

**AVELLA AREA SCHOOL DISTRICT
1000 AVELLA ROAD
AVELLA, PA 15312**

**BOARD OF EDUCATION
COMMITTEE OF THE WHOLE MEETING MINUTES**

September 7, 2021

A Committee of the Whole Meeting of the Avella Area School District Board of Education was held at the Avella Area School District on Tuesday, September 7, 2021. Mr. Corey McConn, Board President, called the meeting to order at 6:00 p.m. Debra Bentz, Board Secretary, held roll call and the following board members were present:

BOARD MEMBERS: Leslie Cunningham, Jeffrey Devenney, Melissa Dryer, James Gagich, Corey McConn, Janet Miller, Emanuel Paris
Absent: Leslie Thames and Scott Willyerd

ADMINISTRATION: Cyril Walther, Superintendent
Laura Shola, Business Manager
Sheryl Wright-Brown, JSBS Principal
Carrie Graff, Elementary Principal
Debra L. Bentz, Board Secretary

OTHERS: Barbara Graham, District Solicitor

A. GENERAL PROCEDURES

Roll Call

Pledge of Allegiance

Presentations/Recognitions - None

Request to Speak at the Board Meeting - None

Visitor's Request to Speak on Agenda Items

Visitors requested to speak regarding the mask mandate and its implementation in the District.

RECESS: The Board of Directors recessed the Committee of the Whole Meeting of September 7, 2021 at 8:18 p.m. to reconvene on September 9, 2021 at 6:00 p.m.

RECONVENED: The Reconvened Committee of the Whole Board Meeting of the Avella Area School District Board of Education was held in the Avella Jr. Sr. High School Library on September 9, 2021. Mr. Corey McConn, Board President, called the meeting to order at 6:07 p.m. An Executive Session was held prior to the meeting regarding potential litigation. Debra Bentz, Board Secretary, held roll call and the following board members were present:

BOARD MEMBERS: Leslie Cunningham, Jeffrey Devenney, Melissa Dryer, James Gagich, Corey McConn, Janet Miller, Emanuel Paris, Leslie Thames, Scott Willyerd

ADMINISTRATION: Cyril Walther, Superintendent
Laura Shola, Business Manager
Sheryl Wright-Brown, JSHS Principal
Carrie Graff, Elementary Principal
Debra L. Bentz, Board Secretary

OTHERS: Barbara Graham, District Solicitor

A. GENERAL PROCEDURES

Roll Call

Pledge of Allegiance

Presentations/Recognitions - None

Request to Speak at the Board Meeting:

1. The following requested to speak regarding the mask mandate:
Ms. Georgann Miller, 35 Farrar School Road, Avella PA 15312
Ms. Kim Mace, 299 Ridge Road, Avella PA 15312
Dr. Guy Avolio, 20 Cardinal Lane, Avella PA 15312
Mr. Alex Paris, 142 Paris Road, Avella PA 15312

Visitor's Request to Speak on Agenda Items

B. NEW BUSINESS

- a. Moved by Ms. Cunningham, seconded by Ms. Dryer:
The Board directs the Solicitor to communicate with counsel for the Plaintiffs, in the matter pending in the Commonwealth Court of Pennsylvania at docket no. 294 MD 2021, that the Avella Area Board of School Directors also objects to the August 31, 2021 Order of the Acting Secretary of the Pennsylvania Department of Health Directing Face Coverings in School Entities, on the basis that imposition of a face covering mandate, if any, should rest in the discretion of each local duly elected school board, and to request that Plaintiffs' counsel communicate the same to the Court.

ROLL CALL: Ms. Cunningham, Mr. Devenney, Ms. Dryer, Mr. Gagich, Mr. McConn, Ms. Miller, Mr. Paris and Ms. Thames said "aye". Mr. Willyerd said "nay. Motion carried 8-1.

B. NEW BUSINESS

- b. Moved by Ms. Dryer, seconded by Mr. Devenney,
The Board directs the Superintendent to communicate with the members of the Pennsylvania Legislature which represent the District's constituents, of its support for legislation which would override the August 31, 2021 Order of the Acting Secretary of the Pennsylvania Department of Health directing face coverings in school entities, and/or which would preclude further Executive Orders of this nature in the future, on the basis that imposition of a face covering mandate, if any, should rest in the discretion of each local duly elected school board.

ROLL CALL: Ms. Cunningham, Mr. Devenney, Ms. Dryer, Mr. Gagich, Mr. McConn, Ms. Miller, Mr. Paris and Ms. Thames said "aye". Mr. Willyerd said "nay". Motion carried 8-1.

- c. Moved by Ms. Dryer, seconded by Mr. Devenney,
The Board approves the revised form, by which Avella Area School District parents/guardians, and/or District students age 18 or over, may request an exception from the face covering mandate set forth in the August 31, 2021 Order of the Acting Secretary of the Pennsylvania Department of Health.

ROLL CALL: Mr. Dryer and Ms. Miller said "aye". Ms. Cunningham, Mr. Devenney, Mr. Gagich, Mr. McConn, Mr. Paris, Ms. Thames and Mr. Willyerd said "nay". Motion denied 2-7.

C. ADJOURNMENT

With no further business before the Board, moved by Mr. Devenney, seconded by Ms. Cunningham, to adjourn the meeting at 6:43 p.m. Motion carried.

ROLL CALL: Ms. Cunningham, Mr. Devenney, Ms. Dryer, Mr. Gagich, Mr. McConn, Ms. Miller, Mr. Paris, Ms. Thames and Mr. Willyerd said "aye". Motion carried 9-0.

Respectfully submitted,

Debra L. Bentz
Board Secretary