

February 4, 2019

Scranton, Pennsylvania

The Scranton School Board of Directors held a regular Board Meeting on Monday, February 4, 2019 at 7:00pm prevailing time in the auditorium of West Scranton High School, 1201 Luzerne Street, Scranton, PA.

President Dixon called the meeting to order at 7:24pm with a Pledge of Allegiance to the Flag.

Roll Call: By the Secretary.

Present: Directors Duffy, Gilmartin, Lesh (via teleconference), McAndrew, Patel, Popil, Schuster and President Dixon. (A vacant seat exists due to Mr. Casey's resignation)

Absent: All Present.

Communications to the Board:

Board Secretary Virginia Orr announced executive sessions were held on Monday, January 28, 2019 and this evening, February 4, 2019 to discuss Personnel, Disciplines and Hiring Recommendations, Real Estate, Appraisals, Assessments and Litigation.

Solicitor's Report

Solicitor John Audi announced there is an amendment to the agenda to add four resolutions for tax litigation that needs to be voted by the board tonight. Mr. Audi asked for a few minutes to prepare the resolution.

Superintendent's Report

Dr. Alexis Kirijan congratulated all Reflections Competition winners and wished all those headed to States much good luck.

President Dixon now asked Solicitor John Audi for guidance, they wish to move the Food Services presentation to follow after the three votes they need to do and asked if they need a motion for that.

Attorney Audi said that it isn't necessary but it wouldn't hurt to do so.

President Dixon asked for a motion to waive the rules of the board out of order.

Director Popil made a motion, seconded by Director Duffy. President Dixon asked if they need an "On the Question". Mr. Audi said no.

Director Schuster asked to clarify moving the Food Services Presentation and if they need public comment prior to the three resolutions. President Dixon and Mr. Audi both said no.

The motion to waive the rules of the board out of order passed unanimously on roll call.

President Dixon asked for a motion to accept the resignation of Mr. Robert Casey and asked if she needed to read the resolution. Mr. Audi said no, there is a motion to accept the resignation.

Director McAndrew made a motion, seconded by Director Popil and the motion passed unanimously on roll call.

February 4, 2019

President Dixon now asked for a motion to accept the Declaration of Recovery Status.

Director Popil made a motion, seconded by Director Patel and passed unanimously on roll call vote.

At this time Superintendent Dr. Kirijan commented that the Declaration was sent by David Volkman, the Executive Deputy Secretary of Education; today she received communication from Pedro Rivera, the Secretary of Education, stating that he is aware of the financial condition of the Scranton School District and the administrative practices of the elected school board and other pertinent matters concerning the district; the board received the Declaration from David Volkman and today she received verification from Mr. Pedro Rivera.

President Dixon asked Mr. Audi if a motion is needed to open the floor for nominations for Vice President due to the resignation of Mr. Robert Casey.

Director Gilmartin made a motion to nominate Director Schuster, seconded by Director McAndrew.

Director Schuster made a motion to nominate Director Gilmartin, seconded by Director McAndrew.

Director Lesh, who was present via teleconference, needed clarification of nominations. Director Schuster asked if Mr. Lesh is able to hear what the rest of the board is saying. Mrs. Orr, Board Secretary informed Mr. Lesh they are taking nominations for Vice President, asked Mr. Lesh if he is able to hear the board clearly and he said yes and made a motion to nominate Director Greg Popil for Vice President. Director Patel seconded the motion.

Director Schuster wanted to confirm that Mr. Lesh is able to hear what is being said. Mrs. Orr asked Mr. Lesh if he could hear; Mr. Lesh said yes.

The motion nominating Director Schuster for Vice President failed with three (3) affirmative and five (5) negative votes. Directors Duffy, Lesh, Patel, Popil and Dixon voted in the negative.

The motion nominating Director Gilmartin for Vice President failed with three (3) affirmative and five (5) negative votes. Directors Duffy, Lesh, Patel, Popil and Dixon voted in the negative.

The motion nominating Director Popil for Vice President passed with five (5) affirmative and three (3) negative votes. Directors Gilmartin, McAndrew and Schuster voted in the negative.

At this time President Dixon turned the meeting over to Vice President Popil. Mrs. Dixon had to depart due to a death in the family.

Director Popil now moved to the presentation for Food Services.

Mr. Pat Laffey, Business Manager, gave a brief summary of the Food Services operations as highlighted in the attachment. <..\Documents\Food Services Presentation-Laffey-2.4.19.pdf> Mr. Laffey would include the slides in their weekly packet this weekend. Mr. Laffey also recommended that the board move to renew the food service contract.

Director Schuster inquired if the district is on pace to hit the cap for the \$1,000,000 reimbursement for this year.

Mr. Laffey said yes, he is confident that we will get there and we are on track.

February 4, 2019

Director Schuster noted the reimbursement has been great for improvements in cafeterias throughout the district and asked if any of the improvements overlap with the projects that were discussed at the work session or if anything falls into the realm of safety in the schools.

Mr. Laffey does not believe they overlap and the limitation with the cafeteria fund is the money has to be used in the cafeteria and the focus is mainly on equipment.

Director Schuster asked about the safety in the cafeterias.

Mr. Laffey said the overcrowding at Northeast is currently being reviewed and they should be starting shortly in the auxiliary.

PSBA Report

Director Gilmartin reported on the following:

- The Governor will be laying out a proposed spending plan for 2019-2020 on Tuesday and PSBA will follow up with an annual budget briefing with Commonwealth Budget Secretary Jen Swails and PSBA Chief Advocacy Officer John Callahan on Thursday, February 7th from 4-5pm. More information is available on the PSBA website.
- The Attorney General's Office and Safety Experts will have presentations at sectional meetings in February and March.
- The Board President's Panel has been rescheduled due to cancellations because of inclement weather and will be held on February 12th at the CTC in Scranton.
- The Spring Legal Roundup will be held on March 21st from 1:30-5pm at the West Side CTC in Kingston, PA.
- March 3rd- March 8th is National School Breakfast Week with No Kid Hungry Pennsylvania to celebrate PA Schools Breakfast Heroes and a form is available on the PSBA website allowing districts to nominate teachers, principals, superintendents, custodians, cafeteria staff, advocates or elected officials who have been a school breakfast hero.

Prior to public comment Solicitor Audi addressed the amendments to the agenda under the Budget and Finance Committee which will be considered under Consent unless any board member disagreed.

Mr. Audi explained the following recommending board approval:

- Agreements or stipulations approving properties at 210-218 Penn Ave, 201-213 Wyoming Ave and 529-531 Wyoming Ave; these properties have been reassessed to a lower value with all other taxing bodies approving and the recommendation is that Scranton School District approval as well.
- Business Privilege matter for \$37,000 to be divided up between the city and school district; the taxpayer conducted business in the city for only one year.
- M & S Inc., a proposed stipulation, for a Fair Market Value assessed at \$1,000,000, reduced to roughly \$900,000 and the recommendation is the board accepts that as well.

Mr. Audi said copies of the stipulations are available if anyone wishes to inspect them but he needed to record prior to public comment.

Dr. Kirijan also explained that the board reviewed this evening prior to the board meeting.

Dr. Kirijan informed the Board Secretary that all of the agreements would be included under Consent as B-11; Mr. Audi agreed all of it could be considered as one item.

February 4, 2019

Mr. Audi said a motion is needed to amend the agenda.

It was determined that Director Lesh's call was lost; Mr. Schuster asked Mr. Audi if Mr. Lesh must attend the entire meeting for his votes to count, Mr. Audi agreed.

Contact was reinstated with Mr. Lesh and reconnected via teleconference.

Director Duffy made a motion to amend the agenda to include B-11 on the Consent Agenda; Director Schuster seconded and passed unanimously on roll call.

Public Comment:

Holly Meade, teacher at Northeast Intermediate made suggestions which would be no cost to the district. Mrs. Meade suggested passing a resolution to have Board Meetings in January and August, pass a resolution to amend Policy 903 for Public Participation in Board Meetings, pass a resolution that any work session or board meeting must begin no later than 30 minutes after its scheduled start time and urged the board to please question presenters, the solicitor, the superintendent and administrators and don't take every presentation as the truth.

Christine Gutekunst, Preschool teacher, spoke of PFM recommendations regarding Preschool entry based on academic and economic needs adding this has never been the case for the district. Ms Gutekunst said she reviewed the 18/19 guidelines and cannot find any information to support that and it would deny many parents and students the opportunity to qualify based on financial reasons, although they would qualify academically.

Mrs. Gutekunst spoke of the strict enrollment calendar and attendance within their boundaries which she also did not read in the new Title I guidelines. The elimination of preschool teachers, having the paraprofessionals to teach the students would leave the district non compliant of Title I guidelines. Ms. Gutekunst spoke in favor of these successful programs that are federally funded programs and the 28 preschool faculty members, whose salaries and benefits are completely funded by the Title I grants. Ms. Gutekunst wants everyone aware that sometimes PFM does not get it right and eliminating would put the district in non-compliance.

Dr. Kirijan thanked Mrs. Gutekunst for her comments and assured everyone that Administration is passionate about the preschool program; Miss Wallick from PFM presented last week, explained there have been many changes and Dr. Kirijan believes it would be beneficial to have Miss Wallick come back and represent, she is a state monitor for Title programs and has looked in to all of the district's practices and procedures, and that is how she came up with the recommendations. Dr. Kirijan asked Mr. Gretto to arrange for Miss Wallick to come back at the next work session.

Matthew Loftus, SFT, spoke on behalf of the preschool program, and one of the reasons he chose a home in Scranton was the school system and in the last two years he has seen a lot of what he valued eliminated. Mr. Loftus said the information that was presented about preschool programs is concerning and asked to look into Early Intervention and if services have been delivered to the students as they have in the past.

Mr. Loftus is also concerned about school closures as recommended by PFM, and he remembers his parents attending meetings to prevent school closures and now he is hearing the same that his parents listened to 30 years ago. Mr. Loftus expressed the district didn't get into this situation because we offered preschool or early intervention services or solid neighborhood schools, it's a shame these things are suggested to the citizens of Scranton and as a parent he has no desire to see

February 4, 2019

a 5th grade student in an intermediate school, children grow up fast enough and he doesn't think that is the proper environment for them.

Dr. Kirijan responded that PFM gave suggestions and recommendations and nothing is written in stone at this time. Dr. Kirijan added that once the Recovery Officer is here and a committee is formed there will be plenty of time for input on the need to restructure and what it might look like.

Gerard Hetman, Lackawanna County Community Relations, updated the board on upcoming and present events happening in Lackawanna County.

Rosemary Boland, SFT President, spoke against the enrollment number of 9,200 students presented recently by PFM and that it is an incorrect number. Ms. Boland disagreed that money would be saved on bussing because 5th grade students would have to be bussed all over the city and would like to know how that number was determined, who went into the classrooms, if they were counted when schools were populated and kids were in the classrooms.

Ms. Boland asked if square footage has been determined and if the Scranton Fire Department was contacted regarding regulations. Ms. Boland agreed with Mrs. Gutekunst that it is nonsense and questioned Director Popil's public statement that the district should stagger the elementary schedule. Ms. Boland said it was already tried and it failed; they have itinerant staff that cannot be scheduled based on staggering times. Ms. Boland also spoke of PFM's statement that maintenance is understaffed but maintenance can speak to that but nowhere has anyone spoken about a classroom and if there are enough teachers in the classrooms.

Ms. Boland spoke of pink slips that were handed out, support staff and teaching staff reductions, adding that decisions have consequences.

Ms. Boland asked that teachers be given more time for data input referring to an email received this morning that grades are due by 4pm. Ms. Boland noted there will be a broadband outage tomorrow and is asking to give teachers time so the kids can get their report cards on time.

Dr. Kirijan responded that she received Ms. Boland's request, she has not answered it yet, she believes it is a management decision not a board decision and she will be happy to answer Ms. Boland's email in the morning.

Ro Hume, Scranton resident and taxpayer, spoke of the recent procedure to appoint Mr. Patel and that it is nothing against Mr. Patel personally, she applauds his efforts and dedication but it is totally about the process.

Ms. Hume spoke of actions and transparency of past school boards and she believes the current school board must act going forward with total transparency in order to start rebuilding trust in the community and she does not believe the appointment of school board member is legitimate and personally knows someone who considered applying but lost the opportunity because procedures were not followed and Sunshine Act not followed.

Ms. Hume asked if Mr. Patel will abstain from taking part in any process for the replacement of Mr. Casey because if any illegal action is currently on the way, concern of circumstances of Mr. Patel's appointment and the apparent breaches of the Sunshine Act, if he takes part and his appointment is subsequently ruled to be invalid or questionable and the public should have had the chance to discuss the appointment as this was not on the agenda, was not brought up in the beginning of the meeting and does not comport with transparency which she truly believes the board needs to show going forward. Ms. Hume suggested Mr. Patel resign from the board and seek reappointment following procedures.

February 4, 2019

At this time Director Gilmartin asked to address Policy 903 “Public Participation at Board Meetings”. Ms. Gilmartin shares the concerns of the public’s questions and most importantly if the Board is following the policy. Ms. Gilmartin is open to continued discussion of the current policy which states the Board President may direct questions to the appropriate Board Member or Administrator and anything may be submitted in writing to the Board Secretary. Ms. Gilmartin would like to see that happen to be sure questions are followed up and answered and the entire board copied on the correspondence.

At this time, Director Popil made a motion to accept the meeting minutes of October 9, 2018, October 15, 2018, November 5, 2018, November 19, 2018, December 3, 2018, December 10, 2018, December 11, 2018 and December 12, 2018. The motion was seconded by Director Lesh.

Director Gilmartin asked that the minutes of November 19, 2018 be corrected to reference the Political Action Committee as PAC not “pack”. Director Schuster would like the minutes pulled for approval and approved after they are corrected.

Director Gilmartin also asked for correction to the December 3, 2018 minutes and the motions made for Temporary Chair that Director Schuster made the motion for Director Cognetti as Temporary Chair, seconded by Director Gilmartin. The board agreed the corrections to be made and approved but not pulled.

The motion to approve all minutes *except* November 19, 2018 passed unanimously on roll call.

Director Popil asked for a motion to accept the Consent Agenda.

Director Schuster asked that D-2 and G-6 be pulled from the Consent Agenda.

Director Gilmartin asked that D-1, D-3, E-2, E-3, G-1 and G-2 be pulled from the Consent Agenda.

Director Schuster asked if there is a definition or guidelines of what is appropriate for Consent Agenda and Non Consent Agenda.

Mr. Audi said he will provide some definitions.

Mrs. Orr confirmed the following items were pulled from the Consent Agenda; D-1, D-2, D-3, E-2, G-1, G-2 and G-6. Ms. Gilmartin added E-3.

A motion to accept the Consent Agenda was made by Director Duffy, seconded by Director McAndrew and passed unanimously on roll call.

The Consent Agenda included the following items (B-1, B-2, B-3, B-4, B-5, B-10, B-11, E-1, F-1, F-2, F-3, G-3, G-4, G-5 and H-1)

B-1

It is the recommendation of the Superintendent and the 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:

February 4, 2019

\$959,811.95

February 4, 2019

ALSO

B-2

It is the recommendation of the Superintendent and the 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 February 4, 2019 be approved as per the attached:

Be it resolved that exception payments in the amount of \$4,668,159.17 have been paid in accordance with the approval for payment policy.

December 18, 2018	\$ 53,317.11
December 28, 2018	\$1,601,228.54
January 11, 2019	\$1,434,742.28
January 25, 2019	\$ 739,163.75
February 1, 2019	\$ 839,707.49

Be it resolved that payrolls amounting to \$7,328,369.39 have been paid in accordance with the approval for payment policy.

December 28, 2018	\$2,484,691.79
January 11, 2019	\$2,364,950.14
January 25, 2019	\$2,478,727.46

ALSO

B-3

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

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:

Luis Santos	2035 Jackson St.	Map No. 14513 020 002	\$2,938.68
-------------	------------------	-----------------------	------------

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.

ALSO

B-4

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

February 4, 2019

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

Tax	\$210,300.27
Penalty	\$ 22,128.15
Interest	<u>\$ 23,630.28</u>
Total	\$256,058.70
Commission	<u>\$(12,803.00)</u>
NET TO DISTRICT	\$243,255.70

ALSO

B-5

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

Be it resolved that the General Operating Budget of the Northeastern Educational Intermediate Unit (NEIU #19) for the 2019-2020 School Year is approved.

ALSO

B-10

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

Be it Resolved that the Treasurer's Report for the period ending December 2018 be accepted as follows:

Opening Balance	\$15,050,671.14
Monthly Revenue	\$15,819,435.84
Transfers and Refunds	<u>\$23,609,345.29</u>
 TOTAL AVAILABLE	 \$54,479,452.27
TOTAL DISBURSEMENTS	<u>\$47,259,798.59</u>
 BALANCE IN GENERAL ACCOUNT	 \$ 7,219,653.68

B-11

210-218 Penn Avenue Map No. 15627 010 007
201-213 Wyoming Avenue Map No. 15627 010 019
529-531 Wyoming Avenue Map No. 14576 010 007
431-435 Lackawanna Avenue Map No. 15635 010 010
Business Privilege Tax Settlement – Nyleve Bridge Corporation

Supporting Documents...[\Resolutions\B-11 Tax Assessment Appeals Business Priv Appeal 2.4.19.pdf](#)

ALSO

February 4, 2019

E-1

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

WHEREAS, an agreement between the Athletic Department of Lackawanna College and the Scranton School District. The terms and conditions of the agreement will be in effect for the 2019 spring season time period of Wednesday, April 10, 2019 until Saturday, May 4, 2019 , 2019 between Lackawanna College and the Scranton School District, and

WHEREAS, A rental fee of \$5,000 will be issued for the use of the PENFED FIELD at VETERANS MEMORIAL STADIUM for the 2019 spring season for football practices and the 2019 annual spring game from Wednesday, April 10, 2019 until Saturday, May 4, 2019. The practice schedule will consist of 8 practices and then to conclude with the annual 2019 spring football game to be held on Saturday, May 4, 2019, and

WHEREAS, A Certificate of Insurance must be submitted to Central Administration (Mr. Joe Walsh-SSD Event Coordinator) prior to the start of the 2019 spring season, and

WHEREAS, Lackawanna College is required to supervise the safety and conduct of their players, and

WHEREAS, Adequate adult supervision and security must be provided by Lackawanna College, and

WHEREAS, Access to facilities shall be limited to the specified area of PENFED FIELD at VETERANS MEMORIAL STADIUM, and

WHEREAS, Alteration to the PENFED FIELD at VETERANS MEMORIAL STADIUM area are prohibited, and

WHEREAS, Scranton School District owned equipment shall not be removed from the facility or loaned to the Lackawanna College Athletic Department, and

NOW, THEREFORE, BE IT RESOLVED Lackawanna College is allowed to use PENFED FIELD at VETERANS MEMORIAL STADIUM for practices during the 2019 spring season.

ALSO

F-1

The Personnel Committee presents the following resolution for your consideration:

BE IT RESOLVED that the Chief of Human Resources had previously met the conditions for retirement on December 31, 2018; and

WHEREAS, to continue the operation of the Human Resources Office and provide for a transition period for procedures and duties; and

NOW THEREFORE BE IT RESOLVED that the same terms and conditions that existed for the December 31, 2018 retirement be extended until March 31, 2019 for the Chief of Human Resources Officer, William Gaynord.

ALSO

February 4, 2019

F-2

The Personnel Committee presents the following resolution for your consideration:

BE IT RESOLVED that the effective retirement date of William Gaynord, Chief Human Resources Officer be March 31, 2019.

****This rescinds his previous retirement date of December 31, 2018.

ALSO

F-3

It is the recommendation of the Personnel Committee that the attached list of Appointments, Assignments, Resignations, Leaves of Absences and Professional Contracts 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.

PROFESSIONAL APPOINTMENTS

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>EFFECTIVE DATE</u>	<u>REPLACED</u>	<u>NEW</u>
John Castrovinci	Chief Human Resources	Administration Bldg.	2/11/2019	X	
Dalyana Gillette	Family Consumer Science	Scranton High School .8	T.B.D.	X	

PROFESSIONAL-RESIGNATIONS

Gina Giovannini	Special Ed Teacher	Whittier Annex	1/31/2019
Susan Struckus	Grade 5	Armstrong/Willard	10/18/2018
Lindsey Strapec	ESL	SSIS	1/15/2019
Heather Jones	Grade 4	Willard	1/17/2019
Jacqueline Waslin	Autistic Support	Morris	3/19/2019

NON-PROFESSIONAL APPOINTMENTS

Amie Zoltewicz	Clerk 205	Willard	T.B.D.		X
----------------	-----------	---------	--------	--	---

NON-PROFESSIONAL RESIGNATION

Nicole Kowalyk	Paraprofessional	NEIS	1/4/2019
----------------	------------------	------	----------

RECOMMENDATIONS FOR PERMANENT SUBSTITUTE TEACHING ASSIGNMENT

Anna Koberlein	ESL	South Intermediate	1/2/2019	X	
Dominick Mazza	Apex Teacher	West Scranton High School	1/2/2019		X
Kyle Coslett	Apex Teacher	West Scranton High School	1/2/2019		X
Michael Tigie	Phys Ed	Scranton High School	1/2/2019	X	
Basil Bannister	Apex Teacher	Scranton High School	1/2/2019		X
Stephanie Dutko	Emotional Support	Electric City Academy	1/2/2019	X	

LEAVE OF ABSENCE-PROFESSIONAL

Brooke Frable	Phys Ed	Scranton High School	Last day of 2018/2019 School Year/Sabbatical
Jennifer Felter	Art	Willard	2nd Semester-end 2018/2019 Sabbatical

February 4, 2019

ALSO

G-3

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

WHEREAS, The following policies 005 and 626.1-second read has been *revised* by the Scranton School District School Board Policy Committee, and

POLICY NUMBER	POLICY REVISIONS
Policy 005	Organization
Policy 626.1	Travel Reimbursement-Federal Programs

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves *revisions* to Policy Number 005 and 626.1 as a second read recommended by the Scranton School District School Board Policy Committee.

ALSO

G-4

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

WHEREAS, The following Administrative Regulations 304-AR-12 and 304-AR-13-second read has been *revised* by the Scranton School District School Board Policy Committee, and

POLICY NUMBER	POLICY REVISIONS
Administrative Regulation 304-AR-12	The Professional Employee Hiring Process
Administrative Regulation 304-AR-13	The Paraprofessional Hiring Process

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves *revisions* to Administrative Regulations 304-AR-12 and 304-AR-13 as a second read recommended by the Scranton School District School Board Policy Committee.

ALSO

G-5

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

WHEREAS, The following Administrative Regulations 304-AR-14 and 304-AR-15-second read has been *implemented* by the Scranton School District School Board Policy Committee, and

POLICY NUMBER	POLICY REVISIONS
Administrative Regulation 304-AR-14	The Clerical Employee Hiring Process
Administrative Regulation 304-AR-15	The Non-Certified-Maintenance Staff Hiring Process

February 4, 2019

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves to *implement* Administrative Regulations 304-AR-14 and 304-AR-15 as a second read recommended by the Scranton School District School Board Policy Committee.

ALSO

H-1

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

WHEREAS, the Scranton School District has a center-based program for those students not able to attend traditional programs; and

WHEREAS, there is a need for additional space to accommodate our students; and

WHEREAS, the District will accommodate the needs of our students with additional space at the Electric City Academy. With the expansion of 4,000 square feet, all conditions of the original lease will apply.

NOW THEREFORE BE IT RESOLVED that the Scranton Board hereby approves the expansion of the Electric City Academy.

*****END CONSENT AGENDA*****

The following was submitted by Director Popil.

B-6

The SUPERINTENDENT OF SCHOOLS and the BUDGET & FINANCE COMMITTEE present the following resolution for your consideration:

WHEREAS, at the Scranton School Districts December 19th, 2018 meeting the School Board of Directors approved the 2019 Budget resolutions; and

WHEREAS, Budget Resolution No. 7 – Designation of Depositories for Tax Collections named First National Bank, Clarks Summit as the designated depository in which the funds and monies in the custody of William Fox, Tax Collector may be deposited; and

WHEREAS, local taxes collected and in the custody of William Fox, Tax Collector is currently deposited with Fidelity Deposit and Discount Bank, Dunmore prior to disbursement to the Scranton School District; and

THEREFORE BE IT RESOLVED, that the Scranton School Board of Directors amends Budget Resolution No. 7 to acknowledge monies in the custody of William Fox, Tax Collector will be deposited in Fidelity Deposit and Discount Bank until the time of disbursement to the Scranton School District to be deposited with First National Bank, Clarks Summit, Pennsylvania.

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

ALSO

February 4, 2019

The following resolution was submitted by Director Popil.

B-7

The **SUPERINTENDENT OF SCHOOLS and the BUDGET & FINANCE COMMITTEE** present the following resolution for your consideration:

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 hereby appoints Greg Popil as the Primary Delegate, and

WHEREAS, the Scranton School Board hereby appoints Gopal Patel as the First Alternate Delegate, and

WHEREAS, the Scranton School Board hereby appoints Pat Laffey as the Second Alternate Delegate, and

Therefore Be It Resolved that the Scranton School Board hereby appoints Greg Popil as Primary Delegate, Gopal Patel as First Alternate Delegate and Pat Laffey as Second Alternate Delegate to the TCC and they are hereby authorized to vote on behalf of the SSD.

The resolution was seconded by Director Lesh.

ON THE QUESTION:

Director Schuster commented that he is currently on the TCC Committee and he has been voted on to be part of the TCC appeals board and if he were to be removed from the TCC Committee the Scranton School District would not have direct representation in the appeals that occur.

Dr. Kirijan asked if he is still able to service in that capacity even though the TCC representatives would be the Budget Chair and Vice Chair and the Business Manager. Dr. Kirijan said she would look into whether Mr. Schuster may still serve on the appeals board.

Director Gilmartin made a motion to table the resolution B-7, seconded by Director McAndrew and passed unanimously on roll call.

ALSO

The following was submitted by Director Popil.

B-8

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

Whereas, the Scranton School District has determined the need to appoint a Financial Advisor to assist the School District with various projects,

And Whereas the Scranton School District publicly sought proposals for Financial Advisor services,

February 4, 2019

And Whereas Financial Solutions (FS&L) has submitted a proposal to act as Financial Advisor to the Scranton School District on fixed fee to be agreed upon in advance of any project and on an as needed basis,

Therefore Be it Resolved that the Scranton School District Board of Directors approve Financial Solutions (FS&L) as Financial Advisor for the Scranton School District.

The resolution was seconded by Director Lesh and passed with six (6) affirmative and one (1) negative. Director Gilmartin voted in the negative.

ON THE QUESTION:

Director Gilmartin commented that she was under the impression from the work session that the Board wasn't going to move forward with this until the Recovery Officer was in place and thought Mr. Duffy and Mr. Schuster raised that question.

Dr. Kirijan responded that there was further discussion after the meeting and asked Mr. Pat Laffey to comment.

Mr. Laffey explained the need and also said there are other projects on the horizon for example the remarketing of the 2016 A & B obligations, similar to the 2018 Notes and the 2014 Notes and the PlanCon reimbursement would need the assistance of a financial advisor.

Mr. Laffey pointed out that the engagement letter does not lock us in; as the resolution states, it is on an as needed basis so if the need of financial borrowing isn't necessary then there wouldn't be a commitment but it allows the Business Office to reach out to them in the event it is necessary for assistance.

Director McAndrew recalled discussion from one of the recent budget hearings that if the district enters Recovery and there is a need to finance it would be low or zero interest through the Recovery Plan.

Bill Gretton responded that is correct but this action is to appoint a financial advisor which was on the board list for bid services but as Mr. Laffey indicated if you have remarketing coming up in late spring they would advise to have some financial advice to look at if there are other options.

Director Schuster asked if a lot of bids were received for this service.

Mr. Laffey said no, this was the only response.

ALSO

The following was submitted by Director Popil.

B-9

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

Whereas, at a meeting of the School Board of Directors on November 20, 2017 the Board approved the submission of PlanCon K documents to the Pennsylvania Department of Education,

February 4, 2019

And Whereas, the Plancon K documents were submitted and approval letters for Lease Numbers 082275, 112275, 112375, 112475, and 142475 were received on April 3, 2018,

And Whereas the Pennsylvania Department of Education requested that the approval letters and appended materials should be entered into the minutes of the School Board,

Therefore be it resolved that the Approval Letters for the above mentioned leases are accepted by the School Board of Directors and will be recorded to the School Board minutes. ..\Resolutions\B-9 PlanCon K Approval Letters.pdf

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

ON THE QUESTION:

Director Schuster asked if all of this was produced by the previous financial advisor and if this work has already been completed and if this is just a record of it.

Mr. Pat Laffey said yes, they were submitted, received and approved but there was an oversight that the approval should be submitted into the board minutes.

Director Popil at this time commended Mr. Duffy's efforts to secure state money and would like to dovetail on that and ask the Superintendent to construct a letter to the Governor to look at the district's financial recovery and the need of additional state monies; there is a need for an immediate source of money and if the Governor and Legislature could help the district with a long term solution in which some of the reimbursements would be looked at and changed to accommodate urban school districts because those school districts are shortchanged on many reimbursements from the Commonwealth and he would like to see that changed and to add emphasis to it he would like all board members involved because the more sign-ons they have the more effect it would have. Mr. Popil would like to see City Council members, the Mayor and appropriate county officials to sign on to this project and it would be nice if they could get a group of people to go to Harrisburg, possibly meet with the Governor and submit their request to him, this is serious, we need adequate funding from the Commonwealth and if everyone is in accordance with that he would like to move forward with it.

Dr. Kirijan said she would construct a letter and believes Director Gilmartin will have some information for the board tonight that might support this effort also.

Director Schuster asked if there has been any discussion of additional funding from the state to help with a Budget switchover from calendar year to fiscal year.

Dr. Kirijan said that it has not been addressed yet but Mr. Audi is aware that it is the board's desire and it would take some time and financial assistance to get the district through the tax period.

Director Schuster commented that it would be great if the state could help get us through that period.

Dr. Kirijan said she will express that in the letter and add that portion.

ALSO

The following resolution was submitted by Director Duffy.

February 4, 2019

C-1

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

WHEREAS, Pennsylvania's more than 1.7 million public school students deserve the highest quality education; and the state's public school work best when they have the resources to give all students the opportunities they need to succeed; and

WHEREAS, Pennsylvania ranks 46th among the 50 states in the amount of state subsidies allocated to support elementary and secondary education, among the lowest in the nation, with state's share of funding public education at 38%; and Pennsylvania has the widest funding gap between wealthy and poor school districts of any state in the country; and

WHEREAS, the state has failed to keep pace with the rising cost of mandated special education for students with disabilities, which has increased by \$1.6 billion over the last decade, even as the state's share of the cost has fallen from 36% to 25%; and

WHEREAS, the state has failed to keep pace with the costs of providing career and technical education (CTE) pathways to students, allowing its share of CTE funding to fall to 8%, leaving school districts with a 90% share of the CTE budget; and

WHEREAS, inadequate state funding places additional burden on local taxpayers to pick up a greater share of public schools' costs to ensure that our students' education is not jeopardized; and

WHEREAS, the state must make greater, sustainable investments in public schools to lift all students and prepare them for today's competitive workforce.

NOW, THEREFORE BE IT RESOLVED, that the Scranton School District urges the General Assembly to take legislative action for public education by increasing basic education funding through the state's fair funding formula; ensuring sufficient resources for special education and career and technical education; and generating the necessary revenues through sustainable, recurring funding sources.

BE IT FURTHER RESOLVED, that a copy of this resolution be submitted to the elected senators and representatives of the Scranton School District in the General Assembly, and to the Governor of Pennsylvania.

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

ON THE QUESTION:

Director Duffy expressed that this is what he has been talking about for 3 years and is by far the district's biggest problem and as far as the Recovery Plan, there is nothing fun about it. Mr. Duffy agreed with a lot of the comments and questions raised this evening and speaking of Recovery, he hopes there will be discussion about fair subsidies for our kids and teachers and taxpayers.

Director Gilmartin added to Mr. Duffy's comments that many visits have been scheduled with Susan Spika and PA Schools Work but were postponed due to inclement weather. Ms. Gilmartin suggests an invitation be extended to Ms. Spika to attend a work session, perhaps at a larger venue as they need to continue to organize around this effort. Ms. Gilmartin added that PA Schools Work has laid great framework and Mr. Duffy's passion and enthusiasm is a tremendous asset and if the efforts are continued we may start to make some headway and have our voices heard.

February 4, 2019

ALSO

The following was submitted by Director Popil.

F-4

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

WHEREAS, the ELECT program requires a Data Entry Specialist position; and

WHEREAS, Margaret Newcomb is employed as Case Manager with a base salary and paid an additional hourly pay for additional mandatory data entry duties; and

WHEREAS, the 2018-2019 ELECT Grant combined both positions under one person and one salary; and

THEREFORE BE IT RESOLVED, for this employee funded through ELECT, a salary of \$34,000 that includes the duties of both Case Manager and Data Entry Specialist is approved, effective February 1, 2019 contingent upon the ELECT grant funding.

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

ON THE QUESTION:

Director Schuster asked the status of the ELECT Grant and if the Case Manager position is a current position in the district.

Dr. Kirijan responded that \$199,000 was received from the grant and the Case Manager position is a current position, strictly dependent on the grant and if for any reason the grant is no longer available, the additional funding would be lost.

ALSO

The following was submitted by Director Patel.

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

WHEREAS, the Scranton School District supports and promotes the pursuit of post-secondary degrees by students of the Scranton School District at colleges, universities and trade schools; and

WHEREAS, the Scranton School District wishes to grant students access to courses bearing college credits while they are still completing their education within the Scranton School District; and

WHEREAS, the curriculum council supports this partnership with Johnson College; and

WHEREAS, Johnson College wishes to support the vision of the Scranton School District to assist students in achieving post-secondary courses and degrees; and

NOW, THEREFORE, BE IT RESOLVED, that the Scranton School District will enter into an agreement with Johnson College whereby students enrolled in the Scranton School District will be

February 4, 2019

permitted to receive college credit for select approved courses currently offered in the curriculum of the Scranton School District and currently taught by approved members of the SFT faculty.

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

Dr. Kirijan explained that we have been working with Johnson College for at least two years for this.

Director Gilmartin expressed that this is a wonderful opportunity for the students and didn't think it should be overlooked in the Consent Agenda.

ALSO

The following was submitted by Director Patel.

D-2

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

WHEREAS, the Scranton School District recognizes the importance of early childhood education, and

WHEREAS, the District has a long history of collaborating with the Head Start programming in the city of Scranton as a partner, and

WHEREAS, the District is unable to follow the required Head Start Performance Standards; and

THEREFORE BE IT RESOLVED, the Scranton School District is terminating the Letter of Agreement between the District and Scranton-Lackawanna Human Development Agency for the 2018-2019 school year, effective 1/28/2019, but will continue to collaborate as students transition from Head Start facilities into the Scranton School District.

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

ON THE QUESTION:

Director McAndrew asked for an explanation for the public why the program is being discontinued.

Director Duffy asked if this changes anything with the 3 yr and 4 yr old preschool programs.

Dr. Kirijan said the Human Development Agency sent a letter and they are being held to stricter standards and the Scranton School District is unable to meet their standards. Dr. Kirijan asked Mrs. Melissa McTiernan to elaborate.

Mrs. McTiernan said it does not change the program itself but the district won't receive the Head Start funding which was \$14 per day per student. Mrs. McTiernan added that in the letter, each session needs to be 3 ½ hours long with qualified paraprofessionals, with qualified teachers and they need to remain in the classroom at all times; both paraprofessional and the teacher; the teacher needs a lunch and a prep so there is no coverage during those times. There are also Curriculum standards which can be addressed and we can meet that mandate. The classroom size for PK 3 year is 15, and PK 4 year is 17 and the current Head Start classrooms are all at that number now. The biggest issue is the time issue and given the program how it is today we cannot meet the standards.

February 4, 2019

We would have to have the 1st session starting at 8:10AM, run the 3 ½ hours, the teacher needs a lunch, and start the afternoon program at 1:00pm and end at 4:30pm.

Director Schuster asked if there are any repercussions. Mrs. McTiernan said , no repercussions, we just don't receive the \$14 per day, per student but we will continue to work with Head Start because there is a transition of kids coming into the Kindergarten classrooms that we'll need to continue to work with them but no refund money.

Dr. Kirijan added that they have looked at this very carefully from a financial standpoint and we have not been receiving the maximum amount of funding that would like to have received from Head Start for many years.

Mr. Laffey added it is not a direct revenue source with its own line item, it was computed as a miscellaneous federal reimbursement and the last couple years reimbursement has declined from where it was 8-10 years ago; we would be losing about \$2,000-\$3,000 per month.

ALSO

The following was submitted by Director Patel.

D-3

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

WHEREAS, the Scranton School District recognizes the importance of expanding student access to high-quality computer science and STEM education; and

WHEREAS, the District wishes to support students to graduate prepared for success in a global economy where computer science skills are in great demand; and

WHEREAS, the District will participate in a one year grant, with funding of \$35,000.00, the PA Smart Targeted Grant will fund staff training for teams of educators on ways to implement computer science in their classrooms and purchase products and equipment post training; and

THEREFORE BE IT RESOLVED, the Scranton School District accepts the 2018-2019 PA Smart Targeted Grant.

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

ON THE QUESTION:

Director Gilmartin said this is more good news to share. Dr. Kirijan asked Mrs. McTiernan to share more about this grant.

Mrs. McTiernan said \$35,000 was received and will be used for Computer Science, STEM and professional development.

Director Duffy asked in general of all grants is the money already allocated or can it be redirected to the General Fund.

February 4, 2019

Mrs. McTiernan said for this grant it was written for specific purposes and they have to follow the guidelines how the money is spent.

ALSO

The following was submitted by Director Popil.

E-2

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

WHEREAS, Act 44 Safe Schools established criteria in which each school building must have a safety assessment conducted by a certified safety officer

NOW THEREFORE BE IT RESOLVED the Scranton School District will award MG Tactical Advantage LLC to conduct safety assessments of each building. MG Tactical Advantage LLC was the lowest bid for such work at \$47,500.

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

ON THE QUESTION:

Director Schuster asked if the \$47,500 is coming from the safety grant the district received. Dr. Kirijan said yes, \$80,000 was set aside and when they received another bid it was much lower, so yes the money set aside from the safety grant will be used towards this.

Director Duffy, as Health and Safety Director for a few years said he knows approximately four of the schools have already been assessed and since there hasn't been any major changes in the past year or two, if we were to use those prior assessments would there be a chance to lower this bid and not go to the General Fund.

Dr. Kirijan said they did send in the assessments that were done on the other buildings, would take into consideration the buildings that have not been assessed, and will still work on the assessments that weren't done.

Director Duffy asked if it was figured in the overall specs.

Dr. Kirijan asked Mr. Gretton to address; Mr. Gretton said the specifications sent out did not include the buildings already done.

ALSO

The following was submitted by Director Popil.

E-3

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

BE IT RESOLVED the Scranton School Board hereby approves Hunt Engineering to proceed with the Willard Water Infiltration Project, the Armstrong Indoor Air Quality Project, the West Scranton High Science Classroom Renovations and the Whittier Playground Drainage Project.

February 4, 2019

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

ON THE QUESTION:

Director Gilmartin, while realizing there are important projects and it is imperative to move forward on, but the presentation had a lot of TBDs (To Be Determined), and a lot of information they were not provided with at that time, asked what step are they authorizing and what is the financial picture.

Dr. Kirijan relayed what was explained to her is that they begin this work, this is a new company they are working with and they look at what we're asking them to do, they assess it, they do the design as to what needs to be done and there is a charge up to that point which the board has approved that part already; now they will go forward, continue the work that needs to be done, bring back a cost of what the projects will cost and as explained at the presentation to expect overruns. Dr. Kirijan added it is one thing the board discussed on numerous occasions and it is not something they appreciate coming in but she believed they gave the board a percentage.

Director Schuster commented it is to alleviate the change orders and thinks they came in over 10%.

Dr. Kirijan agreed, adding that the board is approving to move forward on the projects and then a cost will be project back to the board to with what the projects will cost.

Director McAndrew added they are approving the scope of the work which is how it's has always been done.

Director Gilmartin confirmed the board is approving the scope of the work piece, of which she tallied and thinks is nearly \$90,000.

Dr. Kirijan said that was the initial work they've done, and now going further into a much larger price tag which will come from the Capital Funds.

Director Gilmartin asked if we're still at the point of approval after that; Dr. Kirijan agreed.

Director Schuster confirmed that these are projects that have already been identified; Dr. Kirijan agreed adding there are some projects that they need to brief the board on, prior to Hunt coming in, and there were some projects in the queue, that Palumbo had been working on. Mr. Brazil will talk to the board about those to determine what the board wants to do moving forward, one being the entrance at Northeast Intermediate, projects that were all for safety purposes.

Director Schuster confirmed that the safety piece discussed earlier has not moved forward; Dr. Kirijan said that is correct.

ALSO

The following was submitted by Director Gilmartin.

G-1

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

February 4, 2019

WHEREAS, The following Administrative Regulations 109-AR-1 and 109-AR-3-first read has been *revised* by the Scranton School District School Board Policy Committee, and

POLICY NUMBER	POLICY REVISIONS
Administrative Regulation 109-AR-1	Selection of Software Resource Materials
Administrative Regulation 109-AR-3	Request for Re-Evaluation of Instructional / Resource Materials

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves *revisions* to Administrative Regulations 109-AR-1 and 109-AR-3 as a first read recommended by the Scranton School District School Board Policy Committee.

The resolution was seconded by Director Lesh.

ON THE QUESTION:

Director Gilmartin commented that she doesn't remember the 109s being discussed at the work session; she realizes they are ARs (Administrative Regulations) but asked for more information of what has changed.

Dr. Kirijan said the 109s are not IT Policies; they are part of the IT Policy recommendations that they want to add on the committee the selection of materials and the IT Director to ensure that the platforms the district is using and what was requested are a match and would be an additional person on the committee.

Director Gilmartin believes it was discussed in the review and this goes along with it.

Dr. Kirijan agreed and said she is asking for the board to approve those policies this evening as opposed to bringing them through for a 2nd read adding that there were some definition changes, and very slight changes the administration felt were important to reinforce the IT Policies.

Director Gilmartin understood, they reviewed those at the work session and she thinks everybody is comfortable with it. Director Gilmartin asked if a motion is needed to suspend the rules to approve these as final read.

Dr. Kirijan said, correct; first a motion to suspend the rules to approve the IT Policies after 1st read.

Director Gilmartin asked if she should withdraw this motion and make a motion to suspend the rules. Mr. Audi said yes.

Director Schuster asked if the reason for suspending the rules and moving forward is to have greater controls of the IT areas and help with the IT audit.

Dr. Kirijan said yes, as well as Director Gilmartin, and it was her understanding that a lot of the procedures that Mr. Williams from NEIU discussed at the work session went hand in hand with this and it is a way to wrap all that up together so they're not implementing a procedure that doesn't line up with policy.

Dr. Kirijan said yes, and they have already put a policy in place, a new Help Desk procedure.

Director Gilmartin said she is withdrawing the motion for G-1.

February 4, 2019

Dr. Kirijan said they had a committee of IT people and senior staff looking at them as well as Kevin Williams from the NEIU, they were prepared with PSBA and other best practices and Mr. Audi also has reviewed and approved.

Director Gilmartin said she feels comfortable but wants to be sure we're doing it properly.

Director Gilmartin made a motion to suspend the rules to approve G-1 and G-2 as final revisions. Director McAndrew seconded.

Director Schuster said G-2 is also encompassed in this motion.

Mrs. Orr confirmed that the vote was for both items, G-1 and G-2.

The resolution passed unanimously on roll call.

ALSO

The following was submitted by Director Gilmartin.

G-1

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

WHEREAS, The following Administrative Regulations 109-AR-1 and 109-AR-3-first read has been *revised* by the Scranton School District School Board Policy Committee, and

POLICY NUMBER	POLICY REVISIONS
Administrative Regulation 109-AR-1	Selection of Software Resource Materials
Administrative Regulation 109-AR-3	Request for Re-Evaluation of Instructional / Resource Materials

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves *revisions* to Administrative Regulations 109-AR-1 and 109-AR-3 as a first read recommended by the Scranton School District School Board Policy Committee.

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

ALSO

The following was submitted by Director Gilmartin.

G-2

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

WHEREAS, The following policies 702, 706, 815 & 815.1 first read have been *revised* by the Scranton School District School Board Policy Committee with the assistance of Northeastern Educational Intermediate Unit 19 and

February 4, 2019

POLICY NUMBER	POLICY REVISIONS
Policy 702	Gifts, Grants and Donation
Policy 706	Property Records
Policy 815	Acceptable Use of Internet, Computers and Network Resources
Policy 815.1	Adoption of Software

NOW THEREFORE BE IT RESOLVED that the Scranton School Board hereby approves revisions to Policy Numbers 702, 706, 815 & 815.1-first read recommended by Scranton School District School Board Policy Committee with the assistance of Northeastern Educational Intermediate Unit 19.

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

ALSO

The following was submitted by Director Gilmartin.

G-6

It is the recommendation of the Policy Committee that the Rules for the Board of School Directors be adopted as per the attached.

The resolution was seconded by Director Lesh.

ON THE QUESTION:

Director Schuster read from the Book of Rules, Rule #28, that it shall be the duty of the President to appoint committees except when the board may decide otherwise. Mr. Schuster said he would like to discuss the committee structure as it had been put out in January but since Mrs. Dixon is not present, each committee has been assigned two members rather than three. Mr. Schuster said he knew there was some discussion of consolidating committees but he looking for an explanation and a direction of where we're going with the committees as far as the two members and the Board President has the *de facto* and asked if anybody has any insight.

Dr. Kirijan knows the policy states that the Board President would be a part of every committee and that the Superintendent would be a part of every committee but if you would like further discussion because the Board President put these out, you may want to table this until she is present.

Director Gilmartin said it was never discussed that committees would have only two members instead of three members.

Director McAndrew made a motion to table G-6, Director Duffy seconded and the motion to table passed unanimously on roll call.

NEW BUSINESS:

Director McAndrew, in light of the recent developments of the Attorney General's investigation and the former Business Manager being charged; four months ago Dr. Kirijan provided the board with an action plan and timeline and asked where we are now.

Dr. Kirijan responded, quite frankly at that meeting there was much discussion about whether she should proceed with the timeline or not so at this point she was under the impression that the board was going to allow the Attorney General to do the work that they were doing and when there were

February 4, 2019

charges brought forward then they would be brought to the board and action would take place. Dr. Kirijan gave an example of the Transportation piece and there was much discussion about what we would do as far as whether the contract for Transportation was a legal contract or not as well as much discussion about whether we should go for a declaratory judgment or if we should accept or not accept the proposal brought forward by the Transportation company and actually all of that as far as she understood was all put on hold. Dr. Kirijan added there was no direction from the board one way or another; only discussion about how much a declaratory judgment would cost, then we changed solicitors and we're now stuck in that piece. Dr. Kirijan directly answered Director McAndrew that she has not moved forward on any investigation that the Attorney General is already investigating and she was under the impression that the board was going to allow the process to take place and when charges were brought forward then the board would make a decision based on that.

Director McAndrew doesn't remember that consensus; he remembers they were going to wait for all of our legal pieces in place and he remembers they were waiting for our solicitor, they were waiting for labor counsel but not that they were just going to wait.

Director Schuster said that was his understanding also.

Dr. Kirijan replied that the Solicitor in place, Labor Counsel in place and asked for direction from the board.

Director Schuster would like to request a defined role of the Solicitor and Labor Counsel and thinks once that is defined they can move forward and now that the legal services are in place they can move forward.

Director Duffy would like to wait for the consensus of the legal team before moving forward, if the legal team feels they can move forward then he is willing to do so.

Directors Schuster and McAndrew think this is a good start of the conversation and we need to move forward.

Dr. Kirijan confirmed that the first request is that a definition of legal services, duties and responsibilities be brought forward to the board and asked Mr. Audi if the legal services are defined in the RFP.

Attorney Audi believes there is a general definition but when you have several groups representing you there is always going to be some crossover, some issues that go across both responsibilities, e.g., the RFP for Solicitor says 'Solicitor Related Duties' which is pretty broad, so that might need to be spelled out more but he thinks the labor counsel RFP is a bit more defined adding he hasn't studied it but thinks they are working on reaching an understanding where everybody stands; it's not a contentious item but it needs to be clarified.

Dr. Kirijan added that once that is clarified then the next thing that's been brought forward is you would like legal advice on how to proceed based on the information we have at this point and the third request is they should let the process take place and let the Attorney General do his work.

Director Gilmartin noted as for the third piece, they obviously we don't want to impede but if our legal team feels there are steps we can take she thinks they should be brought forward.

Director Duffy echoed Ms. Gilmartin that if there are steps the board can take that would not impede the work of the Attorney General then he thinks we should move forward.

Director Schuster agreed.

February 4, 2019

Director Popil also agreed and thinks they should proceed with caution and accept the guidance and advice of our solicitor.

Attorney Audi agreed and his first piece of advice is obviously the appointment of a Chief Recovery Officer (CRO) is imminent and thinks that should take place, have the Chief Recovery Officer assigned and appointed so they can have a global discussion amongst the Board, the Superintendent, CRO and PFM to see if in fact our actions will comport and go along with the actions that they foresee them needing to take.

Director Duffy would like to have a committee meeting on Monday, March 18th or Monday, April 22nd for Community Relations with the two State Representatives, the State Senator, PFM, PDE and anyone else especially the SFT, ACT 93 employees and the maintenance union to come together to talk more about the funding that is so desperately needed and start this communication before the budget process at the state level which occurs in June so we can all be on the same page prior to agreeing on a recovery plan.

Director Gilmartin and Director Schuster mentioned possibly at the work session, perhaps a committee meeting prior to the work session. Director Duffy agreed whatever works for everyone.

There being no further business a motion to adjourn was made by Director Duffy, seconded by Director Lesh and the meeting adjourned at 9:41PM.

BY; _____
Secretary