

LINDLEY ACADEMY CHARTER SCHOOL AT BIRNEY
900 W. Lindley Avenue¹
Philadelphia, PA 19141
BOARD OF TRUSTEES MEETING
APRIL 21, 2020
6:00 PM

AGENDA

SECTION I: CALL TO ORDER

Opening Colloquy

This April 21, 2020 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

Lisa Johnson — President
Jane McAndrew — Treasurer
Ana Christina Melhor — Secretary
Barbara Saunders — Vice President
Regina Felder — Trustee
Evette Bowman — Trustee
Reginald Howard — Trustee

Board Members Present:

By Invitation: Non-Board Members:

Dr. Margery Covello, CEO
Nancy White, Principal
Ralph Lovelidge, Principal

¹ This meeting is being publicly held through a zoom conference, which is open to members of the public online via <https://zoom.us/j/99860656329> or by telephone at 1-646-558-8656.

Elaine Latimer, Director of SPED
Melanie Ludy, Science Teacher
Kristen Phillips, 1st Grade Teacher
Natasha McManus, Learning Support
Teacher
David Hussey, Esq.
Peter Costa, Santilli and Thomson
Gerald Santilli, President & CEO, APS
Ashley Redfearn, Executive Director, APS
Katie Santilli, CBO, APS

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 _____, 2020, 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 20042101

SECOND

Approval of the Agenda

VOTE:

PASS

FAIL

RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the **April 21, 2020** Agenda.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

D. Approval of Minutes

MOTION

Resolution 20042102

SECOND

Approval of the February 18, 2020 Board Meeting Minutes

VOTE:

PASS

FAIL

RESOLVED, that the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the Minutes of the **February 18, 2020** 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. Community Comment

Community Comment Colloquy (General Counsel)

Good Evening, my name is David Hussey with Sand & Sidel, 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>

- A. Business Controller
- B. Lindley Academy Charter School at Birney CEO
- C. American Paradigm Schools

SECTION III: UNFINISHED BUSINESS — NONE

SECTION IV: NEW BUSINESS

A. RESOLUTIONS

MOTION
 SECOND
 VOTE:
 PASS
 FAIL

Resolution 20042103 Approval of Reports

RESOLVED that the Board of Trustees of Lindley Academy Charter School at Birney hereby accepts the report of the CEO of Lindley Academy Charter School at Birney and hereby incorporates into these minutes by reference the written report and the documents presented by the School Administration 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 20042104 Continuity of Education Plan

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the continuity of education plan, as presented.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

MOTION
 SECOND

Resolution 20042105 Academic Calendar

VOTE:
 PASS
 FAIL

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the 2020-21 academic calendar, as presented.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

MOTION
SECOND

Resolution 20042106 Board Meeting Calendar

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the 2020-21 board meeting calendar, as presented.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

MOTION
SECOND

Resolution 20042107 Construction Management Services

RESOLVED, the Board of Trustees of Lindley Academy Charter School at Birney hereby approves the construction management services of BSI Construction, LLC, as presented; and

FURTHER RESOLVED, the CEO, in consultation with legal counsel and the business controller, is authorized and directed to negotiate and enter into a contract upon the terms presented.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

MOTION
SECOND

Resolution 20042108 Statement of Opposition to Proposed Funding Cuts

WHEREAS the right of parents to choose the best school for their children is an urgent civil right;

WHEREAS, all over this Commonwealth, as in every state in the United States, parents of 143,000 students have selected charter schools as the best educational fit for their children; with thousands more on waiting lists;

WHEREAS the vast majority of brick and mortar charter schools are located in underserved areas with a high percentage of economically disadvantaged students;

WHEREAS charter schools receive 25% less funding per student than traditional public schools yet continue to offer superior choice for students; for example, brick and mortar charter schools do not receive per pupil revenue relating to facilities;

VOTE:
 PASS
 FAIL

Whereas, charter schools are required by law to operate as public non- profit corporations and are directly accountable to the local authorizing school board and to the Pennsylvania Department of Education

WHEREAS, the boards of trustees of charter schools are public officials and operate their meetings in public and are required, like school district board members, to file annual ethics statements of financial interest;

WHEREAS, charter schools do not “take” money from school districts, rather school funding follows the student and the family who has made a conscious choice to enroll in a charter school;

WHEREAS the legislative intent of the Charter School Law is to promote innovative education and increased opportunities for students;

WHEREAS the Pennsylvania Department of Education already authorizes deductions to charter school funding beyond what is provided for in the Charter School Law;

WHEREAS, parents often select charter schools because their students have special education needs;

WHEREAS, the Governor, through his supporters, has introduced House Bill 2261 and Senate Bill 1064 which will greatly cut funding for charter schools;

WHEREAS the Governor claims he seeks to “level the playing field” in charter funding, with charters already receiving 25% less than school districts, any funding cuts, leveled at special education students would jeopardize the existence of charter schools and therefore limit or eliminate choices for families, especially racial minorities and impoverished students;

WHEREAS, 150 school districts in the Commonwealth fail to make legally required monthly payments to charter schools, thus creating cash flow problems and requiring charter schools to expend time and effort seeking redirection from the Department of Education;

WHEREAS, Governor Wolf displayed his unfair bias against charter schools and their families when he issued an executive requiring charter schools to pay a fee each time a school district violated the law by not making legally required charter school tuition reimbursements and thus forcing charter school to assert a redirection claim;

WHEREAS, charter school students and their families pay tax dollars to fund schools and charter schools are public schools; and

WHEREAS, regardless of what public school a child attends, school district,

brick and mortar charter or cyber charter, they are all public school children and deserve the same financial support.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Trustees of Lindley Academy Charter School at Birney hereby strongly opposes and condemns Governor Wolf's charter school funding cut proposals which are embodied in House Bill 2261 and Senate Bill 1024 and urges the Pennsylvania General Assembly to reject these dangerous and destructive cuts. A copy of this Resolution shall be publicized to the Governor, Pennsylvania General Assembly, media outlets and social media as well as other relevant sources.

Notes of Discussion / Advance Regulatory and Financial Comment:

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

SECTION VII: DISCUSSION AND ANNOUNCEMENTS

- ❖ NEXT BOARD MEETING: TUESDAY MAY 19TH, 2020 @ 6PM
- ❖ COMPLETED STATEMENTS OF FINANCIAL INTERESTS ARE DUE BY MAY 1, 2020

Adjournment

MOTION

SECOND

VOTE:

[] PASS

[] FAIL
