

LINDLEY ACADEMY CHARTER SCHOOL AT BIRNEY
900 W. Lindley Avenue
Philadelphia, PA 19141
BOARD OF TRUSTEES MEETING
JANUARY 15, 2019
6:00 PM

AGENDA

SECTION I: CALL TO ORDER

Opening Colloquy

This January 15, 2019 Board of Trustees meeting of the Lindley Academy Charter School at Birney Board of Trustees is hereby called to Order. The time is _____ pm. My name is Lisa Johnson. I am the President of this Board of Trustees and I will facilitate this meeting.

This is a public meeting of the Board of Trustees of the Lindley Academy Charter School at Birney that was properly advertised pursuant to the Pennsylvania Sunshine Act. The public meeting schedule is posted at the school and on the website in the monthly calendar.

All members of the public are welcome, to sit and listen to the Board of Trustees conduct its business tonight. Members of the public who have registered with the Administrative office to participate in public comment by 5 pm on the day before this scheduled meeting may participate in public comment. At this time, I would ask that executive administration submit the list of commenters to our legal counsel. Comments will be limited to three minutes unless the Board decides to grant additional time.

At this time, I will ask that Roll Call be taken.

A. Roll Call

Board Members Present:

Lisa Johnson — President
Jane McAndrew — Treasurer
Ana Christina Melhor — Secretary
Barbara Saunders — Vice President
Monique Parker — Member

By Invitation: Non-Board Members:

Dr. James Capolupo, CEO
Nancy White, Assistant Principal
David Hussey, Esq.
Peter Costa, Santilli and Thomson
Dr. Margery Covello, APS Chief of Staff
Ryan Scallon, APS Chief Academic Officer
Nancy White, Assistant Principal
Ralph Lovelidge, Assistant Principal
Elaine Latimer, Director of Special Education
Andrea Brock, Director of Operations

	Sean Murphy, Director of Climate Shavar Simmons, Director of Culture and School Initiatives Ester Roche, Family Support Liaison
Board Members Absent	

B. Chairperson's Disclosure: Executive Session

1. I would like to state, for purposes of the Minutes of this meeting that the Board of Trustees did not meet in Executive Session prior to this meeting.

OR

2. I would like to state, for purposes of the Minutes of this meeting that on _____, 2019, the Board of Trustees met in Executive Session for the following purposes under 65 P.S. § 708:

() Certain Employee Issues. To discuss any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the agency, or former public officer or employee, provided, however, that the individual employees or appointees whose rights could be adversely affected may request, in writing, that the matter or matters be discussed at an open meeting. The agency's decision to discuss such matters in executive session shall not serve to adversely affect the due process rights granted by law, including those granted by Title 2 (relating to administrative law and procedure).

() Labor Relations. To hold information, strategy and negotiation sessions related to labor relations and/or arbitration.

() Purchase or Lease of Real Property. To consider the purchase or lease of real property up to the time an option to purchase or lease the real property is obtained or up to the time an agreement to purchase or lease such property is obtained if the agreement is obtained directly without an option.

() Consultation with Professional Advisor or Attorney. To consult with its attorney or other professional advisor regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed.

() Discuss Confidential Matters. To review and discuss agency business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information or confidentiality protected by law, including matters related to the initiation and conduct of investigations of possible or certain violations of the law and quasi-judicial deliberations.

C. Approval of Agenda

MOTION

| **Resolution 19011501 Approval of the January 15, 2019 Agenda**

SECOND

VOTE:
[] PASS
[] FAIL

RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the **January 15, 2019** Agenda.

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

D. Approval of Minutes

MOTION

SECOND

VOTE:
[] PASS
[] FAIL

Resolution 19011502

Approval of the November 20, 2018 Board Meeting Minutes

RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the Minutes of the **November 20, 2018** meeting of the Board of Trustees of Lindley Academy Charter School at Birney.

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

SECTION II: Reports

- A. Certificate of Award Presentation to the Girl's Varsity Basket Ball Team and Coaches
- B. Community Comment

Community Comment Colloquy (General Counsel)

Good Evening, my name is David Hussey with Sand & Saidel, P.C., General Counsel to the Lindley Academy Charter School at Birney Board of Trustees. Will you please state your name for our records?

You will have three minutes to address the Board of Trustees. Any documents or communications that you might supplement your comment with should be submitted to me. I will keep the time and notify the board when three minutes have elapsed.

This Board may choose not to comment, question or respond in any way to your public comment. I will begin the time now.

<i>Who</i>	<i>What</i>

- C. Lindley Academy Charter School at Birney CEO
- D. American Paradigm Schools
- E. Business Controller

SECTION III: UNFINISHED BUSINESS

SECTION IV: NEW BUSINESS

A. RESOLUTIONS

MOTION

SECOND

VOTE:

PASS

FAIL

Resolution 19011503 Approval of Reports

RESOLVED that the Board of Trustees of Lindley Academy Charter School at Birney hereby accepts the report of Dr. James Capolupo, Chief Executive Officer of Lindley Academy Charter School at Birney and hereby incorporates into these minutes by reference the written report and the documents presented by Dr. James Capolupo, CEO to the board;

FURTHER RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby accepts the report of American Paradigm Schools and hereby incorporates into these minutes by reference the written report and the documents presented by American Paradigm Schools; and

FURTHER RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby reviews and accepts the Financial Report of Peter Costa and hereby incorporates into these minutes by reference the Treasurer's Report and the documents presented by Peter Costa to the board.

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

SECOND

VOTE:

PASS

FAIL

Resolution 19011504 Human Resources

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney accepts the human resources changes, modifications and additions as presented below.

<u>New Hires</u>	<u>Position</u>	<u>Effective Date</u>
Timothy Hasher	Janitor / Building Maintenance	12/6/18
Jessica Bryant	Building Substitute	12/17/18

Nicole Lewis Cafeteria Aide 12/5/18

Salary Adjustment **Position** **Effective Date**

Kelsey Meisendbacher Special Education Teacher 11/26/18

Position Change **New Position** **Effective Date**

Sean Gillespie Building Engineer 11/27/18

Resignation/Termination **Position** **End Date**

Eric Apelt Music Teacher 1/4/19

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

SECOND

VOTE:

PASS

FAIL

Resolution 19011505 Business Services Contracts

RESOLVED, the Business Services Proposals and associated reports listed below are hereby accepted and ratified;

FURTHER RESOLVED, the CEO, business controller and general counsel are hereby authorized and directed to negotiate the terms and conditions of those contract based upon these Professional Services Proposals;

FURTHER RESOLVED, the President is authorized to execute any document or delegate any task necessary to effect this resolution.

Contractor	Amount	Comment: Terms and Conditions
Tie's Cleaning Machine, LLC, a/k/a TCM, LLC	\$8,300.00/mth	Cleaning Service (2-year term)

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

Resolution 19011506 Book Purchase

SECOND

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves purchase order of American Reading Company, as presented.

VOTE:
 PASS
 FAIL

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

Resolution 19011507 IRS Form 990

SECOND

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the IRS Form 990, as presented.

VOTE:
 PASS
 FAIL

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

Resolution 19011508 E-Signature Authority

SECOND

BE IT RESOLVED, by authority of the Board of Trustees of the Lindley Academy Charter School at Birney (LEA), and it is hereby resolved by authority of the same, that Dr. James Capolupo, who is the CEO of the above named body is authorized and directed to sign any and all contracts, agreements, grants and/or licenses (hereinafter collectively referred to as contract(s)) with the Pennsylvania Department of Education (Department); and

VOTE:
 PASS
 FAIL

BE IT FURTHER RESOLVED, that the body consents to the use of electronic signatures by the above named individual and that no handwritten signature from the above named individual shall be required in order for any contract with the Department to be legally enforceable and that by affixing his/her electronic signature to an electronic file of the contract via the Department's e-grants system, the above designated authorized individual shall have effectively executed and delivered the contract, binding the Lindley Academy Charter School at Birney to comply with the terms of said contract; and

BE IT FURTHER RESOLVED, that no writing shall be required in order to make the contract valid and legally binding, provided that the Department and all other necessary Commonwealth approvers affix their signatures electronically and an electronically-printed copy of the Contract is e-mailed or is otherwise made available to the body by

electronic means; and

BE IT FURTHER RESOLVED, that the body will not contest the due authorization, execution, delivery, validity or enforceability of the electronic Contract under the provisions of a statute of frauds or any other applicable law. The Contract, if introduced as evidence on paper in any judicial, arbitration, mediation, or administrative proceedings, will be admissible as between the parties to the same extent and under the same conditions as other business records originated and maintained in documentary form and the admissibility thereof shall not be contested under either the business records exception to the hearsay rule or the best evidence rule; and

BE IT FURTHER RESOLVED, that the body will notify the Department's Bureau of Management Services promptly in the event that the above named individual is no longer authorized to execute agreements on behalf of the body electronically and that the Department shall be entitled to rely upon the above named officer's authority to execute agreements electronically on behalf of the body until such notice is received by the Department's Office of Chief Counsel.

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

Resolution 19011509 Expulsion of Student CG

RESOLVED, student CG is permanently expelled from Lindley Academy Charter School at Birney effective January 15, 2019;

FURTHER RESOLVED, the Findings of Fact and Conclusions of Law of the Board of Trustees on file with Lindley Academy Charter School at Birney and the record of the December 10, 2018 formal expulsion hearing of CG ("Hearing Record") is adopted; and

FURTHER RESOLVED, the Hearing Record is made a part of CG's permanent record.

Notes of Discussion / Advance Regulatory and Financial Comment:

<i>Who</i>	<i>What</i>

MOTION

SECOND

VOTE:

PASS

FAIL

SECTION V: ANNOUNCEMENTS AND CEO CLOSING REMARKS

Adjournment

MOTION

SECOND

VOTE:

PASS

FAIL
