typically instruct in from their classrooms. Mrs. Melton added and support staff to assist them on-site where necessary. Mrs. Earle seconded the motion.

Clarity was request on support staff and what this entails. Mr. Fitzgerald advised his understanding was instructional support staff. Mr. Jackson asked about other support staff and Mr. DiBello replied that he felt it was up to administration to bring a recommendation on whom they deem to be essential staff.

Board Members voiced their opinions on this with some feeling that the teachers should teach from the classrooms, others felt teachers should be able to decide on whether they will provide instruction from the classroom or elsewhere, and some feeling that this should be an administrative decision.

Mr. Jackson asked whether the teacher's union had been involved in discussions regarding this and Mr. Rizzo advised that to his knowledge they had not. It was asked if it there was a meeting today and if this topic was discussed and Mr. Rizzo replied that it was discussed from the standpoint of the administration meeting with the association to find out where they stood on this but that there was no discussion with regard to them coming back as an option. Mr. Rizzo stated that there were no promises made if that was what Mr. Jackson was asking.

The floor was opened up for public comment due to there being a new motion on the table.

Abbey Dierdorf, Royersford, commented that virtual is virtual and that there is no way anyone can pretend this is a normal circumstance and she stated that to put the teachers into this situation is an overstep by the Board. She felt that administration should make this decision. She expressed that she had major concerns with staffing issues if you require teachers to come in. She indicated that as a parent she does not care where the teacher is conducting instruction from as the kids need to see their teachers and they need this consistency.

Denise Miller, Perkiomenville, commented that she felt it should be optional for teachers to come into school. She stated that there are teachers who would like to come into the building but she hoped that the Board would remember that many teachers are members of community with kids in the district and their kids are now at home. She added that the teachers have an obligation to teach in their classrooms but they also have kids that now have school from home and they will have child care issues. Ms. Miller commented that there would be greater exposure if teachers have to come into the buildings. She asked that the Board refer to the PDE recommendations which specifically says that it is recommended that all PD staff meetings are done through virtual applications and not in person as it would be a larger gathering. She asked that teachers be given the chance to be professionals and choose if they would like to be in the building or not.

Erica Hermans, Royersford, stated that teachers and staff need to have a choice and the flexibility on how they work as they are the life blood of this district. She added that she supports their choice.

Sarah Daunoras, expressed her support of the teaching staff and stated that she felt the Board was going in the wrong direction for this and that they should listen to Dr. Wright. Ms. Daunoras did not feel there was any reason to put teachers at risk by making them go into the buildings as they will not be able to deliver any better educational opportunities for the students from their classrooms than they will virtually from home. She added that making teachers go into the buildings also creates a major childcare issue for those with young kids at home and the district will be faced with teachers choosing to take FMLA or resign. She asked that the Board give teachers the choice to work from home.

Zachary Laurie, Limerick, stated that he was calling in response to Mr. Jackson's question on whether the Association had a position on this. Mr. Laurie commented that the Association's position is that they feel teachers should be given a choice on whether to work in person or work from home. He added that he felt there might be a misconception on what teaching in the classroom might look like if teachers are in the classroom in person as there will not be a camera crew there, no one will be holding a camera and there are no swivel cameras that will follow teachers around the classroom. He advised that it would most likely be a teacher sitting at their computer where students will be able to see their faces, whatever they are sharing on their screen and the wall behind them. Mr. Laurie commented that the only difference for him will be the color of the wall behind him. He again stated that the Association's position is for all teaching staff and assistants to be given a choice as the Governor has encouraged telework.

Kathy Morris, Royersford, commented that she can understand why teachers want to be given a choice. She expressed concern over the burden on teachers with regards to the childcare of their own children at home and how it would affect their ability to be fully focused on providing instruction. Ms. Morris felt that there still needs to be some type of accountability so that even if teachers are at home with their own children that they are still being watched to make sure that their priority is still to the students they are teaching. She added that she understands as a parent working from home how difficult it is to get your job done when you are focusing on your child and said that opening in the red phase has put childcare on the table for a lot of parents.

Susan Paffett, Schwenksville, stated that no one seemed to be worrying about parents who have to stay home to take care of kids who are in elementary school and cannot stay home on their own but the conversation is more on teachers who cannot go back to school because their children would be put into a daycare situation. Ms. Paffett commented that this is the same situation but no one seems worried about parents.

Judy Gustafson, Limerick, commented that she believes teachers should be in their classrooms. She felt that there are a lot of precautions that have been put in place to provide safety. She added that a lot of money and time has been spent sanitizing schools and providing safety measures. Ms. Gustafson stated that no one wants to see teachers get sick but felt that there was enough space in-between classrooms that there would not be an issue. She commented that if the district wants to create normalcy for students then having teachers in the classroom and students able to see their faces helps keep kids accountable and if they cannot be in the classroom with their teachers then this is the next best thing. She did not feel there was a reason why teachers should not be in school and added that she works too so childcare is not just an issue for teachers but for everybody.

Lauren Rafter, Schwenksville, stated that she feels that the district needs to trust the teachers and give them the choice of where they work from as they are committed to do the job of teaching and if they prefer to do it from home then let them and if they prefer to be in the classroom then let them do that.

Ruth Hanson, Schwenksville, commented that teachers are dealing with a new platform with Canvas and may have technical issues. Ms. Hanson stated that she feels that it would be more helpful for them to be in the building in the event of technical issues because they could get the support right away rather than trading phone calls with technical support.

Mrs. Melton asked that the motion from Mrs. Zasowski be tabled in order to allow administration to make a decision on teachers working virtually or from their classrooms. Mrs. Fazzini seconded the motion. Mr. Shafer asked what the purpose of tabling the motion was for and Mrs. Melton explained that she felt this discussion was in the weeds and that administration needed to make a decision on where teachers needed to be and come to an appropriate agreement. The motion passed 8-1 with Mr. DiBello voting no. The motion made by Mrs. Zasowski was tabled.

Mrs. Zasowski asked that more through conversations take place between administration and SFEA and a recommendation be provided. Mrs. Melton felt that administration should develop the plan and bring it to the Board only as an informational item and not for approval. Mr. DiBello felt that this was not an administration decision but rather a Board decision. Mr. Fitzgerald agreed that it was ultimately a Board decision but that administration needed to bring back an informed recommendation.

C. School Calendar (Attachment A3)

Mr. Rizzo provided an explanation on the calendar attached and the reason why the Board had been provided only 2 versions of the calendar.

Mr. Shafer asked if there was a recommendation from the administration and Mr. Rizzo replied that the recommendation was for a student start on August 31st as long as Canvas was ready to go. Mr. Catalano advised that the contract was signed, the purchase order was processed and that Canvas advised there would be a two week turnaround time to get everything set up so we should be ready for the first day of school.

Dr. Wright spoke about the additional professional development day as a result of the flex day being utilized. Mr. Rizzo provided explanation on this 4th professional development day being added at the beginning of the calendar as a result of the flex day being used. Dr. Murray confirmed this was correct.

Mrs. Melton asked if this was sufficient time for professional development and for staff to be comfortable and proficient with the Canvas platform. Dr. Murray provided further information on how the professional development days would be used and stated that the plan is to send the information on Canvas out to the professional staff now so that they can begin to play around with it and familiarize themselves with how Canvas looks. The professional development days would then provide a more in-depth training on the platform.

Mrs. Zasowski confirmed that the recommendation was a student start of August 31st and the application to utilize flexible days and Mr. Rizzo confirmed that this was correct and that the plan was to apply to PDE for flexible days.

Mr. Shafer requested that the calendar recommendation be put on the next agenda for Board approval.

VI. BOARD COMMENT

Mrs. Zasowski announced that the Board met in an executive session tonight prior to the meeting. She stated that earlier tonight it was stated that SATs would be held if CollegeBoard was moving forward with them and she asked if the same applied for ACTs to which Mr. Rizzo replied that he would have to get back to her with this information but he is assuming that if they are offered then we would do the same. Mrs. Zasowski stated that many members of the public have requested the survey results and stated that however unreliable or invalid those results may or may not be she felt that there was a response although not all of our school families weighed in and she asked that the Board give direction to the administration to share the results. The Board all agreed that the results should be shared. Mrs. Zasowski advised that there will not be a Board meeting next week as the Western Center Joint Operating Committed has a meeting and it was important for Board Members to be there.

Mrs. Earle asked if any Board Committee meetings were taking place this month and the response was no and typically committees do not meet in August.

Mr. Jackson asked for a recommendation from the administration on the return of the maintenance and custodial staff and the proposed plan for this.

VII. PUBLIC TO BE HEARD This public comment section is for comments only and is not limited to agenda items only. Speakers will be limited to **2 minutes** for their comments. If time does not permit you to comment you can email your comments to BoardComment@spring-ford.net and your comments will be reviewed and included in the official board meeting minutes.

Roland Olsen, Collegeville, stated that just by the virtual of the fact that it was necessary to debunk the whole PPE order thing in addition to asking Mr. Rizzo to clarify the reasoning behind not going with green is an indicator that this was not clearly communicated last week and led to debate and a lot of backlash related to that. He added that there are still many people in the public who have questions on what actually went down with opening green. Mr. Olsen stated that Mr. DiBello said he was putting a stake in the sand for students returning and he asked what was going to happen if administration does not come up with something at that point. He asked if Dr. Goodin would be fired or would it be pushed off until whenever. Mr. Olsen pointed out that 5 of the last 7 days have seen no deaths in the State of Pennsylvania and that we could go green based on that data alone if we were ready to go. He questioned why the district was not ready to go in green when the vote took place and he asked where we were going to be in a couple of weeks from now. He apologized to Mrs. Melton saying his intention was not to attack her personally but it was to question her qualifications as a Board Member since she was on her phone when a member of the public was speaking, made an emotional plea and was limited to two minutes.

Mary Jo Mcnamara, Royersford, commented that she was very encouraged by what she heard this evening but stated that she still had concerns and her own opinions possibly based on her own view of her students although she tries to look at things from the big picture. Ms. Mcnamara stated that she has concerns about bussing, teachers, nursing, facilities and lunches and these are the things that the Board has brought up for weeks and weeks. She added that she agrees that they need to proactively put a stake in the sand and pick a date and work towards it and if they miss the deadline then they need to have reasons for missing the deadline but if they do not set one then they are not working towards it. She urged the Board not to work on emotion but rather work on fact and felt that community involvement was needed. Ms. Mcnamara offered that she would love to be involved with helping to provide a solution. She expressed her appreciation for the work the Board is doing, for allowing her to be heard and for their response.

Amy Sitnick, Collegeville, stated that she was not here to dispute PPE or virtual learning or teachers although she did not feel it mattered where they teach. She commented that we are a few weeks away from the start of school and although she appreciates all of the work being done she is very concerned about the state of delivering special education especially for children with ADHD. She relayed that many of these students have legally mandated IEPs and they simply cannot fall through the cracks. Ms. Sitnick conveyed that in the spring many documented accommodations were not delivered and to say this was stressful to families, especially working parents, is an understatement. She stated that tonight was the first time this issue was addressed publicly. She said she speaks for many families to express their disappointment and lack of communication on the planning that the district says was taking place. Ms. Sitnick advised that they proactively fill out every survey and have emailed and called many. She stated that Mr. Rizzo has been extremely cordial and responsive to them and they appreciate that. She asked that going forward there is more transparency on plans. She expressed that she did not understand how the district was just going about surveying parents now on their preference and asked how this was enough time to conduct a survey, analyze results and configure services for this school year. Ms. Sitnick asked if they would even see the results of the survey. She commented that special education families are more than happy to be involved but they need to be involved now.

Erica Hermans, Royersford, stated that it was mentioned multiple times that we can get the K-4 kids back in school pretty quickly, but as a two parent working household all too familiar with IEPs and ISTs that although she wants her children back in school she wants this to happen under the appropriate circumstances with the proper measures in place. Ms. Hermans expressed that she did not feel the elementary kids should be the pilot group for the district's broader reopening plan. She added that she found it alarming that this was being speculated in this manner by throwing out K-2 or K-4 without real consideration behind it. She stated that she supports putting a team in place to focus on the strategy behind bringing the kids back to school but felt it was irresponsible to begin solutioning without really understanding and tackling all of the criteria that is required of the district to go yellow at minimum.

Jordan Popky, Limerick, thanked the Board for prioritizing the safety of students and staff but felt that this should apply for all students including special education students. She stated that as an alumni of Spring-Ford she knows that the district has a really high standard of education for but no standard of education is worth the cost of a student or teacher's life. She added that

if it is unsafe for the majority of the student body to attend classes in person then it is unsafe for all students to attend in person. Ms. Popky commented that these are some of our most vulnerable students and they and they incredible staff members who work with them deserve to be protected by the same care and caution that has been afforded to the rest of the student body and staff. She stated that to do otherwise reads as discrimination whether intended or not. Ms. Popky added that these students cannot be the guinea pigs for testing the safety of in-person learning at Spring-Ford and she knows that it was not meant this way but asked them to consider how it might look to the students and their families. She urged the Board to not put the special education students and staff in danger and added that virtual learning will be very difficult to navigate for some of the students to get them what they need and deserve but the difficult choice is the right one when it is the safe choice.

Nicholas Tier, Collegeville, thanked the Board and administration for all of their hard work and said he knows it has not been easy as there are a lot of moving parts and education is way more complex than he believes people realize. Mr. Tier stated that as a teacher he did receive communication from the district on a reopening plan that they were going to be given flexibility if the district was to be in the virtual phase for reopening so he was under the impression that this was where they would be and he expressed hope that this is still the recommendation going forward. He commented that he did not feel the location of where the instruction is taking place would make much of a difference for his honors class or AP class as well.

Carrie Ellis, Royersford, stated that she has heard a lot of mentioning about IEPs and GIEPs but there was no one has mentioned any plans for the children with 504s in place for their ADHD. She spoke of her daughter's struggles and how she had to put her whole work day on hold in order to get her through her schooling and then go back and finish her work day. She stated that this would not be possible this year and felt that something needed to be addressed regarding this. Mrs. Zasowski commented that there was information regarding 504s in tonight's meeting presentation that was clearly included and will be addressed.

The public comments received during the times the meeting was in session have been reviewed and are attached as part of these minutes.

VIII. ADJOURNMENT

Mrs. Melton made a motion to adjourn and Mr. Shafer seconded it. The motion passed 9-0. The meeting adjourned at 11:34 p.m.

Respectfully submitted,

Diane M. Fern
School Board Secretary

PUBLIC COMMENTS SUBMITTED DURING BOARD MEETING 08-03-2020

Barbara Kernen Mon 8/3/2020 7:31 PM

Hello,

My name is Barbara Kernen from 113 Ithan Lane, Collegeville.

I am writing to comment on agenda item IV regarding PPE.

Due to the lack of PPE, it seemed it was more of a default than a decision to go red for the return to school.

I have some concerns as to why the decision on whether or not to order PPE supplies was not communicated, nor put to a vote. And why we discussed other phases at length if red was the only viable option due to lack of "clorox wipes" in time (per Dr. Goodin).

Moving forward, I support ordering the PPE supplies immediately with use of other available funds rather than wait for the grant.

In regards to agenda item V (A) and V(C) planning for the return of students and calendar. I would like to ask the board to reveal the results of the recent survey regarding whether or not parents would send their kids back to school if there was in-person learning. And most importantly, I'd like to ask the board and school administration to vote on and communicate the specific parameters you will require to be able to move to the yellow and green phase. As a reminder, the CDC and American Academy of Pediatrics both stated the importance of the students returning to school.

Finally, I'd like to comment on agenda item III (A). Since the PIAA has approved school sports, we need to allow the students to still have their extracurriculars. The ability to exercise and socialize is extremely important. While I still advocate for in-person learning and find it to be the priority, I do not see why this also needs to be taken from them. If PPE for sports is an issue, I am under the impression there are many families willing to donate supplies or send their child in with their own.

Thank you

ST2 Mon 8/3/2020 7:58 PM and 8:18 PM (duplicate emails)

> Will there be any childcare provided? My husband and I cannot work from home full time now that the Red Phase was chosen. How is it acceptable to send my child to a daycare program that I have to pay for but not be in school? Also, if he is at a daycare program he will miss the synchronous learning. How will that be addressed?

>

> My son has been at camp all summer with no issues and I spoke to the director of the Spring Valley YMCA childcare program and they have not had issues at their summer camp either.

Thank you,

Sara Trigger

43 Sheffield Court

Collegeville, PA 19426

ginny ricci Mon 8/3/2020 8:10 PM

Please approve the Grant Application in its entirety and I support opening school following the calendar that starts school on September 8th. You all are doing a great job. Please get us the PPE necessary to keep everyone safe when we return. I fully support the delay in reopening. Sincerely, Virginia Ricci

Ejhabs36 Mon 8/3/2020 10:54 PM

Did you discuss the possibility of changing the school calendar??
I see it on the agenda but it was not discussed.

Ejhabs36 Mon 8/3/2020 10:58 PM

Please ignore the email below. I didn't realize that you were opening questions/comments for the agenda item prior.

Mary Beth Wilson Mon 8/3/2020 11:17 PM

I believe that teachers need to be in the classroom. This will result in accountability for the teachers. While I know that there are good teachers but like any other profession there are lazy teachers. I saw that with my grandchildren at the end of the school year. Child care is not a reason for teachers to not come to work. And as one listener said if a teacher is at home trying to teach and take care of her or his children some one is going to get short changed. Teachers need to be in the classroom.

Jessica-Lyn Gallo Mon 8/3/2020 11:17 PM

Hi, All-

I urge you to let teachers have the option to decide whether they teach at home or they teach in the buildings. The teachers and their families are just as important as the students. Many teachers have their own children who will need to be cared for and they may not want to send them to childcare centers for the same reasons many Spring-Ford families do not want to send their kids to school. Furthermore, I'm sure there are many teachers who are either in the high risk category or live with someone who is. Let's help keep them safe too by letting them teach from home if they think that is the best choice for their family. I trust that the teachers will still be able to teach our children effectively. Some commenters sounded spiteful in their reasons for teachers going into the building. It's a pandemic. We have to work together and keep everyone's best interest at heart. Let's respect our teachers and keep them safe.

Thank you for considering.
Jess Gallo

**2020-2021 EXTRACURRICULAR CONTRACTS
SEPTEMBER 2020**

	Contract Title	Season	Last	First	Stipend
1	Soccer Coach - Boys' (7th Grade)	Fall	MacMillian	Ian P.	\$2,772.00
2	Asst. Volleyball Coach-Girls'- HS	Fall	Plitnick	Jenna L.	\$4,391.00
3	Robotics Club/Technology Club	Year	Eveland	James L.	\$1,104.00

Book	Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Students
Code	103 Vol IV 2020
Status	

Authority

The Board declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs **and activities** offered in the schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics and extracurricular activities without any form of discrimination, **including Title IX sexual harassment**. Discrimination is inconsistent with the **rights of students and the** educational and programmatic goals of the district and is **prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities**.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages students and third parties who believe they or others have been subject to **Title IX sexual harassment, other discrimination or retaliation** to promptly report such incidents to **the building principal**, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. **A person who is not an**

intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

The student's parents/guardians or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.
[22]

If the building principal is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or **the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing**; however, **verbal reports of an incident or incidents** shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.[18][20][23][24]

When an emergency removal, as described in Attachment 3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable.[18][19][20][23]

When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment,

shall be handled in accordance with **applicable law, regulations, this policy, the attachments** and the district's legal and investigative obligations. [\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)

Retaliation

The Board prohibits retaliation by **the district** or any other person against any person for: [\[28\]](#)

1. Reporting **or making a formal complaint** of **any form of** discrimination **or retaliation, including Title IX sexual harassment.**
2. **Testifying, assisting,** participating **or refusing to participate** in a related investigation, **process or other proceeding** or hearing.
3. **Acting in opposition to** practices the person reasonably believes to be discriminatory.

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against **anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.**

Definitions

Complainant shall mean an individual who is alleged to be the victim.

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, **or** handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Definitions Related to Title IX Sexual Harassment

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. [\[27\]](#)[\[30\]](#)

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the

complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[\[30\]](#)

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[\[30\]](#)

1. **Counseling.**
2. **Extensions of deadlines or other course-related adjustments.**
3. **Modifications of work or class schedules.**
4. **Campus escort services.**
5. **Mutual restrictions on contact between the parties.**
6. **Changes in work or housing locations.**
7. **Leaves of absence.**
8. **Increased security.**
9. **Monitoring of certain areas of the campus.**
10. **Assistance from domestic violence or rape crisis programs.**
11. **Assistance from community health resources including counseling resources.**

Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.[\[17\]](#)[\[18\]](#)[\[23\]](#)[\[24\]](#)[\[31\]](#)

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[\[30\]](#)

1. **A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.**
2. **Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.**
3. **Sexual assault, dating violence, domestic violence or stalking.**
 - a. ***Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[\[32\]](#)**
 - i. **Length of relationship.**
 - ii. **Type of relationship.**

iii. **Frequency of interaction between the persons involved in the relationship.**

- b. ***Domestic violence*** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [\[32\]](#)
- c. ***Sexual assault*** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. [\[33\]](#)
- d. ***Stalking***, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [\[32\]](#)

i. **Fear for their safety or the safety of others.**

ii. **Suffer substantial emotional distress.**

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus. [\[26\]](#)[\[27\]](#)[\[30\]](#)

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates [\[34\]](#) **Sydney McGill as the district's Compliance Officer and Elizabeth Leiss as the district's Title IX Coordinator.**

The Compliance Officer can be contacted at:

Address: 857 South Lewis Road, Royersford, PA 19468

Email: smcgi@spring-ford.net

Phone Number: 610-705-6208

The Title IX Coordinator can be contacted at:

Address: 857 South Lewis Road, Royersford, PA 19468

Email: eleis@spring-ford.net

Phone Number: 610-705-6124

The Compliance Officer **and Title IX Coordinator shall fulfill designated responsibilities** to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, **as appropriate:**

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - **Provide** training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure **or Title IX procedures**, such as making reports to the police, and available **supportive measures such as** assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. District Support - **Assure** that like aspects of the school programs **and activities** receive like support as to staffing and compensation, facilities, equipment, and related areas.**[35]**
6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. **Reports/Formal** Complaints - Monitor and provide technical assistance to **individuals involved in managing informal reports and formal** complaints.

Guidelines

Title IX Sexual Harassment Training Requirements

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive the following training, as required or appropriate to their specific role:

1. **Definition of sexual harassment.**
2. **Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations.**
3. **How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.**
4. **How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.**
5. **Use of relevant technology.**
6. **Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.**
7. **Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.**
8. **How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.**

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the district's website.

Disciplinary Consequences

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to:[18][19][20]

- 1. Loss of school privileges;**
- 2. Permanent transfer to another school building, classroom or school bus;**
- 3. Exclusion from school-sponsored activities;**
- 4. Detention;**
- 5. Suspension;**
- 6. Expulsion; and**
- 7. Referral to law enforcement officials.**

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[21][36]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

PSBA Revision 7/20 © 2020 PSBA

Legal	1. 22 PA Code 12.1
	2. 22 PA Code 12.4
	3. 22 PA Code 15.1 et seq
	4. 22 PA Code 4.4
	5. 24 P.S. 1301
	6. 24 P.S. 1310
	7. 24 P.S. 1601-C et seq
	8. 24 P.S. 5004
	9. 43 P.S. 951 et seq
	10. 20 U.S.C. 1681 et seq
	11. 34 CFR Part 106
	12. 29 U.S.C. 794

13. 42 U.S.C. 12101 et seq
14. 42 U.S.C. 1981 et seq
15. 42 U.S.C. 2000d et seq
16. U.S. Const. Amend. XIV, Equal Protection Clause
17. Pol. 103.1
18. Pol. 113.1
19. Pol. 218
20. Pol. 233
21. Pol. 317
22. Pol. 806
23. Pol. 113.2
24. Pol. 113.3
25. 20 U.S.C. 1232g
26. 34 CFR 106.44
27. 34 CFR 106.45
28. 34 CFR 106.71
29. 34 CFR Part 99
30. 34 CFR 106.30
31. Pol. 113
32. 34 U.S.C. 12291
33. 20 U.S.C. 1092
34. 34 CFR 106.8
35. Pol. 150
36. Pol. 317.1
18 Pa. C.S.A. 2709
20 U.S.C. 1400 et seq
28 CFR Part 41
28 CFR Part 35
34 CFR Part 100
34 CFR Part 104
34 CFR Part 110
U.S. Const. Amend. I
Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
Office for Civil Rights - Resources for Addressing Racial Harassment
Pol. 122
Pol. 123
Pol. 138
Pol. 216

- Pol. 210
- Pol. 220
- Pol. 247
- Pol. 249
- Pol. 251
- Pol. 252
- Pol. 320
- Pol. 701
- Pol. 815
- Pol. 832

103-Attach 1 Report Form.pdf (161 KB)

103-Attach 2 Discrimination.docx (40 KB)

103-Attach 3 Title IX.docx (77 KB)

103-Attach 4 ConfidentialityTemplateLetter.docx (21 KB)

Book	Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Staff
Code	104
Status	First Reading

Authority

The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related attachments be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages employees and third parties who believe they or others have been subject to **Title IX sexual harassment, other discrimination or retaliation** to promptly report such incidents to **the building principal or building administrator. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.**

If the building principal or building administrator is the subject of a complaint, the complainant or the individual making the report shall direct the report of the incident to the Title IX Coordinator.

The complainant or **the individual making the report may use the Discrimination/Sexual Harassment/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing**; however, **verbal reports of an incident or incidents** shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

The building principal or building administrator shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

Disciplinary Procedures when Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

Administrative Leave –

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis.

An accused, nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a **report**, and the investigation **related to any form of discrimination or retaliation, including Title IX sexual harassment**, shall be handled in accordance with **applicable law, regulations, this policy, the attachments** and the district's legal and investigative obligations. [\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

Retaliation

The Board prohibits retaliation by **the district** or any other person against any person for: [\[16\]](#)

1. Reporting **or making a formal complaint** of **any form of** discrimination **or retaliation, including Title IX sexual harassment.**
2. **Testifying, assisting, participating or refusing to participate** in a related investigation, **process or other proceeding** or hearing.
3. **Acting in opposition to** practices the person reasonably believes to be discriminatory.

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if they believe retaliation has occurred.

Definitions

Complainant shall mean an individual who is alleged to be the victim.

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, **genetic information**, ancestry, national origin, marital status, pregnancy, **or** handicap/disability.

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related work performance, including when:[\[9\]](#)

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or
2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

Definitions Related to Title IX Sexual Harassment

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[\[15\]](#)[\[18\]](#)

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[\[18\]](#)

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[\[18\]](#)

1. **Counseling or Employee Assistance Program.**
2. **Extensions of deadlines or other course-related adjustments.**
3. **Modifications of work or class schedules.**
4. **Campus escort services.**
5. **Mutual restrictions on contact between the parties.**

6. **Changes in work locations.**
7. **Leaves of absence.**
8. **Increased security.**
9. **Monitoring of certain areas of the campus.**
10. **Assistance from domestic violence or rape crisis programs.**
11. **Assistance from community health resources including counseling resources.**

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[\[18\]](#)

1. **A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.**
2. **Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.**
3. **Sexual assault, dating violence, domestic violence or stalking.**
 - a. ***Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:**[\[19\]](#)
 - i. **Length of relationship.**
 - ii. **Type of relationship.**
 - iii. **Frequency of interaction between the persons involved in the relationship.**
 - b. ***Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.**[\[19\]](#)
 - c. ***Sexual assault* means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.**[\[20\]](#)
 - d. ***Stalking*, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:**[\[19\]](#)
 - i. **Fear for their safety or the safety of others.**
 - ii. **Suffer substantial emotional distress.**

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.[\[14\]](#)[\[15\]](#)[\[18\]](#)

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates [\[21\]](#) **Sydney McGill as the district's Compliance Officer and Elizabeth Leiss as the district's Title IX Coordinator.**

The Compliance Officer can be contacted at:

Address: 857 South Lewis Road, Royersford, PA 19468

Email: smcgi@spring-ford.net

Phone Number: 610-705-6208

The Title IX Coordinator can be contacted at:

Address: 857 South Lewis Road, Royersford, PA 19468

Email: eleis@spring-ford.net

Phone Number: 610-705-6124

The Compliance Officer **and Title IX Coordinator** shall **fulfill designated responsibilities** to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of **the district's** nondiscrimination procedures in the following areas, **as appropriate**:

1. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
2. Training - **Provide** training for supervisors and staff to prevent, identify and alleviate problems of employment discrimination.
3. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure **or Title IX procedures**, such as making reports to the police, and available **supportive measures such as** assistance from domestic violence or rape crisis programs, and community health resources including counseling resources.
4. **Reports/Formal** Complaints - Monitor and provide technical assistance to **individuals involved in managing informal reports and formal** complaints.

Guidelines

Title IX Sexual Harassment Training Requirements

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX

sexual harassment shall receive the following training, as required or appropriate to their specific role:

- 1. Definition of sexual harassment.**
- 2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations.**
- 3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.**
- 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.**
- 5. Use of relevant technology.**
- 6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.**
- 7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.**
- 8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.**

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the district's website.

Disciplinary Consequences

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[22][23][24][25]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, genetic information, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

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Legal

1. 43 P.S. 336.3
2. 43 P.S. 951 et seq
3. 34 CFR Part 106
4. 20 U.S.C. 1681 et seq
5. 29 U.S.C. 206
6. 29 U.S.C. 621 et seq
7. 29 U.S.C. 794
8. 42 U.S.C. 1981 et seq
9. 42 U.S.C. 2000e et seq
10. 42 U.S.C. 2000ff et seq
11. 42 U.S.C. 12101 et seq
12. U.S. Const. Amend. XIV, Equal Protection Clause
13. 20 U.S.C. 1232g
14. 34 CFR 106.44
15. 34 CFR 106.45
16. 34 CFR 106.71
17. 34 CFR Part 99
18. 34 CFR 106.30
19. 34 U.S.C. 12291
20. 20 U.S.C. 1092
21. 34 CFR 106.8
22. Pol. 317
23. Pol. 317.1
24. Pol. 806
25. Pol. 824
- 16 PA Code 44.1 et seq
- 18 Pa. C.S.A. 2709
- 28 CFR 35.140
- 28 CFR Part 41
- 29 CFR Parts 1600-1691
- EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993
- EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999
- EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990
- Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998)
- Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
- Pol. 320
- Pol. 815
- Pol. 832

104-Attach 1 Report Form.pdf (170 KB)

104-Attach 2 Discrimination.docx (40 KB)

104-Attach 3 Title IX.docx (76 KB)