

TUNKHANNOCK AREA SCHOOL DISTRICT
TUNKHANNOCK, PENNSYLVANIA

BOARD OF SCHOOL DIRECTORS
SPECIAL PURPOSES MEETING
ZOOM MEETING – 7:00 PM
WEDNESDAY, OCTOBER 6, 2021

I. Call to Order

II. Pledge of Allegiance

III. Public Comments on Agenda Items Only

IV. Approval of Minutes

1. Recommend that a resolution be adopted to approve the minutes of the September 9, 2021 Public Work Session/Board Meeting (pp2-10)

Motion by _____ Seconded by _____

V. New Business

1. Recommend that a resolution be adopted accepting the Superintendent's Retirement

Motion by _____ Seconded by _____

2. Discussion of legal budget

3. Discussion of Right to Know duties

VI. Additional Public Comments

VII. Adjournment

Motion by _____ Seconded by _____

**Tunkhannock Area School District
Board Minutes – Public Work Session/Board Meeting
September 9, 2021**

The Tunkhannock Area School District Board of Directors met on the above date in the High School Auditorium. The following members were present:

Board Member:	Present	Absent
Philip Farr, President	✓	
Holly Arnold, Vice-President	✓	
John Burke, Treasurer	✓*	
Lori Bennett	✓	
Shana Gregory	✓	
Rob Parry	✓	
Bill Prebola	✓*	
Bill Swilley	✓	
Bill Weidner	✓	

*Via Zoom

Also in attendance representing the School District was Attorney David Conn from the law firm of Sweet, Stevens, Katz & Williams.

There were interested citizens present.

Mr. Farr called the meeting to order at 7:30 PM and then led the Pledge of Allegiance.

Mr. Farr informed the public that the Board had met in Executive Session prior to tonight's meeting on legal and personnel issues.

<i>Public Comments on Agenda Items Only</i>
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Mr. Farr informed the public that each person would be allowed to speak once for 2 minutes.

Those speaking included:

George Yuhas – Sunshine Law

DA Moyer - Masking

Brittany Smith – Masking

Patricia Stone – Masking

Richard West – Commended TASD for the education provided to past students - George Yuhas -
Sunshine Law – Heat Index - OSHA Regulations

Jennifer Higgins – Masking

Stacey Peterson - Masking

Jennifer Brody – School Board Oath/Role – Contact Tracing – Student Education

Cee Jay Appel - Masking

Citizen – Masking – Student Education

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Attorney David Conn addressed the audience and pointed out several items. The Board does not have the discretion about whether or not to follow the mandate. For the record, most of the audience was in violation of the mandate because they were not wearing masks. It was his recommendation that if the audience could not allow the business of the Board to move forward in an orderly way, the meeting should be adjourned.

Ashley Napoli – Masking
Kelly Fry – Masking – George Yuhas – Air Quality
Jerry Jenkins – Contact Tracing – Quarantining - Masking
Jennifer Hallock – Mandate – Acting Health Secretary
Josh Hartman – Student Education
Kevin Banos – Masking
Katie Cantone – Mental Health of Students
Nolan Robinson – Masking
Roger Wintermute – Private Cyber School – Masking
Jody King – Masking – Student Education
Nicole Heckman – Masking
Lyle Jones – Masking
Jason Freethy – Masking
Lynnell Farber – Masking
Kristin Kovalchick – Masking
Ken Nichols – Masking
Chris Kovalchick – Masking
Richard West – Virtual Learning
Heather Rainey – Mental Health of Students
Chris Rogers – School Board’s Role – Masking
Ray DePugh – Student Education – Masking
Shelby King – Student Education – Masking – Contact Tracing
Anne Demarco – Student Education – Masking
Ava Robinson – Virtual Learning
Adam Robinson – Masking
Sara Lupinski – Student Mental Health & Education
George Yuhas – Sunshine Law
Mrs. Arnold read a statement to the Board from Marie Vieczorek - Masking

<i>Enrollments</i>

Enrollment statistics were provided for information only.

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Minutes

Resolution #1: A motion was made by Mr. Parry and seconded by Mr. Weidner to approve the minutes of the meetings listed. Voting: Motion carried unanimously – see resolution number one in the minute book.

1. August 12, 2021 Public Work Session/Board Meeting
2. August 26, 2021 Public Work Session/Board Meeting

Superintendent's Report

Resolution #2: A motion was made by Mr. Parry and seconded by Mrs. Gregory to approve the following items from the Superintendent's Report. Voting: Motion carried unanimously – see resolution number two in the minute book.

1. Approval of a revised unpaid leave for Barbara Fiorenza.
2. Approval of volunteers for the 2021-2022 school year as presented. Clearances on file as indicated. (Exhibit A – attached)
3. Approval of extra pay appointments for the 2021-2022 school year as presented. Clearances on file as indicated. (Exhibit B – attached)
4. Approval of Intermediate Center Co-Curricular appointments for the 2021-2022 school year as presented. Salaries to be prorated, as necessary, if the district's ability to complete the year is affected for any reason. Clearances on file as required.

a. Student Activities	Lisa Sniscak	\$2,535.00
b. Yearbook	Kevin Kreinberg	\$1,612.00
c. Instrumental Activities 7/8	Kevin Kreinberg	\$2,300.00
d. Instrumental Activities 5/6	Mackenzie Anderson	\$1,046.00
e. Chorus 7/8	Betsy Sprout	\$940.00
f. Chorus 5/6	Betsy Sprout	\$940.00
g. Auditorium Sound/Light Technician	Kevin Kreinberg	\$1,880.00
5. Approval of support staff substitutes as listed.
 - a. Allison Theobald
 - b. Barbara Lacey – pending clearances
6. Approval of Elisa Welles (Liples) as a mentor teacher for a the 2021-2022 school year
7. Approval of Bus/Van Drivers as listed. Clearances on file, except as indicated.
 - a. Paula Geary (Brown's Van)
 - b. Thomas Kintner (Walters Transport)
 - c. Stephen Borgeson (Traver Transportation) – pending clearances
8. Approval of conference attendance for Mary Gene Eagen – October 15, 2021 – PASA Summit for Assistant Superintendents – Cost \$332.00.

Committee Reports

Mrs. Bennett asked that a Curriculum Committee Meeting including head teachers be scheduled. A meeting was scheduled for September 16, 2021 at 4:30 PM at Central Administration.

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Unfinished Business

A report of students who participated in Dual Enrollment Programs during the 2019-2020 and 2020-2021 school years was provided for information only.

Clarification of the masking policy was the next item to be addressed by the Board.

Mrs. Arnold started the discussion and expressed her preference and made a motion. Since there is a mandate, she proposed that the district have an exemption form that required a parent/guardian's signature and that the signature be notarized if the Board felt more comfortable with a notarized signature. A doctor's note would not be required.

Mrs. Bennet asked for clarification prior to seconding the motion.

Resolution #3: A motion was made by Mrs. Arnold and seconded by Mrs. Bennett to follow the mandate offering an exemption form that requires a parent/guardian's signature be notarized, but not requiring a doctor's note. Discussion among Board members followed.

Dr. Prebola questioned if there is a medical health care providers aspect of the motion. There is not a doctor's note required. Mrs. Arnold explained that in following the motion, the only anticipated legal exposure to the district would be if a student who qualified for a 504 Plan were not identified. There is no known individual liability.

Dr. Prebola asked for clarification from legal council in regard to the exemption requirements for a diagnosed medical condition.

Attorney Conn stated that the order uses the phrase medical condition. As a firm their recommendation is that the district should not have two tiers of students with medical conditions, all should be treated the same under Section 504. The Order does not define what is required to establish a medical condition. The district would be within the scope of the order by allowing the exemption as stated in the motion, but exposes the district to liability for not identifying a student who qualifies for the 504 process. PDE does recommend using the 504 process, but does not require it.

Mr. Burke called the crowd out for their behavior toward a student who spoke and apologized for the Board for not stopping it. He felt it was important to remember that the Board's job is to keep kids in school. The Board is not a law making body and are required to follow the law. He agreed with everything Mrs. Arnold stated, but felt the district should be requiring a doctor's note and/or following the 504 process.

Clarification from the Attorney was sought as to if the motion was within the mandate.

Attorney Conn clarified that the motion is within the scope of the mandate because right now PDE only recommends the 504 process. But he added that if the district does not follow the 504

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process the district has some liability. If the district follows the 504 process, there is virtually no liability.

Mrs. Arnold pointed out that the way the mandate is currently written, it allows the Board to make a choice.

Mr. Burke asked that information on contact tracing be published for parents to better understand the rules.

Dr. Prebola pointed out that a student not wearing a mask can impact a student who does wear a mask due to contact tracing guidelines. He also feels that requiring medical documentation supports the safety of students and would contribute to keeping students in school.

It was clarified that wearing a face shield does not count as wearing a mask for contact tracing purposes.

Voting: Motion failed. (Yes – 3, No – 6) – see resolution number three in the minute book.

Mrs. Arnold made an amended motion to allow a notarized exemption and wear a face shield and in order to have no mask at all a student would need to have a 504 exemption.

Motion failed due to lack of a second.

Mr. Burke made a motion that the district will require a letter from a medical provider and/or review through the 504 process stating the diagnosis and how wearing a face covering would impact that health condition or disability. This is specifically addressed in Section 3 of the order where there will be exemptions. In addition, add the following language to the disciplinary code - Refusal to adhere to Board approved health and safety rules can result in discipline following any unexcused refusal to comply.

Mrs. Arnold objected to the motion since there was nothing on the agenda to change the disciplinary policy.

Attorney Conn confirmed that he agreed with Mrs. Arnold and it would need to be two motions. However, from Sweet, Stevens, Williams & Katz's prospective there is no need for a separate policy to address non-compliance since it would fall under the regular disciplinary procedure which already exists.

The motion was amended by Mr. Burke. Mr. Swilley questioned why a vote was needed since the 504 process already exists. Mrs. Arnold felt it was necessary for the Board to vote to make their choice known.

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Resolution #4: A motion was made by Mr. Burke and seconded by Dr. Prebola to approve following the masking order by the PA Department of Health and clarifying the exemptions under Section 3 of the order to require a letter from a medical provider and/or review through the 504 process stating the diagnosis and how wearing a face cover would impact that health condition or disability. Voting: Motion carried. (Yes – 6, No – 3) – see resolution number four in the minute book.

New Business

Mrs. Arnold proposed and the Board agreed that the Rapid Covid testing administered by school with parent permission be tabled and added to the next meeting's agenda.

Mrs. Arnold provided information from the Department of Health on quarantine recommendations. Following a known exposure, a person does not have to quarantine if one of the following criteria is met: The person has had a positive antibody test during the 90 days prior to the exposure or the person receives a positive antibody test within 7 days following an exposure. Superintendent McPherson confirmed that the district is following these recommendations.

The following Board Policies/Procedures were presented as first readings.

1. Board Policy No. 146.1 Trauma-Informed Approach
2. Safe2Say Something Procedures (Attachment to Board Policy No. 805 Emergency Preparedness and Response)

Resolution #5: A motion was made by Mr. Parry and seconded by Mrs. Gregory to approve the following New Business items. Voting: Motion carried unanimously – see resolution number five in the minute book. (Note – Mr. Burke and Dr. Prebola who were attending the meeting via zoom were not available when this vote was taken.)

1. Dual Enrollment Agreement between Johnson College and TASD effective 7/1/2021-06/30/2027. To be amended yearly as needed.
2. Sponsor-to-Sponsor Agreement between Luzerne County Head Start, Inc. and TASD from 10/1/2021 through 9/30/2022.
3. Application for Payment No. 2 to Dunmore Roofing for the Tunkhannock High School in the amount of \$151,955.51.
4. Memorandum of Understanding between TASD and the Dietrich Theater for the 2021-2022 school year.

Mrs. Bennett asked for clarification on the Memorandum of Understanding that was presented for approval between the Wyoming County District Attorney's Office, PA State Police, Tunkhannock Borough & Tunkhannock Twp. Police and TASD dated 8/30/2021. She asked if law enforcement officials are trained in dealing with mental health conditions. ~~Until clarification concerning training can be provided, the Board decided to table this item and add it to the next meeting's agenda.~~

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Additional Public Comments

Neil Williams, a retired TASD teacher recently passed away. Mr. Weidner expressed sympathies to the family and spoke of what a great teacher Mr. Williams had been.

Mrs. Arnold asked when High School students would be allowed to use lockers. With masking in place, the High School will now begin working on allowing students use of lockers if they chose.

Additional comments were heard from community members –

Andrew Franko – Who will be supplying masks

George Yuhas – Legal Notice to Board – Submitted Right to Know Request to Superintendent

McPherson as the Right to Know & Open Records Officer

Citizen – School Board Members up for re-election

Patricia Stone – Quarantining – Covid Testing – Educating students on internet safety

Motion to adjourn was made at 10:22 PM by Mr. Parry and seconded by Mrs. Arnold.

ROLL CALL VOTE

Resolution #	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
Lori Bennett	Yes	Yes	Yes	No	Yes
Shana Gregory	Yes	Yes	No	Yes	Yes
Rob Parry	Yes	Yes	No	Yes	Yes
Bill Prebola*	Yes	Yes	No	Yes	**
Bill Swilley	Yes	Yes	No	Yes	Yes
Bill Weidner	Yes	Yes	Yes	No	Yes
John Burke*	Yes	Yes	No	Yes	**
Holly Arnold	Yes	Yes	Yes	No	Yes
Phil Farr	Yes	Yes	No	Yes	Yes

*Via zoom

**Not available via zoom

Respectfully submitted,

Caroline Lawson
Board Secretary

Attachments: Exhibits A & B

Volunteers 2021-09-09
2021-2022 School Year

Exhibit A

Volunteers

Last	First
Anderson	Robyn
Bonnice	Levi
Bonnice	Melissa
Clark	Kimberly
Diebert	Audra
DeMarco	Anne
DeStefano*	Christine
Fox	Jody Lynn
Golden	Shannon
Hopfer	Dustin
Hopfer	Gerald
Hopfer	Jodi
Hovan	Stacy
Maxwell	Megan
Maxwell	Mike
McEwen*	Tanya
Murray*	Nicole
Poepperling	Mitzi
Price	Arlene
Ralph*	Rebekah
Robinson	Denise
Slater*	Heather
Szostak	Victoria
Valvano	Valerie
Walsh	Thomas
Wiggans*	Amy

*Missing info, outdated or will need to be updated during school year

