

April 9, 2018

SCRANTON, PENNSYLVANIA 18503

The Scranton School Board of Directors held a regular board meeting on Monday, April 9, 2018 at 7:00pm prevailing time in the auditorium of West Scranton Intermediate School, Fellows St., Scranton, PA 18504.

President Dixon called the meeting to order at 7:12pm with a Pledge of Allegiance to the flag.

At this time Mrs. Dixon asked for a moment of silence for Northeast Intermediate School guidance counselor Kristie McDowell who passed away last week.

Solicitor's Report

Attorney Minora announced executive sessions were held on February 21, 2018, February 26, 2018, February 28, 2018 and this evening, April 9, 2018 to discuss personnel, litigation, real estate, negotiations, right to know and investigation.

Student Representatives

Director Gilmartin introduced Mr. Nathan Barrett, Principal of Kennedy Elementary and Mrs. Colleen Leonard, Principal of McNichols Plaza highlighted some exciting things happening in their schools.

Report from PSBA Representative

Director Cognetti announced that PSBA Advocacy Day will be held in Harrisburg on Monday, April 16, 2018 and any board member may attend if they chose to do so. Mrs. Cognetti also spoke of the adoption of Senate Bill 2 and also of Senate Bill 1075 which is in the legislative process now which will allow safety and security plans to be discussed during executive sessions.

Superintendent's Report

Dr. Alexis Kirijan thanked Mr. Barrett, Mrs. Leonard and their staff for sharing all of the wonderful things happening at their schools and congratulated all of the wrestling champs.

Dr. Kirijan also announced the following:

- All schools and the Administration Building have taken part in Active Shooter Training.
- Partnership expansion with Lackawanna College.
- Scranton School District has been granted the three days of exemption from the state therefore graduation will take place on June 15<sup>th</sup> for both high schools.
- Kindergarten registration has begun on March 12<sup>th</sup> for the 2018/2019 school year and parents may register their children within their school or at the administration building. Parents may check the SSD website under the Parents

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tab, then student registration, and then click on the link to find their home school.

- Both high schools will receive scholarships from Julie Hallock and Thirty-One Gifts in the amount of \$330 for each high school to use towards the cost of AP exams for students who need assistance.
- Welcomed new teacher Miss Theresa Taylor who will be funded by the Salvadori Program.
- Regional College Fair will take place on April 12, 2018 from 6-8PM at Scranton High School. Any student interested may register online.
- Scranton Veterans Memorial Park groundbreaking will take place on Saturday, April 14, 2018 at 11:00AM at the entrance of Scranton Memorial Stadium. Funding for the project has been raised by the veterans.

Dr. Kirijan also spoke of bullying in our schools and the Scranton School District takes this very seriously with a proactive approach, preventative measures, interventions and monitoring of students who have reported bullying. Dr. Kirijan added that parents are involved in all of the steps of the process and there will be a safety training night in the future where a representative from the District Attorney's office will be present to talk about a program for what to look for as far as cyber bullying and electronic bullying, at home and in school. Details will be available on the SSD website.

#### PFM Presentation

Dean Kaplan, PFM Group Consulting, LLC presented the board with a handout of the Scranton School District Fiscal Monitor Update which highlighted an overview of their function, key findings, initial recommendations, multiyear projections and major assumptions of revenues and expenditures and baseline budget projections. The handout is included in board packet documents, was made available to the public and was presented publicly by power point as well.

Director Schuster inquired about a timeline of the Comprehensive Capital Improvement Plan.

Mr. Kaplan responded that there have been discussions with the superintendent and they are hoping to have some resources from their group available over the next few weeks to start on that.

Director McAndrew spoke about a great component for teachers in the CSIU finance modules for purchase orders and Mr. Kaplan agreed there are existing tools they really want to explore in all areas.

President Dixon asked Mr. Kaplan to expand on bidding timelines and explain more about the minimal staff in the central offices.

Mr. Kaplan explained the district needs a list of major and minor contracts and a schedule to revisit those contracts on a regular basis with the help of staff.

Director Schuster asked Mr. Pat Laffey if he is still working on a bid timeline.

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Mr. Laffey responded yes and it will be brought to the senior executive team because many areas affect many departments and he is hoping to speak more about it at the next Budget and Finance Committee meeting.

A lengthy discussion took place regarding the list of services, relying on long term recurring vendor relationships resulting in inefficiency and high costs and the urgency to push forward and bid out all services.

Dr. Kirijan noted there are a lot of things that need to be taken care of before the opening of the next school year and she will be gathering input from staff at her next executive cabinet meeting and hopefully be prepared for the next Budget and Finance Committee meeting.

Director Cagnetti expressed concern that there is not a contract with the financial advisor despite what she was told by administration so there are a lot of things that need to be done, she will not do so without the administration confirming that it's okay but she feels we need to continue to push forward with things that have already been tabled like the auditing firm because it hasn't been bid in a long time. Mrs. Cagnetti agreed with Mr. Kaplan's evaluation of the tax collection structure and staffing and the need to look at the Single Tax Office, the sale of delinquent taxes contract, financial advisors, district physician, solicitor services, architect and engineer, energy control, mop and mat cleaning, healthcare consultant, labor counsel and special education counsel; things that will not affect the opening day of school.

Dr. Kirijan and Mr. Kaplan both agreed that some services like transportation and healthcare costs need urgent attention and will most likely to provide some financial results in the short term.

Director Schuster asked if we are starting to get some of these things onto a list to begin bidding out these services.

Dr. Kirijan answered that Transportation and copier services are some things we're going to start with.

Director Schuster commented that we tried to push transportation to the procurement office of the Attorney General to see if there actually is a contract and if it is deemed we do not have a contract then it can be put out for bid.

Director Casey said the decision should be left to the courts to decide because he doesn't feel comfortable getting an answer from them.

Director Schuster said this is for 2022, something off in the distance and the directive coming from the Budget and Finance Committee was to get something together.

Mr. Laffey said he will be reviewing the list with the senior team and Director McAndrew asked if they will have the list and the timeline by next work session.

At this time Director Casey asked Attorney Minora if a claim has been filed yet to seek a judgment from the courts whether the transportation contract is legitimate.

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Attorney Minora said he has drafted an appeal and it would be filed soon.

Director Schuster asked when the decision was made that it would go to the courts.

Director Casey said that no one had any objections he assumed and so they're not jumping the gun, so if we should get an opinion that says we don't have a contract and it goes to the courts and in the meantime we put it out to bid and it goes to the courts and determined that we are under contract, he doesn't want to continue to pay on that contract and resulting in legal repercussions financially so why not just get it out of the way and go to the court system.

Director Schuster asked Attorney Minora for an explanation how it will work and who would argue the case.

Attorney Minora answered that a complaint needs to be filed for declaratory judgment action, ask the court for an interpretation of whether or not it's a valid contract and he would argue on the district's behalf and they (the transportation contractor) would have someone argue their side.

Director Schuster asked if it would be in front of a panel of judges. Attorney Minora answered probably only one judge, probably a visiting judge.

Director Dixon asked Mr. Minora what would be the timeline for something like this and he thinks probably three or four months.

Director Cagnetti interjected and responded to Mr. Minora that if one controls the input of a process one can influence the outcome and the credibility of this board and the reliability of these processes require that those spearheading any examination or any process in this case, they learned that he working on a declaratory judgment on behalf of the school board where he said the facts are undisputed and she herself disputes that and for the person who was close to the facts with these contracts since 2012 having him spearhead the examination and having him spearhead a declaratory judgment is an absolute conflict.

Attorney Minora responded that he was asked to do it and Mrs. Cagnetti responded that he was asked to do it by Mr. Casey but not by this board and she had no idea that this was moving forward.

Attorney Minora said he would be happy to recommend outside legal counsel.

Director Casey said he wanted to make it clear that he didn't ask Mr. Minora to do that on behalf of the board but one way or another, this is going to court but to suggest that he asked Solicitor Minora to spearhead the direction, he objects to that.

Director Duffy asked for clarification that they are going to proceed forward and Mrs. Cagnetti that they need to discuss who their legal counsel would be to submit a declaratory judgment and thinks, as a board, they should sort out a new counsel for this particular situation.

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Dr. Kirijan said that she needs clarity because they are having a hard time hearing on that side of the stage, if they are going to bid out the services for an attorney to take this matter forward and to avoid any conflict of interest with anyone on the board, should we have a resolution for our next meeting for a request that we go out to bid and then put an RFP out with the exact specs of what this attorney is expected to do so that we don't go ahead and appoint someone and then they think they work for the district forever and ever so she needs direction from the board as to how they would like to proceed.

Director Cagnetti said that if it gets to a point where they need to hire legal counsel they will make sure that they do that by resolution but she doesn't believe they are at that point yet, there is still some digging to do.

Director Dixon asked Attorney Minora, that since he did go to law school, can he give them a lesson on what the procurement office does.

Attorney Minora said the Department of General Services would look at something like this and determine whether or not there is a contract. The Attorney General's Office might give an advisory opinion based upon the information that's given and he thinks everyone knows what his opinion is and based upon a number of factors and what happened in 2016 isn't a lot different than what happened in 2012, 2009 and 2006, it was pretty much the same way so there's a whole bunch of issues and in his opinion and he has said this in the past – you have an offer, an acceptance, consideration, then a contract and you also have a ratification issue because of the behavior over many, many years but you can have the Attorney General's Office or the Department of General Services if they're willing to look at it and give an opinion but it's simply that – an opinion and you could end up in a lot of litigation potentially with two bussing contracts so his advice would be that the idea of a declaratory judgment action is not a bad idea.

Mrs. Dixon asked if the opinion from the procurement office is binding.

Mr. Minora and Mrs. Cagnetti both answered no with Mr. Minora adding that the only decision that would be binding is a court opinion.

Director Cagnetti added that this is the beginning, there are questions and in her experience at the federal level and with colleagues around the country and different government agencies, referring to the procurement general services, they could help guide them to the right private attorneys to hire or private opinions and this is the beginning of a process, certainly not the middle or the end.

Director Dixon asked if anyone knows the timeline. Director Cagnetti responded no.

Director Schuster said being that it's only an opinion, it might be a good option to get a free opinion first before we bid out for legal services.

Dr. Kirijan asked if this is the first step, does the board want our solicitor to carry it forward or are you saying we'll hire an attorney to take it forward.

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Director Cagnetti speaking as a private citizen, and especially as a public official, she does not think it would be a problem if she called herself to speak to someone, and if the board would like, there could be a few of them on the phone call and let Dr. Kirijan know what happens, make sure that there is not a quorum, they can run that process as a board but you don't have to be an attorney to ask questions of the Attorney General's office.

Director Dixon would like to see a written opinion.

Director Lesh thinks that the superintendent should make the phone call and Dr. Kirijan said that would be most appropriate as you heard from PFM about micromanaging and she would be happy to have a board member present.

Director Schuster suggested the discussion be held during a Transportation Committee meeting before we move forward.

Director Lesh again said he thinks the superintendent should call.

Director Cagnetti responded that Mr. Lesh did not attend the Transportation Committee meeting and was not present for the conversations and does not think he is the best person to question.

During some unintelligible comments between Mr. Lesh and Mrs. Cagnetti, President Dixon asked if everyone was okay with Dr. Kirijan making the call with two or three board members present and if it is a consensus of the board.

Director Cagnetti referred back to her earlier comments that she doesn't think anyone who has been close to the facts of the transportation contracts should be involved.

Dr. Kirijan stated that as superintendent and along with fellow board members that the call should be made together and request in writing the answer so that we could bring it back to the entire board.

Director Cagnetti said she does not agree with that, Dr. Kirijan said she would like to do her job, Director Cagnetti responded that she doesn't know how that is her job, Dr. Kirijan responded then that Director Cagnetti doesn't know the role of the superintendent.

Director Lesh felt Director Cagnetti was being disrespectful, Director Cagnetti disagreed, and during more unintelligible comments President Dixon called for a recess. (8:47PM)

Directors Dixon, Lesh, Duffy, Casey, Dr. Kirijan and Solicitor Minora recessed. Directors Schuster, McAndrew, Gilmartin and Cagnetti remained on stage and Director Oleski was present via telephone.

President Dixon called the meeting back to order at 8:52PM and asked that everyone on the stage keep decorum of respect, no name calling, our superintendent IS in charge of the schools and we have to keep a respect factor on this stage as well as respect in the audience.

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Public Comment

Kevin Kays, SFT member and teacher at Scranton High School, commented that the 2018/2019 calendar is on the agenda and will provide earlier instructional time for the students.

Mr. Kays reminded the board of a request he had a few years back asking if a wind turbine could be installed at Scranton High School and with the help of Economic and Community Development, they require a resolution from the school board in support of seeking a grant of \$10,000.

Director Casey responded that he is definitely in favor and asked how the \$10,000 will be used.

Mr. Kays said the project will cost \$25,000 - \$28,000, depending on how many donations he receives, and so far the students have raised about \$10,000 through coin drops, bake sales and t-shirt sales.

Director Schuster asked if the wind turbine would help supplement electricity at Scranton High School. Mr. Kays said that while it could not supply the entire electrical service there would be some savings.

Matthew Loftus, SFT and teacher, asked the board to do everything in their power to eliminate the teacher furloughs because the students need all of the programs that are currently offered to run at full capacity.

Mr. Loftus thanked the board for agreeing to work with the SFT to try to address the per-pupil state funding issue and the deficiencies that exist and they are eager to start working on that as soon as possible.

Mr. Loftus also said that while fifty one furloughs is being discussed there are ninety-eight teachers who received furlough notices and those very dedicated employees need to make some decisions about their future and adding to that confusion is the notice on the back of their paychecks that all employees have reasonable assurance they would be back next school year in the same or similar capacity. Mr. Loftus added that many new employees having never seen that statement before thought the board had reversed their furlough decision.

In conclusion, Mr. Loftus spoke of the recommendation on the agenda this evening to hire more big level administrative staff and that doesn't make sense when teachers are being laid off and as a taxpayer he hopes that when elected officials see something wrong that they all take an active approach to fix it.

Lottie Olson, graduate, taxpayer, parent and teacher of the Scranton School District, believes in this district, is invested in this district but is concerned about her daughter's education, losing some of the best and brightest kids because families are moving out of the district. Mrs. Olson said she is disheartened by the articles in the newspaper and she is asking the board to be a voice for the public and stand up for what is right.

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A motion to accept the minutes of December 27, 2017, January 25, 2018 and February 5, 2018 was made by Director Casey, seconded by Director Duffy and passed unanimously on roll call.

Athletics and Stadium Committee

The following was submitted by Director Casey.

A-3

It is the recommendation of the Superintendent and the Athletics and Stadium Committee that the following resolution be approved:

WHEREAS, the Board of School Directors is always eager to recognize student-athletes who have distinguished themselves academically and athletically; and

WHEREAS, Willie Evanitsky, an outstanding senior at Scranton High School, is being honored for winning the PIAA AAA State Wrestling Championship held on March 10, 2018 at The Giant Center in Hershey, PA. He is the first ever state wrestling champion in the history of the Scranton School District. Willie finished his high school wrestling career with 148 wins. In addition, he is a three time Lackawanna League Champion, a three time PIAA District 2 Champion, a two time Christmas City Tournament Champion held in Bethlehem, PA, and Champion of The Escape The Rock Tournament held in Philadelphia, PA. Furthermore, Willie was the PIAA 2017 PIAA Regional Runner-up and placed fifth at the 2017 PIAA AAA State Wrestling Championships; and

NOW, THEREFORE, BE IT RESOLVED that the official congratulations of the Board is extended to Willie, his Parents, Tom and Shina Evanitsky, his coaches, his teammates, and all of his teachers at Scranton High School.

ALSO

A-4

It is the recommendation of the Superintendent and the Athletics and Stadium Committee that the following resolution be approved:

WHEREAS, the Board of School Directors is always eager to recognize student-athletes who have distinguished themselves academically and athletically; and

WHEREAS, Jacob Burgette, an outstanding senior at Scranton High School, is being honored for placing fifth at the PIAA AAA State Wrestling Championships held on March 10, 2018 at The Giant Center in Hershey, PA. Jacob, a four year member of the wrestling team, finished his high school wrestling career with 124 wins. In addition, he is a four time Lackawanna League Champion, Champion of The Christmas City Tournament held in Bethlehem, PA., Champion of The Coal Cracker Tournament held in Hazleton, PA., a two time PIAA District 2 Champion, a 2017 PIAA Regional Runner-Up and State Qualifier, and he placed 3<sup>rd</sup> at The 2018

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Regional PIAA Wrestling Tournament. In addition, Jacob attained Eagle, the highest rank in Boy Scouts and was a member of Troop 42.

NOW, THEREFORE, BE IT RESOLVED that the official congratulations of the Board is extended to Jacob, his Parents, John and Laura Burgette, his coaches, his teammates, and all of his teachers at Scranton High School.

ALSO

A-5

It is the recommendation of the Superintendent and the Athletics and Stadium Committee that the following resolution be approved:

WHEREAS, the Board of School Directors is always eager to recognize student-athletes who have distinguished themselves academically and athletically; and

WHEREAS, Jeremiah Oakes, an outstanding junior at Scranton High School is honored for being a 2018 PIAA State Wrestling Qualifier. Jeremiah, a three year member of the wrestling team, currently has 94 wins in his career thus far and is a two time Lackawanna League Champion. In addition, he is a 2018 PIAA District 2 Champion, and placed 3rd at The PIAA Regional Wrestling Tournament held in Bethlehem, PA. Furthermore, Jeremiah is an Honor Roll Student and is currently enrolled in Scranton High School's Honors and AP Program.

NOW, THEREFORE, BE IT RESOLVED that the official congratulations of the Board is extended to Jeremiah, his Parents, Michael and Carole Oakes, his coaches, his teammates, and all of his teachers at Scranton High School.

A-3, A-4 and A-5 resolutions were seconded by Director Duffy and passed unanimously on roll call.

ALSO

The following was submitted by Director Casey.

A-1

It is the recommendation of the Superintendent and the Athletics and Stadium Committee that the following resolution be approved:

WHEREAS, The University of Scranton and the Scranton School District have developed a field agreement partnership for the usage of Scranton Memorial Stadium and the newly developed South Side Complex, and

WHEREAS, The University of Scranton will use Scranton Memorial Stadium for Track and Field practices, and

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WHEREAS, The Scranton School District will use the newly developed South Side Complex for daily practices and as many games that are allowable by West Scranton Varsity/Junior Varsity Baseball Team, and

NOW, THEREFORE, BE IT RESOLVED, Field agreement between the University of Scranton and the Scranton School District be approved.

The resolution was seconded by Director McAndrew and passed unanimously on roll call.

ON THE QUESTION:

Director Casey asked if anything has changed since the last discussion on this matter.

Attorney Minora said he did approach the University of Scranton about assisting the Scranton School District financially resurfacing the field and they said they would assist the district in finding the best price but it is really just an exchange of mutual use of the fields for games and practices.

Director Lesh asked Mr. Minora if when the University acquired that city property would make it available to the public and does it include baseball fields.

Mr. Minora said he believes that to be true and thinks the University is building basketball courts and tennis courts and the courts are available to our school students but he is uncertain about the baseball fields and will look into it.

Director Lesh expressed that the Scranton School District extends their hand out to the University of Scranton and the University does not pay taxes and the district receives no financial assistance what so ever and it is difficult to understand that they're not willing to help out.

Mr. Minora said from the perspective of the baseball program that Mr. Gentilezza could answer better, adding that the kids are pretty excited to play at that new facility so there is a benefit for our children and it is a mutual benefit.

Director Casey remarked that after discussions with Mr. Gentilezza it needs to be realized that the track has been in use for several years and understand that after years of wear and tear how can they be expected to help but going forward they should help to resurface.

Mr. Minora reminded everyone that the contract is only good for one year.

ALSO

The following was submitted by Director Casey.

A-2

It is the recommendation of the Superintendent and the Athletics and Stadium Committee that the following resolution be approved:

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WHEREAS, The West Scranton Little League (WSLL) and the Scranton School District (West Scranton High Varsity/Junior Varsity/Junior High Baseball Teams & West Scranton Junior Varsity/Junior High Softball Teams) have developed a field agreement partnership for the usage of city owned Sloan Baseball/Softball Complex & Battaglia/Cawley Baseball Complex games & practices for a three year term, and

WHEREAS, The time period of the field agreement between West Scranton Little League (WSLL) and the Scranton School District shall commence on April 15, 2018 and end on April 14, 2021, and

WHEREAS, The Scranton School District will act as the PRIMARY and SECONDARY TENANTS pursuant to the following schedule. From April 15 commencing this year, 2018, through the year 2020, and ending June 15, 2018, each year through 2020, Scranton School District shall serve as the PRIMARY TENANT and West Scranton Little League shall serve as the SECONDARY TENANT. From June 15th commencing this year, 2018, through the year 2020, and ending September 15, 2018, each year through 2020, West Scranton Little League shall serve as the PRIMARY TENANT and the Scranton School District shall serve as the SECONDARY TENANT, and

WHEREAS, During the periods of PRIMARY TENANCY, the PRIMARY TENANT shall use the premises at its election. During the periods of SECONDARY TENANCY, the SECONDARY TENANT shall be permitted to use the premises when not in use by the PRIMARY TENANT and upon mutual agreement between the TENANTS, and

WHEREAS, During the period of PRIMARY TENANCY, the PRIMARY TENANT shall pay all rents and charges for any utility services furnished for use upon or in connection with the premises as the same shall be due during the continuance of this lease and shall not be authorized to obligate the CITY for any charges for utility service or costs or expenses related to the utilities, and

NOW, THEREFORE, BE IT RESOLVED, Field agreement between the West Scranton Little League (WSLL) and the Scranton School District be approved.

The resolution was seconded by Director McAndrew and passed unanimously on roll call.

ON THE QUESTION:

Director Casey thanked all parties for coming to an agreement as this has been a very controversial issue.

Director Schuster asked if the little league was involved and in full agreement.

Attorney Minora said yes and the conversations with the city solicitor and the head of West Scranton Little League went very well.

Budget and Finance Committee

The following was submitted by Director Cognetti.

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B-1

It is the recommendation of the Superintendent and Budget and Finance Committee that the following resolution be considered:

The list of bill payments in accordance with the bill payment approval Policy be approved as per the attached:

April 9, 2018	\$660,463.95
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The resolution was seconded by Director Casey and passed with six (6) affirmative, one (1) negative and one (1) abstention. Director Lesh voted in the negative, Director Schuster abstained and President Dixon stepped out momentarily.

ALSO

The following was submitted by Director Cagnetti.

B-2

It is the recommendation of the Superintendent and Budget and Finance Committee that the following resolution be considered:

The Exception Bill List as per the bill payment approval policy For the period ended April 9, 2018 be approved as per the attached.

Be it resolved that exception payments in the amount of \$3,443,886.93 have been paid in accordance with the approval for payment policy.

March 9, 2018	\$895,247.27
March 23, 2018	\$1,708,762.70
April 6, 2018	\$839,876.96

Be it resolved that payrolls amounting to \$7,930,343.39 have been paid in accordance with the approval for payment policy.

March 9, 2018	\$2,569,611.56
March 23, 2018	\$2,857,956.09
April 6, 2018	\$2,502,775.74

The resolution was seconded by Director Schuster and passed with seven (7) affirmative and one (1) negative vote. The negative vote was cast by Director Lesh and President Dixon stepped out momentarily.

ALSO

The following was submitted by Director Cagnetti.

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B-3

The Superintendent of Schools and the Budget and Finance Committee presents the following resolution for your consideration:

Be it resolved that the Delinquent Tax Report for the month of February, 2018 be accepted. A copy of the monthly detail is available for review in the Business Office.

Tax	\$372,212.02
Penalty	\$ 26,072.87
Interest	<u>\$ 17,957.40</u>
TOTAL	\$416,242.29
Commission	<u>\$(20,812.27)</u>
NET TO DISTRICT	\$395,430.02

The resolution was seconded by Director Casey and passed with eight (8) affirmative and one (1) negative vote. Director Lesh voted in the negative.

ALSO

The following was submitted by Director Cognetti.

B-4

The Superintendent of Schools and the Budget and Finance Committee presents the following resolution for your consideration:

Be it resolved that the Treasurer's Report for the period ending February, 2018 be accepted as follows:

Opening Balance	\$18,198,270.65
Monthly Revenue	\$21,303,060.36
Transfers and Refunds	<u>\$ 108,971.93</u>
Total Available	\$39,610,302.94
Total Disbursements	<u>\$ 9,092,004.18</u>
Balance in General Account	\$30,518,298.76

The resolution was seconded by Director Casey and passed unanimously on roll call.

ALSO

The following was submitted by Director Cognetti.

B-5

It is the recommendation of the Superintendent and the Budget and Finance Committee that the following resolution be approved:

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WHEREAS, In accordance with the Real Estate Tax Law any property not sold at Judicial Sale shall be listed in a Repository of Unsold Properties. The following properties have been sold and will be returned to a tax paying status with the Tax Claim Bureau:

John Goshleski	825 E. Elm St	Map No. 16708 030 012	\$2,986.40
Michael Vunk	205-207 Donnelly Ct	Map No. 15660 020 046	\$2,444.58
Jeffrey Gillern	1303 Stafford Ave	Map No. 16712 040 005	\$3,514.36

THEREFORE BE IT RESOLVED, that the School District of the City of Scranton does hereby approve the above referenced properties for a repository sale pursuant to the real estate tax sale law and section 627 of said act. This resolution is subject to the approval of other taxing bodies.

The resolution was seconded by Director Casey and passed unanimously on roll call.

ALSO

The following was submitted by Director Cognetti.

B-6

It is the recommendation of the Superintendent and the Budget and Finance Committee that the following is approved:

WHEREAS, Act 32 7 505(b) requires bodies of school districts, townships, boroughs and cities to appoint voting delegates and one or more alternate delegates to serve as their Tax Collection Committee (TCC) representatives, and

WHEREAS, the Scranton School Board wishes to appoint Tom Schuster as the Primary Delegate, and

WHEREAS, The Scranton School Board hereby appoints Paige Cognetti as the new First Alternate Delegate, and

WHEREAS, the Scranton School Board wishes to appoint Pat Laffey as the Second Alternate Delegate, and

THEREFORE BE IT RESOLVED that the Scranton School Board hereby appoints Tom Schuster as Primary Delegate, Paige Cognetti as the First Alternate Delegate and Pat Laffey, as the Second Alternate Delegate to the TCC and they are hereby authorized to vote on behalf of the SSD.

The resolution was seconded by Director Casey and passed with eight (8) affirmative and one (1) negative. Director Lesh voted in the negative.

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Technology Committee

The following was submitted by Director Lesh.

C-1

IT IS THE RECOMMENDATION OF THE SUPERINTENDENT AND THE TECHNOLOGY COMMITTEE THAT THE FOLLOWING IS APPROVED:

WHEREAS, Section 611 of the federal Communications Act, 47 U.S.C. § 531. Authorizes municipalities to require cable operators to set aside channel capacity for public access, educational, and governmental (“PEG”) programming; and

WHEREAS, the current Cable Franchise Agreement (“Agreement”) between the City of Scranton and Comcast requires Comcast to provide the City of Scranton with one Educational Channel and one Governmental Channel (collectively, the “EG Channels”) for the City’s exclusive use to provide community programming related to educational and governmental activities; and

WHEREAS, pursuant to Section 7.3 of the Agreement, Comcast has agreed to provide the City with an EG Capital Grant to be used in support of the production of programming for the EG Channels; and

WHEREAS, the School District utilizes the City’s Educational Channel to cablecast local educational programming; and

THEREFORE BE IT RESOLVED, in consideration of the mutual promises contained herein and intended to be legally bound hereby, the Scranton School Board of Directors agrees to the disbursement and payment schedule and responsibilities per the attached Memorandum of Understanding (MOU) between the City of Scranton and the Scranton School District.

The resolution was seconded by Director Schuster and passed unanimously on roll call.

ON THE QUESTION:

Director Schuster asked if a piece of this grant is paying to broadcast the meetings.

Solicitor Minora responded that it is a franchise agreement that the City of Scranton gets every year and because we picked up the educational channel and they agreed to give the district \$30,000.

Director Schuster asked if this is a grant they get every year and commented that he has been trying to get these meetings televised and he is glad to see that it is finally happening.

Solicitor Minora said that the total grant is \$200,000 and the district gets 15% of that.

Director Casey asked if the meetings will be broadcast live.

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Solicitor Minora responded that is a question for Mr. Joe Brazil and there are some programming requirements.

Director Gilmartin remarked that in the MOU from the City of Scranton it says that it shall be a requirement that the school district produce and cable cast on the educational channel a minimum of three hours of locally produced and non competitive and non character generated community programming on a weekly basis.

Solicitor Minora answered only when school is in session.

Director Gilmartin believes the meetings will be televised on the government channel and if there is cause for concern because the MOU says the educational channel, not the government channel and are we fulfilling our programming requirements on the educational channel. Ms. Gilmartin added she thinks we can accept this grant graciously but we need to make sure we're not doing anything to jeopardize.

Mr. Minora apologized he doesn't have the answer, that it is a question for Mr. Brazil.

ALSO

The following was submitted by Director Lesh.

C-2

The Superintendent of Schools and the Technology Committee present the following resolution for your consideration.

Whereas the Scranton School District is looking to achieve savings in all areas of its operations.

Whereas the District along with PFM, our State appointed Technical Assistance Representative, have been reviewing the copying and printing costs of the District.

And Whereas the Districts current lease contract for copying service's will be expiring before the end of 2018.

Therefore Be It Resolved the Scranton School Board of Directors authorizes the Administration to solicit RFP's for Copying and Printing Consulting Services to identify the copying and printing needs of the District and also assist in the preparation of future Copier and Printing Bid proposals.

The resolution was seconded by Director Casey and passed unanimously on roll call.

Education Committee

The following was submitted by Director Cognetti.



April 9, 2018

WHEREAS, the Scranton School Board hereby adopts the attached revised 2017/2018 school calendar.

The resolution was seconded by Director Duffy.

Director Lesh made a motion to table, seconded by Director Casey.

ON THE QUESTION:

Dr. Kirijan explained that D-2 contains the 2017-2018 school calendar adjustments she addressed earlier in her comments that the school year will end June 15, 2018.

The motion to table and the second were retracted.

The original motion passed unanimously on roll call.

D-3

It is the recommendation of the Superintendent of Schools and the Education Committee of the Scranton School District that the attached school calendar for the 2018-2019 and 2019-2020 school year be approved.

The resolution was seconded by Director Duffy.

ON THE QUESTION:

Director Schuster made a motion to table, seconded by Director Gilmartin and the resolution D-3 was tabled unanimously on roll call.

#### Food Service Committee

The following was submitted by Director McAndrew.

E-1

The Superintendent of Schools and the Food Service Committee present the following resolution for your consideration:

WHEREAS, it is the intent of the Scranton School District to offer and provide all students the opportunity to receive nutritious and well balanced meals on a daily basis.

AND WHEREAS, the Scranton School District realizes the important role that nutritious and well balanced meals play in student achievement.

THEREFORE BE IT RESOLVED beginning in the 2018-2019 school year the Scranton School District will offer breakfast to all students when there is a two hour delay.

The resolution was seconded by Director Casey and passed unanimously on roll call.

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Intergovernmental Committee

The following was submitted by Director Duffy.

G-1

It is the recommendation of the Superintendent and the Intergovernmental Committee that the following resolution be approved:

WHEREAS, the Scranton School District and the City of Scranton are willing to talk about the potential to share certain services. This effort may lead to increase efficiencies, enhance intergovernmental relationships, and improve the quality of governmental services; and

WHEREAS, the Scranton School District has been placed in Financial Watch Status pursuant to Act 141 of 2012; and

WHEREAS, the District's Technical Advisor, PFM, recommends the District make efforts to share services, costs, and expenses with other municipal bodies; and

WHEREAS, to advance dialogue and ensure the success of shared services, costs, and expenses, the Scranton School District and the City of Scranton have agreed to form a "Shared Services Committee" to explore the possibility of shared service opportunities; and

WHEREAS, the Scranton School District Board of Education shall appoint up to four members to said COMMITTEE, along with two members from the City of Scranton; and

WHEREAS, this agreement will be for an initial term of 6 months, and be reviewed by the entire board and PFM in an effort to examine effectiveness, and to change board representatives; and

WHEREAS, the Board will establish a list of 5-10 most important items to speak about when at COMMITTEE meetings; and

WHEREAS, the meetings will be bi monthly basis at a location and time to be agreed upon by both entities; and

WHEREAS, the District representatives will invite administration personnel and/or other government agencies to meetings of said COMMITTEE to accomplish the above; and

WHEREAS, Scranton School Board Member Director Gilmartin shall provide regular updates on the progress of said COMMITTEE to the full Scranton School Board; and

WHEREAS, any and all possible solutions be presented to both the School Board and our PFM administrative team to help ensure the idea or solution is viable.

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NOW, THEREFORE, BE IT RESOLVED that the Scranton School Board approves the formation of the "SHARED SERVICES COMMITTEE" in cooperation with the Scranton City Council and here by appoints Katie Gilmartin and Paige Cognetti to represent the Scranton School Board for the first 6 months of said committee.

The resolution was seconded by Director Casey and passed unanimously on roll call.

Policy Committee

The following was submitted by Director Gilmartin.

I-1

It is the recommendation of the Superintendent and the Policy Committee that the following resolution be approved:

WHEREAS, it is the desire of the Scranton School District Board of Education to govern using best proven practices that serve in the best interest of Scranton School District students, employees, and the Scranton community; and

NOW, THEREFORE, BE IT RESOLVED, to form a strong effective governing team and to interact collaboratively with the Superintendent, the Scranton School District Board of Education will engage PSBA to provide training on April 17, 2018 from 6:00 PM – 9:00 PM at no cost to the district.

The resolution was seconded by Director Casey and passed unanimously on roll call.

ALSO

The following was submitted by Director Gilmartin.

I-2

It is the recommendation of the Superintendent and the Policy/Legislative & Federal Programs Committee that the following be approved:

BE IT RESOLVED, in order to comply with the Pennsylvania Right to Know Law, the Scranton School District officially names Robert Gentilezza as the Right to Know Officer beginning May 1, 2018.

The resolution was seconded by Director Casey.

Dr. Kirijan commented that Mr. Joseph Brazil has moved up his date of departure with the district and she needs to distribute his duties to staff members at the central office and she wanted to be sure the board was aware that the beginning date for Mr. Gentilezza as Right to Know officer is May 1, 2018.

Director Casey made a motion for a FRIENDLY AMENDMENT to reflect the beginning date of May 1, 2018.

April 9, 2018

Director Gilmartin asked for in the interest of clarity, the policy refers to the Open Records Officer not Right to Know Officer and this should reflect that or the policy needs to be changed so that everything matches up.

Director Schuster made a motion for a FRIENDLY AMENDMENT for the resolution to change the language of Right to Know Officer to Open Records Officer as well as the date of May 1, 2018.

Director Casey seconded.

Director Schuster asked if an appeals officer needs to be appointed.

Director Cognetti indicated that in the Pennsylvania Right to know law section 503 it says that an agency of a government should designate an appeals officer and thinks it needs to be discussed with PSBA and other advisors. President Dixon agreed she interpreted that it comes from the Right to know office.

Solicitor Minora said it is appointed by the Office of Open Records and if you look at section 503 and in conjunction with section 1102, it tells you what duties are and they're actually a hearing officer and it is confusing the way it reads is that the district should have an appeals officer and if you look at section 1102 it defines the duties of an appeals officer and section 503 says the Office of Open Records appoints the appeals officer.

ALSO

The following was submitted by Director Gilmartin.

I-3

It is the recommendation of the Superintendent and the Policy Committee that the following resolution be approved:

**WHEREAS**, The following policies (906 & 918) have been *revised* by the Pennsylvania School Board Association (PSBA), and

<b>POLICY NUMBER</b>	<b>POLICY REVISIONS</b>
Policy 906	Public Complaint Procedures
Policy 918	Title I Parent and Family Engagement

**WHEREAS**, The following policies (827) has been *revised* by the Scranton School District Policy Committee, and

<b>POLICY NUMBER</b>	<b>NEW POLICIES</b>
Policy 827	Conflict of Interest

**NOW THEREFORE BE IT RESOLVED** that the Scranton School Board hereby approves revisions to Policy Numbers 906 & 918 recommended by the Pennsylvania School Boards Association (PSBA) and Numbers 827 recommended by the Scranton School District Policy Committee.

The resolution was seconded by Director Casey and passed unanimously on roll call.

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Personnel Committee

The following was submitted by Director Casey.

J-1

It is the recommendation of the Superintendent and Personnel Committee that the attached list of Appointments, Assignments, Resignations, Rescinded Positions and Leaves of Absences is approved.

Appointments are effective upon receipt of proper criminal records, immigration, and medical and child abuse reports.

Salaries are in accordance with the Collective Bargaining Agreements.

<b>RECOMMENDATIONS FOR LONG-TERM SUBSTITUTE TEACHING ASSIGNMENTS:</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>	<u>Salary</u>
Theresa Sweeney	Kindergarten	Willard	3/12/18-5/18	
Paul Shanahan	Biology	Northeast Intermediate	1/16/18-6/18	
Tricia Karp	Grade 3	Adams	4/3/18-6/11/18	
<b>RESIGNATIONS-PROFESSIONAL</b>				
Charles Suppon	Assistant Principal	WSHS	5/11/2018	
Joseph Brazil	Chief Information Officer	Administration Bldg.	6/30/2018 (Original date of 12/31/18)	
<b>RETIREMENTS-PROFESSIONAL</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION/GRADE</u>	<u>EFFECTIVE DATE</u>	
Lisa Ross	Teacher-Title I Math	Morris/Willard	Last day- 2017/2018 school year	
Kathleen Dennebaum	Teacher- Health & P.E.	West Intermediate 6,7,8	Last day- 2017/2018 school year	
Rosemarie Turnbaugh	Teacher-Art	North East Intermediate	Last day- 2017/2018 school year	
Lynn Monelli	Library	Willard/Whittier PK-5	Last day- 2017/2018 school year	

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<b>COACHING APPOINTMENTS</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>	<u>Salary</u>
Jessica McCauley	Assistant Track- Junior High	WSHS	3/15/2018	Per CBA
Allison Carroll	Girl's Softball- 7/8th Grades	SSIS	3/15/2018	Per CBA (1/2)
Joseph McGuire	Girl's Softball- 7/8th Grades	SSIS	3/15/2018	Per CBA (1/2)
<b>LEAVE OF ABSENCE - PROFESSIONAL</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>	<u>Salary</u>
Carissa Smith	K-3 Emotional Support	Whittier #2	4/23/18 to last day of 2018 school year	
			FMLA	
Abigail Fisch	Biology 9/10	SHS	4/23/18 to 6/12 6/13/18	
Jacquelyn Schulte	German / Social Studies	WSHS	5/15/18 to 6/18- last school day	
Stefanie Saunders	Grade 3	Adams	4/3/2018	
			FMLA	
<b>RESIGNATIONS - NON-PROFESSIONAL</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATES/</u>	
Lisa Eiden	Clerk	Bancroft #34	<u>5/11/2018</u>	
Michael Scarfo	Maintenance	Willard	<u>4/9/2018</u>	
<b>RETIREMENTS-NON-PROFESSIONAL</b>				
<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>		
Luciana Nidoh	Library Clerk	McNichols/Morris	<u>7/1/2018</u>	
Sheryl Milewski	Autistic Support Para	Adams	2017-2018 last day of school	
Kathy Lavelle	Pool Attendant	Scranton High	5/29/2018	
<b>LEAVE OF ABSENCE - NON-PROFESSIONAL</b>				
James Castaldi	Maintenance	South Intermediate	3/23/2018	

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			Intermittent FMLA	
<b>APPOINTMENTS- PROFESSIONAL</b>				<b>Salary</b>
Sharon Baddick	Director-Special Ed & Support Services	Ad Building	TBD	\$110,000.00
<b>COACHING RESIGNATIONS</b>				
<b><u>NAME</u></b>	<b><u>POSITION</u></b>	<b><u>LOCATION</u></b>		
Craig Rosser	Varsity Assistant Football Coach	West Scranton High School	3/16/2018	

The resolution was seconded by Director Dixon and passed unanimously on roll call.

ALSO

The following was submitted by Director Casey.

J-2

It is the recommendation of the Superintendent and Personnel Committee that the following is approved:

WHEREAS, employee NH has been subject to a disciplinary violation, and has failed to respond to two (2) previous hearings; and

WHEREAS, employee CL has been subject to disciplinary procedures on several occasions; and

WHEREAS, employee PM has allowed his certification to become invalid; and

THEREFORE BE IT RESOLVED, the Board of School Directors authorize NH, CL, and PM be taken to Loudermill Hearings and that the Solicitor and Chief HR Officer are to follow appropriate procedures.

The resolution was seconded by Director McAndrew and passed with eight (8) affirmative and one (1) abstention. Director Dixon abstained due to prior working relationship with one of the employees.

Buildings and Grounds Committee

The following was submitted by Director McAndrew.

M-1

It is the recommendation of the Superintendent and the Building and Grounds Committee that the following resolution be approved:

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WHEREAS, the Scranton School District always endeavors to maintain two comprehensive high schools in the District with like course offerings and equal enrollments and,

WHEREAS, the Scranton School District makes every effort to ensure that overcrowding conditions do not exist at any of the schools in the District and,

WHEREAS, the Scranton School District desires that all students attend school according to their designated attendance area,

NOW, THEREFORE, BE IT RESOLVED, that the Scranton School Board approve that the West Scranton High School be the designated high school for all students who attended John F. Kennedy Elementary School and McNichols Plaza Elementary commencing in the 2018-2019 school year.

The resolution was seconded by Director Casey and passed with seven (7) affirmative and two (2) negative votes. The negative votes were cast by Directors Lesh and Schuster.

ON THE QUESTION:

Director Schuster agrees that the discrepancies at both high schools needs to be resolved and he is in favor of that however as far back as 2015 when this was first presented to the board by Davis Demographics he had some questions regarding alternative boundaries and he doesn't feel like he received sufficient answers and because representatives from Texas and California do not know our district he will be voting no.

Director Duffy directed his comments and questions to Dr. Kirijan and agrees the populations need to be equal at both high schools however he would like to approve this for the 2019-2020 school year so it can be further investigated over the transportation issues and for the benefit of the students and parents to help them get acclimated to the changes.

Dr. Kirijan said she made the recommendation and at this point it is up to the board to decide but she is concerned about the safety issues at Scranton High School with one less administrator, the class sizes and several other factors that were already presented to the board.

President Dixon also expressed her concern as a former administrator that this is a big concern for her for the safety of the students, confirmed with Dr. Kirijan that Scranton High is 50 students away from reaching max with one less administrator and with the influx of students the district receives over the summer into October the max could very well be reached at the beginning of the school year.

ALSO

The following was submitted by Director McAndrew.

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M-2

It is the recommendation of the Superintendent and the Building and Grounds Committee to approve the following resolution:

WHEREAS, on March 5<sup>th</sup>, 2018, a Request for Proposals was made requesting digital billboards near Scranton High School on the North Scranton Expressway and Providence Road; and

WHEREAS, Times-Shamrock Outdoor and King Outdoor responded; and

WHEREAS, Times-Shamrock Outdoor was the best bid for the Scranton Expressway totaling \$500,000.00 over 25 years as follows:

\$15,000 per year for years 1-5;  
\$17,000 per year for years 6-10;  
\$20,000 per year for year 11-15;  
\$22,500 per year for years 16-20;  
\$25,000 per year for years 20-25, and

WHEREAS, King Outdoor's proposal was the best bid for Providence Road totaling \$187,500.00 over 15 years as follows:

\$10,000 per year for years 1-5;  
\$12,500 per year for years 6-10;  
\$15,000 per year for years 11-15, and

AND NOW THEREFORE BE IT RESOLVED that the above resolution be approved subject to zoning approval, PennDOT approval, site selection on school district property and execution of said contracts.

The resolution was seconded by Director Casey.

Director Cagnetti made a motion to table since it was presented just this afternoon to the board. Director Schuster seconded the motion.

Director Casey asked for more explanation of what this proposal is.

Mr. Rob Noone spoke on behalf of Mr. Brazil explaining that an RFP was put out, site tours were conducted, would not cost the district anything and they're only looking to get the process moving because it still needs to be presented to the zoning board.

Director Gilmartin thought a resolution was being presented so that the companies may move forward to seek approval from the zoning board.

Solicitor Minora explained the zoning process and they would have to have approval and the bids came in late afternoon on Friday and he reviewed the bids and that's why everything has been expedited.

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Director Cagnetti questioned Mr. Minora and that no one on the board saw any of the bids and thinks all the proposals should be attached.

Director Schuster confirmed that this is a vote to table the resolution.

The motion to table passed unanimously on roll call.

Special Education Committee

The following was submitted by Director Schuster.

N-1

The Superintendent and Special Education Committee hereby recommend the following resolution for your Consideration:

WHEREAS, the School District of the City of Scranton is subject of administration proceedings and civil suits, wherein the appropriateness of the student's special education programs have been challenged or suits have been filed in the matters of JS, LB, ER/ODR #20135-17-18, MJ/ODR #20247-17-18 and JG/ODR #20233-1718; and

WHEREAS, the parties have reached a settlement agreement in this matter upon the terms and conditions previously provided for your consideration; and

THEREFORE BE IT RESOLVED, that the settlements as indicated above, be approved upon the terms and conditions as described, and the Superintendent or Directors of Special Education are hereby authorized to execute any and all documents necessary to consummate the matter.

The resolution was seconded by Director Gilmartin and passed unanimously on roll call with the exception of Director Casey who stepped out of meeting.

Vocational Education Committee

The following was submitted by Director Gilmartin.

O-1

It is the recommendation of the Superintendent and Vocational Education Committee that the following resolution be approved:

BE IT RESOLVED that the Budget of the Career Technology Center of Lackawanna County for the fiscal year of July 1, 2018 to June 30, 2018 be approved as attached.

The resolution was seconded by Director Casey and passed with seven (7) affirmative, one (1) negative and one (1) abstention. Director Lesh voted negative. Director McAndrew abstained due to his employment with the Career Technology Center.

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ON THE QUESTION:

Director Duffy inquired about the drastic increase in LPN Continuing Education from 2017-2018 to 2018-2019.

Transportation Committee

The following was submitted by Director Lesh.

P-1

The Superintendent of Schools and the Transportation Committee present the following resolution for your consideration:

Whereas, the Scranton School District is looking to achieve savings in all areas of its operations; and

Whereas, the District along with PFM our State appointed Technical Assistance Representative have been reviewing the Transportation operations of the District; and

Whereas, the District and PFM feel that savings may be achievable through the use of specialized transportation software and consulting services to analyze the District current Transportation operation.

Therefore be it resolved the Scranton School Board of Directors authorizes the Administration to solicit RFPs for Transportation Software and Consulting Services to analyze the District's current Transportation operations and provide recommendations to achieve savings.

The resolution was seconded by Director Casey and passed unanimously on roll call.

ON THE QUESTION:

Director Lesh commented that over the last few years the district has worked in earnest to improve its transportation and cut costs and he appreciates PFM and their help in finding cost savings and believes there is an offer on the table from Denaples Transportation to save the district some money in the upcoming years and appeals to the board to look into that.

NEW BUSINESS:

Director McAndrew made the following motion:

To the members of the Board of Directors of the Scranton School District:

As confirmed in an email from Carolyn M. Simpson, Deputy Director of Communications, Office of the Attorney General, although the office cannot confirm or deny the existence of any investigation the public statement quoted in the Scranton Times-Tribune is accurate. As stated by spokesperson Joe Grace, "No one with the office of attorney general told anyone in the Scranton School District not to respond to

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a Right to Know request, or to not talk with The Scranton Times. We take this matter very seriously and have reviewed it carefully. As said previously, we cannot confirm or deny the existence of any criminal investigation.”

Ms. Simpson states, “Any decision you and the school board make regarding the Right to Know Request submitted by the Scranton Times has no impact on our office and does not involve us in any way.”

That being said, I move to direct the Administration to comply with all Right to Know requests concerning the former district fleet manager’s billing and insurance payments.

ON THE QUESTION:

Dr. Kirijan responded that the statement is correct except there is one omission which is the local office did advise that when there is an open investigation there is an exception and the exception is that the records do not have to be turned over and she has been working with the board, has written emails to the board explaining the timeline and also discussed this extensively with the board. Dr. Kirijan continued to say that she has been, or seemed to be directed by consensus that the records be held until the appeals process goes through however she did state when she discussed this with the board at any time if the board as a whole directs her to turn over the records she would be happy to do that and she wanted to make it perfectly clear that she has not heard from the board, since she heard, by consensus because there were no objections to the records until the appeals process goes through and she also had requested the board, if they wanted the records to be turned over to ask her to do so and it would be done right away.

President Dixon asked if there is any record of opinion from Attorney Minora.

Attorney Minora said the exceptions exist, they are lawful exceptions, however the board has the right to waive those exceptions and he thinks that is what Director McAndrew’s motion is for. Mr. Minora added that his concern is there is a remote possibility and highly unlikely, citing Section 5102 of the Criminal Code, if you impede an investigation of the administration of justice, that is an M2 (misdemeanor of the second degree) and he doesn’t know what these documents would do or not do to impact the investigation he suspects it wouldn’t but he wouldn’t be doing his job if he didn’t tell the board but it is the board’s decision and he wants to make sure they make a fully informed decision.

President Dixon commented that this is something that happened before most of them were on the board so it doesn’t matter to her but what does concern her is if they are on record that this could happen, are they jeopardizing themselves to go against that and opening the themselves up to a legal liability.

Attorney Minora again said he is telling the board the possibility is remote and highly unlikely but it is still a possibility so if you reveal these documents and it turns out that they somehow impedes the administration of justice then yes.

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President Dixon asked if they can be prosecuted individually and Attorney Minora answered, in theory, yes but highly unlikely.

Director McAndrew remarked that the people investigating this said in an email that it would not have any impact on the investigation and that's good enough for him, there is a motion on the table just vote yes or no.

Director Schuster confirmed with Mr. Minora that Director McAndrew made a motion and it is the consensus of the board then we're ready to go.

Dr. Kirijan asked if there needs to be a resolution.

Director McAndrew answered that he just made a motion.

Director Cagnetti responded to Dr. Kirijan's earlier comments stating there were no objections to them holding off until the appeal, it might be true that we were still discussing but from her perspective there was never a time that it was discussed as a board to definitely hold and not make a decision until the appeals process was over.

Dr. Kirijan replied that for lack of direction and lack of objection she interpreted it that way adding that she has said on many occasions verbally, by email and this evening if it is the boards pleasure the records will be released.

Director Lesh commented that as Mrs. Cagnetti said earlier that she didn't feel comfortable voting for the billboard proposal because it was presented this afternoon, and then this motion which he feels has sandbagged this board, has just been presented to them and it is very unfair and unprofessional and thinks it needs further discussion before making a decision like this, Solicitor Minora has given them a valid warning that there is a chance for legal repercussions.

Director Cagnetti replied that it they have been discussing this at length for 15 days, since March 25<sup>th</sup>.

Director Schuster responded that Solicitor Minora also said it is a remote possibility and highly unlikely.

Director Duffy said that if someone tells him as their solicitor has that there is a chance of legal repercussions, that this could possibly hinder the investigation, an investigation they asked for, then he has serious reservations and that being said, he doesn't want to stop anyone from getting information and that the public is in need of getting but is there any way they can effectively move the appeal process along faster.

Attorney Minora answered he doesn't think he can, the decision will be made April 26<sup>th</sup>, that schedule is set by the appeals officer.

Director Lesh said he still thinks they should be cautious and wait until April 26<sup>th</sup>, why should they compromise something they started themselves and does not think this is the time to do this.

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Director Cognetti asked why should they be keeping public documents from the public.

Dr. Kirijan said if the board decides to vote on this she would like an amendment to say that she was advised by the local office of the Attorney General not to release the records.

Director Cognetti asked if this is a formal vote.

Director Oleski, present at the board meeting via teleconference, remarked that it is very difficult for her to hear everyone, may she abstain as she wouldn't feel comfortable voting on something she is unclear about.

Director Cognetti asked Dr. Kirijan if attached the affidavit documents as part of the record would be acceptable. Dr. Kirijan said she would be fine with that.

President Dixon asked what happens if this is overturned.

Attorney Minora said if it is overturned it becomes a moot point.

The motion was seconded by Director Schuster and passed with seven (7) affirmative, one (1) negative and one (1) abstention. Director Lesh voted in the negative. Director Oleski abstained due to the fact she is attending the meeting via teleconference and was unable to hear clearly and would not feel comfortable voting on something she is unclear about.

At this time Dr. Kirijan assured Mrs. Dixon that the records would be ready first thing tomorrow morning.

Dr. Kirijan asked for the board's patience and those in the audience. Dr. Kirijan spoke of earlier comments about bullying among the students and it is unfortunate that bullying is also an adult problem which was evident tonight in this room, everyone witnessed a disappointing display of adult bullying from a small representation of our teachers who are expected to be role models for our students, those teachers are urged to read the introduction of the CBA. Dr. Kirijan said in addition there was display of bullying on this stage which is clearly a violation of the leadership and governance policy passed by this board and if the expectation is that students and staff follow policy and procedures, the expectation is that the board would do the same and as leader of this district she is asking that everyone put personal feelings aside and abide by the policies and procedures and work together in the best interest of the students, taxpayers, administrative staff, faculty, employees and the Scranton community.

Director Lesh apologized for his behavior earlier this evening, he should be above the comments that were spoken by the audience, as he is an elected official, and he backs up Dr. Kirijan's comments 100%, the board faces a lot of unpopular, difficult decisions and this was bullying in the worst way this evening, the teachers are out there every day in front of children and they're supposed to be an example to the students, why would they come here and act like that when they don't act like that in the classroom.

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Director Lesh added that as for his resigning from the board and rescinding his resignation, it was a very difficult decision, his reasons concerned his family and it is something he has to live with everyday.

President Dixon said there have been some serious difficult decisions made since she came on the board in December and as board president she congratulated the entire board, senior staff, Dr, Kirijan, administrative staff, teachers and the SFT for coming together.

Mrs. Dixon also commented on the behavior of adults including board members and in the audience and echoed Mr. Lesh that there is no reason for teachers to scream out and if a student ever did that they would be called out for their behavior. Mrs. Dixon expects this board to show decorum as a governing body and to provide the leadership that they need and there is no reason to act disrespectful, condescending and yelling at each other. She said it is the desire of the Scranton School Board of Education to govern using best practices so they can become a model board of this district.

Before adjournment Mrs. Michele Petraitis questioned the board about the statement on the back of teacher's paychecks welcoming them back the next school year, when her husband is one of the teachers who received a furlough letter and as a spouse going through this she asked the board to give those who received a furlough letter more respect than that.

Director Lesh deeply apologized that the message went out like that, asked administration how that happened and Director Gilmartin commented that it was an inexcusable oversight.

There being no further business a motion to adjourn was made by Director McAndrew, seconded by Director Casey and the meeting adjourned at 10:35pm.

By: \_\_\_\_\_