



bulletin

The leading public education magazine in Pennsylvania

BACK TO BASICS: AN OVERVIEW FOR NEW SCHOOL DIRECTORS

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MEET YOUR 2020 PSBA PRESIDENT **10**



Advice from veteran
school directors

Why it's crucial
to work with your
solicitor



SPRING LEGAL ROUNDUP

MARCH 4-APRIL 8, 2020

Learn important updates on significant developments in school law.



SECTIONAL MEETINGS

MARCH 18-31, 2020

Hear updates affecting public education content from statewide experts, district practitioners and PSBA government affairs staff.



ADVOCACY DAY

MARCH 23, 2020

Connect with state legislators to advocate powerfully and directly on behalf of your districts, region and public education.



BOARD PRESIDENTS PANEL

APRIL 27-29, 2020

Share with and learn from other current and aspiring school board leaders.



SOLICITORS SYMPOSIUM

JULY 9-10, 2020

Network and connect with school attorneys at this relaxed and informative training.



Pennsylvania School Boards Association

UPCOMING PSBA EVENTS



Visit psba.org for details and registration.

A FOCUSED FOUNDATION: School Design + Construction Planning

March 31 - April 1, 2020 | Lancaster Marriott Hotel & Conference Center

A two-day joint conference, hosted by American Institute of Architects Pennsylvania and PSBA bringing architects and school leaders together for talks and sessions on project management, energy-efficient and healthy design, finances and funding, school safety and security, and best practices for K-12 construction.

Visit www.psba.org for more information.





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inside features



2020 PSBA President Eric Wolfgang: in his own words

With 20 years of school board experience in Central York School District, 2020 PSBA President Eric Wolfgang has a unique perspective gained during his long commitment to public education. PSBA interviewed him on his board service, plans for his year as president and suggestions for new school directors.

Back to basics: An overview for new school directors

The responsibilities of a school director are numerous. From approving budgets to monitoring legislative developments to conducting labor negotiations, it's understandable that many new members of the board are surprised by the breadth of knowledge required. Fortunately, there are resources designed to help you acclimate to your new role – and excel.

BY JACKIE INOUE



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Celebrating 125 years

By Eric Wolfgang, president



I'd like to welcome all new and returning school directors to what I know will be an exciting and important time of community service to your local school districts. When I was first elected in 1999, I had no idea that 20 years later I'd be the president of an organization celebrating its 125th-year anniversary. For newly elected directors, I truly believe that the opportunity before you will be a most rewarding one whether you serve one term or five. School directors have a most important role in helping guide the educational direction of their districts. Public education is a cornerstone of the future success of our great democracy.

One of your most valuable resources is the Pennsylvania School Boards Association. This organization provided me with the educational, networking and fundamental boardmanship skills which helped me become the best school director I could possibly be. It is because of school directors across the state that this organization has been around for 125 years, and with your continued involvement, hopefully will be for another 125 years.

PSBA's success depends directly on your willingness to step up and become fully engaged in everything the it offers. I realize that each of you

have unique situations which will determine your individual level of involvement and commitment. Whatever your level of involvement may be, your time as a school director will be greatly enhanced by the many different opportunities available through PSBA, and I can't stress this enough.

There are many special things planned for our 125th year and we're going to need your help in many different ways. We are a member-driven organization whose success is solely dependent on your involvement. Educational programs, sectional meetings, Advocacy Day, conference and committee assignments are all excellent ways to get involved and network with directors from around the state.

Shortly after being elected the first time, I was given a photo of the 1904-05 North York School Board, which oversaw the North York School District and eventually became the Central York School District, where I have served the last 20 years. In the photo is Tobias Wolfgang, my great-grandfather. I had no prior knowledge of his involvement as a school director, but I'd like to think he and his colleagues played an early role in PSBA and I'm now helping continue his legacy all these years later. Look for the photo in the 125th-year display at PSBA headquarters. I look forward to meeting many of you this year!

Our best year ever

By Nathan G. Mains, chief executive officer

Welcome to the 125th anniversary of PSBA! I have been waiting a long time to be able to say those words.

When I joined PSBA in 2013, I was impressed with our rich history – we are the oldest school boards association in the United States – and the many great possibilities for our future. I have spoken many times over the past six years about this important milestone and what it means for PSBA, our members and for public education.

2020 is a moment to reflect on our many accomplishments over our storied history. Even more importantly, it is a moment to look ahead at all that we can and must do to ensure every child in Pennsylvania has access to the very best education provided by the very best public school system. PSBA is a part of this ever-changing educational system. Our advocacy has made innumerable improvements for all schools. Our programs and trainings have prepared directors to step up to the challenges of managing complex districts.

PSBA is proud of our history and excited for what comes next. 2020 is going to be a year of amazing new programs, services and growth for your association. We are going to demonstrate that you can continue to count on us to be with you every step of the way through your journey as a locally elected school board director.

Under the leadership of our new president, Eric Wolfgang, and a great governing board, I am confident that we are looking at our best year ever! **B**





PSBA provides testimony at PA Capitol

Advocacy comes in many forms. In addition to participating in events such as Advocacy Day, responding to legislative action alerts and maintaining two-way communication with local legislators, PSBA advocates also provide testimony to committees of the General Assembly. Testimony tells the story of how districts are or may be affected by pending legislation. On October 29, 2019, former PSBA president and Lewisburg Area school director, Kathy Swope, (pictured above in foreground), presented testimony to the House Education Committee regarding proposed changes to educator evaluation. Several other school directors also presented testimony to the Special Education Funding Commission at a hearing in Edinboro, PA, in the fall.

Advocacy Day is March 23, 2020!

Stay tuned to psba.org for registration details.

On last year's Advocacy Day:

"I really believe we had such an impact at the state Capitol. School directors and people who are involved in public education, come on and join us because there are over 200 of us today. And if there were even more, imagine the impact that we could have to improve the lives of our students in PA. People think they won't make a difference, your voice won't be heard, but it is certainly heard especially when there is a majority of people."

-Marsha Pleta, board president, Washington SD (Washington Co.)

"I would love to be able to bring all the members of my team out here, not just for the historical aspect of seeing the excitement here, but I'd like them to see how the sausage is made, so to speak – that legislators are people who make these laws and rules and funding. So, it's nothing to be afraid of. We serve them, and they serve us. That's the equation."

- John Ritter, school director, Gateway SD (Allegheny Co.)



2020 Legislative Platform adopted

PSBA's 2020 Legislative Platform, which contains the legislative issues members have designated as priority, was adopted at Delegate Assembly on October 18, 2019. The Legislative Platform is a series of statements that serve as PSBA's official record of positions on legislative issues and are the guide for the association's advocacy efforts. The full document is online under the Advocacy & News tab on psba.org.

New website on charter school facts



Read about the charter school funding and performance at a new website from PSBA that contains compiled data and updates on the public cost of charter schools, along with their performance comparatives – PACharterChange.org. Use it as a tool in conversations with your community and legislators about the need for charter reform.



Celebrate with us!

This year PSBA marks a milestone – 125 years of providing superior support and resources for school board directors across Pennsylvania. Throughout 2020, your association will be celebrating past successes and looking toward the future. Find stories, updates on special happenings and more at psba125.org. Visit this website to see how you can be a part of this important moment in our collective history!

PSBA Timeline 1895-1936:

The association's early days

- Then known as the PA State School Directors Association, a part of the PA State Teachers Association, the association was founded by H.H. Quimby and consisted of all part-time volunteer service.
- Early issues discussed by members were consolidation of districts, free transportation of pupils, standard plans of school-houses, legislation, and distribution of state appropriations.
- Legislation affecting public education in this time period: High School Act – established high schools in every district as part of a movement toward centralizing schools); Showalter Act – defined vocational education; Edmonds Act – cemented state control over local schools.
- Major event affecting schools: The Great Depression.

Question of the issue:

What would you recommend as a first step for new school directors adjusting to their role?

My best advice to a new school board director is to request a tour of a school in the district and have lunch in the cafeteria among the students. You will always remember this special time with the students, which is the reason for the work of school directors.

Dr. Susan M. Sibert
vice president,
Cambria Heights SD (Cambria Co.)

A new school board director's first plan of business should be to understand the district's budget footprint. Have a clear understanding of the money movement that affects the district 365 days a year. The second order of business is to have a clear understanding of all contracts within the district – professional, support, transportation, etc. And finally, at any or all board meetings, speak with applicable facts regardless of the topic. If facts are not available, then the discussion cannot be completed. Gather the facts and continue the discussion that will yield both direction as well as closure.

Larry Smith
board vice president,
South Side Area SD
(Beaver Co.)

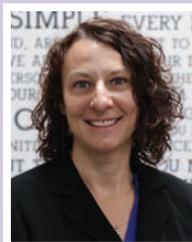
When I went on our school board six years ago, I had a couple of items that were important to me. The first item was to have a tour of all of our facilities. You have to make major decisions about your buildings and if you are not familiar, you are not able to make a conscious decision. My second item was to choose an area of administration that I could possibly help make additional changes to, in the future. I quickly realized it was important to sit in on all committees, but I also knew to listen and ask questions rather than push my agenda immediately! Sit back observe and ask questions if you do not understand the subject.

Gene Anne Woodruff
board treasurer,
Wyalusing Area SD
(Bradford Co.);
board president,
Northern Tier Career Center

Next question:

What is your favorite place on the campus of your school entity and why?

To submit answers to the "Question of the issue," send an email to Jackie Inouye at jackie.inouye@psba.org by January 21, 2020. Submissions should be kept to 50 words or less.



PSBA News

Autumn Alleman recently joined PSBA as a member services manager for sections 3 and 7. Previously she worked as the director of an early learning center for almost 15 years. In addition, she has developed and presented professional development for early childhood practitioners at Penn State Extension. She holds a certificate in early childhood education, a bachelor's degree in elementary education and a master's degree in curriculum and instruction, all from Shippensburg University. Autumn enjoys spending time with her family, reading, gardening and camping.

CDC report addresses childhood trauma

ACCORDING TO A REPORT RELEASED IN NOVEMBER 2019 by the Centers for Disease Control and Prevention (CDC), childhood trauma causes long-lasting harm to health, but prevention efforts are crucial to reducing these negative effects, which include an increased risk of dying from five of the top 10 leading causes of death.

The Vital Signs report shows an estimated 61% of adults in the U.S. have had at least one adverse childhood experience (ACE) and 16% had four or more types of ACEs. Females and several racial/ethnic minority groups were at greater risk for experiencing four or more. Examples of ACEs include food insecurity, physical and mental abuse, or abandonment that occurs before age 18.

Although the effects of ACEs are serious, the report suggests that preventing them can reduce the likeliness of health conditions such as asthma, cancer, depression and diabetes in adulthood, as well as lessen participation in risky behaviors such as smoking and heavy drinking. It can also improve education and employment potential and stop the cycle of ACEs being passed to the next generation.

Earlier in 2019, the CDC released *Preventing Adverse Childhood Experiences*, a report which contains practical suggestions based on best practices for reducing and preventing ACEs. The report is based on research from the CDC's *Technical Packages to Prevent Violence*, a series of strategies to help communities use evidence-based practices to reduce ACEs. Many of these interact with the work schools do, such as:

- Promote social norms that protect against violence and adversity.
- Ensure a strong start for children through early childhood education.
- Teach social-emotional learning skills.
- Connect youth to caring adults and activities.

For more information and to read the reports, go to CDC.org.



Keystone Quiz



- 1 In what year did PSBA elect its first full-time executive?
- 2 What law first attempted to provide access to public education for all Pennsylvanians?
- 3 Where were the first two school boards established in Pennsylvania?
- 4 Who was the early lawyer, iron manufacturer and politician who was a strong advocate of public education?
- 5 How many 10-to 15-year-old children were working during the 1900 census?

ANSWERS

1. 1937
2. The Free School Act of 1834
3. Philadelphia in 1818 and Lancaster in 1821
4. Thaddeus Stevens
5. 1.7 million



8:30 A.M. OR LATER

Best practice standards from the Joint State Government Commission report, *Sleep Deprivation in Adolescents: The Case for Delaying Secondary School Starts Times*:

- The ideal start time for secondary school students is 8:30 a.m. or later. This recommendation is also that of medical organizations and supported by scientific evidence. This includes the recommendation of no early practices and rehearsals, or activity periods scheduled before the official start time.
- Sleep health literacy is an important component of any school health curriculum.



FAST FACTS!

2018 PSBA School Director Profile:

42%

of school board directors attended the districts where they serve

95%

of school board directors have children who attend the same district in which they serve

5%

of school board directors have 21 or more years of service

50%

of school board directors report that their strongest motivation to serve is to give back or contribute to public education

School Director Recognition Month

As a school director, you have the immense task of making decisions that impact your school district and, ultimately, the education of the children who attend your schools. You are tasked with determining how to allocate the district budget, what policies govern your schools and who will be the superintendent. In order to effectively and responsibly make these decisions, you take the time and effort to educate yourself and develop a firm grasp on the legislation and current issues impacting public education. In an effort to recognize the role you have taken on, January is designated as School Director Recognition Month. This month, we celebrate and acknowledge the work that you voluntarily do as a school board director to ensure that public education in Pennsylvania is successful.

PSBA has compiled numerous ways to celebrate elected school directors during the month of January, including an excerpt in your district's newsletter, a certificate of appreciation or personalized thank-you cards from students. The full list of suggestions can be found in the Advocacy & News section on the PSBA website under Resources.



**COMMONWEALTH
EDUCATION
BLUEPRINT**

Commonwealth Education Blueprint final report released

Pennsylvania's school leaders have a new tool to guide their vision as they develop the schools of the future. The Commonwealth Education Blueprint initiative, started in 2017, brought together a committee of stakeholders from every part of the education community to gather feedback and discuss what public education could look like when today's kindergarteners graduate from high school. The result was a Phase I report that outlined areas of focus for further discussion. After months of research and effort, the project has culminated in a final report with three sections: Core Beliefs and Areas of Focus, The Vision, and Current Practices to Consider. The Vision section contains the goals established for the future of public education, including identified obstacles, recommendations to achieve, and suggestions for further reading and discussion. The desire is that the Blueprint will spark interest, research, and discussion among educational entities and communities about how the future of public education in Pennsylvania should continue to evolve to meet the ever-changing needs of learners and educators.

Read the report at EdBlueprintPA.org and listen to PSBA's recent podcast on the Blueprint at KeyEdRadio.org.





What makes a board highly effective?

In 2016, a team of 27 experienced school directors, superintendents and school solicitors worked together to detail the specific actions and attitudes school boards can implement to become highly effective. The resulting guidelines are called The Principles for Governance and Leadership. All Pennsylvania school boards are encouraged to adopt

the Principles, and re-commit themselves every two years, as new members join the board after elections. Research shows that school board actions affect student achievement. Adopting the Principles is a good way to align with best practices, and it also reinforces your board's dedication to your schools and community.

Once your board has adopted or re-adopted the Principles, the board secretary can submit a webform to have the district's name added to an online list of those who have taken this action. Boards that submit forms will receive a poster of the Principles to sign, frame and display in your school or board room. The webform is located under the About PSBA tab on psba.org.



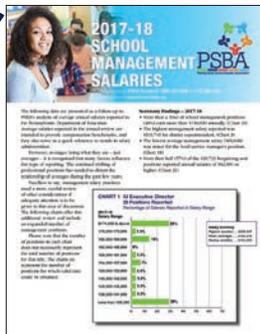
At Elizabethtown Area High School @etownPASchools this morning to participate in a Student Town Hall. We had a terrific discussion covering a variety of issues. I was also interviewed for The "Bear" Political Facts podcast. @MrHuesken - Senator Ryan P. Aument, October 7

Thanks to @BEASDMode Howard Elementary for inviting me for your Veteran's Day activities. I shared with the classes (to paraphrase Alexis de Tocqueville) that America is great because Americans are good. If Americans cease to be good, America ceases to be great. - Senator Jake Corman, November 7

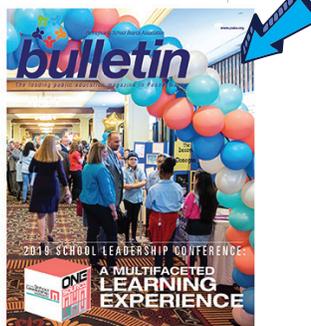
PSBA RESEARCH

2017-18 SCHOOL MANAGEMENT SALARIES STUDY

The school management salaries study provides a detailed analysis of school management salaries. Public school salaries used to compile this study were reported to the Pennsylvania Department of Education for the 2017-18 school year. Read it under Advocacy & News tab, on the Reports & Research page of PSBA.org.



See a special digital-only *Bulletin* insert recapping conference on PSBA.org.



ON VIDEO EDITION

Video Edition Episode 22:

New training requirements for school security personnel

Act 67 of 2019 put into place training requirements for school police officers, school resource officers and school security guards. Learn more about the NASRO basic training courses that meet these requirements.

Video Edition Episode 23: Charter school legislation update and new charter data website

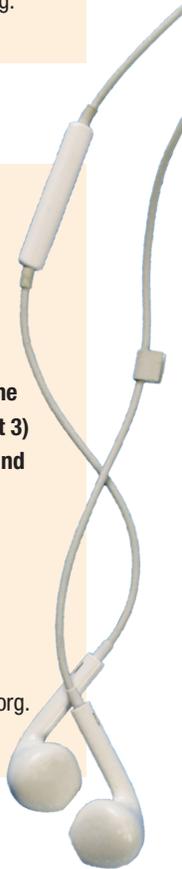
PSBA Chief Advocacy Officer John Callahan gives an overview of several charter school bills currently in the House and Senate and how PSBA and its members have been advocating.



ON KEYSTONE EDUCATION RADIO

Keystone Education Radio: One District's Move to Equity (Part 3) – Planning, Communication and Implementation

This is the final episode of the three-part series focusing on how one school district in Pennsylvania has moved to embed equity into its education practice. Listen at KeyEdRadio.org.





PSBA

Pennsylvania School Boards Association



**2020 PSBA
president**

ERIC WOLFGANG: IN HIS OWN WORDS



With 20 years of school board experience in the Central York School District, 2020 PSBA President Eric Wolfgang has a unique perspective gained during his long commitment to public education. PSBA sat down with the incoming president to hear about his experiences with board service, plans for his year as president and suggestions for new school directors.

bio here



“I want to emphasize service back to the organization. An organization that’s 125 years old does not survive that long without active engagement from its members.”

How has your view of board service changed over your tenure on the board?

Early on, I think you’re most tuned in to the local issues at hand. But the longer I served on the board, the more I understood my focus should include the state level and federal level. That’s where we can provide as much input as possible to the legislators who are making a lot of the rules we have to live by. Our influence needs to be at a higher level so that we’re not being hamstrung by what’s being given to us at either the state or federal level.

How has your business experience informed your board experience?

People tend to think that the business of education can be run like a business. And while that’s a good thing to think about, educating children is like no business that’s out there. We don’t know how well we’ve done until five, 10, 15, 20 years later with those students. There’s no test score that’s going to tell us whether they’re going to become a productive citizen of the country. Absolutely not. Now on the flip side of that though, there are portions of the school district business that can be or should be looked at from a more business-like standpoint, things like transportation, payroll, human resources. Those are all things that are similar to what businesses have to deal with on a day-to-day basis. So, from that standpoint, my experience dealing with those issues in my business life, I’ve been able to bring that to the school district.

Your past experience includes many roles that involve legislative activity and advocacy. Why is advocacy important to you? Why is it important for school directors to stay up to date on legislation?

It’s become such an important role to play as a school director. We are elected officials, the same as the legislators. We should be considered their peers. We should be able to go to them and give them our opinions on educational issues. We all have anecdotal evidence of things that are going on in the district that are either negatively or positively impacted by something they’ve done. They’re not educational experts for the most part. We’re the ones that should be supplying the knowledge to them. One way to do that is to advocate on our behalf. We’re advocating not only for the school board itself, but for the district, for the children, for our residents, for our taxpayers. Without using advocacy to our fullest advantage, things can come off the rails quickly if we’re not there providing our input on the issues we’re being impacted by.

Are there other issues related to education that you are passionate about?

The ever-growing advent of technology and social media platforms, what has happened in the 20 years that I’ve been on the board, it’s both a curse and a blessing. The opportunities for students to have in the palm of their hands, as my superintendent would always say, “the sum of all knowledge,” is a powerful, powerful tool. At the

same time, it has come with consequences that I don't think have been well-thought-out. The idea that [students] can be actively engaged almost 24/7 with anybody is scary because I think it's leading to other issues, whether it's sleep issues, bullying issues, figuring out what's true and what's not, how to discern, how to use that platform. That's a huge concern going forward.

What are some things you plan to emphasize during your time as PSBA president?

I want to emphasize service back to the organization. An organization that's 125 years old does not survive that long without active engagement from its members. Everybody has different time commitments, different abilities to give to that commitment. For the organization to continue, I'm going to make it my goal to try to drum up as much active involvement as possible throughout the year so that base can be there to continue the organization far into the future.

What would you say to encourage other school directors to run for positions of leadership at PSBA?

Start out in your own section and see what you can do to help your sectional advisor. We're looking for people all the time for this committee, that committee, or to be appointed to a particular committee at the higher level in the organization. You won't necessarily know about those opportunities unless you've begun to develop relationships. But if your sectional advisors can count on you to help serve in a position of interest, that's how you begin to learn the organization. I was fortunate serving in many different capacities to get to know a lot of previous board presidents before I ever considered whether I wanted to do this. Get involved. Stay involved. If you think there's an opportunity to become further involved, do that. You're never too far away from the opportunity to help guide the organization if you want to.

What do you think are some top issues boards will face in the coming year?

Continued resolution and refinement of charter school law – where that's going to land, how that affects every school district – I think is one issue.

Another one could possibly be property tax reform. That seems to come up all the time. You never really know when something is going to take off with it or not. But we always have to be diligent about wanting to be players at the table. I think those are two big ones. And the continuing advent of social media and how it plays into education and society in general, and what role schools play in trying to adapt and educate on that platform.

What PSBA resources have you found particularly helpful during your school board tenure?

New School Director Training is one. The classes offered to school board members in general on things like negotiations, budgeting, legal issues. I've taken advantage of just about everything they've offered, attempting to educate myself further on the issues so I was able to talk about those issues accurately to our school board or my constituents. The newest version of the online training is excellent. To be able to go through at your own pace – there's a great use of technology. That has allowed us to get more members actively engaged in training with being able to do it on their own time in their own space. PSBA legal services, where school directors can call in with any question and get information about how to approach a situation or what's best. Policy services has also been huge for our district.

What are some key things new school directors can do to get acclimated quickly?

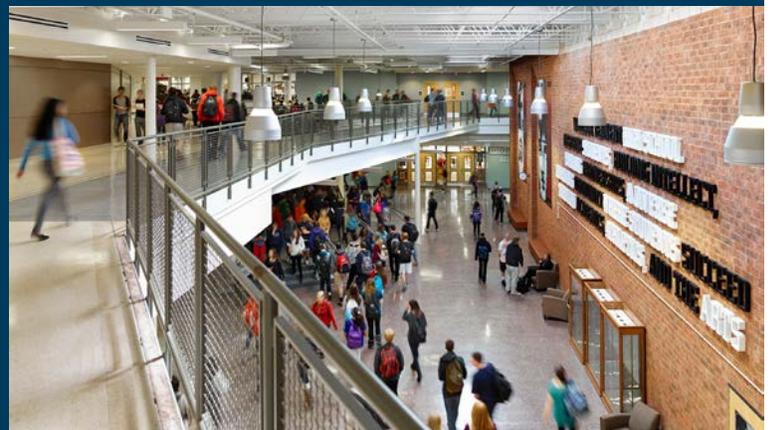
First of all, attend new school director training, which is now a requirement by the state. Look for announcements on sectional meetings and try to go to more than one meeting. Begin to make contacts with PSBA staff, with fellow board members. And I would encourage board members to look at any offerings that PSBA has, especially those that are in-person trainings early on. There's going to be so many things that you have to try to learn in the first couple of years. But one of the things that can really help you is PSBA and what they can offer you in terms of training. Try to get involved to develop relationships with people in your section but also across the state. **B**

Stay involved. If you think there's an opportunity to become further involved, do that.



New Name.
Same Team.
Additional Resources.

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PSBA's full advisory council and at-large representatives will be featured in a special digital supplement of the *Bulletin* that will be distributed in late January. Keep an eye out for this highlight of your association's leadership in your inbox!

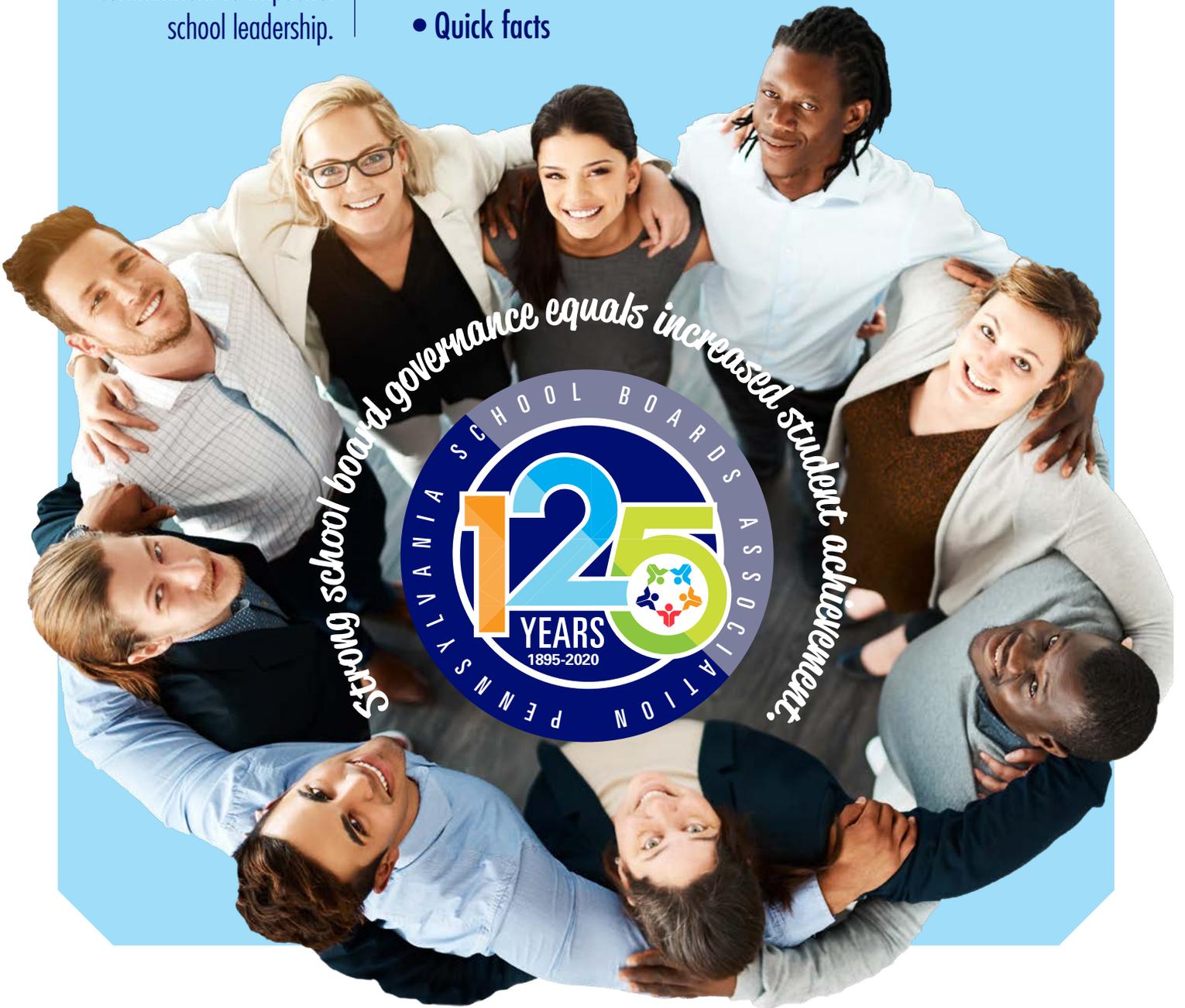
January 2020

School Director Recognition Month

Encourage your board to make a resolution to adopt the Principles for Governance and Leadership as one way to show your board's commitment to impactful school leadership.

Take time to celebrate and appreciate the vital role school directors play in public education. Here are some resources available on PSBA's website:

- Customizable recognition certificates
- Suggestion activities/tweets
- A sample editorial
- Quick facts





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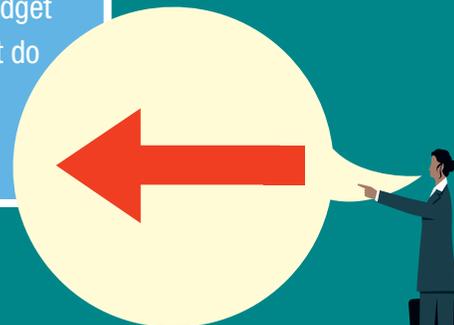
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A piece of advice

To welcome new school directors, we asked experienced members of the board to give us advice they would offer to someone new to the role.

The best advice I could give is the best advice I ever received. Prior to taking office six years ago, I had a conversation with a then two-time board president from another school district in Pennsylvania. His advice to me was very simple...remember at all times that the board is a governing body and not an operating one. Pass your budget every year and let those you hire to perform the operational tasks of your district do their job.

Joe Caffrey, board president, Wilkes-Barre Area SD (Luzerne Co.)



My advice to new (and current) school board directors is to review the board meeting agenda prior to the meeting so you can read all associated documentation and committee meeting notes. This will prepare you to make informed decisions and guide your votes during the board meetings. Also, if you need more information or something clarified, don't be afraid to ask questions. Always keep the lines of communication open with your superintendent and fellow board members. This is important in order to be a high-functioning Team of 10.

David Hein

2020 PSBA vice president;
board vice president,
Parkland SD (Lehigh Co.);
school director,
Lehigh Career and Technical Center

Listen, listen and listen! It takes years to understand and truly appreciate the work that we do every day. I have been a board member for 20 years and I am still learning. Also, try to avoid making statements at your board meetings for the first year or two. Instead transpose your statement into a question. Remember you represent the entire community, therefore, listen to all the voices of the community. Believe in the equity and empowerment of ALL students.

Art Levinowitz, Ph.D.

2020 PSBA president-elect;
board president,
Upper Dublin SD and
Eastern Center for the Arts &
Technology (Montgomery Co.)

My advice to new (and veteran) school board members is three-fold: (1) Understand your role is to govern, not manage; (2) Empower your superintendent to do his or her job without your interference while holding him or her accountable through the evaluation process; and (3) Vote issues, not people – blind alliances to a voting block can be counterproductive and grudges are not conducive to good governance.

Stephen Puskar

school director,
Allegheny Valley SD
(Allegheny Co.)

Spend time listening and speaking with current members about the issues. Don't come in hard charging to make big change; there's probably way more to the story than what you think you know. Take your time getting up to speed. You don't need to know everything all at once – becoming an effective board member takes time. If your reason for becoming a board member is for an agenda of your own, check it at the door before you ever walk in or it's going to be a long, frustrating four years. Remember you are one of nine.

Jack Roberts

board vice president,
Titusville Area SD (Venango Co.)

Research any and all topics related to the agenda or the district's footprint. Researching will yield factual data for any type of a discussion in the board room, or any shares with the public. Without facts, the discussion(s) are nothing short of divided opinions which ultimately can lead to a split board. A split board is not healthy for education or any applicable community within a given district. Be a leader of your board when time permits such. Educate yourself to understand the students' needs, and how to process those needs within your district's budget. Never have a personal agenda, and never minimize another board member on your Team of 10. Respect the room, and those who are in it, at all times.

Larry Smith

board vice president,
South Side Area SD
(Beaver Co.)

Keep three tools readily available, review and reflect on them often, and be guided by them: (1) PSBA Policy 011 (Principles for Effective Board Leadership); (2) The list of values and beliefs you bring to the table; (3) Your district's vision, mission and goals. Have a growth mindset – continuously learn and be willing to be wrong. Spend the time it takes to come to meetings prepared.

Donna Usavage

formerly Boyertown Area SD
(Berks Co.)



Listen first then speak. Keep the interest of students' education as your top priority. Think for yourself. Be fair. Take problems to the superintendent not any subordinates. He is the CEO. Remember that you are one member of a board that makes decisions.

Janet Pennington, board president,
Southeastern Greene SD (Greene Co.)

Take it slow. Learn as much as you can. Be quick to listen, slow to speak with everything that goes on. Things happen in a school district in a cyclical manner, so they do come around from year to year. However, some of the cycles last a year or two before you get through them all. You're not going to know everything when you first come on the board. You're going to need to learn a lot about processes and procedures in your own school district. Come in with an attitude of "I care; I ran for a reason," but there's a lot of reasons that things are done the way they are or have been done or decisions that have been made prior. Try to understand why those things have occurred and then apply that knowledge to what changes you might want to help affect. That will serve you well throughout your term.

Eric Wolfgang, 2020 PSBA president,
formerly Central York SD (York Co.)

When you have an idea that you think is great, and it very well may be, never forget that your role as a school board director is to not only improve the educational process, but to also be cognizant that your constituents are not only the students, but also the taxpayers. Many times, improvements can be made without throwing more money on it, but simply doing something better. This thought process allows for more funds to be available for other great improvements that may not have otherwise been possible.

Ron Werkmeister
school director,
Bethel Park SD (Allegheny Co.)

My advice is to read, read, read. Many of us joined school boards with a specific goal, e.g., reduce taxes, increase scores, etc. What I have learned is that everything is connected. In general, administrators are not wasting money, teachers' unions are not over-demanding and property owners will support reasoned tax increases. These groups have students' best interest at heart. As a school director you are now in the business of allocating scarce resources and you can't do that effectively without in-depth knowledge of how your district works. Being an effective school director requires more than attendance at meetings.

Tom Wilson
board president,
Upper Adams SD (Adams Co.)



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BACK TO BASICS:

AN OVERVIEW FOR NEW SCHOOL DIRECTORS

The responsibilities of a school director are numerous. From approving budgets to monitoring legislative developments to conducting labor negotiations, it's understandable that many new members of the board are surprised by the breadth of knowledge required. Fortunately, there are resources designed to help you acclimate to your new role – and excel.

GENERAL RESPONSIBILITIES

Many new school directors have management experience but may not fully understand the difference between management and board governance. A key understanding is that the board plays a strategic role, setting the broad vision of the district, while the superintendent oversees the day-to-day operations, says Brianna Crowley, director of education and training.

For example, with the exception of the superintendent and any assistant superintendent(s), the school board is not responsible for supervising, hiring or firing personnel of the district. The board is responsible for approving textbooks and curriculum, while the superintendent is accountable to demonstrate how students are achieving and growing in the system. Broadly, school boards set the goals and priorities of the district and the superintendent decides how they will be accomplished.

Another important point to remember is that although each school director has his or her own vote, the board operates as a collective. In fact, the nine-member board, plus the superintendent, is sometimes referred to as the Team of 10. By themselves, school directors have no authority; only the full board can make decisions for the district. While not a voting member of the team, the superintendent is critical in the board's and the district's success.

Some of the biggest learning curves for new school directors involve getting up to speed quickly on the board's processes and procedures for things like approving policy, budgeting or facilities planning. New members are often entering the board in the middle of several ongoing projects. "School board service can be described like a train that is consistently running," Crowley says, "It stops to pick up new passengers and let other passengers off; however, the work continues."



For those not accustomed to parliamentary procedure – which is designed to protect order, promote equality of participation, and move the agenda forward efficiently – learning how a board meeting is conducted can be a challenge. Each board also has its own culture and new directors must figure out how to best ask questions and receive information, how to build professional working relationships with limited time, and how to navigate being in the public eye. Crowley recommends new school directors take an observational role for the first few months while learning. Ask questions and participate in deliberation but acknowledge that there is a lot to learn.

Research, such as the Iowa Lighthouse Study, has shown that the decisions made by an efficiently operating board directly and positively impact student achievement. With so many key decisions to make, training is critical for board effectiveness. In 2018 legislation was passed mandating training for all new and reelected school directors. PSBA offers a variety of opportunities for live and online training that meets these requirements, which should be viewed as the minimum for board training. The association also offers courses and events that cover other topics, including those on cultivating a positive board culture and on equity, which must be a key goal for every board.

BUDGET AND FINANCE

Soon after taking oath, many boards are making budget decisions for the coming academic year. Unfortunately, many of these decisions must be made before districts have a full picture of how much funding will come from the state. So, it's all the more important to have a grasp of the factors that may affect those decisions.

Budgeting is a challenging exercise that requires careful balancing of available resources with the educational needs of students. Matching the allocation of resources with planned educational goals for student success is a good way to understand the end result of the budgeting process. Many new school directors are surprised by the number and amount of fixed costs in their district's budget. Much of a district's budget is already tied up with pensions, existing debt, salary and benefits costs, charter school tuition payments and hundreds of other state mandates. However, there are some important questions to ask.

What money will schools receive from the state? Each year school districts receive Basic Education Funding that includes a base allocation and an amount that distributes new dollars in the state budget using a formula that takes into account student-based factors, including student count, poverty, English learners and charter school enrollment. The formula also includes school district-based factors which reflect school district wealth, local tax effort and capacity to raise local revenues. By plugging in their district's numbers, boards are able to more accurately gauge what their state revenue will be.

Another formula is used for the distribution of state special education funding based on weighted categories of support for students with disabilities. The formula, applied only to new money in the state budget, also includes factors reflecting community differences such as poverty, property tax levels, and rural and small district conditions. However, the state share of both basic and special education aid to school districts has failed to keep pace with the rising costs of providing these programs and services to students.

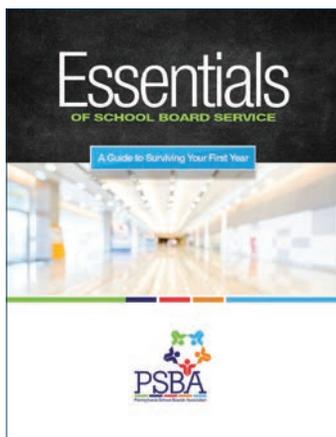
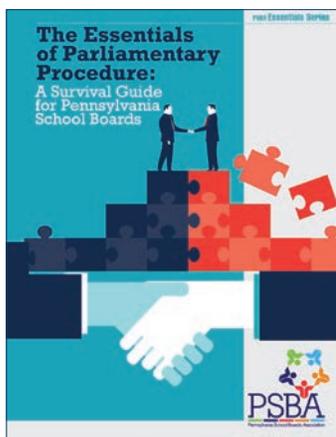
Will the board need to reduce or eliminate certain programs if revenues decrease? Because of the Act 1 index limit, a district cannot raise taxes above the in-

School board service can be described like a train that is **CONSISTENTLY RUNNING.**

It stops to pick up new passengers and let other passengers off; however, the work continues.



A basic understanding of the legal authority of boards is a good starting point



Essentials series:
Contains basics school directors need to know.

dex except for limited exceptions. Determining whether or not the board will be willing to raise taxes – and under what circumstances – should be discussed before decision-making time. That way, when the decision needs to be made, it can be done in a timely fashion.

Although many districts are the largest employer in their area of the state and budgets may be in the millions, training in the basics can help new school directors feel more prepared for budget-related discussions and decision-making.

LEGAL CONSIDERATIONS

With dozens of laws and regulations governing schools and school boards, it can be easy for new school directors to feel overwhelmed. A basic understanding of the legal authority of boards is a good starting point, says Stuart Knade, PSBA senior director of legal services. “Although individual members have a voice in board proceedings, the legal authority for the board to act is through the collective action of the board, not the actions of individual school directors,” he says. *The Essentials of School Board Service: A Guide to Surviving for Your First Year* can be a good starting point to help new members understand what is happening at the board table, he adds.

Knade recommends that new school directors start by taking PSBA’s online course on conflicts of interest. No longer a private citizen, the role of a locally elected official holds personal legal implications for school directors. Therefore, they need a basic orientation to potential conflicts under the Pennsylvania Ethics Act as well as general liability concepts.

School employment law is another area in which new school directors should develop a basic understanding. School employees are public employees and as such, have both statutory and constitutional rights that differ from those in the private sector, especially in terms of tenure and termination.

Students also have constitutional rights, and because the board is responsible for adopting policies that regulate student discipline, school directors need to have some legal knowledge in this area. Other essential areas for additional learning include collective bargaining and procurement.

Relying on the advice for the district’s school solicitor or other legal counsel is crucial, Knade says. PSBA’s online courses in these topic areas provide a good base to understand these complex parts of the law without oversimplifying them, and to help school directors identify questions they may want to ask their solicitor.

ADVOCACY

As a locally elected official, school directors have insight into public education and a voice that can make a difference at the Capitol. According to the Principles for Governance and Leadership, described below, advocacy is one of the main responsibilities of the board, as legislators need and want to hear their perspective on providing a quality education to all students.

The thought of walking the halls on the Hill can be intimidating, but there are many ways to foster ongoing two-way conversation with your legislator. PSBA’s Advocacy Ambassadors are an excellent resource for connecting with local lawmakers. Through the Show Them What It Takes initiative, ambassadors can help facilitate visit from legislators to local schools to help them understand the needs and successes of schools.

Regular communication with legislators about how their decisions impact students is key. In addition to letters and emails, consider reaching out on social media, writing an op-ed for the newspaper or meeting with lawmakers face to face at PSBA Advocacy Day where staff help coordinate school directors’ visits in legislators’ offices.

New school directors may be concerned about their ability to respond to questions a legislator may ask. Remember, it’s ok to tell a legislator you don’t know the answer but will follow up with them. PSBA provides numerous resources to help school directors stay informed on legislation affecting their schools. The *Daily Edition* and *Legislative Report* e-newsletters keep directors aware of issues moving in Harrisburg, and Action Alerts provide an easy way to send an email, letter or other communication on a specific topic. Learn more about key issues under the Advocacy & News tab of psba.org.

How do I access myPSBA?

▶ The member portal is your one-stop shop for online training and registration.



The login page requests members to enter a username and password to access the portal. Many new school directors were sent this information at the end of 2019. Please send an email to edandtraining@psba.org if you have not received it. If you have forgotten your password and need to reset it, or if you require additional assistance with logging in and using the portal, see PSBA's FAQ under the Education & Events tab on psba.org.

PSBA: YOUR GO-TO RESOURCE

Because school boards' work is year-round, it's important for new school directors to get up to speed quickly. PSBA has an array of resources and training opportunities to equip both new and experienced directors for their role.

This fall, PSBA mailed a copy of *Essentials of School Board Service* to all boards to be distributed to new school directors. Also available in PDF form at PSBA.org, this publication is a Q&A-style reference guide to questions commonly asked by those new to the role. The handbook also includes a glossary of common education terms and a list of acronyms that new school directors will find helpful. The Roadmap to Success plan, also included in this mailing, includes suggestions on timely courses or events that help new school directors prepare for each step of their first year. Boards will also want to examine and, with their new members, re-adopt the Principles for Governance and Leadership, a series of action items designed to help boards work together more effectively.

School directors can fulfill all requirements for training through PSBA, a provider approved by the Pennsylvania Department of Education. In addition to the live New and Advanced School Director Training in December and January, the association also offers online courses that meet training requirements, including the additional hour on trauma-informed education. This foundational training should be considered the minimum for all school directors, and PSBA offers many other courses and events on timely topics throughout the year. For a full picture of all of the live and online training available, see PSBA's catalog, *A Year of Learning*, on PSBA.org. To register for events, complete online training, and earn digital badges and certificates, visit the myPSBA members-only portal.

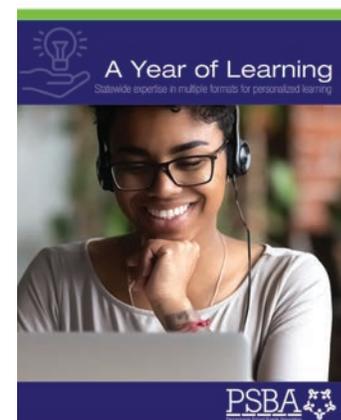
The learning curve can be steep, however, school directors who take the steps to become informed and prepared can start their term with confidence. For more information on how PSBA can help, visit our website, www.psba.org, or contact us at (800) 932-0588. **B**



The learning curve can be steep, however, school directors who take the steps to become informed and prepared can **START THEIR TERM WITH CONFIDENCE.**



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Quakertown High School art teacher **Amy Migliore** was named 2019 Secondary Art Educator of the Year by the Pennsylvania Art Education Association.

The Special Education Funding Commission gathered for the first time in six years to review funding for special education.

For the 12th year in a row, the U.S. Department of Education recognized Pennsylvania as achieving the highest level of performance under Part B of the Individuals with Disabilities Education Act (IDEA).



Across the country, schools are installing sensors to detect smoke from e-cigarettes. These sensors send a text message to school personnel when the chemicals in e-cigarette smoke are detected.

REAGAN BUSH, A SENIOR AT CENTRAL HIGH SCHOOL, WAS SELECTED AS A WINNER IN THE 2019 CONGRESSIONAL ART COMPETITION.

PA lawmakers passed HB 49 that reinstates school police officers' arrest power and extends training time for security personnel.



The Pennsylvania Joint State Commission on School Start Times released *Sleep Deprivation in Adolescents: The Case for Delaying Secondary School Start Times*, a report on secondary school start times in the commonwealth.

Senator Mike Regan (R-Cumberland/York) sponsored Peyton's law, legislation that would require school districts provide student athletes and their families with information regarding electrocardiogram testing (EKG).



GOV. WOLF'S ADMINISTRATION MADE A \$10 MILLION INVESTMENT THROUGH A WORKFORCE DEVELOPMENT PROGRAM TO HELP THE COMMONWEALTH'S CHILDREN GAIN VALUABLE CREDENTIALS AND DEVELOP THEIR CAREERS.

GOV. WOLF ANNOUNCED THAT THE STATE DEPARTMENT OF EDUCATION WILL IMPLEMENT NEW FEES AIMED AT CHARTER SCHOOLS TO RESOLVE PAYMENT DISPUTES WITH LOCAL SCHOOL DISTRICTS.



U.S. Secretary of Education Betsy DeVos recognized 362 schools as 2019 Blue Ribbon Schools, 13 of which were public schools in Pennsylvania.

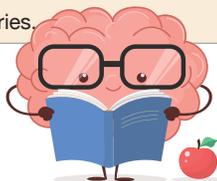


The Federal Communications Commission estimated that about 800,000 Pennsylvanians do not have access to high speed internet.

School districts across the country have sued Juul Labs Inc., the creator of the leading nicotine vaporizer in the country.

Bethel Park teacher **Rose DeGregorio** received the Hilda M. Sundermann Award from the National State Teachers of the Year Pennsylvania Chapter.

Health Secretary Dr. Rachel Levine emphasized the importance of each school developing a concussion management team and shared the resources available for students with traumatic brain injuries.



Benner Elementary School's principal Kristopher Vancas was named the 2019 National Distinguished Principal by the National Association of Elementary School Principals.



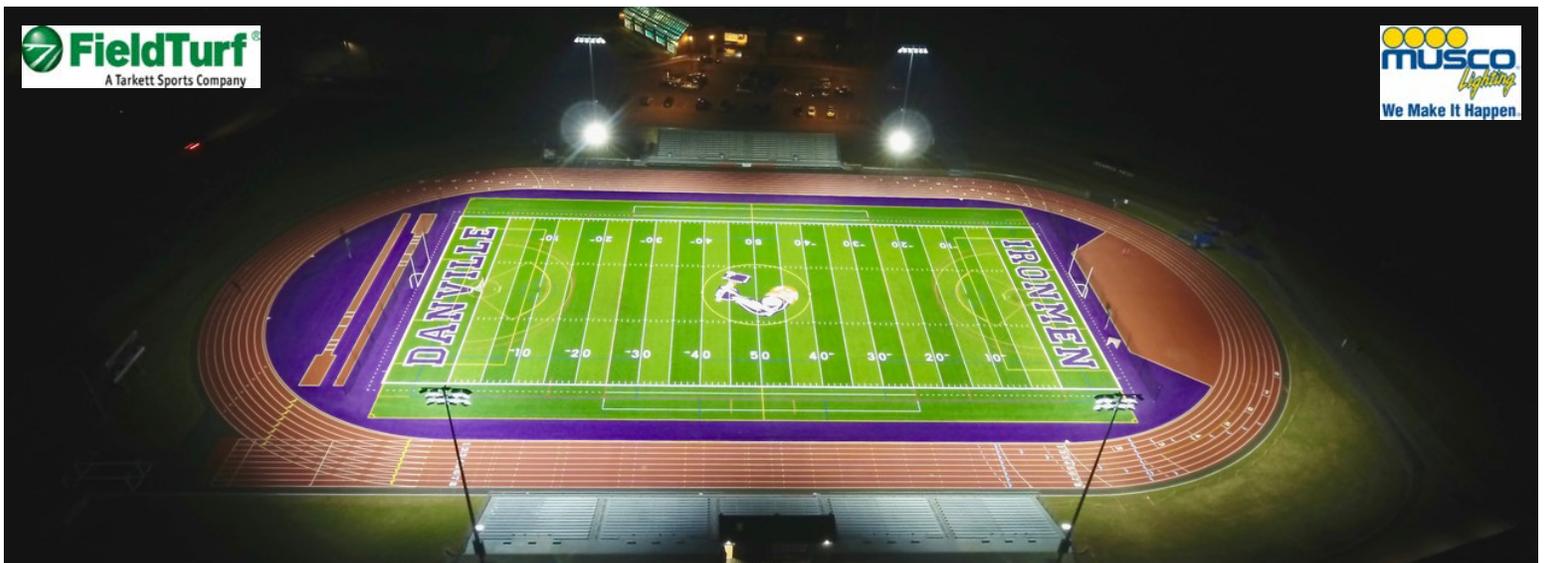
The 2019 PASA-PSBA School Leadership Conference was hosted from October 16-18. The 2020 conference, which will be hosted during PSBA's 125th anniversary, will be held October 14-16.



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Sen. Kristin Phillips-Hill (R-York (part))

Senate Communications and
Technology Committee chair

You were recently awarded the William Howard Day Award from the Pennsylvania Public Education Foundation in recognition of outstanding contributions to public education. Can you tell the story of how these contributions will be utilized?

Receiving the William Howard Day Award was extremely humbling, but it was due to a team effort. As a legislator and former school director, I am very grateful for the collaboration and open conversation I have with educational leaders throughout the district I represent. Over the summer, I made it a priority to meet with each superintendent from across the 28th District, which includes 11 public schools.

From those meetings, I decided to continue that team spirit we have established in York County, as I have donated the proceeds to the Computer Science for All program. It is a partnership between Red Lion Area School District, South Eastern School District, South Western School District and Southern York County School District to teach computer science and coding skills to students in kindergarten through third grade. I believe the program could inspire the next generation of entrepreneurs, inventors and creators.

What key educational issues would you like to see advanced in Pennsylvania?

As the chair of the Senate Communications and Technology Committee, I am looking at how we can ensure student data privacy is assured and protected from



unauthorized or inappropriate disclosure. We have seen data breaches happening across the state, including one that compromised the Teacher Information Management System at the State Department of Education, and I have proposed legislation seeking to address this challenge that I think will only grow as schools turn in textbooks for Chromebooks.

On a broader scale, the lack of access to high-speed internet affects so many industries in Pennsylvania, but I do not know if any industry is more impacted than education. Closing our state's digital divide is the greatest education opportunity of our generation.

Finally, the one issue I keep hearing about from local school directors is the challenge of unfunded mandates emanating from Washington and Harrisburg. I have fought time and time again against well-intentioned legislation that would impose additional costs and burdens on school districts. I often remind my colleagues that this cost may not affect the state budget, but it will hurt the school districts' budgets, which will hurt taxpayers.

What are your thoughts regarding the effect of unfunded mandates on public schools and how the legislature should address calls for mandate relief?

Schools are no longer operating using a 1949 curriculum, but we have mandates in place dating back that far. It does not make sense. I have a bill to remove over 30 outdated provisions from the School Code and I am pleased to see that bill gain traction in the Senate. Another bill I've sponsored calls for any mandate to be fully funded by the state, or the mandate is not enforceable. We cannot look at issues from a viewpoint of us (the state) vs. them (the school district). We need to look at how issues will impact taxpayers and students.

On a broader scale, I have joined colleagues in both the Senate and House to push for comprehensive regulatory reform. Many people think regulatory reform benefits business owners and that's it. Nothing could be further from the truth. After speaking with YMCAs, regulatory reform could help them hire more lifeguards and provide more services that our communities rely on. I can only imagine how helpful regulatory reform could be for our public education system and rooting out needless mandates and cost-drivers that push tax dollars out of the classroom.

What are your thoughts on effective public school advocacy, and can you provide a useful advocacy tip to school directors across the state?

We are partners – legislators and school directors – who can work together to achieve great things for the betterment of the next generation. Knowing that we are partners ensures a great relationship and leads to essential collaboration on major issues. I value that relationship and feedback I frequently receive from local school directors. **B**

The guest column features Q&A responses on a particular topic, representing the perspectives of districts with different locations, populations and sizes. This column focuses on the viewpoint of experienced school directors. If you would like to participate as a guest columnist, contact Jackie Inouye at jackie.inouye@psba.org.

Angela Cobb, school director, North Pocono School District

What have been some of your greatest challenges as a school director?

Serving as a school director is a sacred trust — meeting responsibilities to students who are future leaders in a yet-unknown world while representing the needs of a varied community. It's an awesome task and challenge! Over the past 16 years, the greatest goal and challenge was and still is keeping the focus on the best educational program, balanced by fiscal responsibility.

My first year on the board hit with a blast of reality! In an active, spirited school district, the challenges came from all directions with diverse demands and requests — major construction was the immediate eye-opener.

Living as an idealist in a real world is not easy. At the forefront of board challenges are always support and maintenance of the best educational programs for all student levels. Finding the best qualified staff is critical. Other crucial decisions include adequate numbers of staff, student discipline, educating special needs students, mandated financial support of charter schools, construction problems, continuous upkeep of buildings and grounds, and most recently, security and student safety. Federal and state requirements are always changing — and mandates are set with insufficient financial help. This is especially difficult in balancing quality education with fiscal responsibility.

Keeping politics and favoritism out of decision-making is critical and must be handled ethically with integrity, diplomacy and caution. It is to be expected that other board members will have different outlooks and agendas.

How have you addressed these challenges?

Since many decisions are the strict responsibility of the superintendent and educational staff, it is essential to keep those decisions separate from board involvement. Our current superintendent is excellent at keeping the board well-informed

through weekly updates and/or special notices as needed. He has surveyed the faculty and recent graduates for program suggestions — sharing results for an informed board.

On those issues requiring board decisions, I try to keep informed on all sides of all issues — talking with experts, reading relevant information and considering various consequences of my vote. Keeping apprised of current research on programs, issues and successful practices is key to making wise choices. Asking questions is extremely critical to informed decision-making. (My nickname by a community member was “The Question Lady.”) “Trust but verify” serves as wise guidance.

Prioritizing big-ticket items to keep finances under control is essential. Raising taxes a little each year seems preferable to no taxes over several years followed by a single larger jump. Seeking grants helps finance special projects.

Trying to keep an open mind even when you disagree is critical for board members. Although extremely difficult, it is important to compromise and move forward.

What professional development resources have been most helpful to you in your role?

There were several valuable resources I used. The lawyers and research staff at PSBA were an incredible resource for vital information and advice. Other resources included the State Ethics Commission, *Penn Link*, various state departments, experts in the relevant field, *Robert's Rules of Order*, and PSBA booklets — particularly the Sunshine Law booklet. Our superintendent, the district Policy Handbook, online research, input from staff and community members, and the wisdom of experienced board members also provided valuable resources. My best advice to new members is this: Always keep your focus on education. **B**

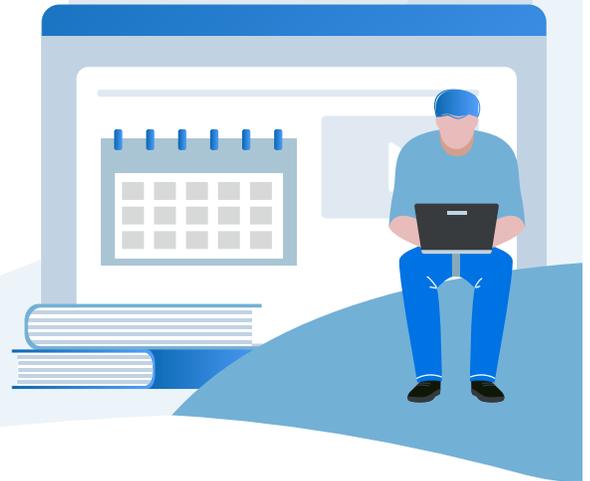
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Dr. Frank C. Prazenica Jr., PSBA liaison; board second vice president, Freeport Area School District; board president, ARIN IU 28

What have been some of your greatest challenges as a school director?

There are numerous challenges for school directors, similar to the management of your house and family. Now you need to be familiar with your school district buildings and school community. A priority for any organization is knowledge of the budget, including expenditures and income revenues. Your board will annually decide the spending plan for the district. Many residents will want to know if the board will increase taxes or hold the line on spending.

The next important challenge is personnel; every district has policies and practices with which you should be familiar. Make sure the district is hiring the best personnel possible for all positions.

Construction and renovation of the district facilities also is an important challenge requiring attention because it is a big-ticket item requiring the acquisition of funds. The important goal is to legislate for construction and renovation that improves the district buildings for efficiency and functionality for student learning. Attend all the planning sessions and meetings discussing the construction or renovations.

Athletic and extracurricular programs also require ample consideration. Examine what the students' needs are and what costs are associated with these activities. School directors should make themselves available to attend these functions to observe the district operations and add any suggestions for improvement.

Another challenge that occurs often is the revision of the district policies. Your administration will make recommendations for improvement and compliance with current laws and practices. PSBA offers services to districts to keep policies updated with the latest changes.

Lastly, a major challenge is negotiating contracts that are fair and competitive

with all the different employee bargaining units. Contracts should be reasonable to meet the needs of staff and fair to the taxpayers. A subset of this challenge is health insurance programs, which are very complex with numerous options. Again, this task requires many hours of additional time reading current contracts and initiating changes through the negotiating process to improve the contracts of your district.

How have you addressed these challenges?

There is no set answer to the question of how to address specific challenges. Every district has a unique board of directors that functions in a manner that works best for the administration and the board. You need to engage in dialogue with the administrators, especially the superintendent. When there is a difference of opinion within your school board, a good remedy is to establish a committee to solidify and support your goals.

What professional development resources have been most helpful to you in your role?

With all the challenges, the need for professional development is obvious. Remember, PSBA exists as a resource to you and your district. Numerous workshops are offered for boards to increase their knowledge of educational matters, such as school law. Current law requires all school directors to take several hours of professional development classes. Enjoy this opportunity to learn and increase your ability to be a contributing member of your board in making sound decisions.

Another suggestion is to attend the annual PASA-PSBA conference every October

in Hershey, PA, to hear school district personnel sharing new ideas and programs implemented throughout our state. Visit the conference exhibit hall to learn more from vendors about practices that affect your school district and to hear details about their programs, including costs.

Good luck to all new school directors and thanks for giving your time and expertise to make our public schools the best they can be for students, parents, district staff and communities. **B**





Last year was marked by political upheaval, trade tensions, an inverted yield curve and slowing global growth.

What's potentially on the horizon for interest rate?

By Rajesh "RC" Chainani, managing director, PSDLAF

As we enter 2020, one key fiscal question on everyone's mind is "What will the interest rate environment look like?" This is a very important question for schools and municipal entities, as interest rates do have an immediate impact on revenues. After two rate cuts over last summer, the Federal Reserve (Fed) kept to its accommodative path, cutting the federal funds rate by 25 basis points (bps) to a new target rate of 1.50-1.75%. Last year's three consecutive rate cuts are significant as the Fed had previously not lowered rates since the onset of the financial crisis in 2007-08. The Fed cited the "implications of global developments for the economic outlook as well as muted inflation pressures" as support for its decision to cut rates. It also remarked that uncertainties about the outlook remain and that it will "continue to monitor the implications of incoming information for the economic outlook as it assesses the appropriate path of the target range for the federal funds rate."

So, what does that mean exactly? The answer is not, unfortunately, black or white ... it's a little bit of gray with

perhaps some teal in it, just for flavor. Last year was marked by political upheaval, trade tensions, an inverted yield curve and slowing global growth. Despite this, economic conditions in the U.S. have continued to remain strong, with unemployment at levels not seen since the late 1960s. From a global standpoint, the U.S. is a shining star! Inflation has also remained muted, giving the central bank scope to lower rates without the immediate concern of triggering excessive inflation. Keep in mind, the Fed's focus since the 1970s has been to keep inflation in check. The Fed's move brings rates back to levels last seen in the spring of 2018. U.S. interest rates remain at levels that are low historically but 150 bps above the crisis-era bottom.

Lower rates have been a global concern, with much of the developed world experiencing negative rates. Central banks, such as the European Central Bank and the Bank of Japan, have set outright negative policy rates. While central banks around the developed world grapple with how to stimulate their respective econo-

mies, rates continue to grind lower and lower, which ultimately will limit their ability to provide effective stimulus while they look for other creative ways to fight recessionary pressures. At the end of 2019, Germany acknowledged that the country may have fallen into a recession, despite negative interest rates from the European Central Bank.

The U.S. has seen negative rates on the very short end (overnight to one month) during the Credit Crunch financial crisis in 2008. At this point, the anticipation of negative interest rates in the U.S. on a prolonged basis similar to other parts of the world is unlikely. Keep in mind, no one can truly ever predict the future.

Sagging global growth, together with tariff-related economic uncertainty and the political situation in the U.S. and the U.K., may keep the Fed on a dovish stance in the near future. In its October 2019, however, the Fed removed language that it would "act as appropriate to sustain the economic expansion," possibly hinting that a pause might be a more likely scenario.

Naturally, the markets will watch the incoming economic data carefully going forward, to glean what clues they offer on future moves by the Fed – and in particular, whether rate cutting has come to a halt.

In closing, the U.S. economy is strong but various outside factors continue to be the focus of the Fed. There is a feeling that the Fed has put into effect enough "insurance rate cuts" to prevent a potential major recession and keep the economy stable heading into the 2020 elections. But a lot can happen in a year that could quickly change the path. **B**

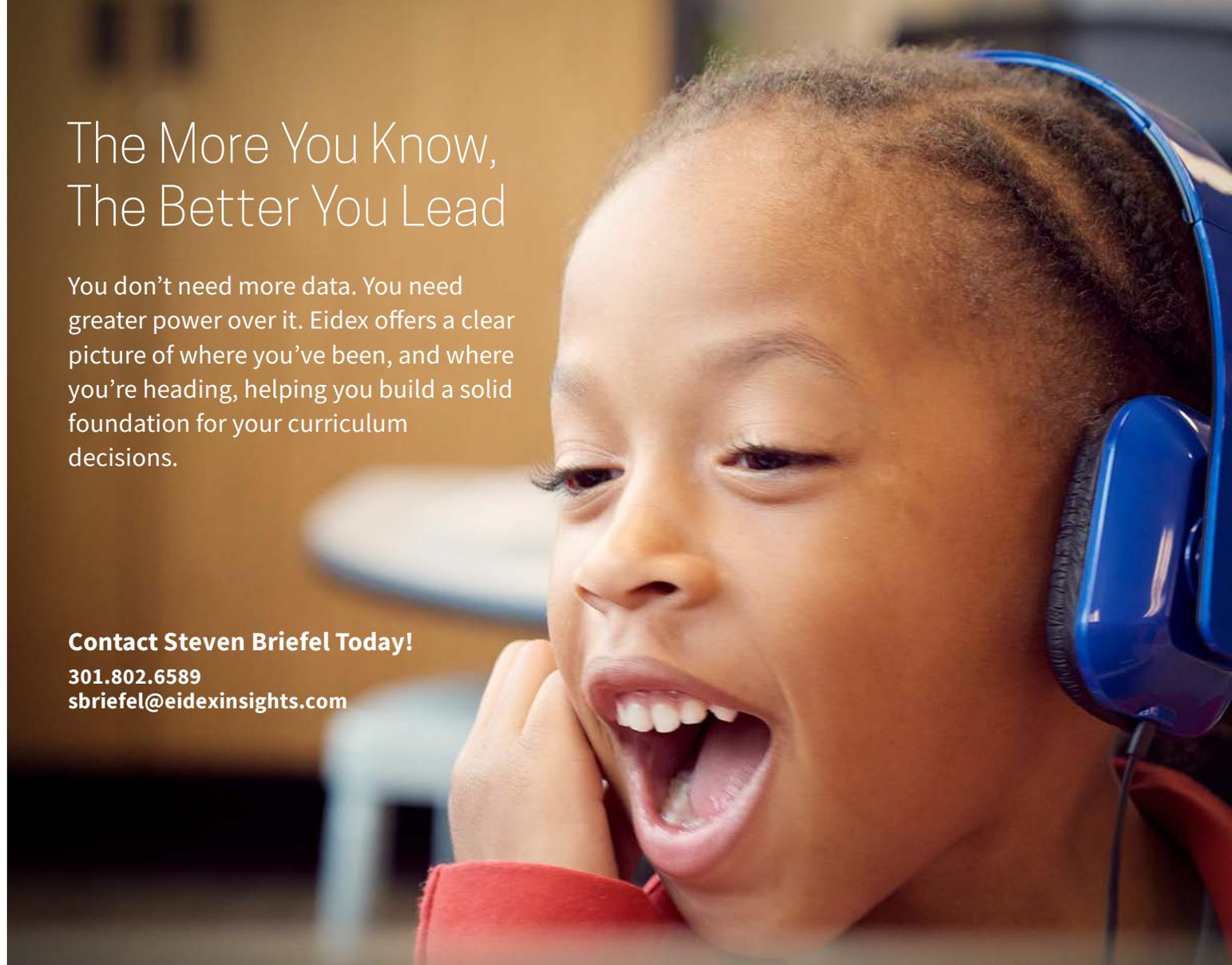
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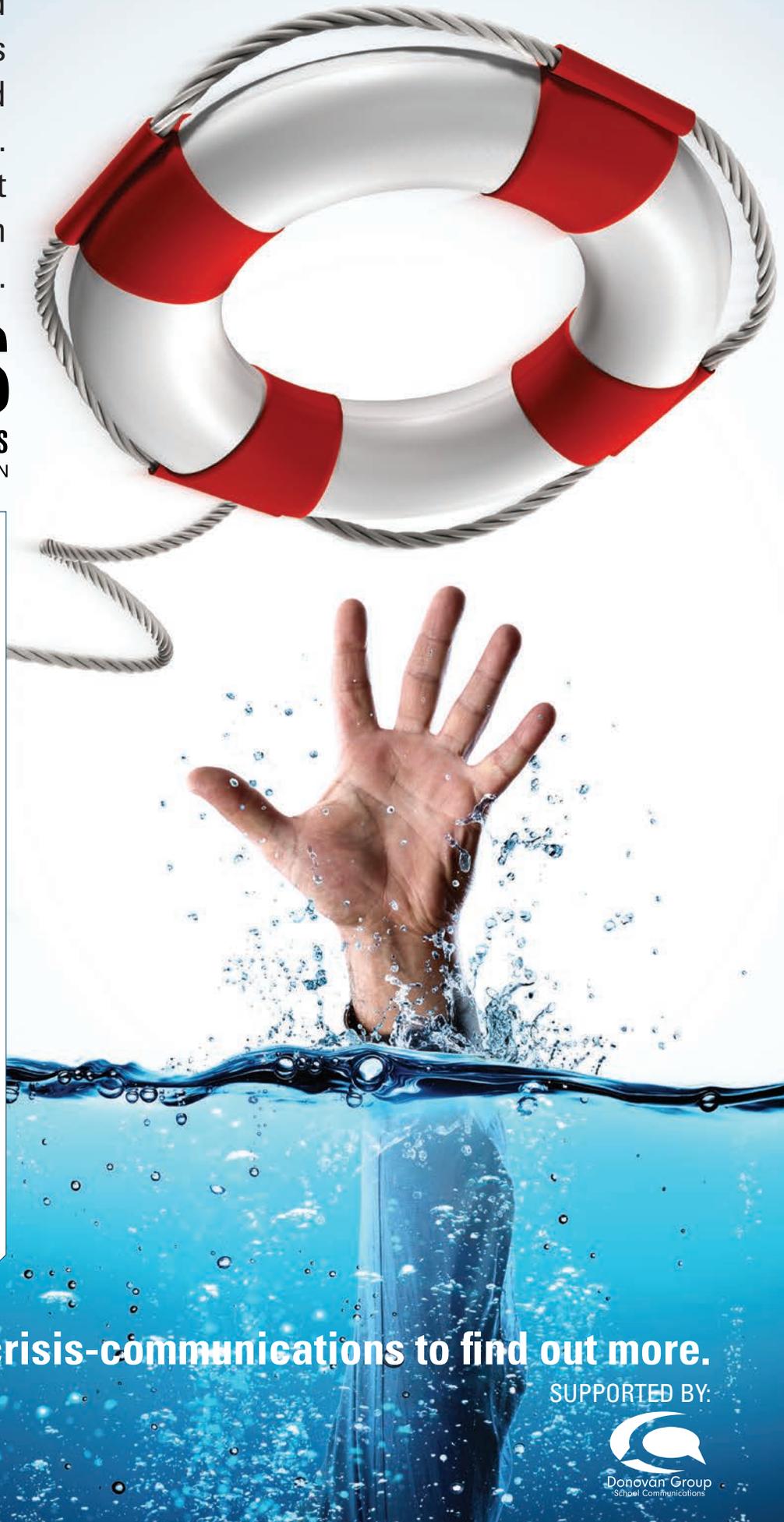
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School director method of election

There are three different methods of election for school directors of Pennsylvania public school boards: at-large plan, a regional plan or a combination at-large/regional plan. The only exception is the School District of Philadelphia whose school directors are appointed by the mayor. When tracking the 2019 municipal election information, PSBA updated its membership database to include the school director election plans for each school district. This column examines these plans.

The at-large plan is the most common with 61% of school boards adopting this plan. An at-large plan requires school directors to be district residents and to be elected by all the voters in the district. A comparison by school district community type finds 85% of urban districts use the at-large plan, 69% of suburban and 51% of rural.

The regional plan requires school directors to be residents of a specific region elected by the voters of that region. Each region should be approximately equal in population size and an equal number of school directors are elected from each region. The three-region plan with three school directors elected from three regions is the most frequent regional plan with 31% of districts adopting this plan. The nine-region plan is used by 5% of districts.

The combination at-large/regional plan is the least frequently adopted plan with 3% of districts using this method. This election plan requires all regions to have an equal number of school directors who reside in each region and are elected by the region's voters, and some school directors who can reside anywhere in the district and are elected by all voters in the district, at-large.

For further clarification, here are some school director election basics. All school boards are comprised of nine school directors and are elected to four-year terms during Pennsylvania's municipal elections, which occur in November of odd-numbered years. The election cycle for school directors is on a five/four seat rotation so the board always has several members with at least two years of experience. This year, 2019, is a five-seat election year and at the next municipal election in 2021, there will be four seats up for election.

When vacancies occur on school boards, the remaining school directors appoint a person to serve out the rest of the departing school director's term if it is less than two years. In cases where the vacancy occurs during the first two years of the term, the appointee only serves until the next municipal election.

Due to population shifts and other local factors, election plan changes may need to be considered. A school board or voters can petition their county court to change its election plan under Section 303 of the Public School Code.

For more information, see PSBA's *Guide for School Board Candidates in Pennsylvania*, at <https://www.psba.org/advocacy-and-news/resources/run-school-board-guide-school-board-candidates-pennsylvania/>.



All school boards are comprised of nine school directors and are elected to four-year terms during Pennsylvania's municipal elections, which occur in November of odd-numbered years.

by the **numbers**

61%
At-large

31%
Three-region plan

5%
Nine-region plan

3%
Combined at-large/
regional plan



From 2019 PSBA membership data

| METHOD OF ELECTION – 2019 ALL SCHOOL DISTRICT | COUNT | PERCENT |
|---|------------|-------------|
| At-Large | 306 | 61% |
| Three-Region | 155 | 31% |
| Nine-Region | 23 | 5% |
| Combined At-Large/ Regional | 15 | 3% |
| TOTAL | 499 | 100% |

| METHOD OF ELECTION – 2019 BY COMMUNITY TYPE | URBAN | | SUBURBAN | | RURAL | |
|--|-----------|-------------|------------|-------------|------------|-------------|
| | COUNT | PERCENT | COUNT | PERCENT | COUNT | PERCENT |
| At-Large | 23 | 85% | 156 | 69% | 127 | 51% |
| Three-Region | 1 | 4% | 54 | 24% | 100 | 41% |
| Nine-Region | 2 | 7% | 9 | 4% | 12 | 5% |
| Combined At-Large/Regional | 1 | 4% | 7 | 3% | 7 | 3% |
| TOTAL | 27 | 100% | 226 | 100% | 246 | 100% |

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Liberty High School's transformation to a trauma-informed school

By Mackenzie Arcuri

When Harrison Bailey III became principal, he had a vision to transform Liberty High School in Bethlehem Area School District into a restorative entity. To start, the school conducted surveys and discovered that students had a strong sense of pride, deep roots in school traditions and an appreciation for the diversity of the student population. These positive findings were juxtaposed with a discovery of limited tolerance for disagreements and an inability to navigate confrontation.

Although staff cared deeply about students, they felt disconnected from their colleagues, which created conflict that affected school climate. Teachers' were concerned that a prescriptive and punitive Code of Conduct would be followed without discretion.

When efforts to further support students were not effective, school leaders discovered that students' toxic stress was the root of the issue. The stress was a result of childhood trauma and a lack of mental health services available to students to help them cope.

School leaders identified the adverse childhood experiences (ACEs) that students had endured and compared them to the problems that the survey revealed. As a result, administrators and teachers were better informed about how these barriers impact students' behavior and ability to learn. They also learned that many of Liberty High School's staff members had experienced ACEs and did not have the tools to identify or work through their own trauma. After identifying this problem in December 2017, school leadership was able to act.

With an understanding of the pervasiveness of trauma in their community, Liberty High School began practicing key elements of a trauma-informed school, including considering the hierarchy of basic needs, practicing mindfulness, prioritizing community and cultural connectedness and teaching relevant and rigorous instruction.

Each of Liberty High School's 3,000 students come to school with different circumstances and

A schoolwide philosophical shift was necessary to truly adapt a trauma-informed approach.

life experiences. Three tiers of support — personal relationships, professional development and mentorship; school and district resources, such as the school psychologist; and outside mental health and social services — were developed to accommodate these unique situations.

A schoolwide philosophical shift was necessary to truly adapt a trauma-informed approach. This shift requires students and staff to be aware, understanding, accepting and ready to act to foster a healthy school environment.

Liberty High School has adopted a six-year plan to become a trauma-informed school by facing their challenges head on, partnering with parents and community organizations, connecting students to resources and caring adults, and educating the school and community. This includes helping all education stakeholders understand that trauma-informed schools are entirely relationship-based, place value on helping individuals through their trauma and emphasize that trauma-affected behavior should not be taken personally, as well as that communication has the ability to support or harm those affected by trauma.

Contact Principal Harrison Bailey at hbailey@basdschools.org or Assistant Principal Nikolas Tsamoutalidis at ntsamoutalidis@basdschools.org to learn more about Liberty High School's trauma-informed approach. School Leadership Conference attendees can access the administrators' presentation, "The Six Key Components of a Trauma-Informed School," from October 16 on the password-protected Session Handouts & Presentations page of the conference website. **B**





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U.S. Department of Labor issues new overtime rule effective on January 1, 2020

The Fair Labor Standards Act (FLSA), 29 U.S.C. §§ 201-219 establishes minimum wage, overtime pay and recordkeeping standards affecting employees in the private sector and in federal, state and local governments, which includes school districts, intermediate units and vocational-technical schools. The Wage and Hour Division of the U.S. Department of Labor (DOL) administers and enforces the FLSA with respect to state and local government employees.

In terms of overtime, the FLSA requires that nonexempt workers must be paid overtime pay at a rate of not less than one and one-half times their regular rates of pay after 40 hours of work in a workweek. 29 U.S.C. § 207(a)(1).

However, the FLSA expressly exempts several types of employees from its overtime provisions. In particular, the FLSA exempts “executive,” “administrative” and “professional” employees from its overtime provisions. These are commonly referred to as the “white-collar” exemptions to the overtime requirements of the FLSA. In order for one of the white-collar exemptions to apply, an employee’s specific job duties and salary must meet all the applicable requirements of the DOL’s regulations. First, the employee must be paid a certain minimum weekly salary. Since 2004, that amount has been \$455 per week (\$23,660 per year). Second, the employee must be paid “a predetermined amount constituting all or part of the employee’s compensation, which amount is

not subject to reduction because of variations in the quality or quantity of the work performed.” Third, the employee’s position must meet the applicable duty requirements of one or more of the three exemptions. Thus, under the FLSA, in order to qualify for exemption as an executive, administrative or professional employee, an employee must be paid on a salary basis, at this time not less than \$455 per week,

The FLSA expressly exempts several types of employees from its overtime provisions.

and generally meet certain tests regarding his or her job duties.

In addition, the FLSA regulations create a special exemption for “highly-compensated” workers who are paid total annual compensation of \$100,000 or more and who customarily and regularly perform at least one of the exempt duties or responsibilities of an exempt executive, administrative or professional employee.

In May of 2016, the DOL issued a new Final Rule updating the DOL’s overtime regulations and in particular, the above-mentioned white-collar exemptions, to be effective December 1, 2016. The most significant change issued by the DOL was a dramatic increase in the minimum salary threshold for exempting executive, administrative and professional employees from \$455 per week (\$23,660 per year)



By Michael I. Levin
PSBA General Counsel

to \$913 per week (\$47,476 per year). In addition, the DOL also increased the total annual compensation requirement for “highly compensated employees” in order to be exempt from \$100,000 per year to \$134,004 per year.

However, the DOL’s proposed changes were quickly challenged in federal court, and on November 22, 2016, the U.S. District Court for the Eastern District of Texas enjoined the DOL from implementing and enforcing the changes. On August 31, 2017, the court granted summary judgment against the DOL, invalidating the 2016 final rule. *Nevada v. U.S. Dep’t of Labor*, 275 F. Supp. 3d 795 (E.D. Tex. 2017). An appeal of that decision to the U.S. Court of Appeals for the Fifth Circuit is being held in abeyance. Based upon the foregoing, the DOL has continued to enforce the regulations in effect since 2004.

In March of 2019, the DOL issued a Notice of Proposed Rulemaking rescinding the 2016 final rule but proposing to update the salary level for the white-collar exemptions. On September 27, 2019, the DOL issued its Final Regulatory Revisions. On January 1, 2020, the minimum salary threshold for exempting executive, administrative and professional employees was increased from \$455 per week (\$23,660 per year) to \$684 per week (\$35,568 per year). In addition, the

total annual compensation requirement for “highly compensated employees” was increased from \$100,000 per year to \$107,432 per year.

So, what does this mean for public school entities? Many school employees are not affected by the DOL’s new Final Rule. The FLSA changes do not apply to any non-exempt employees. The changes also do not apply to teachers who are identified under the FLSA as “professionals” or to academic administrative employees already covered by a limited exception in the law.

However, the DOL estimates that the changes brought forth in this new Final Rule will extend overtime pay eligibility to roughly 3.5 million workers. We expect that some number of those employees are school employees and those costs will be borne by public school entities.

Therefore, school employers must review the salaries, duties, and hours of all employees who are designated in such exempt positions in order to assess the impact of the exempt salary threshold increase. In particular, school employers should assess how many of their current employees (excluding teachers and academic administrators) are designated as executive, administrative and professional employees who fall below the new threshold amount.

Of course, for those employees who

qualify for exemption but earn less than the new salary threshold, school employers have options. An employer may simply raise an affected employee’s salary above the new threshold in order to retain their exempt status. However, for affected employees who rarely or never work more than 40 hours, it may make more sense to reclassify the employee from exempt to nonexempt and simply pay for any overtime work hours if and when they do occur. Nonexempt employees may continue to be paid a salary, so long as they receive overtime pay for any overtime hours worked (i.e., any hours over 40 in a work-week). For those employees who currently qualify for exemption but earn less than the new salary threshold and regularly work more than 40 hours, the employer will need to determine whether it is prudent to increase salary or to redistribute or reduce duties so that their expected hours will fall below the 40-hour threshold (and thus avoid overtime liability). Of course, each option may have its own serious financial and/or operational impact upon the school employer, beyond mere overtime compliance.

School employers also will need to budget accurately for potential overtime for such newly nonexempt employees. These estimates may be difficult to do especially if the employer has not been

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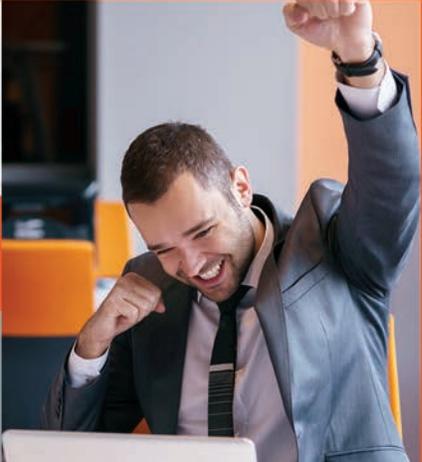


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The DOL estimates that the changes brought forth in this new Final Rule will extend overtime pay eligibility to roughly 3.5 million workers.

maintaining hourly records for the employees in question. Of course, going forward, the employer will now absolutely need to track the time of the newly nonexempt employees. White-collar employees who no longer meet all the requirements for the exemption are subject to the FLSA recordkeeping requirements. Thus, while such employees are not required to “punch a

time clock,” the FLSA requires that employers keep certain work hour records for each nonexempt worker. Therefore, the reclassification of such employees from exempt to nonexempt status will place greater bookkeeping responsibilities upon the school employer.

Finally, whether a school employer decides to increase salaries or decrease and redistribute duties of such employees, the employer must also be mindful of any contractual and/or statutory obligations imposed upon the employer.

In conclusion, all school employers should review their employee records now to determine whether and to what extent any white-collar employees are impacted by the changes announced in the DOL's Final Rule. Once a school employer has identified those employees who are impacted, the employer needs to address each employee's circumstances as outlined above to determine whether it should do what is necessary to maintain the employee's overtime exemption or to simply address the consequences of that employee becoming overtime-eligible.

School employers should work closely with their solicitors or employment counsel to ensure that the requirements are addressed properly and in accordance with board policies, contracts and any other applicable statutes. **B**



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Why it is critical to work with your **SOLICITOR**

By Michael I. Levin

As the calendar turns to January, many new school directors throughout the commonwealth are beginning their first term of service overseeing public education in their respective school districts. As I have mentioned for quite some time now, public education is a highly regulated industry. In fact, almost 15 years ago, I wrote in this magazine that virtually every aspect of public education is regulated by state and federal laws and regulations. This is no less true today.

Therefore, as school boards and school directors across the commonwealth grapple with the everyday issues of running their school districts, the highly regulated environment makes it imperative that school boards consult and work with their solicitors to ensure compliance with the numerous legal mandates.

A review of the school board's general powers and duties provides an outline of issues that suggest, if not implore, consultation with the school district's solicitor. Generally, school boards are authorized and empowered to establish such schools as are necessary to educate every applicable student residing in their respective school district and to equip, furnish, operate and maintain those schools. School boards are required to adopt and enforce rules and regulations for the management of school affairs and the conduct and deportment of employees and students. In addition, school boards levy and collect taxes as may be necessary for the exercise of aforesaid powers. In addition, school boards establish educational goals and academic standards for their schools and govern the educational programs designed to meet those goals and standards. School boards are responsible for establishing, maintaining and evaluating the educational programs in their district schools, and for enforcing mandatory laws and regulations.

More particularly, a school board has legislative, executive, and "review" powers and functions. The school board exercises its legislative power by adopting board procedures and policies for the school district that are consistent with state and federal statutes or regulations. The school board exercises its executive power by the appointment of a superintendent, who shall enforce those policies, statutes and regulations. The school board exercises its review power by assuming jurisdiction over controversies or disputes arising within the

school district concerning matters over which the board has statutory authority or where the board has retained jurisdiction in contract or policies. In furtherance of its adjudicatory function, the board may hold hearings in accordance with law over such matters.

However, the School Code also provides explicit direction to the numerous issues addressed by school boards. For example, Sections 301 through 328 set forth the legal requirements related to the election or appointment of board members and filling of vacancies. Sections 401 through 443 address the proper requirements for organizational meetings, meetings and appointment of officers. Sections 501 through 528 cover the duties and powers of the board. Sections 601 through 697 address school finances. Sections 701 through 791 cover buildings and grounds, including the acquisition and disposition of property, eminent domain, contracts and financing. Sections 801 through 810 set forth the requirements for purchasing books, furniture and supplies. Sections 1001 through 1089 cover the appointment of superintendents, assistant superintendents and business managers. Sections 1101 through 1183 address the employment, tenure, termination, compensation and leave rights of professional employees. Sections 1101-A through 1172-A cover collective bargaining. Sections 1301 through 1394 address students, attendance issues and transportation.



A school board has legislative, executive, and "review" powers and functions.

In particular, Section 508 of the PA School Code identifies the numerous activities that require school board action by a majority vote of the entire board:

Section 508. Majority Vote Required; Recording. The affirmative vote of a majority of all the members of the board of school directors in every school district, duly recorded, showing how each member voted, shall be required in order to take action on the following subjects:

- Fixing length of school term.
- Adopting textbooks.
- Appointing or dismissing district superintendents, assistant district superintendents, associate superintendents, principals, and teachers.
- Appointing tax collectors and other appointees.
- Adopting the annual budget.
- Levying and assessing taxes.
- Purchasing, selling, or condemning land.
- Locating new buildings or changing the locations of old ones.
- Dismissing a teacher after a hearing.
- Creating or increasing any indebtedness.
- Adopting courses of study.
- Establishing additional schools or departments.

Michael I. Levin is PSBA's general counsel.

Public education must be recognized as the highly regulated industry that it is, and school boards must ensure that school districts comply with all of their legal requirements.

- *Designating depositories for school funds.*
- *Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies, where the amount involved exceeds one hundred dollars (\$100).*
- *Fixing salaries or compensation of officers, teachers, or other appointees of the board of school directors.*
- *Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided for by the intermediate unit.*
- *Failure to comply with the provisions of this section shall render such acts of the board of school directors void and unenforceable.*

This brief review emphasizes that the school board's tasks are comprehensive and highly regulated by the state and federal constitutions, statutes, and by legal principles established through case law and negotiation. Public education must be recognized as the highly regulated industry that it is, and school boards must ensure that school districts comply with all of their legal requirements.

Of course, applicable to this discussion, the School Code establishes that the school board may appoint a solicitor. It is strongly recommended that school boards work closely with solicitors as part of an overarching strategy to ensure compliance with all of the aforementioned legal responsibilities and the many legal mandates faced by school districts, as well as to reduce the school district's exposure to liability risks. **B**

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Q: What is the function of the school district solicitor?

A: The solicitor is an attorney appointed by the board of each school district, intermediate unit or vocational-technical school to advise and represent the board on a broad spectrum of legal issues and questions, and to provide day-to-day guidance to other district officials as needed. The solicitor has overall responsibility for the legal affairs of the school district. When recommended by the solicitor, some districts retain special counsel for certain more specialized matters such as labor negotiations, special education, bond issues or construction, while in other districts some or all of these topics may be within the practice areas handled by the district solicitor.

It cannot be stressed enough that consultation with the school district solicitor or special counsel is essential in order to obtain legal guidance with regard to specific situations or problems, and that school leaders cannot afford to rely on “do-it-yourself-surgery” at such times. PSBA publications or information on legal subjects cannot be an adequate substitute for the specific advice of the district’s retained counsel.

Q: Does Pennsylvania have required academic standards?

A: Yes. The State Board of Education has adopted academic standards, which are the foundation upon which school boards design local curriculum and instruction. 22 Pa. Code §§ 4.4, 4.12. Public schools are required to provide instruction throughout the curriculum in the following content areas: English language arts; mathematics; science and technology; environment and ecology; social studies (civics and government, geography, economics and history); arts and humanities; career education and work; health, safety and physical education; and family and consumer science. 24 P.S. §§ 15-1511, 16-1605; 22 Pa. Code §§ 4.11, 4.12,

4.21-4.23. School districts may develop, expand or improve upon the academic standards. 22 Pa. Code § 4.12.

Q: What are Pennsylvania’s trial and appellate courts?

A: Different states do not always use the same terminology to describe their courts. In Pennsylvania, the state trial courts are referred to as the “courts of common pleas.” The jurisdictional territory of the courts of common pleas is apportioned into judicial districts, which often are coextensive with the boundaries of a county. Less populous counties often combine with another county in a single judicial district, sharing a court of common pleas. Appeals from the trial courts initially are taken to one of Pennsylvania’s two intermediate appellate courts – the Commonwealth Court and the Superior Court. Appeals from either of these courts may be taken to the Pennsylvania Supreme Court, the state’s highest court.

Q: Are school boards required to permanently maintain an official copy of the minutes from each public meeting of the school board?

A: Section 518 of the Public School Code requires all school boards to permanently maintain a minute book. 24 P.S. § 5-518. The minutes are the official record of the meeting. Some board secretaries tape-record the meetings to assist in the preparation of official minutes and then destroy the recording after the official minutes have been approved. Pennsylvania’s Right-to-Know Law specifically exempts from access drafts of meeting minutes until the next regularly scheduled meeting of the board, 65 P.S. 67.708(b)(21), although the PA Office of Open Records (OOR) has questioned whether recordings of meetings made for that purpose themselves constitute draft minutes. See, OOR Advisory Opinion 2009-003, February 17, 2009; *Van Scyoc v. Palmyra Borough*, AP 2010-0179 (Pa. Office of Open Records, March 30,

2010). In any event, tapes of public meetings retained after the next regularly scheduled meeting are public records and must be disclosed if still available at the time of a request under the Right-to-Know Law. This does not prevent the destruction or recording over of such tapes when no Right-to-Know Law request has been made.

Q: How is an AVTS created?

A: An area vocational-technical school (AVTS), also referred to as a career and technical center, typically is created by a joint agreement between school districts desiring to establish such a school. 24 P.S. §§ 18-1807, 18-1850.1(a). All the expenses associated with the establishment of an AVTS are borne by the school districts participating in the school in the proportions agreed to by the respective districts. 24 P.S. § 18-1845. If a school district joins an AVTS after its creation, that new district will contribute to the cost of the school in an amount agreed to by the other districts. *Id.*

Q: Must teachers participate in continuing professional education to maintain their certification?

A: Yes. Act 48 of 1999 requires all certificate holders (including administrators and educational specialists) to complete continuing professional education every five years to keep their certification active. That requirement may be satisfied by the completion of six credits of collegiate study; six credits of continuing professional education courses; 180 hours of continued professional education programs, activities or learning experiences through a PA Department of Education-approved provider; or any combination thereof relating to their area of certification or assignment. 24 P.S. § 1205.2; 22 Pa. Code § 49.17. If a certificate holder fails to satisfy the Act 48 continuing professional education requirements within the five-year compliance period, the holder’s certificate becomes inactive. **B**

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worth **1,000 words**

In honor of PSBA's 125th anniversary, Worth 1,000 Words will feature noteworthy artifacts from the special anniversary collection this year.



This historic photo depicts a gathering of the 1904-05 board of the North York School District. One individual in the photo, Tobias Wolfgang, (left, front row) is the great-grandfather of 2020 PSBA President Eric Wolfgang. The North York School District eventually became the Central York School District, where Eric served as a board member for the past 20 years.



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