



## **Committee of the Whole Meeting**

### **April 8, 2019**

### **Minutes**

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A Committee Meeting of the Eastern Lancaster County School Board of Directors, which was properly advertised in the LNP *Lancaster Newspaper*, was held on Monday, April 8, 2019 at 7:00 p.m., in Community Hall located at the Garden Spot High School and Middle Complex, 669 E. Main Street, New Holland, PA 17557.

#### **Roll Call**

**Members in attendance were:** Gary Buck, Jonathan Dahl, Paul Irvin, Rodney Jones, Dina Maio, Bryan Naranjo, Melissa Readman, Thomas Wentzel, and Glenn Yoder

**Non-Voting Members in attendance were:** Robert Hollister, Justin Johnson, Nadine Larkin and Keith Ramsey

**Members not in attendance were:**

**Staff/Public in attendance were:** Citizens of the community and staff members of the District and members of the media.

### **1. Welcome and Call to Order**

President Yoder opened the meeting at 7:00 p.m.

### **2. Moment of Silence/Reflection - Pledge of Allegiance**

President Yoder led in a silent meditation and the Pledge of Allegiance.

### **3. Citizens of the District Comments**

At this time we will invite public (Citizens of the District) comment on any topic that is within the Board's jurisdiction.

Alex Turoczi, New Holland, PA

Mr. Turoczi said a prayer.

The following community members and residents of the District thanked the Board and presented their concerns, thoughts, and opinions on the District's proposed Student Privacy Policy:

Jennifer Sarb, East Earl, PA

Andy Tibbs, New Holland, PA

Mr. Tibbs also commented on the priority of AstroTurf for the sports fields.

Jonathan Spangenberg, Denver, PA

Stuart Martin, East Earl, PA

#### **4. Report Out and Recommendations from Board Ad Hoc Committee on Student Privacy**

Ad Hoc Committee Chair, Mr. Wentzel and the Ad Hoc Committee members reported out the findings of the Ad Hoc Committee concerning student privacy and presented their proposed and recommended Student Privacy Policy.

The Ad Hoc Committee presented the Board with an Addendum to the proposed Student Privacy Policy:

“While the renovation plan for the facilities is being reviewed and executed, we recommend that where ever we cannot provide private single user facilities when changing or using the bathroom facilities, the students are to use the facilities based on their biological sex. Anywhere within the district that our system has not caught up with the renovations this will be in effect. Any student who wishes additional privacy while changing or using the bathroom facilities will have the ability to use an appropriate single user facilities.”

The Board and Administration discussed and reviewed the proposed Student Privacy Policy noting some changes. They also discussed the proposed Addendum language.

President Yoder presented a statement regarding the proposed Student Privacy Policy:

Regarding the proposed policy as put forth by the ad hoc committee. I am fully in support regarding the long term renovations of the locker providing private single user changing rooms with showers. I believe that this is a much broader issue than the current situation. When I heard the percentages of students that utilize the showers now I came to the realization that the current set up is not serving our students well. With less than 30% of students utilizing the showers after PE it is clear that most students are uncomfortable with the total lack of bodily privacy afforded now. Our High School was opened in the 1950's and the basic layout hasn't changed much since then. Society has changed significantly in the 60 plus years since these facilities were designed and I strongly believe that it is worth the investment in our students' privacy to make these renovations. Where I am uncomfortable with the policy is regarding restrooms. Going forward as we renovate different buildings I think it is a good idea to navigate towards more single user facilities but to ask the taxpayers to renovate not just the high school, but also the middle school and three elementary schools is a burden that I am not willing to commit to in a rush. I think we can all agree that the Board has taken a studied, thoughtful and rational approach to finding a

solution that will serve and protect the rights of all students. Our willingness to seek input from community members & students, along with professional advice from multiple Attorney firms, Architects, & the faculty have shown how seriously we take our positions. What I think we now need is to ask people on both sides of this issue for some thoughtfulness and consideration as well. We can all seek to assert our rights as afforded as citizens of this country and many times we have. But I would like everyone to take a step back and consider what makes this such a giving and welcoming community.

There has been much talk and conversation about the law and what it may or may not say. I have spent countless hours researching the law as well as case precedent. Regarding the law that we as School Directors are bound to uphold. The PA School code of 1949 does expressly state that bathrooms shall be separated by sex. At the last board meeting I spoke of two options for an interim policy until such time as the law was settled by the Supreme Court or until we can renovate our facilities to give all students total bodily privacy. Option 1 was to implement a policy that any student may use a private restroom if they are uncomfortable with using the restroom assigned to them. Option 2 would be to discontinue showering and changing for PE and take the urinal's out of service or put up stalls around them to give some privacy to all students. I however am not comfortable with option 2 as an interim solution. I don't feel that stalls give adequate privacy to members of the opposite biological sex. I also don't think we should discourage physical activity by students in PE when our country is struggling with our youth not getting enough exercise already. I am asking people on both sides to recognize the commitment to the process that we have undertaking and be willing to exhibit grace and compassion for all students. I don't want to see this loving community torn apart by an unwillingness to work together for the best interests of all students.

Mr. Bryan Naranjo made a motion to approve the addition of the proposed Addendum to the Student Privacy Policy 253. It was seconded by Mr. Dahl. **A roll call vote was taken, and the motion was approved. (9-0)**

President Yoder thanked the Ad Hoc Committee.

## **5. Approve Personnel Report**

Mr. Irvin made a motion to approve the personnel report. It was seconded by Mr. Wentzel. **The motion was approved. (9-0)**

## **6. Property and Services**

### **a. Action Item - Approve the Lancaster-Lebanon Intermediate Unit #13 General Operating Budget (GOB) Budget for 2019-20**

The Intermediate Unit's General Operating Budget consists of 2 component budgets, as follows:

The Core Program of Services Budget increased 2.35% in total expenditures and there is no District assessment for this budget.

The Instructional Media Services (IMS) Budget increased 4.15% in total expenditures and no change in district contributions to the program. ELANCO's contribution is \$36,178.59.

Mr. Ramsey presented to the Board the proposed IU13 General Operating Budget noting that there was no increase in the District's contribution to the Instructional Media Service Budget. He requested the Board to approve the Lancaster-Lebanon Intermediate Unit #13 General Operating Budget (GOB) Budget for 2019-2020 at the upcoming Board meeting.

## 7. Program

No Report.

## 8. Management

### **a. Action Item - Approval of Settlement Agreement and General Release with the Eastern Lancaster County Education Association to resolve Grievances...**

Approval of Settlement Agreement and General Release with the Eastern Lancaster County Education Association to resolve Grievances 01 and 02 of 2018 and the PA Labor Relation Board, which includes the approval of the Memorandum of Agreement to amend Exhibit L of the parties collective bargaining agreement.

### **b. Action Item - Approval of Payment of Arbitrator/Mediator Invoice in the Amount of \$1,100 for Cancelling of Arbitration Hearing.**

Dr. Hollister requested the Board to approve the Settlement Agreement and General Release between Eastern Lancaster County School District and Eastern Lancaster County Education Association and the payment to the Arbitrator/Mediator.

Mr. Irvin made a motion to approve Action Item a. Approval of Settlement Agreement and General Release with the Eastern Lancaster County Education Association to resolve Grievances 01 and 02 of 2018 and the PA Labor Relation Board, which includes the approval of the Memorandum of Agreement to amend Exhibit L of the parties collective bargaining agreement and Action Item b. Approval of Payment of Arbitrator/Mediator Invoice in the Amount of \$1,100 for Cancelling of Arbitration Hearing. It was seconded by Mr. Jones. **The motion was approved. (9-0)**

### **c. Information Item - First Reading of Student Privacy Policy Governing Dress Code for Private Restroom and Locker Room Spaces.**

Dr. Hollister commented on how punitive the District is to its taxpayers noting that Eastern Lancaster County School District had the 2<sup>nd</sup> lowest taxes in the County. He also noted that the funds being used for the locker room renovations were coming from the Capital Fund and would not affect taxes.

**d. Information Item - Joint Letter by IU13 Superintendents supporting Legislation to eliminate the Financial Burden to Taxpayers...**

Joint Letter by IU13 Superintendents supporting Legislation to eliminate the Financial Burden to Taxpayers caused by Cyber Charter Schools.

Dr. Hollister informed the Board that the IU13 had requested the Superintendents to help support legislation to eliminate the financial burden to taxpayers by signing a joint letter to the General Assembly. He noted that a draft of the letter was send to the Board. Dr. Hollister also informed the Board that the District currently pays to cyber charter schools \$12,000 per student and \$24,000 per special education student.

**e. Information Item - Recommend tabling the decision to allow student athletes from Pequea Valley to join the Garden Spot High School...**

Recommend tabling the decision to allow student athletes from Pequea Valley to join the Garden Spot High School Field Hockey Team.

Dr. Hollister recommended the Board table the discussion to allow student athletes from Pequea Valley to join the Garden Spot High School Field Hockey Team based on the PIAA's requirement of a 3-year commitment. He noted that he would reconsider if they would allow a 1-year commitment to allow the District to pilot the program.

## **9. Announcements**

Dr. Hollister announced that there would be an executive session after the Board meeting to discuss land matter.

Mr. Wentzel announced that Garden Spot teacher, Mr. Russell Yost had recently passed away. Dr. Hollister noted that Mr. Yost continued to volunteer for the Library and remain a true community servant.

## **10. Adjournment**

Mr. Wentzel made a motion to adjourn the meeting at 8:03 p.m. with a second by Mr. Irvin. **The motion was approved. (9-0)**

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Justin W. Johnson  
School Board Secretary  
April 8, 2019